



STATE OF TENNESSEE
DEPARTMENT OF HEALTH
ANDREW JOHNSON TOWER, 5TH FLOOR
710 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243

LISA PIERCEY, MD, MBA, FAAP
COMMISSIONER

BILL LEE
GOVERNOR

June 10, 2019

Jennifer Pitts, Administrator
Ripley Healthcare and Rehabilitation Center
118 Halliburton Drive
Ripley, TN 38063

Dear Ms. Pitts:

On April 29, 2019, surveyor(s) for the Department of Health began conducting an annual survey at Ripley Healthcare and Rehabilitation Center. Upon exiting the facility on May 1, 2019, the surveyor(s) orally notified you or your representative of the possibility of the assessment of a Type C Civil Monetary Penalty due to the findings of the survey. Tenn. Code Ann. § 68-11-804 et.seq.

This letter serves to officially notify you that based upon the survey report this facility is in violation of the following requirements:

Tenn. Code Ann. § 68-11-804(c)(22) and rule 1200-08-06-.06(9)(i):
Food shall be protected from dust, flies, rodents, unnecessary handling, droplet infection, overhead leakage and other sources of contamination, whether in storage or while being prepared and served to transported hallways.

I hereby assess a Type C Civil Monetary Penalty against this facility in the amount of two hundred fifty dollars (\$250.00) as provided by Tenn. Code Ann. § 68-11-801, 68-11-804, 68-11-811, and 68-11-814.

This letter constitutes the three (3) days written notice of penalty assessment as required by Tenn. Code Ann. § 68-11-814. A more detailed statement of violation(s), describing the survey findings, citing the law with specificity and setting forth your rights to contest the penalty is attached.

The penalty is to be submitted in the form of a certified check or money order, made out to "Treasurer, State of Tennessee", and mailed to: Office of Health Care Facilities, 665 Mainstream Drive, 2nd Floor, Nashville, TN 37243, to the attention of Eddie Stewart, Health Facility Program Manager.

Sincerely,

Lisa Piercey, MD, MBA, FAAP
Commissioner

LP/kf
Attachment

xc: Secretary of State – Administrative Procedures Division
Health Care Facilities Central Office
Health Care Facilities REGIONAL OFFICE

BEFORE THE COMMISSIONER OF THE TENNESSEE DEPARTMENT OF HEALTH

IN THE MATTER OF:

Ripley Healthcare and Rehabilitation
117 Halliburton Drive
Ripley, TN 38063
License No. 153

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BY ORDER OF THE COMMISSIONER

ORDER ASSESSING CIVIL PENALTY

On April 29, 2019 a Department of Health (hereinafter "Department") survey team conducted an annual survey at Ripley Healthcare and Rehabilitation in Ripley, TN (hereinafter "Ripley"), pursuant to T.C.A. § 68-11-210. The investigation was completed on June 10, 2019.

The survey revealed violations of licensure statutes and regulations that are neither considered directly detrimental to the patients, nor directly impact their care, but have an indirect relationship to patient care.

Pursuant to T.C.A. §§ 68-11-801 and 68-11-804, the Commissioner has the authority to impose Type C Civil Monetary Penalties upon deficient nursing homes.

Based upon the surveyors' findings and recommendations, the Commissioner has exercised the authority to impose one (1) repeat Type C Civil Monetary Penalty.

The facility was orally advised of the possible imposition of one (1) repeat Type C Civil Monetary Penalty when surveyors exited the facility on May 1, 2019 and by letter from the Commissioner dated June 10, 2019.

FACTS

A detailed statement describing the findings of the survey with particularity and citing the law with specificity, pertaining to the assessment of a Type C Civil Monetary Penalty, is appended hereto as Attachment 1 and incorporated by reference herein. Attachment 1 is the licensure "Statement of Deficiencies" compiled by the surveyors upon completion of the survey.


ASSESSMENT OF TYPE C CIVIL MONETARY PENALTY

Therefore, pursuant to T.C.A. §§ 68-11-801 and 68-11-804 and based upon the aforementioned facts as incorporated by reference herein, the Commissioner hereby assesses one (1) repeat Type C Civil Monetary Penalty in an amount of two hundred fifty dollars (\$250.00) against "Ripley" based on violations of Basic Services: Food and Dietetic Services.

The facility's attention is directed to the statement of its rights in this matter, appended hereto as Attachment 2.

This assessment of one (1) Type C Civil Monetary Penalty in the amount of two hundred fifty dollars (\$250.00) is effective upon receipt of this order and the penalty is due as payable within five (5) working days thereafter.

Entered this 10th day of June, 2019


Lisa Piercey, MD, MBA, FAAP
Commissioner