



STATE OF TENNESSEE
DEPARTMENT OF HEALTH

JOHN J. DREYZEHNER, MD, MPH
June 16, 2017 COMMISSIONER

BILL HASLAM
GOVERNOR

Chasity Doss, Interim Administrator
Lauderdale Community Living Center
215 Lackey Lane
Ripley, TN 38063

Dear Ms. Doss:

On April 24, 2017 through May 5, 2017, surveyor(s) for the Department of Health conducted a complaint investigation survey at your nursing home pursuant to T.C.A. § 68-11-210. Upon exiting the facility on May 5, 2017 the surveyor(s) notified you or your representative of the possibility of the issuance of a Suspension of Admissions and a Type A Civil Monetary Penalty, due to deficient practices and conditions in the home which were, or were likely to be, detrimental to the health, safety, or welfare of the residents. T.C.A. § 68-11-812. As Commissioner of the Tennessee Department of Health, I therefore suspended the admission of new residents to the facility pursuant to T.C.A. §§ 68-11-207(b)(1) and 68-11-813 due to those investigative findings cited above, effective June 16, 2017.

As Commissioner of the Tennessee Department of Health, I find, based upon the investigation and survey report that the conditions at Lauderdale Community Living Center are, or are likely to be, detrimental to the health, safety, or welfare of the residents due to violations of the following standards: Administration, Basic Services [Performance Improvement], Basic Services [Physician Services], and Basic Services [Social Work Services], and Record and Reports. For the specific findings, please refer to the facility's statement of deficiencies. Therefore, I am suspending the admission of new residents to the facility and imposing a Type A Civil Monetary Penalty in the amount of four thousand dollars (\$4,000.00), as provided by T.C.A. §§ 68-11-207(b)(1), 68-11-802(a), 68-11-811, and 68-11-813.

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, Second Floor, Nashville, TN 37243, to the attention of Eddie Stewart.

The Suspension of Admissions shall be effective at 5:00 p.m., this 16th day of June 2017. This facility is hereby ordered to post a copy of this letter where it may be plainly seen by those entering the facility and to make a copy of this letter available for anyone requesting a copy.

Attached is a statement of your rights in this matter.

Sincerely,

John J. Dreyzehner, MD, MPH, FACOEM
Commissioner

JD/

xc: Secretary of State – Administrative Procedures Division
Division of Health Licensure and Regulation
Health Care Facilities Central Office
Health Care Facilities West TN Regional Office

5th Floor, Andrew Johnson Tower
710 James Robertson Parkway * Nashville, TN 37243
(615) 741-3111 * www.tn.gov/health

BEFORE THE COMMISSIONER OF THE TENNESSEE DEPARTMENT OF HEALTH

IN THE MATTER OF:)
)
LAUDERDALE COMMUNITY LIVING CTR)
215 LACKEY LANE)
RIPLEY, TN 38063)
)
)

License No. #154

) BY ORDER OF THE COMMISSIONER

NOTICE OF SUSPENSION OF ADMISSIONS

On April 24, 2017 through May 5, 2017, the Department of Health (hereinafter “Department”) survey team conducted an annual survey at **LAUDERDALE COMMUNITY LIVING** in Ripley, Tennessee (hereinafter “**LAUDERDALE COMMUNITY LIVING**”), pursuant to T.C.A. § 68-11-210. The investigation was completed on June 16, 2017.

The investigation and survey revealed violations of licensure statutes and regulations that are considered detrimental to the health, safety, or welfare of the residents.

Pursuant to T.C.A. §68-11-207(b), whenever the Commissioner of the Department of Health (hereinafter “Commissioner”) determines that conditions in a nursing home are, or are likely to be, detrimental to the health, safety, or welfare of the residents, the Commissioner shall have the authority to suspend new admissions of residents to the facility, pending a prompt hearing.

Pursuant to T.C.A. §68-11-801, the Commissioner has the authority to impose civil monetary penalties upon deficient nursing homes. Further, pursuant to T.C.A. §68-11-802, the Commissioner has the authority to impose a Type A Civil Monetary Penalty upon a nursing home when the penalty assessment is accompanied by an Order suspending admissions pursuant to T.C.A. §68-11-207(b).

Based upon the surveyors' findings and recommendations, the Commissioner has exercised the authority to suspend admissions to the facility, effective June 16, 2017, AT 5:00 p.m. Further, the Commissioner has concluded that a Type A Civil Monetary Penalty should be imposed upon this facility.

The facility was orally advised and provided written notification of the possible imposition of a Type A Civil Monetary Penalty when surveyors exited the facility on May 5, 2017. The Commissioner's notification of the Suspension of Admissions imposed upon the facility is attached hereto as Attachment 1, along with a letter setting forth the grounds for the Suspension of Admissions and notice of appeal rights.

FACTS

A detailed statement describing the findings of the survey with particularity and citing the law with specificity, pertaining to the Suspension of Admissions and the assessment of a Type A Civil Monetary Penalty, is appended hereto as Attachment 2 and incorporated by reference herein. Attachment 2 is the licensure "Statement of Deficiencies" compiled by the surveyors upon completion of the survey.

ORDER AND ASSESSMENT OF CIVIL MONETARY PENALTIES

Therefore, pursuant to T.C.A. §§68-11-207(b) and based upon the aforementioned facts and incorporated by reference herein, the Commissioner has ordered that the admission of new residents at **LAUDERDALE COMMUNITY LIVING CENTER** be **SUSPENDED**, effective on the June 16, 2017, at 5:00 p.m.

Pursuant to T.C.A. §§68-11-801 and 68-11-802, the Commissioner hereby assesses a Type A civil monetary penalty in the amount of four thousand dollars (\$4,000.00) against **LAUDERDALE COMMUNITY LIVING CENTER**.

The violations which the Commissioner considers to be detrimental to the health, safety, or welfare of the residents are serious violations of the Board's rules regarding Administration, Basic Services [Performance

Improvement], Basic Services [Physician Services], and Basic Services [Social Work Services], and Record and Reports.

In order for this Suspension of Admissions to be lifted, the cited conditions must be corrected so as to remove the detriment to the health, safety, or welfare of the residents, as verified by a follow-up survey of the facility conducted by the Department.

Pursuant to T.C.A. §68-11-221, which provides that whenever admissions at a health care facility are suspended under the authority of T.C.A. §68-11-207, the Commissioner shall appoint one or more special monitors, if the deficiencies constitute serious bodily harm to the residents at the facility.

The Commissioner hereby appoints a monitor(s) to be present in the facility for a minimum of twenty (20) hours per week, in order to observe the operation of the facility, and to submit written reports on the operations of the facility to the Department. The monitor(s) shall have the power to observe and review all of the facility's operations with attention to those aspects for which the Suspension of Admissions was imposed. The facility shall be liable for the cost of the special monitor(s) until it is determined by the Department that all the deficiencies which caused the appointment of the monitor(s) have been corrected. The facility's attention is directed to the statement of its rights in this matter, appended hereto as Attachment 3.

The facility is hereby ordered to post a copy of this Notice and Order, pursuant to the rules of the Board for Licensing Health Care Facilities Rule 1200-08-11-.03(5) upon the public entrance doors of the facility and prominently display it there for so long as it remains effective. During the Suspension of Admissions, the facility shall inform any person who inquires about the admission of a new resident to the facility of the Commissioner's Order and make a copy of this Order readily available.

This Suspension of Admissions became effective at 5:00 p.m. on June 16, 2017, and continues as effective.

This assessment of a Type A Civil Monetary Penalty in the amount of four thousand dollars (\$4,000.00) shall go into effect on the 16th day of June 2017.

Entered this 16th day of June 2017.



John J. Dreyzehner, MD, MPH, FACOEM
Commissioner