

BEFORE THE COMMISSIONER OF THE TENNESSEE DEPARTMENT OF HEALTH

IN THE MATTER OF:)
)
VIVIAN HEALTHCARE)
OF MURFREESBORO)
1530 MIDDLE TN BLVD) BY ORDER OF THE COMMISSIONER
MURFREESBORO, TN)
37130)
License No. 217

ORDER ASSESSING CIVIL PENALTY

On September 14, 2021 a Department of Health (hereinafter "Department") survey team conducted a complaint survey at **VIVIAN HEALTHCARE OF MURFREESBORO**, in Murfreesboro, Tennessee (hereinafter "**VIVIAN HEALTHCARE**"), pursuant to TC.A. § 68-11-210. The investigation was completed on December 14, 2021.

The survey revealed violations of licensure statutes and regulations that directly impact the care of the patients in the nursing home.

Pursuant to TC.A. §§ 68-11-801 and 68-11-803, the Commissioner has the authority to impose Type B Civil Monetary Penalties upon deficient nursing homes.

Based upon the surveyors' findings and recommendations, the Commissioner has exercised the authority to impose Type B Civil Monetary Penalties.

The facility was orally advised of the possible imposition of Type B Civil Monetary Penalties when surveyors exited the facility on September 14, 2021, and by letter from the Commissioner dated December 14, 2021.

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 B 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 B CIVIL MONETARY PENALTY

Therefore, pursuant to T.C.A. §§ 68-11-801 and 68-11-803 and based upon the aforementioned facts as incorporated by reference herein, the Commissioner hereby assesses a Type B **Civil** Monetary Penalty in an amount of five hundred dollars (\$500.00) against VIVIAN HEALTHCARE based on violations of: Resident Rights.

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

This assessment of Type B Civil Monetary Penalties in the amount of five hundred dollars (\$500.00) is effective upon receipt of this order and the penalty is due as payable within five (5) working days thereafter.

Entered this 14th day of December 2021.

A handwritten signature in blue ink, appearing to read "Lisa Piercey".

Lisa Piercey, MD, MBA, FAAP
Commissioner

