

BEFORE THE COMMISSIONER OF THE TENNESSEE DEPARTMENT OF HEALTH

IN THE MATTER OF:)
)
DIVERSICARE OF SMYRNA)
200 MAYFIELD DRIVE) BY ORDER OF THE COMMISSIONER
SMYRNA, TN 37167)

License No. 218

ORDER ASSESSING CIVIL PENALTY

On October 27, 2021 a Department of Health (hereinafter “Department”) survey team conducted a complaint survey at **DIVERSICARE OF SMYRNA**, in Smyrna, Tennessee (hereinafter “**DIVERSICARE**”), pursuant to T.C.A. § 68-11-210. The investigation was completed on January 6, 2022.

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

Pursuant to T.C.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 October 27, 2021, and by letter from the Commissioner dated January 6, 2020.

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 **DIVERSICARE** 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 a Type B Civil Monetary Penalty 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 6th day of January 2022.



Lisa Piercey, MD, MBA, FAAP
Commissioner