

**STATE OF TENNESSEE  
HEALTH FACILITIES COMMISSION  
BEFORE THE EXECUTIVE DIRECTOR**

<b>In The Matter of:</b>	)	
	)	
<b>Midtown Center for Health and Rehab</b>	)	<b>BY ORDER OF THE EXECUTIVE</b>
<b>141 North Mclean Blvd.</b>	)	<b>DIRECTOR</b>
<b>Memphis, Tennessee 38104</b>	)	
	)	
	)	
<b>S.N.F. License No. 255</b>	)	

**ORDER ASSESSING CIVIL PENALTY**

On December 27, 2022, the Health Facilities Commission (hereinafter “Commission”) survey team conducted an annual survey at **Midtown Center for Health and Rehabilitation, LLC** in Memphis, TN (hereinafter Midtown Center for Health and Rehab), pursuant to Tenn. Code Ann. (“T.C.A.”) § 68-11-210. The investigation was completed on February 8, 2023.

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 Executive Director has the authority to impose Type B Civil Monetary Penalties upon deficient nursing homes.

Based upon the surveyors' findings and recommendations, the Executive Director 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 January 24, 2023, and by letter from the Executive Director dated February 17, 2023.

**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 Executive Director hereby assesses four (4) Type B Civil Monetary Penalties in an amount of **one thousand five hundred (\$1,500.00)** dollars each, for a total assessment of **six thousand (\$6,000) dollars** against **Midtown Center for Health and Rehab** based on violations of Basic Services.

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

This assessment of four (4) Type B Civil Monetary Penalties in the amount of one thousand five hundred (\$1,500.00) dollars each for a total assessment of **six thousand (\$6,000) dollars** is effective upon receipt of this Order and the penalty is due as payable within five (5) working days thereafter.

Entered this 17th day of February, 2023.



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Logan Grant  
Executive Director  
Health Facilities Commission

xc: Secretary of State – Administrative Procedures Division  
Caroline R. Tippens, Director of Licensure & Regulation  
West Tennessee Regional Office