**BEFORE THE COMMISSIONER OF THE TENNESSEE DEPARTMENT OF HEALTH**

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| **IN THE MATTER OF:** | ) | |
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| **The Highlands Of Dyersburg Health & Rehab** | ) | BY ORDER OF THE COMMISSIONER |
| **350 East Tickle Street** | ) | |
| **Dyersburg, TN 38024** | ) | |
| | ) | |
| License No. **76** | ) | |

**ORDER ASSESSING CIVIL PENALTY**

On January 7, 2019 through January 10, 2019 the Department of Health (hereinafter "Department") survey team conducted an annual licensure survey at The Highlands of Dyersburg Health and Rehab Center in Dyersburg, Tennessee (hereinafter "The Highlands of Dyersburg"), pursuant to T.C.A. § 68-11-210. The investigation was completed on February 8, 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 authority to impose Type C Assessed Civil Monetary Penalties upon deficient nursing homes.

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

The facility was orally advised of the possible imposition of one (1) Type C Civil Monetary Penalty when surveyors exited the facility on January 10, 2019 and by letter from the Commissioner dated February 8, 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 I and incorporated by reference herein. Attachment I is the licensure "Statement of Deficiencies" compiled by the surveyors upon completion of the survey.

## ASSESSMENT OF TYPE C MONETARY PENALTY

Therefore, pursuant to T.C.A. §§68-11-801 and 68-11-804 and based upon the aforementioned facts and incorporated by reference herein, the Commissioner hereby assesses one (1) repeated Type C Civil Monetary Penalty in an amount of two hundred fifty dollars ($250.00) against "The Highlands of Dyersburg" 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 8th day of February 2019.

Lisa Piercey, MD, MBA, FAAP
Commissioner