

**DISCIPLINARY ACTION REPORT**

NASHVILLE, Tenn. -- Tennessee Code Annotated, Section 68-1-114 requires the Tennessee Department of Health to issue a monthly media release listing all disciplinary actions taken by the health related boards during the prior month. Below is a list of actions taken in October 2019. *Detailed information about disciplinary actions is available on our website at <https://apps.health.tn.gov/Licensure/default.aspx>. Enter the name of the person. When the license information comes up, click either "disciplinary action" or "adverse licensure action" in the right column.*

---

**BOARD OF CHIROPRACTIC EXAMINERS**

Licensee: Jakob Taylor, DC, Chattanooga  
Violation: Failed to timely renew license and practiced on expired license  
Action: Agreed Citation; civil penalty of \$1,000.00

Licensee: Christopher Catalfo, DC, Hixson  
Violation: Allegations of immoral, unethical, unprofessional or dishonorable conduct for failure to keep proper records for patients.  
Action: License reprimanded; assessed costs of the prosecution of this matter.

Licensee: Karen Neal, DC, Clinton  
Violation: Failed to timely renew license and practiced on expired license.  
Action: License reprimanded; assessed civil penalty of \$5,000.00 plus costs of the prosecution of this matter.

Licensee: Julie A. Vaughn, CTA Decherd  
Violation: Failed to timely renew license and practiced on expired license  
Action: License reprimanded; assessed civil penalty of \$500 plus costs of the prosecution of this matter.

**BOARD OF COMMUNICATION DISORDERS AND SCIENCES**

Licensee: Ashley Crosby, SP, Florence, Alabama  
Violation: Failure to properly maintain sufficient continuing education credits.  
Action: Agreed Citation; civil penalty of \$100.00  
*Late reporting from August, 2019*

**BOARD OF DENTISTRY**

Licensee: Amy Pruitt Abernathy, DA, Memphis  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain twenty four hours of continuing education including two hours on chemical dependency and current CPR certification; assessed civil penalty of \$150.00

Licensee: Tanya Darlene Barnes, DA, Lawrenceburg  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain two hours of continuing education on chemical dependency and current CPR certification; assessed civil penalty of \$150.00

Licensee: Jacob Richard Bateman, DDS, Kingsport  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain two hours of continuing education on controlled substance prescribing; assessed civil penalty of \$600.00

Licensee: Amber Diane Bell, DA, Nashville  
Violation: Failure to timely renew license  
Action: Agreed citation; assessed civil penalty of \$50.00

Licensee: Alireza Blourchian, DDS, Franklin  
Violation: Failure to properly maintain sufficient continuing education credits in anesthesia/sedation.  
Action: License reprimanded; assessed civil penalty of \$50.00 plus costs of the prosecution of this matter

Licensee: Katherine Ruth Box, DA, Columbia  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain two hours of continuing education on chemical dependency; assessed civil penalty of \$300.00

Licensee: Sheila Darlene Brooks, DA, Wartrace  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain fourteen hours of continuing education including two hours on chemical dependency and current CPR certification; assessed civil penalty of \$150.00

Licensee: Anthony Donte Brown, DA, Nashville  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain thirteen hours of continuing education and current CPR certification; assessed civil penalty of \$150.00

Licensee: Joseph Brown, DDS, Mt. Juliet  
Violation: Failure to properly maintain sufficient continuing education credits in anesthesia/sedation.  
Action: License reprimanded; assessed civil penalty of \$400.00 plus costs of the prosecution of this matter

Licensee: Shantell Marie Brown, DA, Fairview  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain seventeen point seventy-five hours of continuing education including two hours on chemical dependency and current CPR certification; assessed civil penalty of \$150.00

Licensee: Kourtney Calhoun, RDA  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: License voluntarily surrendered

Licensee: Dawson Colvert, DDS, Memphis  
Violation: Failure to timely renew educational limited license and practiced on a lapsed license.  
Action: License reprimanded; assessed civil penalty of \$2,400.00 plus costs of the prosecution of this matter

Licensee: Kedra S. Cowan, RDA, Holly Springs, Mississippi  
Violation: Failure to properly maintain sufficient continuing education hours.  
Action: License voluntarily retired.

Licensee: Devan Monique Dickey, DA, Cleveland  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain current CPR certification; assessed civil penalty of \$150.00

Licensee: Lisa Marie Dixon, DA, Cordova  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain twenty-four hours of continuing education including two hours on chemical dependency and current CPR certification; assessed civil penalty of \$150.00

Licensee: William Perry Doka, DDS, Morristown  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain current CPR certification; assessed civil penalty of \$600.00

Licensee: Meredith Wright Dozier, DA, Rockvale  
Violation: Failure to timely renew license  
Action: Agreed citation; assessed civil penalty of \$50.00

Licensee: Lartoniya C. Edmonds, RDA, Columbia  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: License reprimanded; assessed civil penalty of \$150.00 plus costs and make up 24 continuing education hours.

Licensee: Tianyun Fei, RDH, Madison  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; two hours of continuing education on chemical dependency; assessed civil penalty of \$300.00

Licensee: Lakrisha Q. Flye RDA, Nashville  
Violation: Guilty of practicing beyond the scope permitted by law. Performing professional responsibilities which the licensee knows that she is not competent to perform. Performing without adequate supervision of a licensed professional.  
Action: License reprimanded; assessed civil penalty of \$500.00 plus costs of prosecution of this matter

Licensee: Michele Ivey Frazier, DA, Goodlettsville  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; two hours of continuing education on chemical dependency; assessed civil penalty of \$150.00

Licensee: Steven Fuson, DDS, Germantown  
Violation: Failed to have all required drugs on site and accessible from the operatory and recovery room.  
Action: License reprimanded; assessed civil penalty of \$100.00 and show proof of purchase of emergency drugs.

Licensee: Charles S. Fussell, DDS, Chattanooga  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain fifteen hours of continuing education and current CPR certification; assessed civil penalty of \$600.00

Licensee: Negin Ghazisharif, RDH, Nashville  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain five and a half hours of continuing education and current CPR certification; assessed civil penalty of \$300.00

Licensee: Tarsha S. Gibson, RDA, Memphis  
Violation: Failed to timely renew license and practiced on a lapsed license.  
Action: License reprimanded; assessed civil penalty of \$3,000.00 plus costs of the prosecution of this matter

Licensee: Joe F. Griffin, DDS, Knoxville  
Violation: Failed to properly maintain sufficient continuing education credits  
Action: License reprimanded; make up 2 continuing education hours in sedation; assessed civil penalty of \$200.00 plus costs of the prosecution of this matter.

Licensee: Amber Nicole Halbrook-Henry, DA, Walnut Ridge AR  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain twenty four hours of continuing education including two hours on chemical dependency and current CPR certification; assessed civil penalty of \$150.00

Licensee: Brittnie N. Hale, DA, Mt. Juliet  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain twenty-two hours of continuing education including two hours on chemical dependency and current CPR certification; assessed civil penalty of \$150.00

Licensee: Kathy L. Jefferson, DDS, Brentwood  
Violation: Failure to timely renew license  
Action: Agreed citation; assessed civil penalty of \$100.00

Licensee: Alicia Marie Johns, DA, Westmoreland  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain current CPR certification; assessed civil penalty of \$150.00

Licensee: Jennifer E. Johnson, DDS, Goodlettsville  
Violation: Respondent admits that she wrote a prescription for Clindamycin under the name of a dental assistant employed by the Respondent which was filled; picked up and returned to the Respondent for personal use.  
Action: License reprimanded; obtain 10 continuing education hours in prescription writing; assessed civil penalty of \$1,000.00 plus costs of the prosecution of this matter.

Licensee: Velinzala Ella Johnson, DA, Cordova  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain twenty four hours of continuing education including two hours on chemical dependency and current CPR certification; assessed civil penalty of \$150.00

Licensee: Dee A. Jones, RDH, Medina  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain one hour of continuing education on chemical dependency; assessed civil penalty of \$300.00

Licensee: Stephen Kaufman, DDS, Nashville  
Violation: Previous revocation of dental license  
Action: Conditional license granted pursuant to maintaining advocacy of Tennessee Dental Wellness Committee

*Late Reporting from July, 2018*

Licensee: Johnny C. Ko, DDS, Collierville  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain two hours of continuing education on controlled substance prescribing; assessed civil penalty of \$600.00

Licensee: Laura C. Laxton, RDH, La Follette  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain fifteen hours of in person continuing education and current CPR certification; assessed civil penalty of \$600.00

Licensee: Brandi M. Lipscomb, RDA, Lakeland  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: License reprimanded; obtain 1 hour of continuing education; assessed civil penalty of \$150.00 plus costs of the prosecution of this matter.

Licensee: Aviance Murphy, DA, Murfreesboro  
Violation: Failure to timely renew license  
Action: Agreed citation; assessed civil penalty of \$50.00

Licensee: Brandi Lane Myers, DA, Covington  
Violation: Failure to timely renew license  
Action: Agreed citation; assessed civil penalty of \$100.00

Licensee: Carey Nicole Norman, DA, Walls MS  
Violation: Failure to timely renew license  
Action: Agreed citation; assessed civil penalty of \$50.00

Licensee: Yolanda Rena Polk, DA, Antioch  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain current CPR certification; assessed civil penalty of \$150.00

Licensee: Paige Marie Prather, DDS, Franklin  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain two hours of continuing education on controlled substance prescribing; assessed civil penalty of \$600.00

Licensee: Kellye N. Rice, DDS, Brentwood  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain two hours of continuing education on controlled substance prescribing and current CPR certification; assessed civil penalty of \$600.00

Licensee: Charisse Nichole Robinson, RDH, Ooltewah  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain fifteen hours of continuing and current CPR certification; assessed civil penalty of \$300.00

Licensee: Kasandra Rogers, RDA, Memphis  
Violation: Failure to comply with previous Agreed Citation regarding continuing education.  
Action: License reprimanded; obtain 5 continuing education hours; assessed civil penalty of \$150.00 plus costs of the prosecution of this matter.

Licensee: Andrea Rowley, RDA, Brentwood  
Violation: Guilty of habitual intoxication or personal misuse of intoxicating liquors in such a manner to affect her ability to practice as a dental assistant.  
Action: License suspended pending an evaluation by the Tennessee Dental Wellness Foundation and follow all recommendations until such time as Respondent is fit to practice; at which time suspension will be lifted and license is to be placed on probation for 5 years; assessed costs of the prosecution of this matter.

Licensee: Jayson Charles Smith, DDS, Bristol  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain two hours of continuing education on controlled substance prescribing; assessed civil penalty of \$600.00

Licensee: Margie Smith RDA, Fayetteville  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: License voluntarily retired; should she apply for reinstatement she must make

up all continuing education credits for the 2015-2016 cycle.

Licensee: Cheryl Maria Snyder, DDS, Nolensville  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain thirty-six hours of continuing education including two hours on controlled substance prescribing; assessed civil penalty of \$600.00

Licensee: Melissa Sue Spears, DA, Gate City VA  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain current CPR certification; assessed civil penalty of \$150.00

Licensee: Christina Renee Starnes, DA, Bartlett  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain seventeen hours of continuing education including two hours on chemical dependency; assessed civil penalty of \$150.00

Licensee: Danny Tackett DMD, Jacksboro  
Violation: Guilty of providing prescriptions for controlled substances to patients with whom no dentist/patient relationship has been established. Prescribing controlled substances without performing proper checks with the Controlled Substance Database.  
Action: License reprimanded; obtain continuing education in prescription writing; assessed civil penalty of \$1,500.00 plus costs of the prosecution of this matter.

Licensee: Kathy Ann Tarver, DA, Nashville  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain four hours of continuing education; assessed civil penalty of \$150.00

Licensee: Jeanne Taylor, DMD, Brentwood  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: License reprimanded; obtain 2.5 continuing education credits in sedation/anesthesia; assessed civil penalty of \$250.00

Licensee: Marrio Rhodan Thomas, DDS, Memphis  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain current CPR certification; assessed civil penalty of \$600.00

Licensee: Jeremy Astaire Tibbs, DDS, Hendersonville  
Violation: Failure to properly maintain sufficient continuing education credits  
Action: Agreed citation; must obtain two hours of continuing education on controlled substance prescribing; assessed civil penalty of \$600.00

Licensee: Angela D. Trantham, RDH, Hixson  
Violation: Failed to timely renew license and practiced on a lapsed license.  
Action: License reprimanded; assessed civil penalty of \$250.00 plus costs of the prosecution of this matter.

Licensee: Brielea Shea Utley, DA, Ashland City  
 Violation: Failure to timely renew license  
 Action: Agreed citation; assessed civil penalty of \$100.00

Licensee: Andrea Lauren Whitten, RDH, Hendersonville  
 Violation: Failure to properly maintain sufficient continuing education credits  
 Action: Agreed citation; must obtain fourteen hours of continuing education and current CPR certification; assessed civil penalty of \$300.00

Licensee: Tori Wilkins, RDA, Knoxville  
 Violation: Guilty of criminal charges.  
 Action: Contingent license granted; license placed on probation to run concurrent with criminal probationary period.

Licensee: Tammy S. Williford, RDH, White Pine  
 Violation: Failure to properly maintain sufficient continuing education credits  
 Action: License reprimanded; obtain 24 hours of continuing education; assessed civil penalty of \$150.00 plus costs of the prosecution of this matter.

### **BOARD FOR LICENSING OF HEALTH CARE FACILITIES**

Licensee: Arcadia Senior Living of Clarksville  
 Violation: Violation of Rule 1200-08-25-.10(2)(h)[Life Safety],  
 (2) An ACLF shall ensure fire protection for the residents by doing at least the following:  
 (h) Prohibit open flame and portable space heaters.  
 (2) An ACLF shall ensure fire protection for residents by doing at least the following:  
 (i) Ensure that upon entering the ACLF, the resident or his or her responsible party is asked if they wish to have a cooking appliance that is appropriate for their level of cognition. If the facility chooses to provide a requested cooking appliance, it shall be used in accordance with the facility's policies. If the resident or his or her responsible party wishes to provide their own cooking appliance, it shall meet the facility's policies and safety standards. The cooking appliances shall be designed so that they can be disconnected and removed for resident safety or if the resident chooses not to have cooking capability within his or her apartment. The cooking appliances shall have an automatic timer.  
 Violation of Rule 1200-08-25-.10(3)(a)[Life Safety], the relevant portion of which reads as follows:  
 (3) An ACLF shall conduct fire drills in accordance with the following:  
 (a) Fire drills shall be held for each ACLF work shift in each separate ACLF building at least quarterly.  
 Action: Three civil monetary penalties in the amount of five hundred dollars each (\$500), for a total amount of one thousand five hundred dollars (\$1500.00) in civil monetary penalties.

Licensee: Beehive Homes of Powell  
 Violation: Violations of Rule 1200-08-25-.06(1)(b)(2) [ADMINISTRATION], the relevant portion of which reads as follows:

(1) Each ACLF shall meet the following staffing and procedural standards:

(b) Policies and Procedures

(2) An ACLF shall develop and implement an effective facility wide performance improvement plan that addresses plans for improvement for self-identified deficiencies and documents the outcome of remedial action.

Violations of Rule 1200-08-25-.06(5)(c)(1) [ADMINISTRATION], the relevant portion of which reads as follows:

(5) Infection Control:

(c) An ACLF and its employees shall adopt and utilize standard precautions in accordance with guidelines established by the Centers for Disease Control and Prevention (CDC) for preventing transmission of infections, HIV, and communicable diseases, including adherence to a hand hygiene program which shall include:

(1) Use of alcohol based hand rubs or use of non-microbial or antimicrobial soap and water before and after each resident contact if hands are not visibly soiled.

Violations of Rule 1200-08-25-.07(5)(b) [SERVICES PROVIDED], the relevant portion of which reads as follows:

(5) Resident medication. An ACLF shall:

(b) Ensure that all drugs and biologicals shall be administered by a licensed or certified health care professional operating within the scope of the professional license or certification and according to the resident's plan of care.

Violations of Rule 1200-08-25-.07(7)(c)(2) [SERVICES PROVIDED], the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(c) Dietary services.

(2) An ACLF shall have an employee who:

(i) Serves as director of the food and dietetic service;

(ii) Is responsible for the daily management of the dietary services and staff training; and

(iii) Is qualified by experience or training.

Violations of Rule 1200-08-25-.07(7)(c)(6) [SERVICES PROVIDED], the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(c) Dietary services.

(6) Employees shall wash and sanitize equipment, utensils, and dishes after use.

Violations of Rule 1200-08-25-.13(1) [REPORTS], the relevant portion of which reads as follows:

(1) The ACLF shall report all incidents of abuse, neglect, and misappropriation to the Department of Health in accordance with T.C.A. § 68-11-211.

Action: Three civil monetary penalties in the amount of five hundred dollars each (\$500), for a total amount of one thousand five hundred dollars (\$1500.00) in civil monetary penalties.

Licensee: Belmont Village

Violation: Violations of Rule 1200-08-25-.07(7)(c)(2)[SERVICES PROVIDED], the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(c) Dietary Services

(2) An ACLF shall have an employee who:

(i) Serves as director of the food and dietetic service;

(ii) Is responsible for the daily management of the dietary services and staff training; and

(iii) Is qualified by experience or training.

Violations of Rule 1200-08-25-.07(c)(4)(i)[SERVICES PROVIDED], the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(c) Dietary services.

(4) An ACLF shall:

(i) Provide at least three (3) meals constituting an acceptable and/or prescribed diet per day. There shall be no more than fourteen (14) hours between the evening and morning meals. All food served to the residents shall be of good quality and variety, sufficient quantity, attractive and at safe temperatures. Prepared foods shall be kept hot (140F or above) or cold (41F or less) as appropriate. The food must be adapted to the habits, preferences, and physical abilities of the residents. Additional nourishment and/or snacks shall be provided to residents with special dietary needs or upon request.

Violations of Rule 1200-08-25-.07(7)(c)(3)(ii) [SERVICES PROVIDED], the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(c) Dietary services.

(3) An ACLF shall ensure that menus meet the needs of the residents as follows:

(ii) An ACLF shall meet nutritional needs, in accordance with recognized dietary practices and in accordance with orders of the practitioner or practitioners responsible for the care of residents.

Violations of Rule 1200-08-25-.07(7)(c)(4)(iii) [SERVICES PROVIDED], the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(c) Dietary services.

(4) An ACLF shall:

(iii) Maintain and properly store a forty-eight (48) hour food supply at all times.

Violations of Rule 1200-08-25-.07(7)(c)(4)(iv) [SERVICES PROVIDED], the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(c) Dietary services.

(4) An ACLF shall:

(iv) Provide appropriate, properly repaired equipment and utensils for cooking and serving food in sufficient quantity to serve all residents.

Violations of Rule 1200-08-25-.07(7)(c)(4)(iv) [SERVICES PROVIDED], the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(c) Dietary services.

(5) An ACLF shall maintain a clean and sanitary kitchen.

Action: Two civil monetary penalties, one in the amount of five hundred dollars (\$500.00) and one civil monetary penalty in the amount of one thousand dollars (\$1,000.00) for a total assessment of one thousand five hundred dollars (\$1,500.00)

Licensee: Courtyard Senior Living of Briar Cliff

Violation: Violations of Rule 1200-08-25-.08(1)(d))[ADMISSIONS, DISCHARGES, AND TRANSFERS], the relevant portion of which reads as follows:

(1) An ACLF shall not admit or permit the continued stay of any ACLF resident who has any of the following conditions:

(d) Exhibits verbal or physically aggressive behavior which poses an imminent physical threat to self or others, based on behavior, not diagnoses.

Action: One civil monetary penalty in the amount of three thousand dollars (\$3,000.00).

Licensee: Dominion Senior Living of Sevierville

Violation: Violations of Rule 1200-08-25-.08(1)(d))[ADMISSIONS, DISCHARGES, AND TRANSFERS], the relevant portion of which reads as follows:

(1) An ACLF shall not admit or permit the continued stay of any ACLF resident who has any of the following conditions:

(d) Exhibits verbal or physically aggressive behavior which poses an imminent physical threat to self or others, based on behavior, not diagnoses.

Action: One civil monetary penalty in the amount of five hundred dollars (\$500.00).

Licensee: Foxbridge Assisted Living & Memory Care

Violation: Violations of Rule 1200-08-25.07(7)(c)(3)(ii)[SERVICES PROVIDED], the relevant portion of which reads as follows:

7. An ACLF shall provide personal services as follows:

(c) Dietary services.

(3) An ACLF shall ensure that menus meet the needs of the residents as follows:

(ii) An ACLF shall meet nutritional needs, in accordance with recognized dietary practices and in accordance with orders of the practitioner or practitioners responsible for the care of residents.

Violations of Rule 1200-08-25-.07(7)(c)(3)(iii)[SERVICES PROVIDED], the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(c) Dietary services.

(3) An ACLF shall ensure that menus meet the needs of the residents as follows:

(iii) An ACLF shall have a current therapeutic diet manual approved by the dietician readily available to all ACLF personnel.

Action: Two (2) civil monetary penalties, in the amount of five hundred dollars (\$500.00), for a total assessment of one thousand (\$1,000.00)

Licensee: Legacy Assisted Living & Memory Care at Lenox Park

Violation: Violations of Rule 1200-08-25-.12(5)(a) [RESIDENT RECORDS], the relevant portion of which reads as follows:

(5) Plan of care.

(a) An ACLF shall develop a plan of care for each resident admitted to the ACLF with input and participation from the resident or the resident's legal representative, treating physician, or other licensed health care professionals or entity delivering patient services within five (5) days of admission. The plan of care shall be reviewed and/or revised as changes in resident needs occur, but not less than semi-annually by the above appropriate individuals.

Violations of provisions of Rule 1200-08-25-.10(2)(h) [LIFE SAFETY], the relevant portion of which reads as follows:

(2) An ACLF shall ensure fire protection for residents by doing at least the following:

(h) Prohibit open flame and portable space heaters.

Violations of Rule 1200-08-25-.10(3) [LIFE SAFETY], the relevant portion of which reads as follows:

(3) An ACLF shall conduct fire drills in accordance with the following:

(a) Fire drills shall be held for each ACLF work shift in each separate ACLF building at least quarterly.

Violations of Rule 1200-08-25-.10(5)(e)16(2) [LIFE SAFETYDISASTER PREPAREDNESS], the relevant portion of which reads as follows:

(5) An ACLF shall have the following precautions regarding electrical equipment to ensure the safety of all residents;

(e) Ensure that electrical systems shall not be overloaded. (2) An ACLF shall comply with the following:

(a) Maintain a detailed log with staff signatures designating training that each employee receives regarding disaster preparedness.

(b) Train all employees annually as required in the plans listed above and keep each employee informed with respect to the employee's duties under the plans.

(c) Exercise each of the plans listed above annually.

Action: Respondent's probationary period shall be extended until June 2020 Board meeting.

Respondent will be suspended from admitting any new patients effective October 2, 2019. Respondent shall remain under the Suspension of Admissions until surveyors have deemed all deficiencies to be corrected.

If after the suspension of admissions have been lifted, any new deficiencies affecting the health, safety, and welfare of the residents have been cited, shall result in a suspension of admissions pending a prompt hearing by the Board.

The facility shall assess all residents and transfer any residents that require a higher level of care that the facility is unable to provide within thirty (30) days of the date of this Order.

For those residents that remain in the building, the facility must assess these residents and coordinate with their physicians to ensure that all plans of care are appropriately up to date and reflect the necessary interventions.

A representative shall appear on behalf of the Respondent facility in-person at each regularly scheduled Board meeting in February 2020 and June 2020 and provide reports to the Board regarding the progress of the facility to correct the outstanding deficiencies and to maintain compliance under the terms of this Order.

Respondent agrees to pay three (3) civil monetary penalties in the amount of five thousand dollars (\$5,000.00) each, for a total assessment of fifteen thousand dollars (\$15,000.00).

If there are any further deficiencies after October 2019 revisit survey, the facility agrees that the Department will file a Notice of Charges, and set this case for a hearing before the Board in February 2020.

Licensee: Loving Arms of Memphis

Violation: Rule 1200-08-11-.04(5)(a)[Administration], the relevant portion of which reads as follows:

(2) The licensee must designate in writing a capable and responsible person to act on administrative matters and to exercise all the powers and responsibilities of the licensee as set forth in this chapter in the absence of the licensee.

Violations of Rule 1200-08-11-.04(5)(c) [Administration], the relevant portion of which reads as follows:

(6) Each home for the aged shall:

(c) Maintain documentation of the checks of the Registry of Persons who have Abused or Intentionally Neglected Elderly or Vulnerable Individuals” prior to hiring any employee.

Violations of Rule 1200-08-11-.04(5)(e)[Administration], the relevant portion of which reads as follows:

(6) Each home for the aged shall:

(e) Post whether they have liability insurance, the identity of their primary insurance carrier, and if self-insured, the corporate entity responsible for payment of any claims. It shall be posted on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height and displayed at the main public entrance.

Violations of Rule 1200-08-11-.04(6)(n)[Administration], the relevant portion of which reads as follows:

(n) The facility shall develop a concise statement of its charity care policies and shall post such statement in a place accessible to the public.

Violations of Rule 1200-08-11-.04(7)[Administration], the relevant portion of which reads as follows:

(7) No occupant or employee who has a reportable communicable disease, as stipulated by the department, is permitted to reside or work in a home unless the home has a written protocol approved by the department.

Violations of Rule 1200-08-11-.04(8)[Administration], the relevant portion of which reads as follows:

(8) All health care facilities licensed pursuant to T.C.A. §§ 68-11-201, et seq. shall post the following in the main public entrance:

(a) Contact information including statewide toll-free number of the division of adult protective services, and the number for the local district attorney ' s office;

(b) A statement that a person of advanced age who may be the victim of abuse, neglect, or exploitation may seek assistance or file a complaint with the division concerning abuse, neglect and exploitation; and

(c) A statement that any person, regardless of age, who may be the victim of domestic violence may call the nationwide domestic violence hotline, with that number printed in boldface type, for immediate assistance and posted on a sign no smaller than eight and one-half inches (8½") in width and eleven inches (11") in height.

Postings of (a) and (b) shall be on a sign no smaller than eleven inches (11") in width and seventeen inches (17") in height.

Action: Respondent's license to operate as a Residential Home for the Aged shall be placed on probation for no less than six (6) months. During the period of probation, the Respondent shall submit an acceptable Plan of Correction.

If Respondent has not already done so prior to the ratification of this Order, Respondent shall submit a completed plan of correction within ten (10) business days for approval.

Respondent shall appear at the February 2020 Board of Licensing for Healthcare Facilities' Board meeting and provide an update to the Board regarding whether or not the cited deficiencies have been corrected. During the six (6) month period of probation, any new serious violation affecting the health, safety, and welfare of residents within the facility shall result in a suspension of admissions pending a prompt hearing by the Board. Pursuant to Tenn. Code Ann. § 68-11-213(l), if the same or different deficiencies are cited on the third (3rd) revisit survey, Respondent agrees to pay costs for all revisit surveys incurred by the Department. The Department will prepare an assessment of cost

in this matter. Such costs shall not exceed five thousand dollars (\$5,000.00).

Licensee: Maple Court

Violation: Violations of Rule 1200-08-25-.07(7)(a)(3)[SERVICES PROVIDED], the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(a) Each ACLF shall provide each resident with at least the following personal services;

(3) Daily awareness of the individual's whereabouts.

Action: One civil monetary penalty in the amount of five hundred dollars (\$500.00).

Licensee: Maple Court

Violation: Violations of Rule 1200-08-25-.07(5)(d)[SERVICES PROVIDED], the relevant portion of which reads as follows:

(5) Resident medication. An ACLF shall:

(d) Store all medications via a locked or closed container and/or room which includes, but is not limited to, some type of box, piece of furniture, an individual resident room, and/or a designated room within the facility which maintains resident medication out of sight of other residents.

Violations of Rule 1200-08-25-.07(7)(a)(2)[SERVICES PROVIDED], the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(a) Each ACLF shall provide each resident with at least the following personal services:

(2) Safety when in the ACLF.

Action: Two (2) civil monetary penalties in the amount of one thousand dollars (\$1,000.00) each for a total assessment of two thousand dollars (\$2,000.00).

Licensee: Maple Ridge Manor

Violation: Violations of Rule 1200-08-25-.10(3)(a)[Life Safety], the relevant portion of which reads as follows:

(3) An ACLF shall conduct fire drills in accordance with the following:

(a) Fire drills shall be held for each ACLF work shift in each separate ACLF building at least quarterly.

Action: One civil monetary penalty in the amount of five hundred dollars (\$500.00).

Licensee: Oakwood Senior Living Facility

Violation: Violations Rule 1200-08-25-.07(7)(a)(3)[Services Provided] the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(a) Each ACLF shall provide each resident with at least the following personal services;

(3) Daily awareness of the individual's whereabouts.

Violations of Rule 1200-08-25-.12(5)(a)[Resident Records] the relevant portion of which reads as follows:

(5) Plan of Care.

(a) An ACLF shall develop a plan of care for each resident admitted to the ACLF with input and participation from the resident or the resident's legal representative, treating physician, or other licensed health care professionals or entity delivering patient services within five (6) day of admission. The plan of

- care shall be reviewed and/or revised as changes in resident needs occur, but not less than semi-annually by the above-appropriate individuals.
- Action: Two (2) civil monetary penalties, in the amount of five hundred dollars (\$500.00), for a total assessment of one thousand (\$1,000.00)
- Licensee: River Oaks Loudon
- Violation: Violations of Rule 1200-08-25-.08(1)(d))[ADMISSIONS, DISCHARGES, AND TRANSFERS], the relevant portion of which reads as follows:  
(1) An ACLF shall not admit or permit the continued stay of any ACLF resident who has any of the following conditions:  
(d) Exhibits verbal or physically aggressive behavior which poses an imminent physical threat to self or others, based on behavior, not diagnoses.  
(b) Ensure that all drugs and biologicals shall be administered by a licensed professional operating within the scope of the professional license and according to the resident's plan of care.  
Violations of the provisions of Rule 1200-08-25-.08(9)(b))[ADMISSIONS, DISCHARGES, AND TRANSFERS], the relevant portion of which reads as follows:  
(9) An ACLF utilizing secured units shall provide survey staff with twelve (12) months of the following performance information specific to the secured unit and its residents at its annual survey:  
(b) Ongoing and up-to-date documentation that each resident's interdisciplinary team has performed a quarterly review as to the appropriateness of placement in the secured unit.  
Violations of the provisions of Rule 1200-08-25-.12(5)(a))[RESIDENT RECORDS], the relevant portion of which reads as follows:  
(5) Plan of Care.  
(a) An ACLF shall develop a plan of care for each resident admitted to the ACLF with input and participation from the resident or the resident's legal representative, treating physician, or other licensed health care professionals or entity delivering patient services within five (5) days of admission. The plan of care shall be reviewed and/or revised as changes in resident needs occur, but not less than semi-annually by the above appropriate individuals.
- Action: Three civil monetary penalties in the amount of five hundred dollars each (\$500), for a total amount of one thousand five hundred dollars (\$1500.00) in civil monetary penalties.
- Licensee: Schilling Gardens Assisted Care Living Facility
- Violation: Violations of Rule 1200-08-25-.07(7)(c)(3)(ii) [SERVICES PROVIDED], the relevant portion of which reads as follows:  
(7) An ACLF shall provide personal services as follows:  
(c) Dietary services.  
(3) An ACLF shall ensure that menus meet the needs of the residents as follows:  
(ii) An ACLF shall meet nutritional needs, in accordance with recognized dietary practices and in accordance with orders of the practitioner or practitioners responsible for the care of residents.
- Action: Two (2) civil monetary penalties, one in the amount of five hundred dollars (\$500.00), and one civil monetary penalty in the amount of one thousand dollars (\$1,000.00), for a total assessment of one thousand five hundred dollars (\$1,500.00).

Licensee: Shelby Gardens Place  
Violation: Rule 1200-08-25-.07(7)(c)(3)(ii) [SERVICES PROVIDED], the relevant portion of which reads as follows:  
(7) An ACLF shall provide personal services as follows:  
(c) Dietary services.  
(3) An ACLF shall ensure that menus meet the needs of the residents as follows:  
(ii) An ACLF shall meet nutritional needs, in accordance with recognized dietary practices and in accordance with orders of the practitioner or practitioners responsible for the care of residents.  
Rule 1200-08-25-.07(7)(c)(3)(ii) [SERVICES PROVIDED], the relevant portion of which reads as follows:  
(7) An ACLF shall provide personal services as follows:  
(c) Dietary services.  
(3) An ACLF shall ensure that menus meet the needs of the residents as follows:  
(ii) An ACLF shall meet nutritional needs, in accordance with recognized dietary practices and in accordance with orders of the practitioner or practitioners responsible for the care of residents.  
Action: Two (2) civil monetary penalties, one in the amount of five hundred dollars (\$500.00), and one civil monetary penalty in the amount of one thousand dollars (\$1,000.00), for a total assessment of one thousand five hundred dollars (\$1,500.00).

Licensee: The Lodge at Natchez Trace  
Violation: Violations of Rule 1200-08-25-.12(5)(a)[RESIDENT RECORDS], the relevant portion of which reads as follows:  
(5) Plan of care.  
(a) An ACLF shall develop a plan of care for each resident admitted to the ACLF with input and participation from the resident or the resident's legal representative, treating physician, or other licensed health care professionals or entity delivering patient services within five (5) days of admission. The plan of care shall be reviewed and/or revised as changes in resident needs occur, but not less than semi-annually by the above appropriate individuals.  
Rule 1200-08-25-.12(5)(a)[RESIDENT RECORDS], the relevant portion of which reads as follows:  
(5) Plan of care.  
(a) An ACLF shall develop a plan of care for each resident admitted to the ACLF with input and participation from the resident or the resident's legal representative, treating physician, or other licensed health care professionals or entity delivering patient services within five (5) days of admission. The plan of care shall be reviewed and/or revised as changes in resident needs occur, but not less than semi-annually by the above appropriate individuals.  
Action: One civil monetary penalty in the amount of five hundred dollars (\$500.00).

Licensee: The Terrace of Mountain Creek  
Violation: Rule 1200-08-25-.08(1)(d))[ADMISSIONS, DISCHARGES, AND TRANSFERS], the relevant portion of which reads as follows:  
(1) An ACLF shall not admit or permit the continued stay of any ACLF resident

who has any of the following conditions:

(d) Exhibits verbal or physically aggressive behavior which poses an imminent physical threat to self or others, based on behavior, not diagnoses.

(b) Ensure that all drugs and biologicals shall be administered by a licensed professional operating within the scope of the professional license and according to the resident's plan of care.

39. The facts stated in paragraph two (2) through eighteen (18) are sufficient to establish that Respondent has violated the provisions of Rule 1200-08-25-.08(9)(b)[ADMISSIONS, DISCHARGES, AND TRANSFERS], the relevant portion of which reads as follows:

(9) An ACLF utilizing secured units shall provide survey staff with twelve (12) months of the following performance information specific to the secured unit and its residents at its annual survey:

(b) Ongoing and up-to-date documentation that each resident's interdisciplinary team has performed a quarterly review as to the appropriateness of placement in the secured unit.

40. The facts stated in paragraph two (2) through eighteen (18) are sufficient to establish that Respondent has violated the provisions of Rule 1200-08-25-.12(5)(a)[RESIDENT RECORDS], the relevant portion of which reads as follows:

(5) Plan of Care.

(a) An ACLF shall develop a plan of care for each resident admitted to the ACLF with input and participation from the resident or the resident's legal representative, treating physician, or other licensed health care professionals or entity delivering patient services within five (5) days of admission. The plan of care shall be reviewed and/or revised as changes in resident needs occur, but not less than semi-annually by the above appropriate individuals.

41. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.06(1)(a)(3)[Administration], the relevant portion of which reads as follows:

(1) Each ACLF shall meet the following staffing and procedural standards:

(a) Staffing Requirements:

(3) An ACLF shall have an identified responsible attendant who is alert and awake at all times and a sufficient number of employees to meet the residents' needs, including medical services as prescribed. The responsible attendant and direct care staff must be at least eighteen (18) years of age and capable of complying with statutes and rules governing ACLFs.

42. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.07(5)(b)[Services Provided], the relevant portion of which reads as follows:

(5) Resident Medication. An ACLF shall:

(b) Ensure that all drugs and biologicals shall be administered by a licensed or certified health care professional operating within the scope of the professional license or certification and according to the resident's plan of care.

43. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.07(7)(a)(6)[Services Provided], the relevant portion of which reads as follows:

(7) An ACLF shall provide personal services as follows:

(a) Each ACLF shall provide each resident with at least the following personal

services.

(6) Non-medical living assistance with activities of daily living.

44. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.07(7)(c)(4)(iv)[Services Provided], the relevant portion of which reads as follows:

(c) Dietary Services:

(4) An ACLF shall:

(iv) Provide appropriate, properly-repaired equipment and utensils for cooking and serving food in sufficient quantity to serve all residents.

45. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.08(1)(d)[Admissions, Discharges, and Transfers], the relevant portion of which reads as follows:

(1) An ACLF shall not admit or permit the continued stay of any ACLF resident who has any of the following conditions:

(d) Exhibits verbal or physically aggressive behavior which poses an imminent physical threat to self or others based on behavior, not diagnoses.

46. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.08(2)[Admissions, Discharges, and Transfers], the relevant portion of which reads as follows:

(2) An ACLF resident shall be discharged and transferred to another appropriate setting such as a home, a hospital, or a nursing home when the resident, the resident's legal representative, ACLF administrator, or resident's treating physician determine that the ACLF cannot safely and effectively meet the resident's needs, including medical services.

(a) The Board may require that an ACLF resident be discharged or transferred to another level of care if it determines that the resident's needs, including medical services, cannot be safely and effectively met in the ACLF.

47. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.08(6)(a)[Admissions, Discharges, and Transfers], the relevant portion of which reads as follows:

(6) An ACLF shall:

(a) Be able to identify at the time of admission and during continued stay those residents whose needs for services are consistent with these rules and regulations and those residents who should be transferred to a higher level of care.

48. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.08(6)(c)[Admissions, Discharges, and Transfers], the relevant portion of which reads as follows:

(6) An ACLF shall:

(c) Have an accurate written statement regarding fees and services which will be provided to residents upon admission.

49. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.08(6)(d)[Admissions, Discharges, and Transfers], the relevant portion of which reads as follows:

(6) An ACLF shall:

(d) Give a thirty (30) day notice to all residents before making any changes in fee schedules.

50. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-11[Infectious and Hazardous Waste], the relevant portion of which reads as follows:

(1) An ACLF must develop, maintain and implement written policies and procedures for the definition and handling of its infectious waste. These policies and procedures must comply with the standards of this rule.

(2) The following waste shall be considered to be infectious waste:

(a) Waste contaminated by residents who are isolated due to communicable disease, as provided in the U.S. Centers for Disease Control "Guidelines for Isolation Precautions in Hospitals";

(b) Cultures and stocks of infectious agents including specimen cultures collected from medical and pathological laboratories, cultures and stocks of infectious agents from research and industrial laboratories, wastes from the production of biologicals, discarded live and attenuated vaccines, and culture dishes and devices used to transfer, inoculate, and mix cultures;

(c) Waste human blood and blood products such as serum, plasma, and other blood components;

(d) Pathological waste, such as tissues, organs, body parts, and body fluids that are removed during surgery and autopsy;

(e) All discarded sharps (e.g., hypodermic needles, syringes, Pasteur pipettes, broken glass, scalpel blades) used in resident care or which have come into contact with infectious agents during use in medical, research, or industrial laboratories; and

(f) Other waste determined to be infectious by the ACLF in its written policy.

(3) Infectious and hazardous waste must be segregated from other waste at the point of generation (i.e., the point at which the material becomes a waste) within the ACLF.

51. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-12(1)[Resident Records, the relevant portion of which reads as follows:

(1) An ACLF shall develop and maintain an organized record for each resident and ensure that all entries shall be written legible in ink, typed, or kept electronically, and signed, and dated.

52. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-12(5)(b)[Resident Records, the relevant portion of which reads as follows:

(5) Plan of Care.

(b) The plan of care shall describe:

(1) The needs of the resident, including the activities of daily living and medical service for which the resident requires assistance, i.e., what assistance/care, how much, who will provide the assistance/care, how often, and when.

53. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-1(1)[Reports], the relevant portion of which reads

as follows:

(1) The ACLF shall report all incidents of abuse, neglect, and misappropriation to the Department of Health in accordance with T.C.A. § 68-11-211.

54. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.14(1)(b)[Resident Rights], the relevant portion of which reads as follows:

(1) An ACLF shall ensure at least the following rights for each resident:

(b) To be free from mental and physical abuse. Should this right be violated, the ACLF shall notify the Department and the Tennessee Department of Human Services, Adult Protective Services at 1-888-277-8366.

55. The facts stated in paragraph fourteen (14) through twenty-five (25) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.14(1)(h)[Resident Rights], the relevant portion of which reads as follows:

(1) An ACLF shall ensure at least the following rights for each resident:

(h) To voice grievances and recommend changes in policies and services of the ACLF without restraint, interference, coercion, discrimination or reprisal. An ACLF shall inform the resident of procedures to voice grievances and for registering complaints confidentially.

56. The facts stated in paragraph twenty-seven (27) through thirty-six (36) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.08(8)[Admissions, Discharges, and Transfers], the relevant portion of which reads as follows:

(8) An ACLF may not retain a resident who cannot evacuate within thirteen (13) minutes unless the ACLF complies with Chapter 19 of the 2006 edition of the NFPA Life Safety Code, and the Institutional Unrestrained Occupancy of the 2006 edition of the International Building Code.

57. The facts stated in paragraph twenty-seven (27) through thirty-six (36) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.10(3)(a)[Life Safety], the relevant portion of which reads as follows:

(2) An ACLF shall conduct fire drills in accordance with the following:

(a) Fire drills shall be held for each ACLF work shift in each separate ACLF building at least quarterly.

58. The facts stated in paragraph twenty-seven (27) through thirty-six (36) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R & Regs. 1200-08-25-.10(3)(b)[Life Safety], the relevant portion of which reads as follows:

(3) An ACLF shall conduct fire drills in accordance with the following:

(b) There shall be one (1) fire drill per quarter during sleeping hours.

Action:

Respondent's license to operate as an Assisted Care Living Facility shall be placed on probation for no less than six (6) months and up to one (1) calendar year. The facility may make a request to have their probationary status lifted, in writing, when the facility can prove compliance all terms of this Order. In order to do so, the facility must show that all deficiencies are corrected and no new deficiencies have been cited. The request to lift probation must be heard at the Board's regularly scheduled Board meeting.

Within ten (10) days of the ratification of the Board's Order, the Respondent shall submit a completed Plan of Correction for approval.

Respondent hereby agrees to remain under the Board's assessed Suspension

of Admissions until the facility's Plan of Correction is accepted and all deficiencies have been corrected.

The Department of Health agrees to resurvey the facility for correction of the underlying conditions and that the facility or licensee complies with the conditions for the suspension to be lifted as set forth in the commissioner's order as provided by T.C.A. §68-11-252(k), unless otherwise waived by Respondent.

As part of its corrective action, Respondent must do each of the following:

- a. Respondent must provide training to all staff on medication administration procedures; and
- b. Respondent must provide training to all staff on fire safety evacuation procedures; and
- c. Respondent conduct and document fire drills for each shift every quarter as well as a fire drill during sleeping hours as required.
- d. Respondent must provide documentation that all training and fire drills have been completed to the Board in its progress report during the Board's regularly scheduled meetings.

Respondent, through its controlling entity Kayne Anderson, voluntarily agrees to identify, in consultation with the Tennessee Department of Health, a new manager for the facility to replace Discovery Senior Living, the current manager in place from September 1, 2017 to present. Respondent agrees this new management will replace the current manager and operate the Facility no later than ninety (90) days after the effective date of this order. Kayne Anderson agrees to maintain a representative at the Facility for at least 20 hours per week until a new manager is in place to oversee the operation of the management of the Facility.

Notwithstanding the provisions of paragraph [59] and [70], upon Respondent identifying and putting in place a new manager replacing the current manager (Discovery Senior Living), it may petition the Board to have its probationary status lifted by submitting a petition in written form to be considered at next regularly scheduled Board meeting.

Respondent will remit payment of the penalties by the Commissioner's Suspension of Admissions Order dated September 30, 2019, which imposed twelve (12) civil monetary penalties [eight (8) civil monetary penalties of three thousand dollars (\$3,000.00) each for the eight (8) inappropriate residents and four (4) civil monetary penalties of five hundred dollars (\$500.00) each for failure to ensure all medications were administered, maintain a medical record, follow the plan of care, and provide personal services] for a total amount of twenty six thousand dollars (\$26,000.00). The facility also agrees to pay three (3) civil monetary penalties in the amount of one thousand dollars (\$1,000.00) each for the failure to properly evacuate residents and conduct fire drills. As such, the total assessment of civil monetary penalties will be twenty-nine thousand dollars (\$29,000.00). The Payment shall be submitted to the following address within thirty (30) days of the effective date of this Order. A representative of the Respondent shall appear at the October 2019, February 2020, June 2020, and October 2020 Board of Licensing for Healthcare Facilities' Board meetings and provide an update to the Board regarding whether or not the cited deficiencies have been corrected. Respondent must show adherence to the Plan of Correction and that any outstanding deficiencies from the August 2018, August 2019, and September 2019 surveys have been corrected. Upon completion, Respondent shall also provide to the Board evidence of the aforementioned training in medication administration, fire evacuation procedures, completion of

fire drills, and staffing ratios. Failure to conduct the aforementioned training and provide documentation to the Board are violations of the Board's Order.

Respondent agrees to pay costs for all revisit surveys incurred by the Department after September 4, 2019. The Department will prepare an assessment of cost in this matter. Such costs shall not exceed ten thousand dollars (\$10,000.00). The facility may pay this amount in installment payments. A payment plan may be set up by contacting Eddie J. Stewart, at the address listed above.

The terms listed in paragraphs fifty-eight (58) through sixty-eight (68) must be met before the facility may petition the Board to have its probationary status lifted. The facility shall submit its petition in written form to be considered at a regularly scheduled Board meeting.

Any violation of this Order shall constitute a violation of this Agreed Order and will be grounds for additional discipline by the Board, up to and including, revocation of the facility's licensure. If there are any new serious deficiencies cited after October 2019, the Department will file a Notice of Charges, and pursue a contest case hearing in February 2020.

Licensee: The Village at Primacy Place  
 Violation: 1200-08-25-.07(7)(c)(3) [SERVICES PROVIDED], the relevant portion of which reads as follows:  
 (7) An ACLF shall provide personal services as follows:  
 (c) Dietary services.  
 3. An ACLF shall ensure that menus meet the needs of the residents as follows:  
 (ii) An ACLF shall meet nutritional needs, in accordance with recognized dietary practices and in accordance with orders of the practitioner or practitioners responsible for the care of the residents.  
 22. The facts stated in paragraphs eleven (11) through twenty (20) are sufficient to establish that Respondent has violated the provisions of Rule 1200-08-25-.12(3)(g) [RESIDENT RECORDS], the relevant portion of which reads as follows:  
 (3) Medical record. An ACLF shall ensure that its employees develop and maintain a medical record for each resident who requires health care services at the ACLF regardless of whether such services are rendered by the ACLF or by arrangement with an outside source, which shall include at a minimum:  
 (g) Notes, including, but not limited to, observation notes, progress notes, and nursing notes.  
 Action: Four (4) civil monetary penalties, two in the amount of five hundred dollars (\$500.00) each, and two in the amount of one thousand dollars (\$1,000.00) each, for a total assessment of three thousand dollars (\$3,000.00).

### **BOARD OF NURSING**

Licensee: Debra Denise McCrary Allison, LPN, Hollywood AL  
 Violation: Guilty of unprofessional conduct; to wit: revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state  
 Action: License suspended until Alabama license unencumbered; plus costs not to exceed \$500.00

- Licensee: Karen Marie Ayers, RN, Opelika AL  
Violation: Guilty of unprofessional conduct; to wit: revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state  
Action: License voluntarily surrendered
- Licensee: Melissa Jennifer Bass, LPN, Knoxville  
Violation: Guilty of unprofessional conduct; to wit: making false or materially incorrect, inconsistent, or unintelligible entries in any patient records or in the records of any health care facility, school, institution, or other work place location pertaining to the obtaining, possessing, or administration of any controlled substance as defined in the Federal Controlled Substances Act; and engaging in acts of dishonesty which relate to the practice of nursing  
Action: License placed on probation for no less than one year; must obtain continuing education hours; plus costs not to exceed \$2,000.00
- Licensee: Rupa Rakesh Bhika, RN, Franklin  
Violation: Guilty of unprofessional conduct; to wit: making false or materially incorrect, inconsistent, or unintelligible entries in any patient records or in the records of any health care facility, school, institution, or other work place location pertaining to the obtaining, possessing, or administration of any controlled substance as defined in the Federal Controlled Substances Act  
Action: License suspended with terms
- Licensee: Jennifer L. Bradley, LPN, Middlesboro KY  
Violation: Guilty of unprofessional conduct; to wit: revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state  
Action: License suspended with terms
- Licensee: Kennedy M. Brandon, LPN, Lascassas  
Violation: Guilty of unprofessional conduct; to wit: failure to maintain a record for each patient which accurately reflects the nursing problems and interventions or the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; and violating confidentiality of information or knowledge concerning the patient except when required to do so by a court of law  
Action: License placed on probation; must obtain continuing education hours
- Licensee: Cierra Nicole Browder, RN, Blountville  
Violation: Guilty of unprofessional conduct; and testing positive for any drug on any government or private sector pre-employment or employer order confirmed drug test  
Action: License suspended with terms
- Licensee: Tonya Louise Brown, RN, Knoxville  
Violation: Guilty of unprofessional conduct; to wit: revocation, suspension, probation or

other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state  
Action: License suspended with terms

Licensee: Leslie Y. Carter, LPN, Nashville  
Violation: Unfit or incompetent by reason of negligence, habits, or other cause; addicted to alcohol or drugs to the degree of interfering with nursing duties; and guilty of unprofessional conduct; to wit: abandoning or neglecting a patient requiring nursing care; and being under the influence of alcoholic beverages, or under the influence of drugs which impair judgement while on duty in any health care facility, school, institution or other work place location

Action: License suspended with terms

Licensee: Wendy N. Cooper, RN, Saulsburly  
Violation: Guilty of unprofessional conduct; to wit: revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state

Action: License suspended with terms; assessed civil penalties of \$500.00

Licensee: Susan C. Cothran, RN, Knoxville  
Violation: Guilty of unprofessional conduct; to wit: failure to maintain a record for each patient which accurately reflects the nursing problems and interventions or the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; and unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location

Action: License voluntarily surrendered

Licensee: Patricia A. Cox, LPN, Oliver Springs  
Violation: Guilty of unprofessional conduct; to wit: being under the influence of alcoholic beverages, or under the influence of drugs which impair judgement while on duty in any health care facility, school, institution or other work place location

Action: License suspended with terms

Licensee: Robert S. Dilgard, RN, Bartlett  
Violation: Addicted to alcohol or drugs to the degree of interfering with nursing duties; and guilty of unprofessional conduct; to wit: being under the influence of alcoholic beverages, or under the influence of drugs which impair judgement while on duty in any health care facility, school, institution or other work place location

Action: License voluntarily surrendered

Licensee: Cynthia L. Enlow, LPN, Big Sandy  
Violation: Guilty of unprofessional conduct; to wit: making false or materially incorrect, inconsistent, or unintelligible entries in any patient records or in the records of any health care facility, school, institution, or other work place location pertaining to the obtaining, possessing, or administration of any controlled substance as defined in the Federal Controlled Substances Act; unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care

facility, school, institution or other work place location; and engaging in acts of dishonesty which relate to the practice of nursing  
Action: License suspended with terms

Licensee: Stephanie L. Fisher, LPN, Kingsport  
Violation: Unfit or incompetent by reason of negligence, habits, or other cause; and guilty of unprofessional conduct; to wit: abandoning or neglecting a patient requiring nursing care; and engaging in acts of dishonesty which relate to the practice of nursing  
Action: License placed on probation for no less than one year; must obtain continuing education hours; assessed civil penalty of \$250.00; plus costs not to exceed \$250.00

Licensee: Jessica D. Grimes, RN, Old Hickory  
Violation: Unfit or incompetent by reason of negligence, habits, or other cause; and guilty of unprofessional conduct  
Action: License suspended with terms

Licensee: Joana M. Gulino, RN, Fort Leonard Wood MO  
Violation: Guilty of unprofessional conduct; to wit: revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state  
Action: License placed on probation for no less than one year; must obtain continuing education hours; plus costs not to exceed \$500.00

Licensee: Kelly Nyree Hawkins, RN, Mount Juliet  
Violation: Unfit or incompetent by reason of negligence, habits, or other cause; and guilty of unprofessional conduct; to wit: failure to maintain a record for each patient which accurately reflects the nursing problems and interventions or the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; making false or materially incorrect, inconsistent, or unintelligible entries in any patient records or in the records of any health care facility, school, institution, or other work place location pertaining to the obtaining, possessing, or administration of any controlled substance as defined in the Federal Controlled Substances Act; and engaging in acts of dishonesty which relate to the practice of nursing  
Action: License suspended with terms

Licensee: Karol Jones, RN, Huntsville AL  
Violation: Guilty of unprofessional conduct; to wit: revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state  
Action: License suspended until Alabama license is returned to unencumbered status; plus costs not to exceed \$500.00

Licensee: Deana Kimmell, VA RN, Abingdon VA  
Violation: Refusing to submit to a drug test or testing positive for any drug on any government or private sector pre-employment, or employer-ordered confirmed

drug test; guilty of unprofessional conduct; to wit: failure to maintain a record for each patient which accurately reflects the nursing problems and interventions or the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; making false or materially incorrect, inconsistent, or unintelligible entries in any patient records or in the records of any health care facility, school, institution, or other work place location pertaining to the obtaining, possessing, or administration of any controlled substance as defined in the Federal Controlled Substances Act; unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location; and engaging in acts of dishonesty which relate to the practice of nursing

Action: Privilege to practice nursing in the State of Tennessee voluntarily surrendered; must cease and desist the practice of nursing in the State of Tennessee

Licensee: Barbara M. Kirchenstiner, LPN, Andersonville

Violation: Addicted to alcohol or drugs to the degree of interfering with nursing duties; and guilty of unprofessional conduct; to wit: being under the influence of alcoholic beverages, or under the influence of drugs which impair judgement while on duty in any health care facility, school, institution or other work place location

Action: License suspended with terms

Licensee: Whitney P. Kite, RN, Elizabethton

Violation: Addicted to alcohol or drugs to the degree of interfering with nursing duties; and guilty of unprofessional conduct; to wit: being under the influence of alcoholic beverages, or under the influence of drugs which impair judgement while on duty in any health care facility, school, institution or other work place location; and engaging in acts of dishonesty which relate to the practice of nursing

Action: License suspended with terms; plus costs not to exceed \$1,000.00

Licensee: Katharine Belle Lane, RN, Tazewell

Violation: Guilty of unprofessional conduct; to wit: revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state

Action: License placed on probation for no less than twelve months; must obtain continuing education hours; plus costs not to exceed \$2,000.00

Licensee: Janet McGirl, RN, Cordova

Violation: Guilty of unprofessional conduct; to wit: revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state

Action: License suspended with terms

Licensee: Kacy J. Minnear, LPN, Cookeville

Violation: Guilty of unprofessional conduct; to wit: impersonating another licensed practitioner; and engaging in acts of dishonesty which relate to the practice of nursing

Action: License placed on probation for no less than one year; must obtain continuing education hours

Licensee: Stacy M. Perkins, RN, Cordova  
Violation: Guilty of unprofessional conduct; to wit: refusing to submit to a drug test or testing positive for any drug on any government or private sector pre-employment, or employer-ordered confirmed drug test  
Action: License suspended with terms

Licensee: Toni L. Petersen, LPN, Rockvale  
Violation: Guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing; guilty of a crime; and guilty of unprofessional conduct; to wit: engaging in acts of dishonesty which relate to the practice of nursing  
Action: License placed on probation for no less than one year; assessed civil penalty of \$100.00; plus costs not to exceed \$250.00

Licensee: Jessica M. Rayburn, RN, Clarksville  
Violation: Guilty of unprofessional conduct; to wit: failure to maintain a record for each patient which accurately reflects the nursing problems and interventions or the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; making false or materially incorrect, inconsistent, or unintelligible entries in any patient records or in the records of any health care facility, school, institution, or other work place location pertaining to the obtaining, possessing, or administration of any controlled substance as defined in the Federal Controlled Substances Act; unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location; impersonating another licensed practitioner; performing nursing techniques or procedures without proper education and practice; Practicing professional nursing in a manner inconsistent with T.C.A. § 63-7-103; and engaging in acts of dishonesty which relate to the practice of nursing  
Action: License suspended with terms but for no less than six months; must obtain continuing education hours; assessed civil penalties of \$1,000.00

Licensee: Megan D. Rudd, RN, Seymour  
Violation: Unfit or incompetent by reason of negligence, habits, or other cause; addicted to alcohol or drugs to the degree of interfering with nursing duties; and guilty of unprofessional conduct; to wit: failure to maintain a record for each patient which accurately reflects the nursing problems and interventions or the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; abandoning or neglecting a patient requiring nursing care; making false or materially incorrect, inconsistent, or unintelligible entries in any patient records or in the records of any health care facility, school, institution, or other work place location pertaining to the obtaining, possessing, or administration of any controlled substance as defined in the Federal Controlled Substances Act; unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location; being under the influence of alcoholic beverages, or under the influence of drugs which impair judgement while on duty in any health care facility, school, institution or other work place location; and engaging in acts of dishonesty which relate to the practice of nursing  
Action: License suspended with terms

Licensee: Madeleine Smith, RN, Chattanooga  
Violation: Guilty of unprofessional conduct; to wit: engaging in acts of dishonesty which relate to the practice of nursing  
Action: License placed on probation for no less than twelve months; must obtain continuing education hours; plus costs not to exceed \$2,000.00

Licensee: Priscilla L. Tague, RN, Soddy Daisy  
Violation: Testing positive for any drug on any government or private sector pre-employment or employer order confirmed drug test; guilty of a crime; unfit or incompetent by reason of negligence, habits, or other cause; addicted to alcohol or drugs to the degree of interfering with nursing duties; and guilty of unprofessional conduct; to wit: being under the influence of alcoholic beverages, or under the influence of drugs which impair judgement while on duty in any health care facility, school, institution or other work place location  
Action: License voluntarily surrendered

Licensee: Miranda Rai Vinson, RN, McMinnville  
Violation: Testing positive for any drug on any government or private sector pre-employment or employer order confirmed drug test; and guilty of unprofessional conduct  
Action: License suspended with terms

Licensee: Bryan Heath Wester, RN, Springville AL  
Violation: Guilty of a crime; and guilty of unprofessional conduct; to wit: unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location; and revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state  
Action: License voluntarily surrendered

Licensee: April Nichole Wicker, LPN, Adamsville  
Violation: Guilty of a crime; addicted to alcohol or drugs to the degree of interfering with nursing duties  
Action: License suspended with terms

### **TENNESSEE BOARD OF OCCUPATIONAL THERAPY**

Licensee: Chelsea N. Davis, OTA, Powell  
Violation: Failed to timely renew license and practiced on a lapsed license.  
Action: License reprimanded; assessed civil penalty of \$1,980.00 plus the costs of prosecution of this matter.

Licensee: Amber Holcomb, OTA, Knoxville  
Violation: Guilty of engaging in an inappropriate relationship with a patient. Unprofessional, dishonorable or unethical conduct.  
Action: License suspended for 1 year; must obtain evaluation by the Tennessee

Professional Assistance Program, obtain advocacy and execute a monitoring agreement; assessed civil penalty of \$2,000.00 plus the costs of the prosecution of this matter.

Licensee: Renee D. Ray, OT, Johnson City  
Violation: Falsely documenting visits with a patient at an assisted living facility.  
Action: License reprimanded; assessed civil penalty of \$450.00 plus the costs of prosecution of this matter.

### **BOARD OF PODIATRIC MEDICAL EXAMINERS**

Licensee: Michael C. Webb, DPM, Sevierville  
Violation: Guilty of immoral, unethical, unprofessional or dishonorable conduct; Dispensing, prescribing or otherwise distributing any controlled substance or any other drug not in the course of professional practice or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease. Dispensing, prescribing or otherwise distributing any controlled substance, controlled substance analogue or any other drug to any person in violation of any law of the state or of the United States.  
Action: License summarily suspended

### **TENNESSEE BOARD OF SOCIAL WORKERS**

Licensee: Joo-Sim Ahn, LMSW, Tinker AFB, Oklahoma  
Violation: Failed to properly maintain sufficient continuing education credits  
Action: License voluntarily surrendered; assessed the costs of the prosecution of this matter.

Licensee: Leyla Haverlock, LMSW, Gray  
Violation: Failure to timely renew license and practiced on a lapsed license  
Action: License reprimanded; assessed civil penalty of \$1,400.00 plus the costs of prosecution of this matter.

Licensee: Michael Edwin Wentworth, LCSW  
Violation: Guilty of making inappropriate sexual advances, solicitations and requests for sexual favors.  
Action: License suspended for no less than 30 days until completion of Ethics and Boundaries program; suspension shall be stayed and license placed on probation; obtain practice monitoring; assessed civil penalty of \$1,500.00 plus the costs of prosecution of this matter.

### **ABUSE REGISTRY**

Name: Loren Coppinger  
Abuse: Exploitation  
Profession: Caregiver

Name: Kendra Bernice Haynes  
Abuse: Physical  
Profession: Caregiver

Name: Fonta Shileft Polk  
Abuse: Physical  
Profession: Psychiatric Technician

Name: Shanna Renee Strickland  
Abuse: Exploitation  
Profession: Caregiver

Name: Casey E. Thompson  
Abuse: Child Abuse or Neglect  
Profession: Not Reported