

# THE NOTICE

September 2018

Certificate of Need matters considered by Health Resources Development Service (HRDS) are reported in *The Notice*. Comments, evidence, and requests regarding these projects should be sent to the Department at the address and phone number above.

The Department provides Long Term Care Survey inspection reports on-line. A link is available on the HRDS Web page at <http://hrds.health.ok.gov>.

## I. ACTIONS TAKEN BY THE OKLAHOMA STATE DEPARTMENT OF HEALTH FROM AUGUST 1, 2018 THROUGH SEPTEMBER 1, 2018 WERE AS FOLLOWS:

### CERTIFICATE OF NEED APPLICATIONS APPROVED

**Warr Acres Nursing Center #18-001.** Contact Person: Eric Fisher, Ph: 405-235-7719. Facility Acquisition. N & R of Warr Acres, L.L.C. d/b/a Warr Acres Nursing Center, Oklahoma City, Oklahoma has applied to the Oklahoma State Department of Health (OSDH) for permission to acquire by lease, Warr Acres Nursing Center, which is a one hundred and three (103) bed Nursing Facility located at 6501 North MacArthur, Oklahoma City, Oklahoma 73132. N & R of Warr Acres, L.L.C. is owned thirty-four percent (34%) by John A. Vinson, Managing Member; thirty-three percent (33%) by John A. Vionson, Jr., Member; and thirty-three percent (33%) by Jay Trumbo, Member. Additionally, N & R of Warr Acres, L.L.C. will enter into a management agreement with Health Systems of Oklahoma, L.L.C. which is owned thirty-four percent (34%) by John A. Vinson, Managing Member; thirty-three percent (33%) by John A. Vinson, Jr., Member; and thirty-three percent (33%) by Jay Trumbo, Member. N & R of Warr Acres, L.L.C. will also enter into a sublease agreement with Triple J Warr Wind Properties, L.L.C., which is also owned thirty-four percent (34%) by John A. Vinson, Managing Member; thirty-three percent (33%) by John A. Vinson, Jr., Member; and thirty-three percent (33%) by Jay Trumbo, Member. The first year annual lease cost is listed as one hundred twelve thousand, five hundred dollars (\$112,500.00). Date Filed: January 8, 2018. Incomplete: January 22, 2018. Additional Information Due: April 23, 2018. Additional Information Received: April 20, 2018. Complete May 4, 2018. Deadline for notice of intent to participate: May 30, 2018. Decision Due: July 14, 2018. Approved: July 16, 2018

**Windsor Hills Nursing Center #18-002.** Contact Person: Eric Fisher, Ph: 405-235-7719. Facility Acquisition. N & R of Windsor Hills, L.L.C. d/b/a Windsor Hills Nursing Center, Oklahoma City, Oklahoma has applied to the Oklahoma State Department of Health (OSDH) for permission to acquire by lease, Windsor Hills Nursing Center, which is a one hundred and twelve (112) bed Nursing Facility located at 2416 North Ann Arbor, Oklahoma City, Oklahoma 73127. N & R of Windsor Hills, L.L.C. is owned thirty-four percent (34%) by John A. Vinson,

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Managing Member; thirty-three percent (33%) by John A. Vionson, Jr., Member; and thirty-three percent (33%) by Jay Trumbo, Member. Additionally, N & R of Windsor Hills, L.L.C. will enter into a management agreement with Health Systems of Oklahoma, L.L.C. which is owned thirty-four percent (34%) by John A. Vinson, Managing Member; thirty-three percent (33%) by John A. Vinson, Jr., Member; and thirty-three percent (33%) by Jay Trumbo, Member. N & R of Windsor Hills, L.L.C. will also enter into a sublease agreement with Triple J Warr Wind Properties, L.L.C., which is also owned thirty-four percent (34%) by John A. Vinson, Managing Member; thirty-three percent (33%) by John A. Vinson, Jr., Member; and thirty-three percent (33%) by Jay Trumbo, Member. The first year annual lease cost is listed as one hundred twelve thousand, five hundred dollars (\$112,500.00).. Date Filed: January 8, 2018. Incomplete: January 22, 2018. Additional Information Due: April 23, 2018. Additional Information Received: April 20, 2018. Complete May 4, 2018. Deadline for notice of intent to participate: May 30, 2018. Decision Due: July 14, 2018. Approved: July 16, 2018

**St. Ann Home # 18-011.** Contact Person: Gina Cheatham, Ph: 405-943-6444. Facility Acquisition. SA Operations, LLC applied to the Oklahoma State Department of Health (OSDH) for approval to acquire by lease St. Ann's Home; a 120 bed licensed nursing facility located at 9400 Saint Ann Drive, Oklahoma City, Oklahoma, from St. Ann's Home. SA Operations, LLC is owned by Kenneth D. Greiner, III Revocable Trust with ninety-nine percent (99%) membership interest. The person with authority in SA Operations, LLC is Don Greiner and Mike Dimond. SA Operations, LLC has entered into a management agreement with Amity Care, LLC. The persons with authority in Amity Care, LLC are Don Greiner and Mike Dimond. The lease cost is \$420,000.00. Date Filed: April 20, 2018. Incomplete: May 2, 2018. Additional Information Due: August 1, 2018. Complete May 15, 2018. Deadline for notice of intent to participate: June 12,, 2018. Decision Due: July 27, 2018. Approved July 26, 3018

### **CERTIFICATE OF NEED APPLICATIONS HAVE BEEN WITHDRAWN, DENIED, OR RECONSIDERED**

None

### **II. THE FOLLOWING CERTIFICATE OF NEED APPLICATIONS ARE COMPLETE AND READY FOR REVIEW UNDER THE LONG TERM CARE CERTIFICATE OF NEED ACT, CERTIFICATE OF NEED HEARING RULES, AND THE PSYCHIATRIC AND CHEMICAL DEPENDENCY FACILITY CERTIFICATE OF NEED ACT. THE REVIEWS BELOW RELY ON SUBMISSION OF WRITTEN EVIDENCE AND ARGUMENT INSTEAD OF PUBLIC HEARINGS.**

**Emerald Care Center Midwest 18-013** Contact Person: S. Gregory Frogge , Ph: 405-235-9621. Facility Acquisition. Garden Manor Rehab and Nursing of Midwest City LLC d/b/a Emerald Care Center Midwest, Midwest City, Oklahoma has applied to the Oklahoma State Department of Health (OSDH) for permission to transfer the ownership and appointments for new company managers of Garden Manor Rehab and Nursing of Midwest City LLC. The licensee/operator/lessee of Emerald Care Center Midwest is and will remain Garden Manor Rehab and Nursing of Midwest City LLC. The real estate will continue to be leased from the current real estate company, Garden Manor of Midwest City Real Estate LLC by Garden Manor Rehab and Nursing of Midwest City

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LLC. Emerald Care Center Midwest is a one hundred and sixteen (116) bed Nursing Facility located at 2900 Parklawn Drive, Midwest City, OK 73110. The proposed change in ownership and appointments for Garden Manor Rehab and Nursing of Midwest City LLC are as follows: 16.67% by JW Oklahoma Holdings LLC, 16.67% by YCOK Holdings LLC, 16.67% by David M. Fistel OK LLC, 5.56% by MRW Partners LLC, 22.22% by NJNY17LLC, 8.33% by OKL Holdings, LLC and 8.33% by LME Family Holdings, LLC. JW Oklahoma Holdings LLC is owned 99% by Jacob walden, Member/Manager. YCOK Holdings LLC is owned 95% by Yisroel Chafetz, Member/Manager. David M. Fistel OK LLC is owned 50% by LME Family Holdings, LLC, David Fistel Manager. Robert Weiser is the Manager of MRW Partners LLC. NJNY17 LLC is owned 50% by Artem Musheyev, Member/Manager and 50% by Anatoliy Ilyayev, Member. OKL Holdings, LLC's members own less than 5% each and LME Family Holdings, LLC is owned 100% by the Lahasky Family Trust. Date Filed: May 18, 2018. Incomplete: June 1, 2018. Additional Information Due: August 30, 2018. Complete June 27, 2018. Deadline for notice of intent to participate: August 9, 2018. Decision Due: September 24, 2018.

**Emerald Care Center Southwest 18-014** Contact Person: S. Gregory Frogge , Ph: 405-235-9621. Facility Acquisition. Garden Manor Rehab and Nursing of Southwest LLC d/b/a Emerald Care Center Southwest, Oklahoma City, Oklahoma has applied to the Oklahoma State Department of Health (OSDH) for permission to transfer the ownership and appointments for new company managers of Garden Manor Rehab and Nursing of Southwest LLC. The licensee/operator/lessee of Emerald Care Center Southwest is and will remain Garden Manor Rehab and Nursing of Southwest LLC. The real estate will continue to be leased from the current real estate company, Garden Manor of Southwest Real Estate LLC by Garden Manor Rehab and Nursing of Southwest LLC. Emerald Care Center Southwest is a one hundred and twelve (112) bed Nursing Facility located at 5600 South Walker, Oklahoma City, OK 73109. The proposed change in ownership and appointments for Garden Manor Rehab and Nursing of Southwest LLC are as follows: 16.67% by JW Oklahoma Holdings LLC, 16.67% by YCOK Holdings LLC, 16.67% by David M. Fistel OK LLC, 5.56% by MRW Partners LLC, 22.22% by NJNY17LLC, 8.33% by OKL Holdings, LLC and 8.33% by LME Family Holdings, LLC. JW Oklahoma Holdings LLC is owned 99% by Jacob walden, Member/Manager. YCOK Holdings LLC is owned 95% by Yisroel Chafetz, Member/Manager. David M. Fistel OK LLC is owned 50% by LME Family Holdings, LLC, David Fistel Manager. Robert Weiser is the Manager of MRW Partners LLC. NJNY17 LLC is owned 50% by Artem Musheyev, Member/Manager and 50% by Anatoliy Ilyayev, Member. OKL Holdings, LLC's members own less than 5% each and LME Family Holdings, LLC is owned 100% by the Lahasky Family Trust. Date Filed: May 18, 2018. Incomplete: June 1, 2018. Additional Information Due: August 30, 2018. Complete June 27, 2018. Deadline for notice of intent to participate: August 9, 2018. Decision Due: September 24, 2018.

**Emerald Care Center Tulsa 18-015** Contact Person: S. Gregory Frogge , Ph: 405-235-9621. Facility Acquisition. Garden Manor Rehab and Nursing of Tulsa LLC d/b/a Emerald Care Center Tulsa, Oklahoma has applied to the Oklahoma State Department of Health (OSDH) for permission to transfer the ownership and appointments for new company managers of Garden Manor Rehab and Nursing of Tulsa LLC. The licensee/operator/lessee of Emerald Care Center Tulsa is and will remain Garden Manor Rehab and Nursing of Tulsa LLC. The real estate will continue to be leased from the current real estate company, Garden Manor Rehab of Tulsa Real Estate LLC by Garden Manor Rehab and Nursing of Tulsa LLC. Emerald Care Center Tulsa is a

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one hundred and eighteen (118) bed Nursing Facility located at 2545 S. Memorial Drive, Tulsa, OK 74129. The proposed change in ownership and appointments for Garden Manor Rehab and Nursing of Tulsa LLC are as follows: 16.67% by JW Oklahoma Holdings LLC, 16.67% by YCOK Holdings LLC, 16.67% by David M. Fistel OK LLC, 5.56% by MRW Partners LLC, 22.22% by NJNY17LLC, 8.33% by OKL Holdings, LLC and 8.33% by LME Family Holdings, LLC. JW Oklahoma Holdings LLC is owned 99% by Jacob Walden, Member/Manager. YCOK Holdings LLC is owned 95% by Yisroel Chafetz, Member/Manager. David M. Fistel OK LLC is owned 50% by LME Family Holdings, LLC, David Fistel Manager. Robert Weiser is the Manager of MRW Partners LLC. NJNY17 LLC is owned 50% by Artem Musheyev, Member/Manager and 50% by Anatoliy Ilyayev, Member. OKL Holdings, LLC's members own less than 5% each and LME Family Holdings, LLC is owned 100% by the Lahasky Family Trust. Date Filed: May 18, 2018. Incomplete: June 1, 2018. Additional Information Due: August 30, 2018. Complete June 27, 2018. Deadline for notice of intent to participate: August 9, 2018. Decision Due: September 24, 2018.

**Wood Manor Nursing Center #18-020.** Contact Person: S. Gregory Frogge, Ph.: 405-235-9621. Facility Acquisition, Emerald Care Center Claremore, LLC applied to the Oklahoma State Department of Health (OSDH) for approval to acquire by lease Wood Manor Nursing Center; a 129 bed licensed nursing facility located at 2800 North Hickory Street, Claremore, Oklahoma, from Wood Manor Opco, LLC. Emerald Care Center Claremore, LLC is owned by EHC Claremore Operations, LLC with one hundred percent (100%) membership interest. The people with authority in EHC Claremore Operations, LLC are Jacob Walden and Yisroel Chafetz. Date Filed: July 3, 2018. Incomplete: July 16, 2018, Additional Information Due: July 26, 2018, Additional Information Filed: July 16, 2018. Complete: July 25, 2018. Deadline for notice of intent to participate: August 20, 2018. Decision Due: October 4, 2018.

**Autumn Wood Memory Care #18-021.** Contact Person: S. Gregory Frogge, Ph.: 405-235-9621. Facility Acquisition, Memory Care Center at Emerald, LLC applied to the OSDH for approval to acquire by lease Autumn Wood Memory Care; a 60 bed licensed Specialized Facility for Individuals with Alzheimer's Disease located at 2700 North Hickory Street, Claremore, Oklahoma, from Autumn Wood Opco, LLC s. Memory Care Center at Emerald, LLC is owned by EHC Claremore Operations, LLC with one hundred percent (100%) membership interest. The people with authority in EHC Claremore Operations, LLC are Jacob Walden and Yisroel Chafetz. Date Filed: July 3, 2018. Incomplete: July 16, 2018, Additional Information Due: July 26, 2018, Additional Information Filed: July 16, 2018. Complete: July 25, 2018. Deadline for notice of intent to participate: August 20, 2018. Decision Due: October 4, 2018

### **III. APPLICATIONS FILED WITH THE STATE DEPARTMENT OF HEALTH UNDER THE CERTIFICATE OF NEED PROGRAM, BUT NOT DETERMINED COMPLETE AS OF OCTOBER 1, 2018 AND WHICH MAY BE SCHEDULED FOR REVIEWS AT LATER DATES ARE:**

**Barry's House #18-017.** Contact Person: Kelly Hardin, Ph. 580-725-3452. Date Filed June 21, 2018. Incomplete July 3, 2018, Additional Information Due: October 3, 2018.

**Britnis Bungalow #18-018.** Contact Person: Kelly Hardin, Ph. 580-725-3452. Date Filed June

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21, 2018. Incomplete July 3, 2018, Additional Information Due: October 3, 2018

**Skyview Nursing Center #18-022.** Contact Person: Shawn P. Murray, Ph: 405-863-6671. Facility Acquisition. Date Filed: July 3, 2018. Incomplete: July 16,, 2018. Information Due: October 16, 2018.

**EastOK Cottage 1 #18-025.** Contact Person Scott Pilgrim, Ph. 918-519-0945. Date Filed July 24, 2018.

**EastOK Cottage 2 #18-026.** Contact Person Scott Pilgrim, Ph. 918-519-0945. Date Filed July 24, 2018.

**EastOK Cottage 3 #18-027.** Contact Person Scott Pilgrim, Ph. 918-519-0945. Date Filed July 24, 2018.

**Inola Health & Rehabilitation #18-028.** Contact Person: S. Gregory Frogge, Ph: 405-552-2283. Facility Acquisition. Date Filed: August 1, 2018.

#### **IV.EXEMPTION REQUESTS FILED WITH THE STATE DEPARTMENT OF HEALTH UNDER TITLE 63 O.S. SECTIONS 1-852(C) and (D) FOR EXEMPTION OF CERTIFICATE OF NEED REVIEWS AS OF OCTOBER 1, 2018 ARE:**

**Home of Hope – Thompson House #18-012.** Contact Person: Sheila Hawking Ph: 918-256-7825. Exemption-ten (10) bed or ten percent (10%) expansion. Date Filed: April 19, 2018. Incomplete May 17, 2018. Additional Information Filed: July 23, 2018. Complete: August 10, 2018

**Hoilday Heights Nursing Home #18-016.** Contact Person: Gina Cheatham. Ph. 405-943-6444. Exemption for Relocation. Date Filed May 24, 2018. Complete June 4, 2018. Decisions Due June 8, 2018.

**Cherokee County Nursing Center, Inc. #18-018.** Contact Person: Mark Erwin. Ph. 918-456-3456. Exemption for Exemption-ten (10) bed or ten percent (10%) expansion. Date Filed June 21, 2018. Complete June 28, 2018. Decisions Due July 13, 2018. Approved July 9, 2018

**Senior Suites Health Care #18-023.** Contact Person: Steve Cox. Ph. 918-394-1800. Exemption for Exemption-ten (10) bed or ten percent (10%) expansion. Date Filed: July 10, 2018.

**Hensley Nursing Home #18-024.** Contact Person: Carrie Bursed, Ph. 405-232-8700. Exemption for Management Agreement. Date Filed: July 13, 2018. Complete July 24, 2018.

#### **V. REQUESTS FILED WITH THE STATE DEPARTMENT OF HEALTH UNDER TITLE 63 O.S. SECTIONS 1-880.6 (E) FOR PSYCHIATRIC OR CHEMICAL DEPENDENCY CHANGE IN BED OR CHANGE IN CONTINUUM OF CARE AS OF OCTOBER 1, 2018:**

None



## OUTSTANDING CERTIFICATE OF NEED PROJECTS

**October 2018**

| County   | Facility Name                                      | City          | CN<br>Number | Beds   | Status   |
|----------|--|---------------|--------------|--|--|
| Payne    | Epworth Living<br>at the Ranch                     | Stillwater    | 13-019       | Life care community<br>establishing 40 bed<br>nursing facility           | Resubmission<br>of Final Plan<br>approval<br>pending   |
| Ottawa   | Home of Hope<br>– Cupp House                       | Miami         | 15-042       | Establish eight (8)<br>bed specialized<br>Facility                       | Plans for Stage<br>2 for<br>resubmission is<br>pending |
| Ottawa   | Home of Hope<br>– Hartley<br>House                 | Miami         | 15-043       | Establish eight (8)<br>bed SF/IID  | Plans for Stage<br>2 for<br>resubmission is<br>pending |
| Garfield | Mattox Hall  | Garber        | 16-014       | Establish a sixteen<br>(16) bed SF//IID                                  | Plans for Final<br>Plan<br>inspection is<br>pending    |
| Tulsa    | SoundMind<br>Behavioral<br>Health<br>Hospital, LLC | Tulsa         | 17-069       | Establish a new<br>seventy-two (72)<br>adult and geriatric<br>psych beds | Plans for Stage<br>1 for<br>submission is<br>pending   |
| Oklahoma | Cedar Ridge<br>Hospital                            | Oklahoma City | 17-128       | convert 24 adult<br>beds to 24<br>child/adolescent<br>beds               | Plans for<br>submission<br>Due<br>09/05/2018           |
| Tulsa    | Parkside<br>Psychiatric<br>Hospital                | Tulsa         | 17-125       | Addition of 25adult<br>beds & 44<br>children/adolescence<br>beds         | Construction<br>Started<br>February 15,<br>2018        |
|          |  |               |              |  |  |