

THE NOTICE

May 2010

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.

I. Actions taken by the Oklahoma State Department of Health from April 1, 2010, through May 14, 2010, were as follows:

Certificate of Need Applications Approved

HCA Health Services of Oklahoma, Inc. dba OU Medical Center – Edmond #10-001. Contact Person: Ms. Beth Swafford 405-271-9405. Merger for acquisition of psychiatric beds. Cost: \$0.00. Date Filed: 01/27/2010. Incomplete: 02/10/2010. Information Due: 05/12/2010. Complete: 03/08/2010. Deadline for filing notice of intent to participate: 03/30/2010. Decision due: 04/14/2010. Approved: 04/01/2010

Certificate of Need Withdrawn/Denied/Reconsideration

Autumn Wood, #09-003. Contact person: Janice Shively, 918/341-7218. Establish a new 60-bed licensed Specialized Facility for Alzheimer's Residents by Wood Manor Inc. Wood Manor, Inc. is owned by Dee Wayne Wood (50%) and DeAna Murlene Wood (50%). Cost: \$3,000,000. Date Filed: 2/12/09. Incomplete: 2/27/09. Complete: 3/25/09. Deadline for filing notice of intent to participate: 4/22/09. Decision due: 6/06/09. Applicant submitted a request for an extension of decision deadline on 05/28/09, in order to provide additional information in response to the Department's staff investigation. Extension of decision deadline granted until 08/14/09. Additional information due and received 7/31/09. Staff investigation transmitted August 13, 2009 providing applicant opportunity to respond. Applicant submitted request for extension of decision deadline on 08/14/09. Extension of decision deadline granted until 09/14/09. Additional information due and submitted 8/31/09. Approved: 09/14/09. --- Reconsideration Request Filed: 09/23/09. Reconsideration Request Granted: 10/05/2009. Reconsideration hearing held October 25, 2009. Department's approval upheld by Administrative Law Judge on Jan. 13, 2010. --- Claremore Nursing Home Inc. and Inola health Care Center Inc. filed *Petition To Review Administrative Order and Application For Stay*, CV-2010-171, in the District Court of Oklahoma County on Feb. 12, 2010. Amity Care L.L.C. filed *Petition For Review of Final Agency Order*, CJ-2010-1252, in the District Court of Oklahoma County on Feb. 16, 2010. Department filed [Answer Of Respondent, Oklahoma State Department Of Health, To Petition To Review Administrative Order And Application For Stay](#), Mar. 10, 2010. Department filed *Motion to Remand*, Mar. 10, 2010. Claremore Nursing Home Inc. and Inola health Care Center Inc. filed *Response to Request for Motion to Remand* on March 26, 2010. District Court grants oral motion of the parties to consolidate pending actions and issues [Order Granting Motion to Remand](#), to address statutorily required findings of fact consistent with 63 O.S. § 1-853(A), April 23, 2010. Department files revised [Order](#) granting certificate of need May 6, 2010.

Parkside Psychiatric Hospital & Clinic #09-031. Contact Person: Debra Moore 919-582-2131. Change 9 (nine) Adult Beds to Youth Beds. Date Filed: 11/05/2009. Incomplete: 11/12/2009. Additional Information Due: 02/10/2010. Complete: 12/09/2009. Deadline for filing notice of intent to participate: 01/05/2010. Approved: 02/24/2010. Reconsideration Request Filed: 03/26/10. Reconsideration Request Granted:

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04/05/2010. Reconsideration hearing scheduled for April 23, 2010, at 9:00 am, at OSDH, 1000 NE 10th, Oklahoma City, Room 1102. Reconsideration hearing has been rescheduled for May 7, 2010, at 9:00 am at OSDH, 1000 NE 10th, Oklahoma City, Room 307. Reconsideration hearing was held on May 7, 2010, final decision is pending.

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.

Southtown Nursing and Ventilator Care #09-026. Contact Person: William Daves 228-327-4577, primary, and 662-322-0506, secondary. Lease of Facility with 102-bed nursing facility. Cost: \$240,000.00. Date Filed: 09/02/2009. Incomplete: 09/09/2009. Additional Information Due: 12/08/2009. Complete: 12/09/2009. Deadline for filing notice of intent to participate: 01/06/2010. Jennifer Moore submitted a request for an extension of the decision deadline on 02/22/2010, in order to provide additional information in response to the Department's staff investigation. The extension of the decision deadline was granted until 03/12/2010, and the additional information is due no later than 03/05/2010. On March 4, 2010, Mr. Daves requested additional time to respond to staff investigation. An extension of the decision deadline was granted until 04/29/2010, and the additional information is due no later than 04/15/2010. Decision Due: 05/24/2010. Mr. Daves requested another extension with additional information due no later than 05/10/2010, Decision Due: 05/24/2010.

The Golden Rule Home #09-027. Contact Person: William Daves 228-327-4577, primary, and 662-322-0506, secondary. Purchase of 51% of Stock Transfer of 83-bed nursing facility. Cost: \$1,000,000.00. Date Filed: 09/15/09. Incomplete: 09/30/2009. Additional Information Due: 12/21/2009. Complete: 12/18/2009. Deadline for filing notice of intent to participate: 01/18/2010. On March 4, 2010, Mr. Daves requested additional time to respond to the staff investigation. An extension of the decision deadline was granted until 04/29/2010, and the additional information is due no later than 04/15/2010. Decision Due: 05/24/2010. Mr. Daves requested another extension with additional information due no later than 05/10/2010, Decision Due: 05/24/2010.

Shawn Manor Nursing Home #09-032. Contact Person: Jack Atkinson 405-330-1889. Purchase with subsequent lease/Management Agreement of a 96-bed nursing facility. Cost: \$ 2,639,207.00. Annual Lease: 362,697.12. Date Filed: 09/30/09. Incomplete: 10/08/2009. Information due: 01/05/2010. Complete: 12/28/2009. Deadline for filing notice of intent to participate: 01/26/2010. Decision due: 05/10/2010. On 03/11/2010, Mr. Atkinson requested additional time to respond to the staff investigation. An extension of the decision deadline was granted on 03-11-2010, for decision date of 04-05-2010, and the additional information is due no later than 03-25-2010. On 03-22-2010, Mr. Atkinson requested an additional extension of the deadline. Additional extension was granted on 03-23-2010, for the decision deadline until 05-10-2010, and the additional information due no later than 04-26-2010. Decision Due: 05/24/2010.

Rolling Hills Care Center #09-033. Contact Person: Jack Atkinson 405-330-1889. Purchase with subsequent lease/Management Agreement of a 126-bed nursing facility. Cost: \$ 2,375,252.64. Annual Lease: 246,360.72. Date Filed: 09/30/09. Incomplete: 10/07/2009. Information due: 01/05/2010. Complete: 12/28/2009. Deadline for filing notice of intent to participate: 01/24/2010. Decision due: 05/10/2010. On 03/11/2010, Mr. Atkinson requested additional time to respond to the staff investigation. An extension of the decision deadline was granted on 03-11-2010, for decision date of 04-05-2010, and the additional information is due no later than 03-25-2010. On 03-22-2010, Mr. Atkinson requested an additional extension of the deadline. Additional extension was granted on 03-23-2010, for the decision deadline until 05-10-2010, and the additional information due no later than 04-26-2010. Decision Due: 05/10/2010. May

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10, 2010, Mr. Atkinson requested a 14 extension. Additional extension was granted on 05/10/2010, for the decision deadline until 6/8/2010, and the additional information due no later than 05/24/2010.

Cimarron Pointe Care Center #09-034. Contact Person: Jack Atkinson 405-330-1889. Purchase with subsequent lease/Management Agreement of a 108-bed nursing facility. Cost: \$ 3,328,004.00. Annual Lease: 346,313.40. Date Filed: 09/30/09. Incomplete: 10/07/2009. Information Due: 01/05/2010. Complete: 12/29/2009. Deadline for filing notice of intent to participate: 01/26/2010. Decision due: 05/10/2010. On 03/11/2010, Mr. Atkinson requested additional time to respond to the staff investigation. An extension of the decision deadline was granted on 03-11-2010, for decision date of 04-05-2010, and the additional information is due no later than 03-25-2010. On 03-22-2010, Mr. Atkinson requested an additional extension of the deadline. Additional extension was granted on 03-23-2010, for the decision deadline until 05-10-2010, and the additional information due no later than 04-26-2010. Decision Due: 05/24/2010.

Sequoyah Pointe Living Center #09-035. Contact Person: Jack Atkinson 405-330-1889. Purchase with subsequent lease/Management Agreement of a 92-bed nursing facility. Cost: \$3,104,918.00 Annual Lease: 339,837.12. Date Filed: 09/30/09. Incomplete: 10/08/2009. Information Due: 01/05/2010. Complete: 12/29/2009. Deadline for filing notice of intent to participate: 01/26/2010. Decision due: 05/10/2010. On 03/11/2010, Mr. Atkinson requested additional time to respond to the staff investigation. An extension of the decision deadline was granted on 03-11-2010, for decision date of 04-05-2010, and the additional information is due no later than 03-25-2010. On 03-22-2010, Mr. Atkinson requested an additional extension of the deadline. Additional extension was granted on 03-23-2010, for the decision deadline until 05-10-2010, and the additional information due no later than 04-26-2010. Decision Due: 05/24/2010.

Memorial Hospital #10 -002. Contact Person: Alan Adams 918-696-310. Establishing 10 bed Gero-Psych Unit in Stilwell, OK. Cost: \$400,000.00. Date Filed: 02/17/2010. Incomplete: 03/02/2010. Information Due 06/20/2010. Completed: 04/23/2010. Deadline for filing notice of intent to participate: 04/23/2010. Decision Due: 06/10/2010.

III. Applications filed with the State Department of Health under the Certificate of Need Program, but not determined complete as of May 14, 2010, and which may be scheduled for reviews at later dates are:

Valliant Residential Living Centers #09-041. Contact Person: Mr. Phillip Rhoades Ph# 918-790-2562. Construction of 40 new beds facility. Cost: \$3,514,800.00 Date Filed: 11/18/09. Incomplete: 11/30/09. Applicant provided additional information on 12/22/2009, information was again found to be incomplete. Applicant was sent notice of incompleteness on 2/23/2010. Information due: 05/22/2010.

Coweta Manor Nursing Home #09-042. Contact Person: Jack Atkinson 405-330-1889. Purchase of a 100-bed nursing facility. Cost: \$1,781,787.00. Date Filed: 11/18/2009. Incomplete: 11/30/2009. Applicant provided additional information on 02/17/10, information was again found to be incomplete. Applicant was sent notice of incompleteness on 2/23/2010. Information Due: 05/24/2010. Applicant provided additional information on 05/03/10, information was again found to be incomplete. Applicant was sent notice of incompleteness on 05/12/2010. Information Due: 08/10/2010.

Parkside, Inc. #10-005. Contact Person: Debra Moore 918-582-2131. Adding 20 new children (youths) psychiatric beds. Date filed: 03/31/2010. Incomplete Date: 04/14/2010.

IV. Exemption Requests filed with the State Department of Health under 63 O.S. § 1-852(C) (D) for exemption of Certificate of Need reviews as of May 14, 2010 are:

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Willow Haven Nursing Home #09-021. Exemption for Management Agreement. Filed: 07/27/2009. Incomplete: 08/14/09. Additional information received 08/24/09. Incomplete: 10/09/2009. Additional Information Due: 10/22/2009. No response received as of today's date.

Midwest City Nursing Center #10-004. Exemption - Stock Transfer between existing owners. Date filed: 03/29/2010. Approved: 04/13/2010.

Eufala Manor Nursing and Rehabilitation CN# 10-006. Exemption – 10 Bed Increase. Date filed: 04/09/2010. Incomplete Date: 05/03/2010.

The Fountains at Canterbury CN# 10-007. Exemption – Management Agreement. Date filed: 04/09/2010. Approved: 4/28/2010.

Wilkins Nursing Center #10-008. Exemption – Increase of 10 beds by conversion. Date filed: 04/30/2010. Incomplete Date: 05/04/2010.

Golden Oaks Nursing Center #10-009. Exemption - Management Agreement. Date filed: 04/12/2010. Incomplete Date: 05/04/2010.

Northern Oklahoma Resource Center #10-010. Exemption for a Facility Replacement or Relocation. Date file: 04/19/2010. Complete: 05/10/2010. Approved: 05/13/2010.