STATE OF TENNESSEE
BEFORE THE HEALTH FACILITIES COMMISSION

In The Matter of:	)	
	)	
Charter Senior Living of Cleveland,	)	
Assisted Care Living Facility,	)	
License No. 115,	)	**Case No. 2025048531**
	)	
Respondent.	)	
	)	
Cleveland, Tennessee	)	

CONSENT ORDER

This matter came to be heard before the Tennessee Health Facilities Commission ("Commission"), by and through the Office of Legal Services, and Charter Senior Living of Cleveland ("Respondent") that the Commission adopt this Consent Order, the terms of which have been agreed upon by the parties, as signified by their signatures below.

I. JURISDICTION

1. The Commission is empowered to license and regulate hospitals, recuperation centers, nursing homes, homes for the aged, residential HIV supportive living facilities, assisted-care living facilities, home care organizations, residential hospices, birthing centers, prescribed childcare centers, renal dialysis clinics, ambulatory surgical treatment centers, outpatient diagnostic centers, adult care homes, and traumatic brain injury residential homes. T.C.A. § 68-11-202(a)(1).

2. The Commission has the authority to conduct reviews of all facilities licensed under this part in order to determine compliance with fire and life safety code rules as promulgated by the Commission. T.C.A.§ 68-11-202(b)(1)(A).

3. "Assisted-care living facility" ("ACLF") means a facility, building, establishment, complex or distinct part thereof that accepts primarily aged persons for domiciliary care and services. T.C.A.§ 68-11-201(4)(A) and Tenn. Comp. R. & Regs. 0720-26-.02(7).

4. "Primarily aged" means that a minimum of fifty-one percent (51%) of the population of the facility is at least sixty-two (62) years of age. Tenn. Comp. R. & Regs. 0720-26-.02(34).

5. An assisted-care living facility shall provide on site to its residents room and board and non-medical living assistance services appropriate to each resident's needs, such as assistance with bathing, dressing, grooming, preparation of meals and other activities of daily living. T.C.A.§ 68-11-201(4)(B) and Tenn. Comp. R. & Regs. 0720-26-.02(2).

6. The Commission shall conduct on-site inspections and investigations as may be necessary to safeguard, and ensure at all times, the public's health, safety, and welfare. T.C.A. § 68-11-210(c).

7. Upon a finding by the Commission that an ACLF has violated any provision of Tenn. Code Ann. §§ 68-11-201, et seq., or the rules promulgated pursuant thereto, action may be taken, upon proper notice to the licensee, to impose a civil penalty, deny, suspend, or revoke its license. T.C.A.§ 68-11-207.

II. STIPULATIONS OF FACT

8. At all times pertinent hereto, Respondent, Charter Senior Living of Cleveland, 2900 Westside Drive, N.W. Cleveland, Tennessee 37312, was licensed by the Commission as an ACLF, having been granted license number 115 on November 9, 1998, which currently has an expiration date of May 27, 2027.

9. On or about November 5, 2025, an annual licensure survey and complaint investigation was conducted at Respondent's facility, resulting in Respondent being cited for the

following deficiencies: failed to maintain awareness of a resident's whereabouts; and failed to develop a plan of care for a resident within five days of admission of said resident.

10. On or about November 5, 2025, investigation revealed that Resident #6 was admitted to the facility on or about March 29, 2024, and exhibited wandering behaviors.

11. On or about November 5, 2025, Respondent provided no documentation that a plan of care was developed for Resident #6 with input and participation from a legal representative, treating physician, or other licensed health care professionals within five (5) days of admission.

12. On or about April 18, 2024, Respondent's records revealed that a nearby health center notified the facility that Resident #6 had wandered to and was located at their facility.

13. On or about April 18, 2024, public weather data indicated that the low temperature for that date was fifty-nine (59) degrees Fahrenheit. Observation of outside Respondent's facility revealed a sloped, uphill driveway that connects to a busy, four-lane highway. The nearby health center is approximately 0.1 miles from the facility.

14. On or about November 4, 2025, Respondent staff admitted to being unaware of how long Resident #6 was missing, and Respondent's Executive Director (ED) and Health and Wellness Director (HWD) confirmed Resident #6 left the facility without staff knowledge.

15. On or about November 5, 2025, Respondent's ED and HWD confirmed Resident #6's plan of care had not been completed within five (5) days of admission to the facility.

III. GROUNDS FOR DISCIPLINE

The facts in Section II, *supra*, are sufficient to establish that grounds exist for the discipline of Respondent's ACLF license. Specifically, Respondent has violated the following statutes and/or rules, for which disciplinary action by the Commission is authorized.

16. The facts in paragraphs ten (10), and twelve (12) through fourteen (14) are sufficient to constitute a violation of Tenn. Comp. R. and Regs. 0720-26-.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

17. The facts in paragraphs eleven (11) and fifteen (15) are sufficient to constitute a violation of Tenn. Comp. R. and Regs. 0720-26-.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.

IV. REPRESENTATIONS OF RESPONDENT

18. Respondent understands and admits the allegations, charges, and stipulations in this Order.

19. Respondent understands the rights found in the Code, Rules, and the Uniform Administrative Procedures Act, TENN. CODE ANN. §§ 4-5-101 thru 4-5-404, including the right to a hearing, the right to appear personally and by legal counsel, the right to confront and to cross-examine witnesses who would testify against Respondent, the right to testify and to present evidence on Respondent's own behalf, as well as to the issuance of subpoenas to compel the attendance of witnesses and the production of documents, as

well as the right to appeal for judicial review. Respondent voluntarily waives these rights in order to avoid further administrative action.

20. Respondent agrees that presentation of this Order to the Commission and the Commission's consideration of it and all matters divulged during that process shall not constitute unfair disclosure such that the Commission or any of its members become prejudiced requiring their disqualification from hearing this matter should this Order not be ratified. All matters, admissions, and statements disclosed during the attempted ratification process shall not be used against the Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

21. Respondent agrees that facsimile/PDF copies of this Order, including facsimile/PDF signatures thereto, shall have the same force and effect as originals.

22. Respondent also agrees that the Commission may issue this Order without further process. If the Commission rejects this Order for any reason, it will be of no force or effect for either party.

23. Respondent agrees that the facility has not received any threats or promises of any kind by the State or any agent or representative thereof, except such as is detailed herein.

V. ORDER

NOW THEREFORE, Respondent, for the purpose of avoiding further administrative action with respect to this cause, agrees to the following:

24. Respondent is hereby assessed one (1) Civil Monetary Penalty in the amount of **three thousand dollars ($3,000.00)**. This CMP is issued for a violation of Tenn. Comp. R. and Regs. 0720-26-.07(7)(a)(3), Services Provided, for failure to maintain awareness of a resident's whereabouts.

25. Respondent is hereby assessed one (1) Civil Monetary Penalty in the amount of **one thousand dollars ($1,000.00)**. This CMP is issued for a violation of Tenn. Comp. R. and Regs. 0720-26-.12(5)(a), Resident Records, for failure to develop a plan of care for a resident within five days of admission of a resident.

26. The total assessed CMP amount is four thousand dollars ($4,000.00).

27. Payment shall be submitted to the following address within **thirty (30) calendar days** of the effective date of this Order.

Tennessee Health Facilities Commission
Attention: Disciplinary Coordinator
Andrew Jackson Building, 9th Floor
502 Deaderick Street
Nashville, Tennessee 37243
Email: HFC.Disciplinary@tn.gov

PLEASE DO NOT REMIT PAYMENT UNTIL THE CONSENT ORDER HAS BEEN RATIFIED AND APPROVED BY THE COMMISSION

28. Each condition of discipline herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

[THIS SECTION LEFT INTENTIONALLY BLANK]

APPROVED FOR ENTRY:

Angela D. Stiltner
Signature of Authorized Representative
Charter Senior Living of Cleveland
License No. 115
Respondent

Angela D Stiltner
Printed Name of Authorized Representative

Executive Director
Title of Authorized Representative

Seth Colón (BPR # 037137)
Associate General Counsel
Health Facilities Commission
Office of Legal Services
Andrew Jackson Building, 9th Floor
502 Deaderick Street
Nashville, Tennessee 37243
Office: (615) 741-2364
Fax: (615) 741-9884
Email: seth.colon@tn.gov

Approval by the Commission

Upon the agreement of the parties and the record as a whole, this **CONSENT ORDER** was approved as a **FINAL ORDER** by a majority of a quorum of the Health Facilities Commission at a public meeting of the Commission and signed this 26th day of August, 2026.

ACCORDINGLY, IT IS ORDERED that the agreement of the parties does hereby become the Final Order of the Commission.

Richard G. Chinn, Jr.
Digitally signed by Richard G. Chinn, Jr.
Date: 2026.08.26 17:31:38 -04'00'
Chairperson
Health Facilities Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon the Respondent, Charter Senior Living of Cleveland, c/o Administrator, Angie Stiltner, 2900 Westside Drive, N.W. Cleveland, Tennessee 37312, and Charter Senior Living of Cleveland, c/o Registered Agent, Cogency Global, Inc., 992 Davidson Drive, Suite B, Nashville, Tennessee 37205-1051 by delivering same in the United States regular mail and United States certified mail, numbers **7020 0640 0001 4807 9734** and **7020 0640 0001 4807 9741,** return receipts requested, with sufficient postage thereon to reach its destination. A copy was sent via electronic mail to: ed@charterCleveland.com.

This 26th day of August, 2026.

Seth Colón
Associate General Counsel