

**STATE OF TENNESSEE
HEALTH FACILITIES COMMISSION
BEFORE THE BOARD FOR LICENSING HEALTH CARE FACILITIES**

IN THE MATTER OF:	)	
	)	
GREAT SOUTHERN SENIOR LIVING, LLC	)	FILE NO. 634
	)	
CORDOVA, TENNESSEE	)	

CONDITIONAL LICENSE ORDER

This matter came to be heard before the Tennessee Board for Licensing Health Care Facilities ("Board"), pursuant to the requires of the Tennessee Health Facilities Commission ("Commission"), by and through the Office of Legal Services, and **GREAT SOUTHERN SENIOR LIVING, LLC** ("Respondent") that the Board adopt this Conditional License Order, the terms of which have been agreed upon by the parties, as signified by their signatures below.

Respondent, by signature to this Conditional License Order, waives the right to a contested case hearing and any and all rights to judicial review of this matter.

Respondent agrees that presentation to and consideration of this Conditional License Order by the Board for ratification and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members shall be prejudiced to the extent that requires their disqualification from hearing this matter should the Conditional License Order not be ratified. Likewise, all matters, admissions, and statements disclosed or exchanged during the attempted ratification process shall not be used against Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

I. JURISDICTION

1. The Board has the power 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, prescribe childcare centers, renal dialysis clinics, ambulatory surgical treatment centers, outpatient diagnostic centers, adult care homes, and traumatic brain injury residential home. T.C.A. § 68-11-202.
2. The Commission has the authority to conduct reviews of homes for the aged to determine compliance with fire and life safety code regulations promulgated by the Board. T.C.A. § 68-11-202(b)(1)(A).
3. A residential home for the aged ("RHA") is a home represented and held out to the general public as a home which accepts primarily aged persons for relatively permanent, domiciliary care. "Primarily aged persons" means at least 51% or more of the census of the home for the aged is primarily aged. The RHA provides room, board, and personal services to at least four (4) or more non-related persons. The term "home" includes any building or part thereof which provides services as defined in the Board's rules. Tenn. Comp. R. & Regs. 1200-08-11-.01(27).
4. 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).
5. Upon a finding by the Board that a residential home for the aged has violated any provision of the Board's rules, action may be taken, upon proper notice to the licensees, to deny, suspend, or revoke its license. Tenn. Comp. R. & Reg. 1200-08-11-.03.

6. The Board has the authority to suspend or revoke the license of any facility licensed under T.C.A. § 68-11-201(18).

II. STIPULATIONS OF FACT

7. Respondent, **GREAT SOUTHERN SENIOR LIVING, LLC**, 1869 Pisgah Road, Cordova, Tennessee 38016, applied to be licensed by the Board as a Residential Home for the Aged, on October 16, 2019.
8. Respondent applied for and was granted their first application extension on October 14, 2020. Respondent applied for and was granted a second application extension on August 10, 2021.
9. Respondent admitted Resident #1 on February 21, 2022.
10. Respondent admitted Resident #2 on July 5, 2022.
11. Respondent's admission contract states, "Great Southern Senior Living is licensed as a Home for the Aged by the Tennessee Department of Health."
12. On July 26, 2022, an Initial Licensure Survey was conducted, which cited Respondent for operating without a license.
13. A Certificate of Occupancy was issued on September 1, 2022.

III. GROUND FOR DISCIPLINE

The facts in the Stipulations of Fact section are sufficient to establish that Respondent has violated the following statutes and/or rules, for which disciplinary action by the Board is authorized.

14. The facts in paragraph eight (8) through twelve (12) are sufficient to constitute a violation of Tenn. Comp. R. and Reg. 1200-08-11-.02 (1), the relevant portion of which reads as follows:

No person, partnership, association, corporation, or state, county or local government unit, or any division, department, board or agency thereof, shall establish, conduct, operate, or maintain in the State of Tennessee any home for the aged without having a license. A license shall be issued only to the applicant named and only for the premises listed in the application for licensure. Licenses are not transferable or assignable and shall expire and become invalid annually on the anniversary date of their original issuance. The license shall be conspicuously posted in the home for the aged.

IV. ORDER

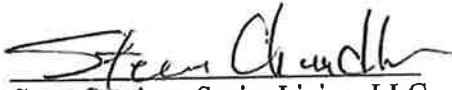
NOW THEREFORE, Respondent, for the purpose of avoiding further administrative action with respect to this cause, agrees to the following:

15. Respondent's license to operate as a Residential Home for the Aged in the State of Tennessee is hereby **GRANTED subject to the following conditions.**
16. Respondent is hereby assessed seven (7) Civil Monetary Penalties in the amount of **two thousand five hundred dollars (\$2,500.00) each**, for a total penalty amount of **seventeen thousand five hundred dollars (\$17,500)**. These CMPs are issued for each month of unlicensed operation of the RHA.
17. Payment shall be submitted to the following address within **one hundred twenty (120) calendar days** of the effective date of this Order.

Tennessee Health Facilities Commission
Attention: Licensure and Regulation
665 Mainstream Drive, Second Floor
Nashville, Tennessee 37243

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APPROVED FOR ENTRY:



Great Southern Senior Living, LLC

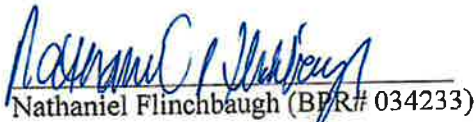
File No. 634

Authorized Representative

Respondent


Printed Name of Authorized Representative


Title of Authorized Representative



Nathaniel Flinchbaugh (BPR# 034233)

Deputy General Counsel

Health Facilities Commission

665 Mainstream Dr. 2nd Floor

Nashville, Tennessee 37243

Approval by the Board

Upon the agreement of the parties, this **CONDITIONAL LICENSE ORDER** is approved as a **FINAL ORDER** by a majority of a quorum of the Tennessee Board for Licensing Health Care Facilities at a public meeting of the Board and signed this 22nd day of November, 2022.

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



Chairperson
Board for Licensing Health Care Facilities

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon the Respondent, Great Southern Senior Living, LLC, c/o Steve Chandler, CEO, 1869 Pisgah Road, Cordova, Tennessee 38016, by delivering same in the United States regular mail and United States certified mail, number **7019 1120 0001 3065 6198**, return receipt requested, with sufficient postage thereon to reach its destination. A courtesy copy was delivered via electronic mail to: Ben@greatsouthernseniorliving.com.

This 22nd day of November, 2022.


Nathaniel Flinchbaugh (BPR # 034233)
Deputy General Counsel