

**Arkansas Health Services Permit Commission
Permit of Approval Meeting
Microsoft Teams Meeting
December 19, 2024
10:00 A.M.**

Minutes

Participants and Interested Parties this will be a Microsoft Teams Meeting. Please see the Microsoft Teams meeting information below.

**Meeting ID: 298 691 425 264
Passcode: XmqSGL**

For those that do not have access to Microsoft Teams you may dial in:

**Dial-in number: 1(501) 244- 3310
Phone Conference ID: 491 086 910#**

Presiding: Mr. Eric Bell

**Members Present: Dr. Jack Robertson
Mr. Murry Reagor
Ms. Jamie Ewing (DHS designee)
Mr. John Montgomery
Mr. Haden Gilder
Mr. David Deaton**

Member(s) Absent: None

**Health Services
Agency Staff: Director Sandra Hollowell
Ms. Traci Harris
Ms. Jennifer Cooper**

Legal Counsel: Michael Bynum

Guests: Microsoft Teams Attendee Sheet

I. COMMISSION BUSINESS

Chairman Bell called the meeting to order at 10:00 a.m. Chairman Bell then called for a motion to approve the minutes from the September 19, 2024, meeting.

MINUTES: A motion was made by Mr. Reagor to approve the minutes of the September 19, 2024, Commission meeting. The motion was seconded by Mr. Gilder A voice vote was taken and the motion carried.

Director Sandra Hollowell reviewed the Agency Application Decisions of the September Review Cycle. She also reviewed the three (3) month progress reports that were received from participants in the September Review Cycle

LEGAL UPDATE

Michael Bynum, Attorneys General Office Liaison, updated the Commission on Step by Step, Inc. filing a petition for a Judicial Review (of the Commission decision to overturn the Agency decision to grant Step by Step a POA to provide Home Health services in Faulkner County) in the Circuit Court of Pulaski County. Mr. Bynum reported that Director Hollowell has not been served by the petitioner yet. The petitioner has 120 days to serve Director Hollowell. If they fail to serve her within 120 days of the filing date the petition will be denied.

II. EXTENSION REQUESTS

- 1. Ashton Place Manor, LLC fka The Preserve at Rogers, Benton Co., File# HSPA (1628) - requested their first six-month extension to obtain the construction contract. Ashton Place offers the following to demonstrate “good cause” for extending the time to complete the construction contract phase. The land described on the original Permit of Approval application failed to close and the owner is researching other land that is suitable for the project located in Benton County. Importantly, this replacement project uses beds from a facility currently in operation in Benton County. As such, the delay in implementation of this construction in no way affects others who might be interested in obtaining a Permit of Approval for Benton County or anywhere else because these beds are not subject to return to the general bed pool. Ms. Amy Wilbourn and Mr. Lane Smith participated in the Teams meeting and gave an update.**

Motion: A motion was made by Mr. Montgomery and seconded by Mr. Gilder to grant the first six month extension to obtain the construction contract. A voice vote was taken and the motion carried.

- 2. Texarkana Greenhouse Cottages, Miller Co., File# HSPA (1599) – requested their first six-month extension to obtain licensure. Texarkana GHC offers the following to demonstrate "good cause" for extending the time to complete licensure for this project. This project is for the relocation and replacement of a current facility which continues to operate. The Texarkana GHC replacement facility is being constructed as a green house model. As of October 1st, not all of the green houses have been completed and opened to the public, although some of the cottages have opened and are operating with approval by the Office of Long-Term Care. As you know, this Project also adds nine (9) beds to the current licensed beds, for a total of 120 beds. Texarkana GHC anticipates adding nine (9) beds to its current licensed beds effective January 1st, 2025, with the opening of the remaining cottages. Accordingly, the licensure for all beds contemplated by this Project is anticipated to occur at the beginning of 2025. Commissioner Montgomery recused himself from the discussion and vote. Ms. Amy Wilbourn participated in the Teams meeting and gave an update.**

Motion: A motion was made by Mr. Reagor and seconded by Dr. Robertson to grant the first six-month extension to obtain licensure. A voice vote was taken and the motion carried.

3. **Grand Oaks Assisted Living, Jefferson Co., File# HSPA (1615)** - requested their **third** six-month extension to obtain the construction contract. Applicant states we are requesting this extension on the construction contract that was due by January 12, 2025. Due to continuous issues with the City of White Hall on sewer and water extensions for this project, which was finally resolved but caused us to fall behind on the lengthy bidding process with contractors and subcontractors. This process is currently underway; however, due to the upcoming holidays we are not sure we can have it finished and under contract by January. Due to these delays, we request to be on the agenda for this extension. Ms. April Spencer participated in the Teams meeting and gave an update.

Motion: A motion was made by Mr. Montgomery and seconded by Mr. Gilder to grant the third six-month extension to obtain the construction contract. Director Hollowell with Commission agreement asked Ms. Spencer to submit a 3-month update to the agency. A voice vote was taken and the motion carried.

4. **Maumelle Senior Community, Pulaski Co., File# HSPA (1600)** - requested their **fifth** extension request (this one for three-months instead of six) to obtain a construction contract. The Permittee restarted the bid/RFQ process due to inflated construction cost during their initial RFQ process and is actively working towards the completion of a construction contract. The Permittee has identified the contractor and completed hard bids for final construction contract price. They are currently negotiating the final contract terms with anticipated December or January execution and Notice to Proceed no later than March 1, 2025. The permittee is hopeful that a contract will be executed prior to January 1, 2025, but out of an abundance of caution they are requesting this extension. Mr. Austin Grinder participated in the Teams meeting and gave an update.

Motion: A motion was made by Mr. Gilder and seconded by Mr. Deaton to grant the fifth three-month extension to obtain the construction contract. A voice vote was taken and the motion carried.

5. **Mitchell's Nursing Home, Yell Co., File# HSPA (1573)** - is requested their **seventh** six-month extension to complete the foundation. Mitchell's Nursing Home, Inc. offers the following to demonstrate "good cause" for extending the initial time to complete the foundation. This Permit of Approval is for the expansion of the facility located in Danville, Arkansas. As you know, the Permit Holder continues to operate its current facility and serve the residents of the community. As an open and operating facility, the Permit Holder is in a unique position to consider the current needs of the residents in Yell County and the surrounding community. Currently, there is a need in the community for an observation unit which provides private rooms and amenities for individuals impacted by Dementia and other diagnoses who may require a less stimulating environment. Accordingly, the Permit Holder has updated its planned expansion to provide thirty (30) additional rooms to its current 100 Hall. As part of this expansion, the Permit Holder also anticipates adding a courtyard, activity area, and dining area designed for the residents living on the 100 Hall. Ms. Amy Wilbourn and Mr. Robert Mitchell (Owner) participated in the Teams meeting and gave an update.

Motion: A motion was made by Mr. Montgomery and seconded by Dr. Robertson to grant the seventh six-month extension to complete the foundation. A voice vote was taken and the motion carried.

6. **Mission Ridge, Craighead Co., File# HSPA (1565)** - requested their **eighth** six-month extension to complete the foundation. Mission Ridge offers the following to demonstrate “good cause” for extending the time to complete the foundation. As you know, Mission Ridge re-evaluated the previously planned business model and designs for the project has been working to finalize its design. The proposed development will be centered around a residential care (“ResCare”) concept that Mission Ridge believes better aligns with the needs of the community. To better support this initiative, new investment partners have been identified and will be brought into the development company, with an anticipated deal date in the next few weeks, followed by closing on a new loan refinancing package, thus setting this project up for success. Those investments will allow the Permit Holder to continue to move this project forward at a diligent pace. Ms. Amy Wilbourn participated in the Teams meeting and gave an update.

Motion: A motion was made by Mr. Montgomery and seconded by Mr. Reagor to grant the eighth six-month extension to complete the foundation. Director Hollowell with Commission agreement asked Ms. Wilborn to submit a 3-month update to the agency. A voice vote was taken and the motion carried.

III. MOVEMENT OF BEDS

7. **The Green House Cottages of Northwest Arkansas, Benton Co.**, requested to have twenty-five (25) beds transferred from Cedar Lodge Nursing Center (“Cedar Lodge”) a closed facility in Phillips County, Arkansas, to their facility in Benton County. Commissioner Montgomery recused himself from the discussion and vote. Ms. Amy Wilbourn participated in the Teams meeting and gave an update.

Motion: A motion was made by Mr. Reagor and seconded by Mr. Deaton to grant the transfer of the twenty- five (25) beds from Cedar Lodge Nursing Center (“Cedar Lodge”) a closed facility in Phillips County, Arkansas, to The Green House Cottages of Northwest Arkansas in Benton County. A voice vote was taken, and the motion was carried.

8. **Shiloh Nursing and Rehab, LLC (“Shiloh”), Benton Co.**, requested to have twenty-five (25) beds transferred from Johnson County Health and Rehab, LLC, (*previously* Clarksville Nursing and Rehab, LLC, a closed facility located on Oak Avenue), in Johnson County, to their facility in Benton County. Ms. Amy Wilbourn participated in the Teams meeting and gave an update. Ms. Amy Wilbourn and David Norsworthy participated in the Teams meeting and gave an update.

Motion: A motion was made by Mr. Montgomery and seconded by Mr. Reagor to grant the transfer of the twenty- five (25) beds from Johnson County Health and Rehab, LLC, (*previously* Clarksville Nursing and Rehab, LLC, a closed facility located on Oak Avenue), in Johnson County, to Shiloh Nursing and Rehab, LLC in Benton County. A voice vote was taken, and the motion was carried.

IV. REFERRED TO THE COMMISSION

- 1. Country Club Gardens, LLC d/b/a Lake Hamilton Health and Rehab File# HSPA (1637)25, Garland Co.,** referred to the Commission to be granted a Permit of Approval for the purpose of undergoing an expansion of the facility located at 120 Pittman Road, Hot Springs, Arkansas, Garland County. Adding fifty-six (56) beds from Abbey Hill Nursing and Rehabilitation Center to their existing licensed eighty-four (84) bed facility for a total of one hundred and forty (140) beds. Amy Wilborn and David Norsworthy participated in the Teams meeting and gave an update.

Motion: A motion was made by Mr. Reagor and seconded by Mr. Montgomery granting a Permit of Approval for the purpose of undergoing an expansion of Lake Hamilton Health and Rehab located at 120 Pittman Road, Hot Springs, Arkansas, Garland County. Adding an additional fifty-six (56) beds from Abbey Hill Nursing and Rehabilitation Center to their existing licensed eighty-four (84) bed facility for a total of one hundred and forty (140) beds. A voice vote was taken, and the motion carried.

- 2. Belvedere Nursing and Rehabilitation Center, LLC File# HSPA (1638)25, Garland Co.,** referred to the Commission to be granted a Permit of Approval for the purpose of undergoing an expansion of the facility located at 2600 Park Ave., Hot Springs, Arkansas, Garland County. Adding twenty (20) beds from Abbey Hill Nursing and Rehabilitation Center to their existing licensed one hundred and twenty (120) bed facility for a total of one hundred and forty (140) beds. Amy Wilborn and David Norsworthy participated in the Teams meeting and gave an update.

Motion: A motion was made by Dr. Robertson and seconded by Mr. Montgomery granting a Permit of Approval for the purpose of undergoing an expansion of Belvedere Nursing and Rehabilitation Center, LLC located at 2600 Park Ave., Hot Springs, Arkansas, Garland County. Adding twenty (20) beds from Abbey Hill Nursing and Rehabilitation Center to their existing licensed one hundred and twenty (120) bed facility for a total of one hundred and forty (140) beds. A voice vote was taken, and the motion carried.

There being no further business the meeting was adjourned at 10:51 am

Motion: A motion was made by Mr. Gilder and seconded by Mr. Reagor to adjourn the meeting. A voice vote was taken, and the motion carried.