

Arkansas Health Services Permit Commission
Permit of Approval Meeting
Mosaic Templars State Temple- 2nd Floor Conference Room
September 17, 2025
10:00 A.M.

Minutes

Presiding: Mr. Eric Bell

Members Present:

Ms. Jamie Ewing (DHS designee)
Mr. John Montgomery
Mr. Haden Gilder
Mr. David Deaton

Member(s) Absent: Mr. Murry Reagor
Dr. Jack Robertson

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

Legal Counsel: Jessica Kloss

Guests: Attendance Sheet attached

I. COMMISSION BUSINESS

Chairman Bell called the meeting to order at 10:02 a.m. After roll call, Chairman Bell called for a motion to approve the minutes from the June 10, 2025 meeting.

MINUTES: A motion was made by Mr. Gilder to approve the minutes of the June 10, 2025, Commission meeting. The motion was seconded by Mr. Montgomery. A voice vote was taken and the motion carried.

Director Sandra Hollowell reviewed the Agency Application Decisions of the June Review Cycle.

AGENCY REPORT: A motion was made by Mr. Deaton to approve the Agency Application Decisions Report for the June Review Cycle. The motion was seconded by Mr. Gilder. A voice vote was taken and the motion carried.

LEGAL UPDATE

Jessica Kloss 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. She reported that Ms. Sarah DeBusk, Griffith Attorneys General Office Liaison was writing the brief for the court. There is no action that needs to be taken by the Commission or the agency at this time.

II. EXTENSION REQUESTS

1. **Grand Village Health and Rehab., Washington Co. File# HSPA (1629)** - requested their second six-month extension to obtain the construction contract. Applicant states... Since our last update, we have made considerable progress. We remain actively engaged in refining the project through an extensive value-engineering process with our architects and engineers, ensuring the project aligns with our original vision while staying within budget constraints. Additionally, we continue to coordinate with the city on various site-related aspects to facilitate timely progress. Although these efforts have required additional time, they are integral to the successful completion of the project. As previously communicated in our March 2025 extension request, the original project costs exceeded the initially projected amount, prompting us to adjust our plans accordingly. Chairman Bell recused himself from the discussion. Ms. Blakely Adams was present and gave an update.

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

2. **Alma Healthcare and Rehabilitation Center, Crawford Co. File# HSPA (1577) & (1597)** – requested their sixth six-month extension to obtain licensure. Alma H&R offers the following to demonstrate “good cause” extending the time to complete licensure for this project. As you know, this Permit of Approval was for the expansion and renovation of Alma H&R, a currently licensed and operating facility located in Crawford County. Throughout this project, Alma H&R remains committed to serving its residents, with current occupancy at over 91% according to the July 2025 Bed Need Book. As evidenced by the high occupancy, this project is supported by current residents, their families, and the community at large. The project has been progressing in construction phases, including adding 20 new private resident suites, additional wings, and renovations. Ms. Amy Wilbourn was present and gave an update.

Motion: A motion was made by Mr. Gilder and seconded by Mr. Deaton to grant the sixth six month extension to obtain licensure. A voice vote was taken and the motion carried.

3. **Applewood Trail Health & Rehab., Craighead Co., File# HSPA (1579)** - requested their ninth six-month extension to obtain a construction contract. Applicant states... In our previous update, we mentioned that we had entered into a contract for our project site; however, this contract was contingent upon certain conditions being met, primarily the issuance of a LOMA from FEMA, which was proving to be a lengthy and challenging process. To advance our project and avoid further delays, we submitted a site change form and have successfully secured new land at 1625 West Parker Road, Jonesboro, AR 72450. This new site eliminates the need for a LOMA, allowing us to move forward without the complications associated with the floodplain designation. Once a contractor is selected from the bids we are currently soliciting, we will be able to proceed consistently with our development plans. Chairman Bell recused himself from the discussion. Ms. Blakely Adams was present and gave an update.

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

III. SITE LOCATION CHANGE

Applewood Trail Health & Rehab, Craighead Co., requested a Site Location Change from the previous approval site of 2911 Browns Lane, in Jonesboro, Arkansas to 1625 West Parker Road, Jonesboro, Craighead County, Arkansas. Chairman Bell recused himself from the discussion. Ms. Blakely Adams was present and gave an update.

Motion: A motion was made by Ms. Ewing and seconded by Mr. Montgomery to grant a Site Location Change from the previous approval site of 2911 Browns Lane, in Jonesboro, Arkansas to 1625 West Parker Road, Jonesboro, Craighead County, Arkansas. A voice vote was taken and the motion carried.

IV. REFERRED TO THE COMMISSION

1. **Conway County Health and Rehab File# HSPA (1650) 25, Conway Co.**, referred to the Commission to be granted a Permit of Approval for the purpose of replacing River Chase Rehabilitation and Care Center located at 12 Hospital Dr., Morrilton, Arkansas, Conway County, to be located at 164 Heifer Creek Road, Springfield, Arkansas, Conway County and adding fourteen (14) beds from St. James Place of Arkansas for a total of eighty-six (86) beds. Commissioner Montgomery recused himself from the discussion and vote. Amy Wilborn was present and gave an update.

Motion: A motion was made by Mr. Gilder and seconded by Ms. Ewing granting a Permit of Approval for the purpose of replacing River Chase Rehabilitation and Care Center located at 12 Hospital Dr., Morrilton, Arkansas, Conway County, to be located at 164 Heifer Creek Road, Springfield, Arkansas, Conway County and adding fourteen (14) beds from St. James Place of Arkansas for a total of eighty-six (86) beds. A voice vote was taken and the motion carried.

2. **Garland Nursing and Rehabilitation Center, File# (1651)25 , Garland Co.**, referred to the Commission to be granted a Permit of Approval for the purpose of replacing Garland Nursing and Rehabilitation Center located at 610 Carpenter Dam Road, Hot Springs, Arkansas, Garland County, to be located at 524 Carpenter Dam Road, Hot Springs, Arkansas, Garland County and adding nine (9) beds from St. James Place of Arkansas for a total of one hundred and four (104) beds. Commissioner Montgomery recused himself from the discussion and vote. Amy Wilborn was present and gave an update.

Motion: A motion was made by Mr. Deaton and seconded by Ms. Ewing granting a Permit of Approval for the purpose of replacing Garland Nursing and Rehabilitation Center located at 610 Carpenter Dam Road, Hot Springs, Arkansas, Garland County, to be located at 524 Carpenter Dam Road, Hot Springs, Arkansas, Garland County and adding nine (9) beds from St. James Place of Arkansas for a total of one hundred and four (104) beds. A voice vote was taken and the motion carried.

3. **Bailey Creek Health and Rehab, File# (1652)25, Miller Co.**, referred to the Commission to be granted a Permit of Approval for the purpose of Bailey Creek Health and Rehab located at 1621 E 42nd Street, Texarkana, Arkansas, Miller County, to be located at 5111 Jefferson Avenue, Texarkana, Arkansas, Miller County and adding twenty-three (23) beds from Chapel Woods Health and Rehab for a total of one hundred and thirty-eight (138) beds. Chairman Bell recused himself from the discussion. Ms. Blakely Adams was present and gave an update.

Motion: A motion was made by Ms. Ewing and seconded by Mr. Montgomery granting a Permit of Approval for the purpose of Bailey Creek Health and Rehab located at 1621 E 42nd Street, Texarkana, Arkansas, Miller County, to be located at 5111 Jefferson Avenue, Texarkana, Arkansas, Miller County and adding twenty-three (23) beds from Chapel Woods Health and Rehab for a total of one hundred and thirty-eight (138) beds. A voice vote was taken and the motion carried.

4. **Pennington Manor, File# (1653)25, Yell Co.,** referred to the Commission to be granted a Permit of Approval for the purpose of replacing Deerview, LLC located at 502 W. Pennington St., Ola, Arkansas, Yell County, to be located at Hwy 27, N/A, Arkansas, Yell County and adding twelve (12) beds from Johnson County Health and Rehab, LLC for a total of seventy-two (72) beds. Amy Wilborn was present and gave an update.

Motion: A motion was made by Mr. Montgomery and seconded by Mr. Gilder granting a Permit of Approval for the purpose of replacing Deerview, LLC located at 502 W. Pennington St., Ola, Arkansas, Yell County, to be located at Hwy 27, N/A, Arkansas, Yell County and adding twelve (12) beds from Johnson County Health and Rehab, LLC for a total of seventy-two (72) beds. A voice vote was taken and the motion carried.

Motion to Recess Meeting: Meeting was recessed at 10:29am to await the arrival of the Hearing officer and court reporter for the hearings. A motion was made by Mr. Montgomery and seconded by Mr. Deaton. A voice vote was taken and the motion carried. Meeting was called back to order by Chairman Bell at 10:42am.

V. APPEAL HEARINGS

1. **Home Care Association of Arkansas appealing the Agency's decision to approve the 1st Choice Home Care, File# HSPA (1654)25 application to provide Home Health Services Class "B" License location to be determined, Arkansas, to serve Phillips County.**

Hearing Officer Charles Moulton called the hearing to order at 10:43 a.m. with the following Commission members present:

Representing **Home Care Association of Arkansas** (the appellant) was, Ms. Lynda Johnson, attorney with Friday, Elderidge & Clark; representing **1st Choice Home Care** (appellee) was, Ms. Jenny Teeter, attorney; the Agency was, Jessica Kloss attorney of the Arkansas Attorney General Office. Witnesses were sworn in prior to their testifying, and following the testimony of the witnesses, the introduction of exhibits, the arguments of counsel, and discussion among the members of the Commission, the following motions were made:

Motion: A motion was made by Mr. Deaton and seconded by Mr. Gilder that the Commission does not adopt the Agency's Finding of Facts and Conclusions of Law based on its finding that the 1st Choice Home Care application does not meet the criteria required by HSC Regulation 001, Sec. IV.A.3. that the project be economically feasible. The agency decision to approve the 1st Choice Home Care application to provide Class B Home Health services in Phillips County was overturned by the Commission. A voice vote was taken and the motion carried.

2. **Home Care Association of Arkansas appealing the Agency's decision to approve the 1st Choice Home Care, File# HSPA (1655)25 application to provide Home Health Services Class "B" License location to be determined, Arkansas, to serve Union County.**

Hearing Officer Charles Moulton called the hearing to order at 10: a.m. with the following Commission members present:

Representing **Home Care Association of Arkansas** (the appellant) was Ms. Lynda Johnson, attorney with Friday, Elderidge & Clark; representing **1st Choice Home Care** (appellee) was, Ms. Jenny Teeter, attorney ; the Agency was, Jessica Kloss attorney of the Arkansas Attorney General Office. Witnesses announced for all parties were sworn in, and following the testimony of the witnesses, the introduction of exhibits, the arguments of counsel, and discussion among the members of the Commission, the following motions were made:

Motion: A motion was made by Mr. Deaton and seconded by Mr. Gilder that the Commission does not adopt the Agency's Finding of Facts and Conclusions of Law based on its finding that the 1st Choice Home Care application does not meet the criteria required by HSC Regulation 001, Sec. IV.A.3. that the project be economically feasible. The agency decision to approve the 1st Choice Home Care application to provide Class B Home Health services in Union County was overturned by the Commission. A voice vote was taken and the motion carried.

The hearing was closed at 12:34 p.m.

- 3. Collage Home and Community File# HSPA (1656)25 appealing the Agency's decision to deny their application to provide Home Health Services Class "B" to be located at 400 W. Capitol Ave, Little Rock, Arkansas, to serve Pulaski County.**

Hearing Officer Charles Moulton called the hearing to order at 12:44pm. with the following Commission members present:

Representing **Collage Home and Community** (the appellant) was, Mr. Slyvester Smith, attorney with The Firm; representing the **Agency** (appellee) was, Jessica Kloss attorney of the Arkansas Attorneys General Office. Witnesses were sworn in prior to their testifying, and following the testimony of the witnesses, the introduction of exhibits, the arguments of counsel, and discussion among the members of the Commission, the following motions were made:

Mr. Smith requested that the hearing be continued due to time constraints of his witnesses and their travel needs. The Commission agreed and the continuation of the hearing will resume in the near future within the required deadlines outlined in the Agency Rulebook. It was requested that the witnesses that traveled from out of state be allowed to attend the meeting by Zoom. The Commission agreed and the hearing was recessed at 1:27pm..

- 4. Collage Home and Community File# HSPA (1657)25 appealing the Agency's decision to deny their application to provide Home Health Services Class "B" to be located at 2894 N. McKee Circle, Fayetteville, Arkansas, to serve Washington County.**

Hearing Officer Charles Moulton called the hearing to order at 12:44pm with the following Commission members present:

Representing **Collage Home and Community** (the appellant) was, Mr. Slyvester Smith, attorney with The Firm; representing the **Agency** (appellee) was, Jessica Kloss attorney of the Arkansas Attorneys General Office. Witnesses were sworn in prior to their testifying, and following the testimony of the witnesses, the introduction of exhibits, the arguments of counsel, and discussion among the members of the Commission, the following motions were made

Mr. Smith requested that the hearing be continued due to time constraints of his witnesses and their travel needs. The Commission agreed and the continuation of the hearing will resume in the near future within the required deadlines outlined in the Agency Rulebook. It was requested that the witnesses that traveled from out of state be allowed to attend the meeting by Zoom. The Commission agreed to an in-person meeting with Zoom attendees.

The hearing was recessed at 1:27pm..

There being no further business the meeting adjourned at 1:29 p.m.

Motion: A motion was made by Mr. Deaton and seconded by Mr. Montgomery to adjourn the meeting. A voice vote was taken and the motion carried.