

**Arkansas Health Services Permit Commission
Permit of Approval Meeting
Mosaic Templars State Temple, 2nd Floor Conference Room
906 Broadway, Suite 200
Little Rock, AR 72201
June 16, 2026
10:00 A.M.**

Minutes

Presiding: Mr. Eric Bell

Members' Present: Dr. Jack Robertson
Ms. Jamie Ewing
Mr. John Montgomery
Mr. Haden Gilder
Mr. Greg Wood

Member(s) Absent: Mr. David Deaton
Mr. Murry Reagor

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

Legal Counsel: Tawnie Hughes

Guests: Attendance Sheet attached

I. COMMISSION BUSINESS

Chairman Bell called the meeting to order at 10:00 a.m. After roll call, Chairman Bell called for a motion to approve the minutes from the March 18th, 2026 meeting.

MINUTES: A motion was made by Mr. Montgomery to approve the minutes of the March 18, 2026 Commission meeting. The motion was seconded by Dr. Robertson . A voice vote was taken and the motion carried.

LEGAL UPDATE

Tawnie Hughes, 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. Agency filed a brief on October 20, 2025. Awaiting the court decision. No other actions for the Agency to take at this time.

Ms. Hughes also reported on Collage Home and Community which filed appeals in the Circuit Court of Pulaski County to overturn the Commission's decision to uphold the Agency's denial of their application to provide Home Health Services Class "B" to be located at 400 W. Capitol Ave, Little Rock, Arkansas, to serve Pulaski County and the Commission's decision to uphold 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. Entered appearances. No other actions for the Agency to take at this time.

Ms. Hughes also reported on 1st Choice Home Care which filed appeals in the Circuit Court of Pulaski County to overturn the Commission's decision to overturn the Agency's decision to approve the 1st Choice Home Care, File# HSPA (1643)25 application to provide Home Health Services Class "B" License location to be determined, Arkansas, to serve Phillips County. Also, the Commission's decision to overturn the Agency's decision to approve the 1st Choice Home Care, File# HSPA (1644)25 application to provide Home Health Services Class "B" License location to be determined, Arkansas, to serve Union County. Entered appearances. No other actions for the Agency to take at this time.

AGENCY REPORT and LEGAL UPDATE: A motion was made by Ms. Ewing to approve the agency report and the legal update. The motion was seconded by Mr. Wood. A voice vote was taken and the motion carried.

II. EXTENSION REQUESTS

1. **Pennington Manor, Yell Co., File# HSPA (1653)** - requested their first six-month extension to obtain a construction contract. Pennington Manor offers the following to demonstrate "good cause" for extending the time to complete the construction contract for this project. As you may recall, this Permit is for the replacement of a closed nursing facility formerly located in Yell County, Arkansas. There are currently only two other operating nursing facilities in Yell County, which have a current occupancy rate of less than 78%. Currently, Pennington Manor is working diligently to finalize site and construction plans, which will impact future decision-making. Based on initial planning, it is possible that Pennington Manor may require a site location change to incorporate the needs of the community and enhance proposed construction. Ms. Amy Wilbourn was present and gave an update.

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

2. **The Legacy Village Memory Care, Baxter Co., File# HSPA (1630)** - requested their second six-month extension to complete the foundation. Applicant states.... The primary issue contributing to this delay is the extensive amount of dirt work required, as you can imagine, the area is rather rocky. For this reason, we ask that Legacy Village be added to the agenda of the next Commission Meeting to request an extension. Ms. April Spencer was present and gave an update. **WITHDRAWN.** Request withdrawn prior to meeting. Foundation has been completed.
3. **Saline Manor, Saline Co., File# HSPA (1460)** - requested their eighteenth six-month extension to obtain licensure. Saline Manor offers the following to demonstrate "good cause" for extending the time to obtain licensure for this project. This project is in its final stages of completion, with landscaping currently being installed. Pictures of the current stages of the project are enclosed herewith for reference. It is anticipated that the facility will be completed and ready for resident occupancy near the end of May 2026. The licensure application has been made and is pending. Ms. Amy Wilbourn was present and gave an update.

Motion: A motion was made by Mr. Montgomery and seconded by Dr. Robertson to grant

the eighteenth six- month extension to obtain licensure. A voice vote was taken and the motion carried.

- 4. Bailey Creek Health & Rehab, Miller Co., File# HSPA (1652) -requested their first six-month extension to complete the foundation. The applicant states the construction contract was executed on October 27, 2025. The foundation is approximately 30% complete and is expected to be materially complete within the next 60 days. The April 27 deadline was missed due to an internal miscommunication regarding the timing of the extension request, not any delay in construction. This Permit of Approval is for the replacement of an existing licensed facility under HSC Regulation 100M, Section III, and does not occupy bed need or otherwise impede other applicants or projects in Miller County. Commissioner Bell recused himself from the discussion and the vote. Ms. Dawn Bicker was present and gave an update.**

Motion: A motion was made by Mr. Wood and seconded by Ms. Ewing to grant the retro-request for the first six- month extension to complete the foundation. A voice vote was taken and the motion carried.

III. REFERRED TO THE COMMISSION

- 1. Box Enterprises dba Countryside at Rock Springs, File# HSPA (1675)26, Boone Co.. referred to the Commission for seeking a Permit of Approval (POA) to add twenty-five (25) Assisted Living Facility II beds to their licensed one hundred (100) bed facility for a total of one hundred and twenty-five (125) Assisted Living Facility II beds located at 51 Countryside Circle, Harrison, Arkansas, Boone County. Ms. Tara Box was present and gave an update.**

Motion: A motion was made by Ms. Ewing and seconded by Dr. Robertson granting a Permit of Approval for the purpose of adding twenty-five (25) Assisted Living Facility II beds to their licensed one hundred (100) bed facility for a total of one hundred and twenty-five (125) Assisted Living Facility II beds located at 51 Countryside Circle, Harrison, Arkansas, Boone County. A voice vote was taken and the motion carried.

- 2. Ventas West Shores OPCP, LLC, dba West Shores, File# HSPA (1669)26, Garland Co. referred to the Commission for the Commission to either ratify the agency's granting of the POA, or set a hearing to revoke the granting of the POA to add twenty-eight (28) ALF II beds to their existing eighty-two (82) ALF II facility for a total of one hundred and ten (110) beds located at 2607 Albert Pike Road, Hot Springs, Arkansas, Garland County. No representative showed up for the meeting.**

Motion: A motion was made by Mr. Montgomery and seconded by Mr. Gilder to issue a notice hearing to revoke the granting of the POA, to Ventas West Shores OPCP, LLC, dba West Shores for the purpose of adding twenty-eight (28) ALF II beds to their existing eighty- two (82) ALF II facility for a total of one hundred and ten (110) beds located at 2607 Albert Pike Road, Hot Springs, Arkansas, Garland County.

IV. APPEAL HEARING

- 1. Pea Ridge Estates, LLC (to be formed) dba Pea Ridge Health and Rehab, File# HSPA (1677)26 appealing the Agency's decision to deny their application to acquire seventy (70) beds from multiple facilities in the same county to construct a new nursing facility located at 3229 Hayden Road, Pea Ridge, Arkansas, Benton County.**

Hearing Officer, Jonathan Hendrix, called the hearing to order at 10:44am with the following Commission members present:

Representing **Pea Ridge Estates, LLC dba Pea Ridge Health and Rehab** (the appellant) was, Ms. Amy M. Wilbourn, attorney with Aegis Legal Advisors, PLLC; representing the agency(the appellee) was, Tawnie Hughes, attorney of the Arkansas Attorneys General Office. Witnesses were sworn in before they testified, 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. Montgomery and seconded by Dr. Robertson to uphold the Agency decision and to grant a waiver for the agency to approve and grant a Permit of Approval for the purpose of acquiring seventy (70) beds from multiple facilities in the same county to construct a new nursing facility located at 3229 Hayden Road, Pea Ridge, Arkansas, Benton County.

The hearing was closed at 11:47 a.m.

V. OTHER BUSINESS

There being no further business the meeting adjourned at 11:50 a.m.