

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

**IN THE MATTER OF:**

**HERITAGE ASSISTED LIVING  
HOME FOR THE AGED  
LICENSE NO. 288,**

**RESPONDENT.**

**KNOXVILLE, TENNESSEE**

**CASE NO. 2022030321**

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**CONSENT ORDER**

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This matter came to be heard before the Tennessee Board for Licensing Health Care Facilities ("Board"), pursuant to the request of the Tennessee Health Facilities Commission ("Commission"), by and through the Office of Legal Services, and Heritage Assisted Living ("Respondent") that the Board adopt this Consent Order, the terms of which have been agreed upon by the parties, as signified by their signatures below.

Respondent, by signature to this Consent 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 Consent 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 Consent 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(a)(1).
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. 0720-21-.01(27) [formerly cited as 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 impose a civil penalty and/or deny, suspend, or revoke its license. Tenn. Comp. R. & Reg. 0720-21-.03 [formerly cited as 1200-08-11-.03]. 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**

6. At all times pertinent hereto, Respondent, Heritage Assisted Living, 144 Felix Road, Knoxville, Tennessee 37918, was licensed by the Board as an RHA, having been granted license number 288 on May 1, 1996, which currently has an expiration date of July 1, 2023.
7. On or about June 27, 2022, a re-licensure survey was conducted at Heritage Assisted Living.
8. On or about July 13, 2022, the Commission sent a letter to the facility identifying certain deficiencies and formally requesting a plan of correction ("POC") be submitted to the Commission identifying the facility's plan for correcting the identified deficiencies. The facility's response to that letter was due on July 23, 2022. No POC was received by the Commission.
9. On or about July 26, 2022, the Commission requested that the facility submit a POC by August 5, 2022. On July 26, 2022, the facility's Administrator responded, indicating that the POC should have already been sent and it would be resubmitted that same day. No POC was received by the Commission.

10. On or about August 2, 2022, the Commission requested an update from the facility's Administrator who indicated that the POC should have been sent and they would look into it. No POC was received by the Commission.
11. To date, the Commission has made three (3) separate requests for the facility to submit a POC, and no such POC has been received.

### **III. GROUND FOR DISCIPLINE**

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

12. The facts in paragraphs seven (7) through eleven (11) are sufficient to constitute a violation of Tenn. Comp. R. and Reg. 0720-21-.03(3) [formerly cited as 1200-08-11-.03(3)], the relevant portion of which reads as follows:

Failure to timely submit an acceptable plan of correction shall subject the home's license to possible disciplinary action.

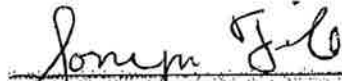
### **IV. ORDER**

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

13. Respondent shall submit an acceptable Plan of Correction to the Commission within ten days of Board Approval of this order.
14. Respondent's license is placed on probation for a period of twelve (12) months, beginning on the date of Board Approval of this order.

15. Respondent's Administrator shall appear in person at each scheduled meeting of the Board for Licensing Health Care Facilities held during the facility's probationary period, to provide updates to the Board.

**APPROVED FOR ENTRY:**

  
Heritage Assisted Living  
License No. 288  
Respondent

Sonya Fife  
Printed Name of Authorized Representative  
Signature of Authorized Representative

  
Vishan J. Ramcharan (BPR # 034403)  
Associate General Counsel  
Health Facilities Commission  
665 Mainstream Dr. 2<sup>nd</sup> Floor  
Nashville, Tennessee 37243  
Office: (615) 741-7221  
Fax: (615) 741-7051

Executive Director  
Title of Authorized Representative

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**Approval by the Board**

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 Tennessee Board for Licensing Health Care Facilities at a public meeting of the Board and signed this 5 day of April, 2023.

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

  
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Chairperson  
Board for Licensing Health Care Facilities

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of this document has been served upon the Respondent, Heritage Assisted Living, c/o Administrator, c/o Sonya Fife, 144 Felix Road, Knoxville, Tennessee 37918, by delivering same in the United States regular mail and United States certified mail, number **7021 2720 0000 2319 0477**, return receipts requested, with sufficient postage thereon to reach its destination. A copy was sent via electronic mail to:

[heritageknoxville@outlook.com](mailto:heritageknoxville@outlook.com).

This 5th day of April, 2023.

  
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Vishan J. Ramcharan  
Associate General Counsel