

**STATE OF TENNESSEE
HEALTH FACILITIES COMMISSION**

In The Matter of:	)	
	)	
Mount Juliet Operations, LLC d/b/a	)	
Harmony at Mt. Juliet	)	
Assisted Care Living Facility	)	Case Nos. 2024022811
Lic. No. 501,	)	2024024671
	)	
Respondent.	)	
	)	
103 Belinda Parkway	)	
Mt. Juliet, Tennessee 37122	)	

CONTINGENT CHANGE OF OWNERSHIP ORDER

This matter came to be heard before the Tennessee Health Facilities Commission (“Commission”), by and through the Office of Legal Services, and Mount Juliet Operations, LLC d/b/a Harmony at Mt. Juliet (“Respondent”) that the Commission adopt this Contingent Change of Ownership Order, the terms of which have been agreed upon by the parties, as signified by their signatures below.

Respondent, by signature to this Contingent Change of Ownership 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 Contingent Change of Ownership Order by the Commission for ratification and all matters divulged during that process shall not constitute unfair disclosure such that the Commission or any of its members shall be prejudiced to the extent that requires their disqualification from hearing this matter should the Contingent Change of Ownership 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 Commission is empowered 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, prescribed childcare centers, renal dialysis clinics, ambulatory surgical treatment centers, outpatient diagnostic centers, adult care homes, and traumatic brain injury residential homes. T.C.A. § 68-11-202(a)(1).
2. The Commission has the authority to conduct reviews of all facilities licensed under this part in order to determine compliance with fire and life safety code rules as promulgated by the Commission. T.C.A. § 68-11-202(b)(1)(A).
3. “Assisted-care living facility” (“ACLF”) means a facility, building, establishment, complex or distinct part thereof that accepts primarily aged persons for domiciliary care and services. T.C.A. § 68-11-201(4)(A) and Tenn. Comp. R. & Regs. 0720-26-.02(7).
4. “Primarily aged” means that a minimum of fifty-one percent (51%) of the population of the facility is at least sixty-two (62) years of age. Tenn. Comp. R. & Regs. 0720-26-.02(34).
5. An assisted-care living facility shall provide on site to its residents room and board and non-medical living assistance services appropriate to each resident’s needs, such as assistance with bathing, dressing, grooming, preparation of meals and other activities of daily living. T.C.A. § 68-11-201(4)(B) and Tenn. Comp. R. & Regs. 0720-26-.02(2).
6. Any person, partnership, association, corporation, any state, county or local governmental unit, or any division, department, board or agency of the governmental unit, in order to

lawfully establish, conduct, operate or maintain a hospital, recuperation center, nursing home, home for the aged, residential HIV supportive living facility, assisted-care living facility, home care organization, residential hospice, birthing center, prescribed child care center, renal dialysis clinic, outpatient diagnostic center, ambulatory surgical treatment center, adult care home or traumatic brain injury residential homes in this state, shall obtain a license from the commission, upon the approval and recommendation of the Commission in the following manner:

(1) The applicant shall submit an application on a form to be prepared by the commission with the approval of the Commission, showing that the applicant is of **reputable and responsible character and able to comply with the minimum standards** for a facility and with rules and regulations lawfully promulgated under this part. The application shall contain the following additional information:

- (A) The name or names of the applicant or applicants;
- (B) The type of institution to be operated;
- (C) The location of the institution;
- (D) The name of the person or persons to be in charge of the institution or, for adult care home applicants, the name of the resident manager, if applicable;
- (E) A certification that the applicant has implemented a policy of informing its employees of their obligations under § 71-6-103 to report incidents of abuse or neglect;
- (F) If an application for a nursing home license, a list of all nursing homes that the applicant, or any person or entity holding a majority legal or equitable interest in the applicant, owns or operates and, if the applicant has not operated a nursing home in this state for a continuous period of twenty-four (24) months preceding the application, the information specified in § 68-11-804(c)(1) for each such nursing home located outside this state; and
- (G) Such other information as the commission, with the approval of the Commission, may require.

T.C.A. § 68-11-206(a)(1).

7. 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).
8. Upon a finding by the Commission that an ACLF has violated any provision of Tenn. Code Ann. §§ 68-11-201, et seq., or the rules promulgated pursuant thereto, action may be taken, upon proper notice to the licensee, to impose a civil penalty, deny, suspend, or revoke its license. T.C.A. § 68-11-207.

II. STIPULATIONS OF FACT

9. Respondent was initially licensed by the Commission as an Assisted Care Living Facility, on April 1, 2021. The license has a current expiration date of March 31, 2026.

SURVEY 1

10. On or about June 7, 2024, a survey of the facility was completed, resulting in deficiencies being cited for failure to provide protective care to residents and failure to properly review/revise patient plans of care.
11. Between August 15, 2023, and August 20, 2023, Resident #2 (as identified in SURVEY 1) repeatedly made inappropriate physical contact with Resident #1 (as identified in SURVEY 1). Resident #2 mistakenly believed Resident #1 was her husband and she became physically aggressive whenever facility staff separated them. Resident #2's care plan was not reviewed/revise to address their inappropriate physical contact.
12. At all times relevant, the facility was aware that Resident #2's conduct led to an increase in Resident #1's anxiety, agitation and aggression. Resident #1's plan of care was not reviewed/revise to address their increased anxiety, agitation and aggression.

SURVEY 2

13. On or about July 15, 2024, another survey of the facility was completed resulting in deficiencies being cited for failure to complete resident admission assessments within seventy two (72) hours of admission, and failure to complete resident plans of care within five (5) days of admission.
14. On or about January 18, 2024, Resident #1 (as identified in SURVEY 2) was admitted to the facility. The facility did not complete the resident's admission assessment until eighteen (18) days later. The facility did not complete the resident's plan of care until fifty-four (54) days later.
15. On or about June 30, 2022, Resident #2 (as identified in SURVEY 2) was admitted to the facility's assisted living unit. The resident was admitted to the facility's Memory Care Unit on or about April 1, 2024. No admission assessment was completed for the resident during that time. The facility did not review/revise the resident's plan of care to reflect this transition.
16. On or about February 26, 2024, Resident #4 (as identified in SURVEY 2) was admitted to the facility. The facility did not complete the resident's admission assessment or their plan of care until fifteen (15) days later.
17. On or about September 30, 2023, Resident #6 (as identified in SURVEY 2) was admitted to the facility. The facility did not complete the resident's plan of care until sixteen (16) days later.
18. On or about February 18, 2024, Resident #8 (as identified in SURVEY 2) was admitted to the facility. The facility did not complete the resident's plan of care until twenty three (23) days later.

III. GROUND FOR CONDITIONS

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 Commission is authorized.

19. The facts stated in paragraphs eleven (11) and twelve (12) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R. and Reg. 0720-26-.07(7)(a)(1), the relevant portion of which provides:

(a) Each ACLF shall provide each resident with at least the following personal services.

1. Protective care

20. The facts stated in paragraphs fourteen (14) through (18) are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R. and Reg. 0720-26-.12(4), the relevant portion of which provides:

(4) An ACLF shall complete a written assessment of the resident to be conducted by a direct care staff member within a time-period to be determined by the ACLF, but no later than seventy two (72) hours after admission.

21. The facts stated in paragraphs eleven (11), twelve (12), and fourteen (14) through eighteen (18), are sufficient to establish that Respondent has violated the provisions of Tenn. Comp. R. and Reg. 0720-26-.12(5)(a), the relevant portion of which provides:

(a) An ACLF shall develop a plan of care for each resident admitted to the ACLF with input and participation from the resident or the resident's legal representative, treating physician, or other licensed health care professionals or entity delivering patient services within five (5) days of admission. The plan of care shall be reviewed and/or revised as changes in resident needs occur, but not less than semi-annually by the above-appropriate individuals.

IV. REPRESENTATIONS OF RESPONDENT

22. Respondent understands and admits the allegations, charges, and stipulations in this Order.
23. Respondent understands the rights found in the Code, Rules, and the Uniform Administrative Procedures Act, TENN. CODE ANN. §§ 4-5-101 thru 4-5-404, including the right to a hearing, the right to appear personally and by legal counsel, the right to confront and to cross-examine witnesses who would testify against Respondent, the right to testify and to present evidence on Respondent's own behalf, as well as to the issuance of subpoenas to compel the attendance of witnesses and the production of documents, as well as the right to appeal for judicial review. Respondent voluntarily waives these rights in order to avoid further administrative action.
24. Respondent agrees that presentation of this Order to the Commission and the Commission's consideration of it and all matters divulged during that process shall not constitute unfair disclosure such that the Commission or any of its members become prejudiced requiring their disqualification from hearing this matter should this Order not be ratified. All matters, admissions, and statements disclosed during the attempted ratification process shall not be used against the Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.
25. Respondent agrees that facsimile/PDF copies of this Order, including facsimile/PDF signatures thereto, shall have the same force and effect as originals.
26. Respondent also agrees that the Commission may issue this Order without further process. If the Commission rejects this Order for any reason, it will be of no force or effect for either party.

27. Respondent agrees that the facility has not received any threats or promises of any kind by the State or any agent or representative thereof, except such as is detailed herein.
28. Respondent, by signature to this Contingent Change of Ownership Order, waives the right to a contested case hearing and any and all rights to judicial review of this matter.

V. ORDER

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

29. The Change of Ownership Application for license number 501 to operate as an Assisted Care Living Facility in the State of Tennessee is hereby **GRANTED subject to the contingencies outlined in this section.**
30. Failure to comply with each contingency listed in Section V **within thirty (30) days of the effective date of this order will result in DENIAL** of the facility's Change of Ownership (CHOW) application.

CIVIL MONETARY PENALTIES FOR SURVEY 1

31. Respondent is hereby assessed and shall pay a Civil Monetary Penalty ("CMP") in the amount of **five-hundred dollars (\$500.00)** for the violations identified in paragraph nineteen (19), above.
32. Respondent is hereby assessed and shall pay a Civil Monetary Penalty ("CMP") in the amount of **five-hundred dollars (\$500.00)** for the violations identified in paragraph eighteen (21), above.

CIVIL MONETARY PENALTIES FOR SURVEY 2

33. Respondent is hereby assessed and shall pay a Civil Monetary Penalty (“CMP”) in the amount of **five-hundred dollars (\$500.00)** for the violations identified in paragraph twenty (20), above.
34. Respondent is hereby assessed and shall pay a Civil Monetary Penalty (“CMP”) in the amount of **one-thousand dollars (\$1,000.00)** for the violations identified in paragraph twenty one (21), above.
35. The total amount of all Civil Monetary Penalties imposed is **two-thousand, five-hundred dollars (\$2,500.00)**.
36. Respondent must pay any outstanding Civil Monetary Penalties within **thirty (30) days of ratification of this Order**. Payment shall be submitted to the following address:

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

37. Respondent shall be placed on **probation** for a period not to exceed **six (6) months** from the effective date of this Order.
- a. During the probationary period, the facility **shall submit monthly reports to the Commission’s West Tennessee Regional Office, on or before the 15th of each month**, to provide updates on the facility’s ongoing implementation of its Plan of Correction and/or other efforts to maintain substantial compliance.
- b. If specifically requested by the Commission during the probationary period, Respondent shall appear in person at a regularly scheduled Commission meeting to discuss any issues of noncompliance.

- c. Pursuant to T.C.A. § 68-11-207(e)(6), the Commission is authorized at any time during the probation to remove the probational status of the facility's license, based on information presented to it showing that the conditions identified by the Commission have been corrected and are reasonably likely to remain corrected.
 - d. The facility shall request an Order of Compliance from Commission staff at the end of its probationary period. **If the facility is in compliance at that time, the Order of Compliance will be prepared by Commission staff and presented at the next regularly scheduled Commission meeting.** The Commission shall make the final determination of whether to terminate the facility's probation.
38. Each condition of this Order is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.
39. The effective date of the CHOW shall be the date that all outstanding monies are paid, **but no later than thirty (30) days after the effective date of this order.**

[THIS SECTION INTENTIONALLY LEFT BLANK]

APPROVED FOR ENTRY:


Mount Juliet Operations, LLC d/b/a
Harmony at Mt. Juliet
ACLF Lic. No. 460
Authorized Representative
Respondent


Printed Name of Authorized Representative

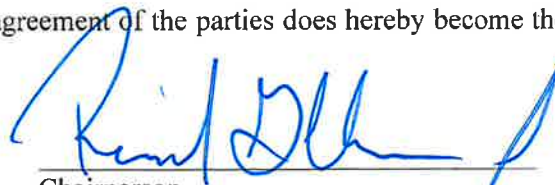

Title of Authorized Representative


Vishan J. Ramcharan(BPR # 034403)
Associate General Counsel
Health Facilities Commission
502 Deaderick Street, 9th Floor
Nashville, Tennessee 37243
Office: (615) 741-2364
Fax: (615) 741-9884
vishan.j.ramcharan@tn.gov

Approval by the Commission

Upon the agreement of the parties, this **CONTINGENT CHANGE OF OWNERSHIP ORDER** is approved as a **FINAL ORDER** by a majority of a quorum of the Tennessee Health Facilities Commission at a public meeting of the Commission and signed this 22nd day of October, 2025.

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


Chairperson
Health Facilities Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon the Respondent, Mount Juliet Operations, LLC d/b/a Harmony at Mt. Juliet, 103 Belinda Parkway, Mt. Juliet, Tennessee 37122 by delivering same in the United States regular mail and United States certified mail, number **7020 0640 0001 4807 8157**, return receipt requested, with sufficient postage thereon to reach its destination. Copies were sent via electronic mail to: DMcDonough@wessexcapital.com and greg.gaylis@agg.com.

This 22 day of October, 2025

A handwritten signature in blue ink, appearing to read 'Vishan J. Ramcharan', written over a horizontal line.

Vishan J. Ramcharan
Associate General Counsel