

**STATE OF TENNESSEE
BEFORE THE HEALTH FACILITIES COMMISSION**

In The Matter of:	)	
	)	
Jubilee House at Warfield,	)	
Assisted Care Living Facility,	)	
License No. 512,	)	Case No. 2024037091
	)	
Respondent.	)	
	)	
Clarksville, Tennessee	)	

CONSENT ORDER

This matter came to be heard before the Tennessee Health Facilities Commission (“Commission”), pursuant to the request of the Commission, by and through the Office of Legal Services, and Jubilee House at Warfield (“Respondent”) that the Commission 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 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 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 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. 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).

7. 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.
8. The Executive Director may suspend admissions pending a prompt hearing before the Commission, or an administrative judge if the Commission cannot be convened promptly. (Tenn. Code Ann. 68-11-252(b).)
9. Pursuant to Tenn. Code Ann. § 68-11-252(c), the Executive Director shall initiate a suspension of admissions by delivering to the facility or licensee a notice stating the Executive Director's decision to suspend the admissions of new patients. The Executive Director's notice to suspend admissions must:
 - (1) Detail what conditions are considered detrimental to the health, safety, or welfare of the patients;
 - (2) Provide an explanation of the specific time frame when and conditions under which the facility or licensee can reasonably expect the suspension to be lifted; and
 - (3) Be received by the facility or licensee within ten (10) business days of the conclusion of the Commission's survey.
10. The Executive Director is authorized, at any time prior to a hearing, based on information presented to the Executive Director showing that such conditions have been and will continue to remain corrected, to revoke the suspension of admissions. Tenn. Code Ann. § 68-11-252(i).
11. During a suspension of admissions pursuant to § 68-11-252, the Executive Director shall appoint one (1) or more special monitors, if the deficiency threatens serious bodily harm

to the patients or residents of the facility, and costs related to the special monitor(s) shall be recoverable in certain circumstances. Tenn. Code Ann. § 68-11-221.

12. All Board authority was transferred to the Commission on July 1, 2024, pursuant to Public Chapter 466 of 2023.

II. STIPULATIONS OF FACT

13. At all times pertinent hereto, Respondent, Jubilee House at Warfield, 475 Bellamy Lane Clarksville, Tennessee 37043, was licensed by the Commission as an ACLF, having been granted license number 512 on April 23, 2019, which currently has an expiration date of April 22, 2025.

14. On or about October 14, 2024, Commission surveyors conducted a Life Safety survey at Respondent's facility.

15. Respondent was unable to produce documentation of having conducted fire drills for the following time periods:

- a. All shifts for all quarters for the year 2023.
- b. 2nd and 3rd shift for the 1st quarter of 2024.
- c. 1st and 3rd shift for the 2nd quarter of 2024.
- d. All shifts for the 3rd quarter of 2024.

16. Respondent was unable to produce documentation of having conducted fire drills during sleeping hours for the following time periods:

- a. All shifts for all quarters of 2023.
- b. All shifts for the 1st, 2nd, or 3rd quarter of 2024.

17. On or about October 14, 2024, Respondent's Maintenance Director and Executive Director admitted that the deficiencies cited above were true.

III. GROUNDS FOR DISCIPLINE

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

18. The facts in paragraphs ten (10) and twelve (12) are sufficient to constitute a violation of Tenn. Comp. R. and Regs. 0720-26-. 10 (3)(a) [Life Safety], the relevant portion of which reads as follows:

(3) An ACLF shall conduct fire drills in accordance with the following:

(a) Fire drills shall be held for each ACLF work shift in each separate ACLF building at least quarterly.

19. The facts in paragraphs eleven (11) and twelve (12) are sufficient to constitute a violation of Tenn. Comp. R. and Regs. 0720-26-. 10 (3)(b) [Life Safety], the relevant portion of which reads as follows:

(3) An ACLF shall conduct fire drills in accordance with the following:

(b) There shall be one (1) fire drill per quarter during sleeping hours.

IV. ORDER

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

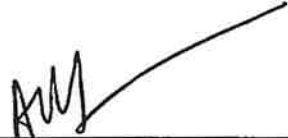
20. Respondent's license to operate as an ACLF shall be and is hereby **VOLUNTARILY SURRENDERED**, beginning the effective date of this Order. A voluntary surrender has the same effect as revocation.

21. Respondent **SHALL NOT** accept any new residents.

22. Respondent **SHALL** submit a final report to the Commission’s administrative staff at the address below detailing the safe placement of each resident effected by the closure of the facility. Such report shall be made within **thirty (30) calendar days** of the effective date of this Order.

**Tennessee Health Facilities Commission
Attention: Disciplinary Coordinator
665 Mainstream Drive, Second Floor
Nashville, Tennessee 37243**

APPROVED FOR ENTRY:



Signature of Authorized Representative
Jubilee House at Warfield
License No. 512
Respondent



Printed Name of Authorized Representative



Title of Authorized Representative

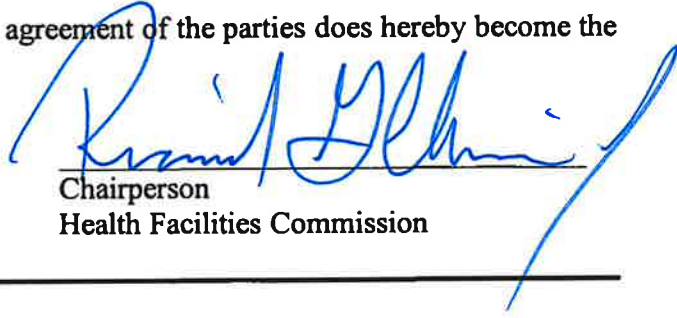


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Approval by the Commission

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 Health Facilities Commission at a public meeting of the Commission and signed this 23rd day of April, 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, Jubilee House at Warfield, c/o Administrator, Regional Director, Susan Allen, 475 Bellamy Lane Clarksville, Tennessee 37043, and Jubilee House at Warfield, c/o Registered Agent, Anil Patel, 280 Warfield Boulevard, Clarksville, Tennessee 37043-1828 by delivering same in the United States regular mail and United States certified mail, numbers 7021 0950 0001 8066 7800 and 7021 0950 0001 8066 7817, return receipts requested, with sufficient postage thereon to reach its destination. A copy was sent via electronic mail to: anil.patel@gipatel.com.

This 23rd day of April, 2025.


Jeremy Gourley
Senior Associate General Counsel