



STATE OF TENNESSEE
DEPARTMENT OF HEALTH

JOHN J. DREYZEHNER, MD, MPH
COMMISSIONER

BILL HASLAM
GOVERNOR

August 4, 2017

Elton Cummings, Administrator
Cummings Foster Group Home
1176 Englewood Street
Memphis, TN 38106

Dear Mr. Cummings:

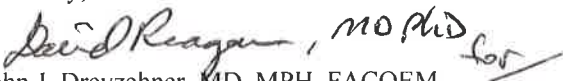
On July 12, 2017, the Department of Health conducted a re-visit life safety survey at your home for the aged pursuant to T.C.A. § 68-11-210. Upon exiting the facility on July 12, 2017, the surveyor(s) notified you or your representative of the possibility of the issuance of a Suspension Of Admissions due to deficient practices and conditions in the home which were, or were likely to be, detrimental to the health, safety, or welfare of the residents. T.C.A. § 68-11-207. The investigation was completed on August 4, 2017.

As Commissioner of the Tennessee Department of Health, I find, based upon the investigation and survey report that the conditions at Cummings Foster Group Home are, or are likely to be, detrimental to the health, safety, or welfare of the residents due to violations of the following standards: Building Standards. For the specific findings, please refer to the facility's statement of deficiencies. Therefore, I am suspending the admission of new residents to the facility as provided by T.C.A. §§ 68-11-207(b)(1).

The Suspension Of Admissions shall be effective at 5:30 p.m., this 4th day of August, 2017. This facility is hereby ordered to post a copy of this letter where it may be plainly seen by those entering the facility and to make a copy of this letter available for anyone requesting a copy.

Attached is a statement of your rights in this matter.

Sincerely,


John J. Dreyzehner, MD, MPH, FACOEM
Commissioner

JD/tls

xc: Secretary of State – Administrative Procedures Division
Division of Health Licensure and Regulation
Health Care Facilities Central Office
Health Care Facilities West TN Regional Office

BEFORE THE COMMISSIONER OF THE TENNESSEE DEPARTMENT OF HEALTH

IN THE MATTER OF:

CUMMINGS FOSTER GROUP HOME
1176 ENGLEWOOD STREET
MEMPHIS, TN 38106

License No. #154

BY ORDER OF THE COMMISSIONER

NOTICE OF SUSPENSION OF ADMISSIONS

On July 12, 2017, the Department of Health (hereinafter “Department”) survey team conducted a re-visit life safety survey at Cumming Foster Group Home in Memphis, Tennessee (hereinafter “Cumming Foster Group Home”), pursuant to T.C.A. § 68-11-210. The investigation was completed on August 4, 2017.

The investigation and survey revealed violations of licensure statutes and regulations that are considered detrimental to the health, safety, or welfare of the residents.

Pursuant to T.C.A. §68-11-207(b), whenever the Commissioner of the Department of Health (hereinafter “Commissioner”) determines that conditions in a home for the aged are, or are likely to be, detrimental to the health, safety, or welfare of the residents, the Commissioner shall have the authority to suspend new admissions of residents to the facility, pending a prompt hearing.

Based upon the surveyors' findings and recommendations, the Commissioner has exercised the authority to suspend admissions to the facility, effective August 4, 2017, at 5:30 p.m.

The facility was advised imposition of the Suspension Of Admissions by letter from the Commissioner dated August 4, 2017, appended hereto as Attachment 1.

FACTS

A detailed statement describing the findings of the survey with particularity and citing the law with specificity, pertaining to the Suspension Of Admissions is appended hereto as Attachment 2 and incorporated by reference herein. Attachment 2 is the licensure “Statement of Deficiencies” compiled by the surveyors upon completion of the survey.

SUSPENSION OF ADMISSIONS

Therefore, pursuant to T.C.A. §§68-11-207(b) and based upon the aforementioned facts and incorporated by reference herein, the Commissioner has ordered that the admission of new residents at Cumming Foster Group Home be suspended, effective on the August 4, 2017, at 5:30 p.m.

The violations which the Commissioner considers to be detrimental to the health, safety, or welfare of the residents are the serious violations of Building Standards.

In order for this Suspension Of Admissions to be lifted, the cited conditions must be corrected so as to remove the detriment to the health, safety, or welfare of the residents, as verified by a follow-up survey of the facility conducted by the Department.

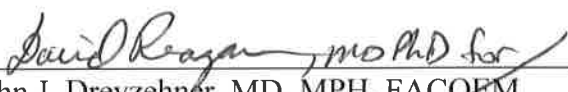
Pursuant to T.C.A. §68-11-221, which provides that whenever admissions at a health care facility are suspended under the authority of T.C.A. §68-11-207, the Commissioner shall appoint one or more special monitors if the deficiencies threaten serious bodily harm to the residents at the facility, the Commissioner hereby appoints a monitor or monitors to be present in the facility for a minimum of twenty (20) hours per week in order to observe the operation of the facility and to submit written reports on the operations of the facility to the Department. The monitor(s) shall have the power to observe and review all of the facility's operations with attention to those aspects for which the Suspension Of Admissions was imposed. The facility shall be liable for the cost of the special monitor(s) until it is determined by the Department that all the deficiencies which caused the appointment of the monitor(s) have been corrected.

The facility's attention is directed to the statement of its rights in this matter, appended hereto as Attachment 3.

The facility is hereby ordered to post a copy of this Notice and Order, pursuant to the rules of the Board for Licensing Health Care Facilities Rule 1200-08-11-.03(5) upon the public entrance doors of the facility and to make copies of the document available for those desiring copies.

This Suspension Of Admissions became effective at 5:30 p.m. on August 4, 2017, and continues as effective.

Entered this 4th day of August 2017.



John J. Dreyzehner, MD, MPH, FACOEM
Commissioner