

**STATE AGENCY ACTION REPORT
ON APPLICATION FOR CERTIFICATE OF NEED**

A. PROJECT IDENTIFICATION

1. Applicant/CON Action Number

MF Orange, LLC/CON #10360

40 South Palafox Place, Suite 400
Pensacola, Florida 32502

Authorized Representative: Craig Robinson
(850) 430-0100

Orange SNF, LLC/CON #10361

5102 West Laurel Street Suite 700
Tampa, Florida 33607

Authorized Representative: Jason Watson
(813) 769-6280

**Presbyterian Retirement Communities, Inc.
d/b/a Westminster Towers/CON #10362**

80 West Lucerne Circle
Orlando, Florida 32801

Authorized Representative: Henry Keith
(407) 839-0707 ext. 267

**Presbyterian Retirement Communities, Inc.
d/b/a Westminster Winter Park/CON #10363**

80 West Lucerne Circle
Orlando, Florida 32801

Authorized Representative: Henry Keith
(407) 839-0707 ext. 267

2. Service District/Subdistrict

District 7/Subdistrict 7-2 (Orange County)

B. PUBLIC HEARING

A public hearing was not held or requested on any of the co-batched proposed projects.

Letters of Support

MF Orange, LLC (CON #10360): The Agency received several letters submitted by the applicant from local health care providers, attorneys, local business owners and physicians supporting the proposed project. The applicant also submitted a number of letters from 2014 that were written in support of the applicant's previous submission for CON #10316.

Orange SNF, LLC (CON #10361): The applicant submitted several letters regarding the proposed facility, including one from Humana, one from the University of Central Florida as well as one from the University of South Florida. The applicant submitted additional letters from physicians, local business owners and local health care providers supporting the proposed project.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362): The applicant submitted a number of letters supporting the proposed facility, including letters from local health care providers and community members as well as a Herzing University administrator.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363): The applicant submitted a number of letters supporting the proposed facility, including letters from local health care providers, community members, and academic institutions including the University of Central Florida. The applicant also submitted a letter of support from Mr. Kenneth Bradly, Senior Vice President and Administrator of Winter Park Memorial Hospital.

C. PROJECT SUMMARY

MF Orange, LLC (CON #10360), hereafter referenced as MF Orange, proposes to establish a new 90-bed community nursing home through the delicensure of 23 beds from an existing licensed nursing home within the same subdistrict (The Rehabilitation Center of Winter Park) and 67 beds from the fixed need pool in Subdistrict 7-2, Orange County. Upon approval of the proposed project, The Rehabilitation Center of Winter Park agrees to voluntarily relinquish 23 beds.

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MF Orange, LLC is an affiliate of parent company Gulf Coast Health Care, LLC (Gulf Coast). The applicant states the parent company owns and operates 44 skilled nursing facilities (SNFs) and assisted living facilities in Florida, Mississippi and Alabama--33 of these facilities are located in Florida:

- Accentia Health and Rehabilitation Center of Tampa
- Arcadia Health and Rehabilitation Center
- Bayside Health and Rehabilitation Center
- Rosewood Health and Rehabilitation Center
- Specialty Health and Rehabilitation Center
- Silvercrest Health and Rehabilitation Center
- Bay Breeze Senior Living and Rehabilitation Center
- Grand Boulevard Health and Rehabilitation Center
- GlenCove Health and Rehabilitation Center
- Panama City Health and Rehabilitation Center
- Chipola Health and Rehabilitation Center
- Riverchase Health and Rehabilitation Center
- Brynwood Health and Rehabilitation Center
- Windsor Health and Rehabilitation Center
- Lake Eustis Health and Rehabilitation Center
- Suwannee Health and Rehabilitation Center
- Flagler Health and Rehabilitation Center
- Coastal Health and Rehabilitation Center
- DeBary Health and Rehabilitation Center
- Seaside Health and Rehabilitation Center
- Parkside Health and Rehabilitation Center
- Heritage Park Health and Rehabilitation Center
- Glen Oaks Health and Rehabilitation Center
- Lake Placid Health and Rehabilitation Center
- Wave Crest Health and Rehabilitation Center
- The Rehabilitation Center of Winter Park
- Oaks of Kissimmee Health and Rehabilitation Center
- Longwood Health and Rehabilitation Center
- Oakbrook Health and Rehabilitation Center
- Salerno Bay Health and Rehabilitation Center
- Boynton Health and Rehabilitation Center
- Royal Palm Beach Health and Rehabilitation Center
- Margate Health and Rehabilitation Center

The project involves 76,233 gross square feet (GSF) of new construction. The construction cost is \$13,721,900. Total project cost is \$20,317,500. Project cost includes: land, building, equipment, project development, financing and start-up costs.

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The applicant does not wish to accept any conditions for the proposed project.

Orange SNF, LLC (CON #10361), hereafter referred to as Orange SNF or the applicant, an affiliate of Consulate Healthcare (referred to as Consulate throughout this document), proposes to establish a new 118-bed community nursing home in District 7/Subdistrict 7-2, Orange County by aggregating the published need for 67 nursing home beds in Orange County (Subdistrict 7-2) with the published need for 51 beds from Seminole County (Subdistrict 7-4).

The applicant operates 76 SNFs in Florida:

- Bay Breeze Health and Rehabilitation Center
- Baya Pointe Nursing and Rehabilitation Center
- Bayonet Point, Consulate Health Care Of
- Beneva Lakes Healthcare and Rehabilitation Center
- Bradenton Health Care
- Brandon Health and Rehabilitation Center
- Brandon, Consulate Health Care Of
- Brentwood, Health Center at
- Central Park Healthcare and Rehabilitation Center
- Colonial Lakes Health Care
- Coral Bay Healthcare and Rehabilitation Center
- Coral Trace Health Care
- Countryside Rehab and Healthcare Center
- Destin Healthcare and Rehabilitation Center
- Deltona Health Care
- Dolphins View, The Health and Rehabilitation Center
- Emerald Shores Health and Rehabilitation
- Englewood Healthcare and Rehabilitation Center
- Evans Health Care
- Fletcher Health and Rehabilitation Center
- Fort Pierce Health Care
- Franco Nursing and Rehabilitation Center
- Governors Creek Health and Rehabilitation Center
- Grand Oaks Health and Rehabilitation Center
- Habana Health Care Center
- Harbor Beach Nursing and Rehabilitation Center
- Harts Harbor Health Care Center

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- Heritage Healthcare and Rehabilitation Center
- Heritage Healthcare Center at Tallahassee
- Heritage Park Rehabilitation and Healthcare
- Heron Pointe Health and Rehabilitation
- Hillcrest Health Care and Rehabilitation Center
- Island Health and Rehabilitation Center
- Jacksonville, Consulate Health Care Of
- Keystone Rehabilitation and Health Center
- Kissimmee, Consulate Health Care Of
- Lake Mary Health and Rehabilitation Center
- Lake Parker, Consulate Health Care At
- Lakeland, Consulate Health Care Of
- Lakeside Oaks Care Center
- Largo Health and Rehabilitation Center
- Magnolia Health and Rehabilitation Center
- Marshall Health and Rehabilitation Center
- Melbourne, Consulate Health Care Of
- New Port Richey, Consulate Health Care Of
- North Florida Rehabilitation and Specialty Care
- North Fort Myers, Consulate Health Care Of
- Oakbridge Healthcare Center
- Oaktree Healthcare
- Orange Park, Consulate Health Care Of
- Osprey Point Nursing Center
- Palms Rehabilitation and Healthcare Center
- Parks Healthcare and Rehabilitation Center
- Pensacola, Consulate Health Care Of
- Plantation Bay Rehabilitation Center
- Port Charlotte, Consulate Health Care Of
- Renaissance Health and Rehabilitation
- Rio Pinar Health Care
- Rosewood Health and Rehabilitation Center
- Safety Harbor, Consulate Health Care Of
- San Jose Health and Rehabilitation Center
- Sarasota, Consulate Health Care Of
- Sea Breeze Health Care
- Seaview Nursing and Rehabilitation Center
- Shoal Creek Rehabilitation Center
- Spring Hill Health and Rehabilitation Center
- St. Petersburg, Consulate Health Care Of
- Tallahassee, Consulate Health Care Of
- University Hills Health and Rehabilitation
- Vero Beach, Consulate Health Care Of

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- Vista Manor
- Wedge Healthcare Center
- West Altamonte, Consulate Health Care At
- West Palm Beach, Consulate Health Care Of
- Winter Haven, Consulate Health Care of
- Wood Lake Health and Rehabilitation Center

The project involves 74,052 GSF of new construction. The construction cost is \$12,959,100. Total project cost is \$20,484,277. Project cost includes land, building, equipment, project development and financing costs.

The applicant proposes to condition the project as shown below:

- Provide direct line staffing at 4.3 hours of direct care per resident
- Having two bilingual, Spanish speaking direct care providers per 24-hour period
- The EMR system will meet Phase 1 of the meaningful use requirements within 24 months
- The applicant will provide all eligible employees the opportunity to complete educational courses with tuition reimbursement, that will support the care center's efforts of providing the highest level of quality care and achieve operational excellence
- Free community health screenings will be offered at least four times per calendar year (CY) to community members, employees, residents and families
- Education programs at Dementia Awareness to improve the independence and quality of life of persons with dementia and their caregivers will be provided at no cost in accordance with state and federal laws
- The applicant will provide space and staffing to support the community's need for Adult Day Care services
- The applicant will provide in-house hemodialysis services
- The applicant will have the capability to operate up to 12 ventilator-capable beds
- The applicant will construct the facility to include Telemedicine capabilities in each patient room

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362), hereafter referred to as Westminster Towers or the applicant, proposes to add 30 community nursing home beds at Westminster Towers through conversion of 30 sheltered nursing home beds in Subdistrict 7-2, Orange County. Westminster Towers is currently a 120-bed SNF with 61 community nursing home beds and 59 sheltered nursing home beds.

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Westminster Towers is one of several continuing care retirement communities (CCRCs) operated by Presbyterian Retirement Communities, Inc. Facilities include:

- Westminster Towers (Orlando) (this facility)
- Westminster Winter Park (Winter Park)
- Westminster Oaks (Tallahassee)
- Westminster Shores (Bradenton)
- Westminster Woods on Julington Creek (Jacksonville)
- Westminster Suncoast (St. Petersburg)
- Westminster Palms (St. Petersburg)
- Westminster Towers (Bradenton)

The proposed project is a conversion of existing licensed beds and will involve no construction or renovation. The applicant states that the total project costs are those costs associated with the CON process, a total of \$57,705.

The applicant proposes to condition the project as shown below:

- To assure members of the retirement community are a priority, the applicant will make a nursing home bed available at its nursing home facility to any Lifecare contract holder residing on the Westminster Towers Orlando campus who requires nursing home care.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363), hereafter referred to as Westminster Winter Park or the applicant, proposes to add 17 community nursing home beds at Westminster Towers through conversion of 17 sheltered nursing home beds in Subdistrict 7-2, Orange County. Westminster Winter Park currently has 120 skilled nursing beds of which 92 are community beds and 28 are sheltered beds.

Westminster Towers is one of several CCRCs operated by Presbyterian Retirement Communities, Inc. Facilities include:

- Westminster Towers (Orlando)
- Westminster Winter Park (Winter Park) (this facility)
- Westminster Oaks (Tallahassee)
- Westminster Shores (Bradenton)
- Westminster Woods on Julington Creek (Jacksonville)
- Westminster Suncoast (St. Petersburg)
- Westminster Palms (St. Petersburg)
- Westminster Towers (Bradenton)

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The proposed project is a conversion of existing licensed beds and will involve no construction or renovation. The applicant states that the total project costs are those costs associated with the CON process, a total of \$57,705.

The applicant proposes to condition the project as shown below:

- To assure members of the retirement community are a priority, the applicant will make a nursing home bed available at its nursing home facility to any Lifecare contract holder residing on the Westminster Winter Park campus who requires nursing home care.

Total GSF and Project Costs of Co-Batched Applicants					
Applicant	CON #	Project	GSF	Costs \$	Cost Per Bed
MF Orange	10360	New 90-bed facility	76,233	\$20,317,500	\$225,750
Orange SNF LLC	10361	New 118-bed facility	74,052	\$20,484,277	\$173,596
Westminster Towers	10362	Convert 30 beds	NA	57,705	\$1,923.50
Westminster Winter Park	10363	Convert 17 beds	NA	57,705	\$3,394.41

Source: CON applications 10360-10363 and their respective Schedule 1 and 9

D. REVIEW PROCEDURE

The evaluation process is structured by the certificate of need review criteria found in Section 408.035, Florida Statutes; and applicable rules of the State of Florida, Chapters 59C-1 and 59C-2, Florida Administrative Code. These criteria form the basis for the goals of the review process. The goals represent desirable outcomes to be attained by successful applicants who demonstrate an overall compliance with the criteria. Analysis of an applicant's capability to undertake the proposed project successfully is conducted by evaluating the responses and data provided in the application, and independent information gathered by the reviewer.

Applications are analyzed to identify strengths and weaknesses in each proposal. If more than one application is submitted for the same type of project in the same district, applications are comparatively reviewed to determine which applicant(s) best meets the review criteria.

Rule 59C-1.010(3)(b), Florida Administrative Code, prohibits any amendments once an application has been deemed complete. The burden of proof to entitlement of a certificate rests with the applicant. As such, the applicant is responsible for the representations in the application. This is attested to as part of the application in the Certification of the Applicant.

As part of the fact-finding, the consultant, Dwight Aldridge analyzed the application with consultation from the financial analyst, Derron Hillman, Bureau of Central Services, who evaluated the financial data and Said Baniahmad of the Office of Plans and Construction, who reviewed the application for conformance with the architectural criteria.

E. CONFORMITY OF PROJECT WITH REVIEW CRITERIA

The following indicate the level of conformity of the proposed project with the criteria and application content requirements found in Florida Statutes, sections 408.035 and 408.037; applicable rules of the State of Florida, Chapter 59C-1 and 59C-2, Florida Administrative Code.

1. Fixed Need Pool

- a. Does the project proposed respond to need as published by a fixed need pool? Or does the project proposed seek beds or services in excess of the fixed need pool? Rule 59C-1.008 (2), Florida Administrative Code.**

In Volume 41, Number 81 of the Florida Administrative Register dated April 27, 2015, a corrected fixed need pool notice of 67 beds was published for Subdistrict 7-2 for the July 2018 Planning Horizon. Subdistrict 7-2 is comprised of Orange County.

After publication of this fixed need pool, zero existing Subdistrict 7-2 facilities filed exemption requests or filed expedited CON reviews to increase or add community nursing home beds.

As of May 20, 2015 Subdistrict 7-2 had 4,074 licensed and 200 approved community nursing home beds. During the 12-month period ending December 30, 2014 Subdistrict 7-2 experienced 89.55 percent utilization at 33 existing facilities. Below is a table illustrating nursing home patient days and occupancy within Subdistrict 7-2.

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**Orange County Nursing Home Patient Days and
Occupancy January 31, 2014-December 31, 2014**

Facility	Comm. Nursing Home Bed Inventory	Bed Days	Patient Days	Total Occupancy	Medicaid Occupancy
Adventist Care Centers – Courtland, Inc.	120	43,800	41,966	94.71%	51.37%
Avante at Orlando, Inc.	118	43,070	33,361	74.88%	71.56%
Colonial Lakes Health Care	180	65,700	63,213	97.58%	78.47%
Commons at Orlando Lutheran Towers	60	21,900	21,900	100.00%	83.58%
Conway Lakes Health and Rehabilitation Center	120	43,800	39,919	90.90%	32.57%
Courtyards of Orlando Rehabilitation and Health Center	120	43,800	40,191	91.26%	83.80%
Delaney Park Health and Rehabilitation Center	60	21,900	20,329	92.29%	63.29%
East Orlando Health and Rehab Center, Inc.	120	43,800	42,274	96.54%	58.54%
Guardian Care Nursing and Rehabilitation Center	120	43,800	42,628	95.96%	84.63%
Health Center of Windermere, The	120	43,800	41,121	94.89%	36.67%
Health Central Park	228	83,220	75,571	90.00%	68.72%
Hunters Creek Nursing and Rehab Center	116	42,340	38,476	92.85%	55.26%
Lake Bennett Health and Rehabilitation Center	120	43,800	42,088	96.32%	52.20%
Life Care Center of Orlando	120	43,800	39,940	90.00%	24.58%
Manor Care Nursing and Rehabilitation Center	138	50,370	35,045	67.78%	48.30%
Mary Lee Depugh Nursing Home Association, Inc.	40	14,600	13,314	91.31%	67.67%
Mayflower Healthcare Center	24	8,760	8,108	93.86%	0.00%
Metro West Nursing and Rehab Center	120	43,800	41,633	94.24%	68.38%
Ocoee Health Care Center	120	43,800	39,610	84.27%	65.26%
Orlando Health and Rehabilitation Center	420	153,300	122,502	78.79%	81.77%
Palm Garden of Orlando	120	43,800	40,744	91.03%	65.14%
Parks Healthcare and Rehabilitation Center	120	43,800	41,904	92.53%	65.33%
Quality Health of Orange County	120	43,800	33,396	76.03%	65.06%
Regents Park of Winter Park	120	43,800	40,608	91.85%	54.88%
Rehabilitation Center of Winter Park, The	180	65,700	51,189	79.45%	64.69%
Rio Pinar Health Care	180	65,700	63,859	96.96%	66.72%
Rosewood Health and Rehabilitation Center	120	43,800	41,808	94.82%	72.62%
Savannah Cove	39	14,235	12,502	80.25%	18.92%
Sunbelt Health and Rehab center – Apopka, Inc.	120	43,800	42,189	96.33%	53.75%
Terra Vista Rehab and Health Center	115	41,975	37,541	86.38%	75.99%
Westminster Towers	61	22,265	22,127	99.04%	63.49%
Winter Park Care and Rehabilitation Center	103	37,595	32,792	86.53%	63.75%
Winter Park Towers	92	33,580	27,694	82.03%	42.98%
Total	4,074	1,487,010	1,331,572	89.55%	62.98%

Source: Florida Nursing Home Bed Need Projections by District and Subdistrict, April 2015 Batching Cycle

The reviewer notes the current and projected population of Subdistrict 7-2 for the planning horizon. The projected population growth, both numerically and by percent is illustrated below. See the table below.

**Current and Projected Population Growth Rate
Orange County, District 7, and Florida
January 2015 and January 2018**

County/Area	January 1, 2015 Population			January 1, 2018 Population		
	0-64	65+	Total	0-64	65+	Total
Orange	1,113,884	131,767	1,245,651	1,179,250	149,294	1,328,544
District 7	2,197,488	348,009	2,545,497	2,303,827	390,431	2,694,258
Florida	16,044,019	3,635,347	19,679,366	16,510,025	4,013,237	20,523,262
County/Area	2015-2018 Increase			2015-2018 Growth Rate		
	0-64	65+	Total	0-64	65+	Total
Orange	65,366	17,527	82,893	5.86%	13.30%	6.65%
District 7	106,339	42,422	148,761	4.83%	12.18%	5.84%
Florida	466,006	377,890	843,896	2.90%	10.39%	4.29%

Source: Florida Agency for Health Care Administration Population Estimates, February 2015

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The community nursing home beds per 1,000 residents for the age 65+ cohort in the subdistrict are shown below.

County/Area	Beds per 1,000 Residents Age 65 and Older				
	Community Beds	2015 Pop. Aged 65+	2015 Beds per 1,000	2018 Pop. Aged 65+	2018 Beds per 1,000
Orange	4,074	131,767	30	149,294	27
District 7	8,955	348,009	25	390,431	22
Florida	80,049	3,635,347	22	4,013,237	20

Source: Florida Agency for Health Care Administration Population Estimates, February 2015 and Florida Nursing Home Bed Need Projections by District and Subdistrict, April 2015 Batching Cycle

Each co-batched applicant states its proposed project is being submitted in response to the Agency’s fixed need pool publication dated April 3, 2015.

MF Orange, LLC (CON #10360) proposes to construct a new 90-bed community nursing facility in which 23 community nursing home beds will be relocated through delicensure of 23 community beds from The Rehabilitation Center of Winter Park—both located in Subdistrict 7-2. The applicant states the preferred location for the new facility is within ZIP code 32828 in central Orange County.

The applicant indicates that the proposed project will create the following advantages:

- Creates a new physical plant built to current code that embraces culture change to improve quality
- Allows for the delicensing and relocation of 23 beds to a more advantageous location and the remodeling of acquired space to add improvements and amenities
- Provides for higher quality of life and resident-centered care with 90 private rooms
- Focus will be placed on rehabilitation to return residents to their home environment
- The facility will contain a variety of spaces that are intended to promote resident activity, socialization, entertainment, independence and well-being
- Being developed by an applicant and its affiliated parent with significant experience in the development and operation of quality long-term care facilities
- The applicant is local to the project planning area with one existing facility in Orange County and a total of four facilities within District 7 and is able to keep the project on track and on budget

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MF Orange maintains that two facilities will benefit from the proposed project as The Rehabilitation Center of Winter Park will implement projects as a result of the 23-bed transfer to the proposed facility. The applicant notes the following benefits to the existing facility:

- Conversion of semi-private rooms into private suites
- Provides for living room and café areas
- Removes the old nurse station and adds state-of-the-art nurse station
- Renovating the shower room into a spa
- Allow expansion of the rehab area for additional treatment modalities and state-of-the-art equipment

The reviewer verifies a signed and notarized letter from the authorized representative for The Rehabilitation Center of Winter Park (CON #10360, Exhibit 1-1) agreeing to voluntarily delicense 23 of the total 180 licensed nursing home beds from the nursing home, should the proposed project be approved.

Orange SNF, LLC (CON #10361) states the proposed facility will be located in northern Orange County, which is adjacent to Seminole County. Orange SNF identifies the Apopka area specifically, noting that the area has fewer SNFs than other areas of Orange County and provides easy access for Seminole County patients.

The applicant notes that it has identified three special programs that will greatly benefit area residents being discharged in the proposed service area:

- The applicant notes that currently, there is insufficient access for area residents who are ventilator-dependent
- The applicant asserts the proposed telemedicine program will ensure that Orange SNF residents have access to high-quality after-hours care and cutting edge technology for the delivery of specialty telemedicine care.
- Orange SNF is dedicated to hiring bilingual staff and offering programs for Spanish speaking and Puerto Rican residents in order to make sure residents receive clinical care, social and cultural programming that makes them feel at home

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362) states that the proposed project will convert 30 existing sheltered nursing home beds at Westminster Towers, a 120-bed nursing home (with 61 community and 59 sheltered beds) located in a CCRC in Orlando, Florida to 30 community nursing home beds. The applicant states the proposed project will provide the following:

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- Increase access and availability of beds to members of the general public by locating beds centrally within Subdistrict 7-2 within close proximity to area hospitals (both Orland Health and Florida Hospital are within a five-mile radius) with established referral patterns to the facility
- Ensure that the facility has the flexibility of serving its contract holders as well as community members
- Gives community members the option to received nursing care at Westminster Towers and promote an aging-in-place process
- Provides a financially viable project that can be implemented with minimal costs

The applicant maintains that the proposed project is the highest and best use of the applicant's resources in order to create an opportunity to increase community bed capacity by converting existing licensed sheltered beds. In addition, Westminster Towers asserts that members of the public residing in Orange County will experience improved access to community nursing home beds as well as the experience of being served within a CCRC. The applicant contends that the ability to admit members of the general public to the nursing center has several benefits, including:

- Elders experience directly the constellation of services and life-style choices available in retirement
- Receive care that often may transition from the nursing center to home care, experiencing a smooth transition to a less institutional environment
- Experience and become familiar with options to maintain health and fitness through assisted living, memory care support and onsite activity centers for recreation, learning and fostering friendships

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) states that the proposed project will convert 17 existing sheltered nursing home beds at Westminster Winter Park, a 120-bed nursing home (with 92 community and 28 sheltered beds) located in a CCRC in Orlando, Florida to 17 community nursing home beds. Once the proposed project is implemented, the facility will have 109 community beds with 11 sheltered beds which the applicant states will provide the greatest flexibility for the facility in terms of contract and community admissions.

The applicant states that the objectives of the proposed project are:

- Continue to assure that both members of the public and continuing care contract holders have access to high quality skilled nursing care

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- Better align the facility within the community to accommodate demand while maintaining maximum flexibility
- Maintain continuous operations—members of the public and contract holders are not segmented within the facility, available beds are used for either type of resident
- Provides a financially viable project that can be implemented with minimal costs

The applicant maintains that the proposed project is the highest and best use of the applicant's resources in order to create an opportunity to increase community bed capacity by converting existing licensed sheltered beds. In addition, Westminster Winter Park asserts that members of the public residing in Orange County will experience improved access to community nursing home beds as well as the experience of being served within a CCRC. The applicant contends that the ability to admit members of the general public to the nursing center has several benefits, including:

- Elders experience directly the constellation of services and life-style choices available in retirement
- Receive care that often may transition from the nursing center to home care, experiencing a smooth transition to a less institutional environment
- Experience and become familiar with options to maintain health and fitness through assisted living, memory care support and onsite activity centers for recreation, learning and fostering friendships

2. Agency Rule Preferences

Please indicate how each applicable preference for the type of service proposed is met. Chapter 59C-1.036, Florida Administrative Code.

Chapter 59C-1.036 of the Florida Administrative Code does not contain preferences relative to community nursing home beds nor does the Agency publish specific preferences for these facilities. However, the rule does contain standards the Agency utilizes in assessing an applicant's ability to provide quality care to the residents.

- a. **Geographically Underserved Areas.** In a competitive certificate of need review within the nursing home Subdistrict as defined in 59C-2.200, Florida Administrative Code, the Agency shall award a certificate of need if the applicant meets all applicable criteria for a geographically underserved area as specified in subsection 408.032(18), Florida Statutes, and if the applicant meets the applicable statutory certificate of need review criteria specified in section 408.035, Florida Statutes, including bed need according to the relevant bed need formula contained in this rule. If the applicant is awarded a certificate of need based on the provisions of this paragraph, the applicant shall agree that the nursing facility will be located in a county without a nursing facility, or in the center of an area within the subdistrict of a radius of at least 20 miles which meets the definition of a geographically underserved area. The center of the geographically underserved area shall be the proposed nursing home location in the application.

None of the co-batched applications were submitted to remedy a geographically underserved area as defined above.

- b. **Proposed Services.** Applicants proposing the establishment of Medicare-certified nursing facility beds to be licensed under Chapter 400, Florida Statutes, shall provide a detailed description of the services to be provided, staffing pattern, patient characteristics, expected average length of stay, ancillary services, patient assessment tools, admission policies and discharge policies.

MF Orange, LLC (CON #10360) states that the proposed facility provides for higher quality of life and resident-centered care with 90 private rooms. The applicant states the proposed facility will focus on rehabilitation aimed at returning residents to their home environment and notes patient services will include but not be limited to the following:

- The facility will contain a variety of spaces that are intended to promote resident activity, socialization, entertainment, independence, and well-being
- Physical, occupational, speech, respiratory therapies
- Outpatient rehabilitation
- Cardia services
- Stroke rehab monitoring
- Orthopedic services
- Complex Medicaid and pain management

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- Lymphedema therapy
- Tracheotomy care
- Restorative nursing program
- IV therapy
- Customized pressure support systems
- Vita Stim therapy (for swallowing disorders)
- KCI wound vac care
- Hospice care
- Respite care
- Infectious disease treatment
- Behavioral health services
- Registered dietician services
- Individualized meal planning

The applicant states that other services and amenities that provide support, comfort and security include:

- Single-story design for ease of access
- Designed towards hospitality model so residents are the ultimate guest in a health care resort
- Large porte-cochere leading to an island cabana-style lobby
- Tropical courtyards with cabanas
- Private administrative areas for resident privacy
- All private rooms in two different configurations, each with private bath and wheelchair accessible shower
- Each resident wing served by local medication
- Centralized entertainment area
- Movie theatre with state-of-the-art video and audio equipment
- Beauty/barber salon with spa services
- Multiple dining venues offering varied menu selections with specialized dietary needs accommodated
- Four interior courtyards, one with a fireplace
- Gathering rooms featuring a large aquarium
- State-of-the-art physician therapy suite (4,940 square feet) with private entrance
- Multiple and varied social and recreational spaces
- Laundry services
- Satellite TV
- Medical transportation assistance
- Structured activities seven days a week
- Wi-Fi
- 24-hour RN coverage
- State-of-the-art therapy equipment
- Newspaper delivery

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- Community outings
- Pharmacy and laboratory services
- Security system
- Multi-lingual staff

The applicant indicates that the proposed facility will utilize its resources to effectively and efficiently attain and maintain the highest practical physical, mental and psychosocial well-being of each resident. MF Orange asserts that a physician must personally approve in writing a recommendation that an individual be admitted to a facility and each resident must remain under the care of a physician.

MF Orange notes that a preliminary plan of care to meet the resident's immediate needs will be developed within the first 24 hours of admission, with a detailed care plan developed within seven days of completion of a comprehensive assessment. The applicant states that care plans will be reviewed at least quarterly and will incorporate goals and objectives that lead to the resident's highest possible level of independence. MF Orange indicates that when a resident's discharge is anticipated a discharge summary and post-discharge plan will be developed.

The applicant's Schedule 7 indicates that the average length of stay (ALOS) will be 37.83 days for year one and 36.41 days for year two of operation.

Schedule 6A illustrates that FTEs for year one total 67.7 (ending December 31, 2018) and for year two total 120.7 (ending December 31, 2019). The proposed project's year one and year two FTEs are shown in the table below.

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MF Orange, LLC (CON application #10360) Projected Year One and Year Two Staffing		
	Year One FTEs	Year Two FTEs
Administration		
Administrator	1.0	1.0
Director of Nursing	1.0	1.0
Admissions Director	2.0	2.0
Bookkeeper	1.0	1.0
Secretary	1.4	1.4
Medical Records Clerk	1.5	3.0
Other: Nursing Admin	7.4	11.6
Other: Administrative	1.0	1.1
MDS Coordinator	0.1	0.2
Nursing		
RNs	4.1	8.4
LPNs	7.2	15.3
Nurses' Aides	21.6	38.4
Dietary		
Dietary Supervisor	2.0	2.0
Cooks	1.6	3.0
Dietary Aides (including servers)	3.8	9.2
Social Services		
Social Service Director	1.5	1.5
Activity Director	1.0	1.0
Activities Assistant	3.8	2.5
Housekeeping		
Housekeeping Supervision	1.0	1.0
Housekeepers	3.3	10.1
Laundry		
Laundry Aides	1.4	2.6
Plant Maintenance		
Maintenance Supervisor	1.0	1.0
Maintenance Assistance	0.5	1.5
Total	67.7	120.7

Source: CON application #10360, Schedule 6A.

Orange SNF, LLC (CON #10361) states the proposed facility will participate in both the Medicare and Medicaid programs to promote access to all potential patients. The applicant indicates that it will provide a comprehensive array of nursing, therapeutic, restorative, and palliative services in order to care for the short and long-term needs of patients and residents. Orange SNF notes that there will be a 12-bed unit for ventilator-dependent patients with staffing to include an on-site respiratory therapist, a dedicated registered nurse and two dedicated certified nursing assistants 24 hours a day, seven days a week. The reviewer notes that an analysis of applicant's Schedules 5 and 6 (based on the applicant's identified FTE count for RNs, LPNs and nurses' aides and occupancy levels) indicates that direct care per resident day for both certified nursing assistants and licensed nursing do not meet the minimum staffing provision required by Chapter

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400.23(3)(a)(1), Florida Statutes. The projected nursing assistant staffing is 2.33 in year two. The projected nursing staffing is 0.90 hours in year two--less than the 1.0 hour requirement. When these numbers are combined, the direct care hours per patient for year two equals 2.23—less than the 2.5 hour requirement. It is unclear to the reviewer how the applicant will provide the additional staffing it cites above when the current projections do not meet minimum staffing standards.

The applicant maintains that it more than meets minimum staffing standards and conditions the application on providing direct line staffing at 4.3 hours of direct care per resident. See the table below.

Minimum Hours of Direct Care Required vs. Included at Orange SNF Years One and Two			
FTE Nurses/Aides	Minimum Requirements	Orange SNF Year One	Orange SNF Year Two
Nurses	1.0 hours of direct care per resident	1.0	1.0
Aides	2.5 hours of direct care per	3.3	3.3
Total		4.3	4.3

Source: CON application #10361, page 61

The applicant asserts that residents will receive an individualized care plan that will guide his or her treatment while at Orange SNF. The applicant provides an overview of the array of services offered:

- Outpatient rehabilitation
- Cardiac care
- Telemetry
- Social programming
- Infectious disease care and treatment
- Care for patients with sepsis and septicemia
- Palliative care
- Nutrition and care for metabolic disorders
- Tube feeding
- Dialysis care
- Pain management
- Neurological rehabilitation
- Orthopedic care
- Post cardiac care
- Pulmonary care
- Wound care
- Medically complex
- Respiratory, speech, occupational and physical therapies
- Bariatric program

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Orange SNF indicates patients and families can expect to receive individualized care with a focus on meeting their health care and discharge goals. The applicant describes the proposed facility’s treatment team as the following:

- Physicians - direct the overall treatment of the patient
- Nurses - provide medical and nursing care including vital sign monitoring, administration of medications and treatments
- Physical therapists - develop an individualized program to emphasize strengthening, transfers, progressive gait training and endurance
- Occupational therapists - increase the patient’s daily living skills which may include ADL instruction and training, energy conservation techniques and in-home management skills
- Dietary - ensure the patient’s nutritional needs are met
- Care manager - coordinate the overall care in the center

The applicant indicates that the ALOS used for the development of the projected patient days in Schedules 5 and 7 are based on Consulate’s experience at other care centers in Florida and are listed below by the major payer categories. The reviewer notes that the applicant did not provide projected admissions in Schedule 7.

Payer	ALOS in Days
Medicare	31
Managed Care: Commercial, Managed Medicare and Managed Medicaid	19
Private	738
Medicaid	1,099

Source: CON application #10361, page 66

Schedule 6A illustrates that FTEs for year one (ending 2017) total 81.50 and total 97.50 for year two (ending 2018). The proposed project’s year one and year two FTEs are shown in the table below.

The reviewer also notes that while Schedule 6 denotes that therapy FTEs are N/A, including respiratory therapists, the applicant states that therapy staff will be hired on a contract basis from Genesis Rehab Services, Inc. and are not included on Schedule 6. On Schedule 8, “respiratory and other ancillaries” are listed for \$290,238 for year one (approximately \$14.34 per patient day) and \$580,296 for year two (approximately \$14.69 per patient day).

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Orange SNF, LLC (CON application #10361) Projected Year One and Year Two Staffing		
	Year One FTEs	Year Two FTEs
Administration		
Administrator	1.0	1.0
Director of Nursing	1.0	1.0
Admissions Director	1.0	1.0
Bookkeeper	1.0	1.0
Secretary	1.0	1.0
Medical Records Clerk	1.5	1.5
Other: Central Supply	1.0	1.0
Nursing		
RNs	6.0	6.0
LPNs	6.0	11.0
Nurses' Aides	35.00	44.0
Other Nursing Administration	11.00	13.0
Social Services		
Social Service Director	2.0	2.0
Activity Director	2.0	2.0
Activities Assistant	4.0	4.0
Other	3.0	3.0
Plant Maintenance		
Maintenance Supervisor	1.0	1.0
Maintenance Assistance	3.0	3.0
Security	1.0	1.0
Total	82.50	93.50

Source: CON application #10361, Schedule 6A.

Presbyterian Retirement Communities, Inc. d/b/a

Westminster Towers (CON #10362) contends that its proposed project is to allow greater access to the community skilled nursing facility so that more individuals can receive quality services.

The applicant states that it will provide a “Rapid Rehab Program” (Exhibit 2-1 CON #10362) that will provide care to individuals with a variety of medical issues, with an ALOS of less than 20 days with a focus on returning home. Westminster Towers indicates that it provides consulting physicians in pulmonology, cardiology and wound care for this program.

The applicant provides a chart on page 2-2 of CON #10362 that shows the most frequent Major Diagnostic Categories (MDC) for Orange County residents discharged from a hospital to a SNF during the period of July 1, 2013 through June 30, 2014. The applicant contends that these types of injuries and procedures require restorative and rehabilitation services including physical and occupational therapies in which Westminster Towers states to have in place.

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Westminster Towers notes that residents enjoy a comfortable stimulating environment with friendly, personalized attention. The applicant indicates that the facility's skilled nursing care center is both Medicaid and Medicare-certified offering semi-private rooms for long and short-term stays with licensed nursing staff available 24 hours a day. The applicant notes that it has eight licensed private rooms. The applicant states that the following services are provided:

- Orthopedic, neurological, pulmonary rehabilitation
- Physical, occupational and speech therapies
- Medical management
- Palliative care
- Hospice care
- Wound care

Westminster Towers indicates physician orders for the resident's immediate care are obtained prior to or upon admission. The applicant states admissions follow a 3-3-3 process in which:

- Within the first three minutes of an individual arriving, a person is welcomed and oriented in their room
- Within 30 minutes of arriving, a nurse will meet the person and begin assessment
- Within three days, the person will meet all key staff affiliated with the health center and a care plan will be established

The applicant states a discharge plan begins with the initial assessment when patient and family needs and attributes are assessed with the admissions diagnosis specifically addressed. A detailed description of Westminster Tower's admission and discharge plan are located on pages 2-5 through 2-8 of CON #10362.

Schedule 6A shows that the FTEs for year one (ending December 31, 2016) and year two (ending December 31, 2017) are 159.4 and remain unchanged within the first two years of implementation of the proposed project. The facility's FTEs are shown in the table below.

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Westminster Towers (CON application #10362) Staffing	
	Year One and Year Two FTEs
Administration	
Administrator	1.0
Director of Nursing	1.0
Admissions Director	1.0
Bookkeeper	2.0
Secretary	2.0
Medical Records Clerk	2.0
Other	3.0
Nursing	
RNs	7.0
LPNs	20.5
Nurses' Aides	52.5
Ancillary	
Physical Therapist	5.5
Speech Therapist	1.0
Occupational Therapist	2.0
Other: COTA\PTA	4.0
Dietary	
Dietary Supervisor	1.0
Cooks	8.3
Dietary Aides	7.4
Social Services	
Social Service Director	1.0
Activity Director	1.0
Activities Assistant	5.0
Other: Hosp. Coordinator	1.0
Housekeeping	
Housekeeping Supervision	1.0
Housekeepers	13.7
Laundry	
Laundry Aides	3.0
Plant Maintenance	
Maintenance Supervisor	1.0
Maintenance Assistance	10.5
Other: Director	1.0
Total	159.4

Source: CON application #10362, Schedule 6A.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) states that Orange County has a large population of elderly and as can be expected with the elderly population, hospitalizations do occur with many individuals transferred to a SNF upon discharge.

The applicant provides a chart on pages 2-2 and 2-3 of CON #10363 that shows the most frequent MDCs for Orange County residents discharged from a hospital to a SNF during the period of July 1, 2013 through June 30, 2014. The applicant contends that these types of injuries and procedures require restorative and

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rehabilitation services including physical and occupational therapies in which Westminster Winter Park states to have in place.

Westminster Winter Park notes that residents enjoy a comfortable stimulating environment with friendly, personalized attention. The applicant indicates that the facility's skilled nursing care center is both Medicaid and Medicare-certified offering semi-private rooms for long and short-term stays with licensed nursing staff available 24 hours a day. The facility notes that it has four licensed private rooms. The applicant states that the following services are provided:

- Orthopedic, neurological, pulmonary rehabilitation
- Physical, occupational, speech therapies
- Medical management
- Palliative care
- Hospice care
- Wound care

Westminster Winter Park indicates physician orders for the resident's immediate care are obtained prior to or upon admission. The applicant states admissions follow a 3-3-3 process in which:

- Within the first three minutes of an individual arriving, a person is welcomed and oriented in their room
- Within 30 minutes of arriving, a nurse will meet the person and begin assessment
- Within three days, the person will meet all key staff affiliated with the health center and a care plan will be established

The applicant states a discharge plan begins with the initial assessment when patient and family needs and attributes are assessed with the admissions diagnosis specifically addressed. A detailed description of Westminster Winter Park's admission and discharge plan are located on pages 2-5 through 2-8 of CON #10363.

Schedule 6A shows that the FTEs for year one (ending December 31, 2016) and year two (ending December 31, 2017) are 159.4 and remain unchanged within the first two years of implementation of the proposed project. The facility's FTEs are shown in the table below.

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Westminster Winter Park (CON application #10363) Staffing	
	Year One and Year Two FTEs
Administration	
Administrator	1.0
Director of Nursing	1.0
Admissions Director	1.0
Bookkeeper	2.0
Secretary	2.0
Medical Records Clerk	2.0
Other	3.0
Physicians	
Unit/Program Director	0.0
Other: ARNP, Staff Physician	0.0
Nursing	
RNs	7.0
LPNs	20.5
Nurses' Aides	52.5
Other	0.0
Ancillary	
Physical Therapist	5.5
Speech Therapist	1.0
Occupational Therapist	2.0
Other: COTA\PTA	4.0
Dietary	
Dietary Supervisor	1.0
Cooks	8.3
Dietary Aides	7.4
Social Services	
Social Service Director	1.0
Activity Director	1.0
Activities Assistant	5.0
Other: Hosp. Coordinator	1.0
Housekeeping	
Housekeeping Supervision	1.0
Housekeepers	13.7
Laundry	
Laundry Aides	3.0
Plant Maintenance	
Maintenance Supervisor	1.0
Maintenance Assistance	10.5
Security	0.0
Other: Director	1.0
Total	159.4

Source: CON application #10363, Schedule 6A

- c. Quality of Care. In assessing the applicant's ability to provide quality of care pursuant to s. 408.035 (1) (c), Florida Statutes, the Agency shall evaluate the following facts and circumstances:**
- 1. Whether the applicant has had a Chapter 400, Florida Statutes, nursing facility license denied, revoked or suspended within the 36 months prior to the current application.**

MF Orange, LLC (CON #10360) and Orange SNF, LLC (CON #10361) state that they are newly created entities and therefore have not had a nursing facility license denied, revoked or suspended within the 36 months prior to the current application.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362) and Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) are existing facilities that attest to not having their nursing home license denied, revoked or suspended.

- 2. Whether the applicant has had a nursing facility placed into receivership at any time during the period of ownership, management or leasing of a nursing facility in the 36 months prior to the current application?**

MF Orange, LLC (CON #10360) and Orange SNF, LLC (CON #10361) state that they are newly created entities and therefore have not had a nursing facility placed into receivership.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10322) and Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) are existing facilities and attest to not having their facility placed into receivership at any time.

- 3. The extent to which the conditions identified within subparagraphs 1 and 2 threatened or resulted in direct significant harm to the health, safety or welfare of the nursing facility residents.**

MF Orange, LLC (CON #10360) and Orange SNF, LLC (CON #10361) indicate that this provision is not applicable.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362) and Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) state that because there have been no violations, this provision does not apply.

4. **The extent to which the conditions identified within subparagraph 3 were corrected within the time frames allowed by the appropriate state agency in each respective state and in a manner satisfactory to the Agency.**

MF Orange, LLC (CON #10360) and Orange SNF, LLC (CON #10361), indicate that this provision is not applicable.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362) and Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) state that because there have been no violations, this provision does not apply.

5. **Rule 59C-1.036 (4) (f) Harmful Conditions. The Agency shall question the ability of the applicant to provide quality of care within any nursing facility when the conditions identified in the subparagraph (e) 1 and (e) 2 result in the direct, significant harm to the health, safety or welfare of a nursing facility resident, and were not corrected within the time frames allowed by the appropriate state agency in each respective state and in a manner satisfactory with the Agency.**

MF Orange, LLC (CON #10360) and Orange SNF, LLC (CON #10361) indicate that this provision is not applicable.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362) and Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) did not respond to this rule criterion. The reviewer notes that this provision is not applicable as nothing was identified above.

- d. **Rule 59C-1.036 (5) Utilization Reports. Within 45 days after the end of each calendar quarter, facilities with nursing facility beds licensed under Chapter 400, Florida Statutes shall report to the Agency, or its designee, the total number of patient days, which occurred in each month of the quarter, and the number of such days that were Medicaid patient days.**

MF Orange, LLC (CON #10360) and Orange SNF, LLC (CON #10361) each state that they will provide the required data to the applicable local health council and to the Agency.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362) and Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) each state that they will continue to provide the required data to the Health Council of East Central Florida, Inc. and to the Agency.

3. Statutory Review Criteria

- a. Is need for the project evidenced by the availability, quality of care, accessibility and extent of utilization of existing health care facilities and health services in the applicants' service area? ss. 408.035 (1)(b) and (e), Florida Statutes.**

There are 71 licensed community nursing homes with a total of 8,955 community nursing home beds in District 7. Subdistrict 7-2 is composed of Orange County and has 33 licensed community nursing homes with a total of 4,074 community nursing home beds. The subdistrict averaged 89.55 percent total occupancy for the 12-month period ending December 31, 2014.

MF Orange, LLC (CON #10360) states total occupancy for Subdistrict 7-2 was 89.5 percent. The Rehabilitation Center of Winter Park has an overall occupancy rate of 77.9 percent with an ADC of 140. The applicant states that delicensing of 23 beds from The Rehabilitation Center of Winter Park, given its current occupancy rate, will allow beds to be moved to an area of the subdistrict with greater need resulting in improved availability and access to care.

The applicant notes that the proposed facility will have significantly more private rooms, 70 more, than any other facility in the subdistrict. MF Orange provides a chart on page 3-3 of CON #10360 showing the bed distribution by type of room in the existing Orange County SNFs.

MF Orange indicates that after an analysis of demographic trends, resident needs, health care trends, access and land availability--the applicant has determined the proposed facility will be located within the area represented by ZIP code 32828. The applicant states the decision was based on the following:

- ZIP code 32828 is expected to have the greatest change in senior population when compared to other ZIP codes in Orange County
- There are currently no SNFs located in ZIP code 32828

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- The three closest SNFs to the approximate center of ZIP code 32828 are at least 5.7 miles away and have a combined occupancy rate of 94 percent

MF Orange notes the following criteria was used in determining the best possible site location for the new facility:

- Located in an area that has good vehicular access for the residents, facility staff and other third parties that regularly visit the facility, also to the evacuation routes in the event and evacuation is ordered
- Site is sufficient in size and the appropriate dimensions to allow for the development of the proposed project in accordance with local development codes
- Site does not have any issues adverse to the development of the facility, including issues such as environmental issues, wetlands, endangered species, etc.
- Site has access to public utilities, public sewer system and public water system
- Located in Orange County within the ZIP code 32828
- Site is above the storm surge of a Category 3 hurricane

MF Orange, LLC notes that the subdistrict has significant numbers of discharges in service lines and disease categories such as hip and knee repair and replacement, septicemia, heart failure and stroke which will increase demand for skilled nursing care.

MF Orange, LLC notes that occupancy rates in Subdistrict 7-2 range from a low of 69.6 percent to a high of 100 percent. The applicant provides a chart on page 3-19 of CON #10360 displaying the 33 SNFs in Subdistrict 7-2, in which 23 facilities have occupancy rate of 90 percent or higher.

The applicant states that given the disparity in senior discharge rates between ZIP codes with no SNF's and those with one SNF, the new facility in that area will increase utilization because it provides a choice in care that is not currently available.

MF Orange indicates that the proposed facility is expected to have an overall occupancy rate of 50 percent in the first year during the fill-up period and should reach 90 percent by the first quarter of the second year. See the table below.

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MF Orange, LLC Year One (ending December 31, 2018) and Year Two (ending December 31, 2019)		
Factor	Year One	Year Two
Resident Days	16,570	29,565
Community Beds	90	90
Beds Days	32,850	32,850
Medicaid Days	4,403	8,278
Occupancy	50.4%	90.0%
Medicaid Occupancy	24.2%	28.0%

Source: CON application #10360, page 3-20

Orange SNF, LLC (CON #10361) indicates nursing homes in Subdistricts 7-2 and 7-4 have been operating at a higher occupancy than the statewide average. Using population data, the applicant notes that growth of the proposed service area ages 65+ population, who are the overwhelming majority of nursing home patients, is expected to grow to over twice the rate of the total population. Orange SNF maintains that the total population of ages 65+ residents in the identified two counties is expected to grow by 12.7 percent between 2015 and 2018. The applicant notes that the growth rate in the two counties is higher than Florida’s for residents ages 65-74, for residents ages 75+ and for the elderly population as a whole. Orange SNF asserts that the cohort ages 65-74 in Orange County is expected to be the fastest-growing segment of the population. Orange SNF provides the following chart and notes the high occupancy rates of SNF’s in Orange and Seminole Counties:

Occupancy at Skilled Nursing Facilities, 2012-2014

	2012	2013	2014
Orange County Providers	88.68%	89.55%	89.50%
Seminole County Providers	91.74%	91.42%	93.05%
All Florida Providers	87.06%	87.19%	87.71%

Source: CON application #10361, page 73

Orange SNF states it will serve the needs of all area residents who can benefit from skilled nursing and rehabilitation services. The applicant indicates it has identified the Apopka area as one with particular need for an additional SNF. The Apopka area has fewer SNFs than other areas of Orange County, and the SNFs in the Apopka area are operating at high occupancy rates. The applicant notes that although Orange SNF has not identified a particular parcel of land for the proposed SNF, if approved, it will review available parcels in the Apopka area to provide easy access for Seminole County patients, while being physically located in Orange County, the subdistrict with the majority of the aggregated need.

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The applicant states that Consulate owns or operates 81 care centers in Florida. Consulate’s management leadership will guide the proposed new nursing facility so that positive outcomes will be the focus for the center as it is for all of Consulate’s skilled nursing centers. The applicant affirms the organizational structure in place at Consulate and assures that the proposed facility will have support from regional, district and corporate staff.

Orange SNF notes that there is insufficient capacity and access for ventilator-dependent patients in SNFs in Orange and Seminole Counties with only three SNFs with a ventilator-dependent unit. The applicant states that all three of those facilities have high occupancy rates, with the lowest at 91 percent occupancy and the highest at nearly 97 percent occupancy. The applicant further notes, that no beds were available on May 19, 2015, when contact was made with two existing providers pertaining to ventilator-dependent beds.

Orange SNF contends that the proposed project would improve access and availability for ventilator-dependent patients and that these patients will benefit from the specialized respiratory and pulmonary care therapy programs that will be offered at Orange SNF. The applicant maintains that currently patients have to seek care outside of Orange and Seminole Counties due to the lack of access to ventilator services. The applicant provides the following chart to show the percent of ventilator-dependent diagnoses that seek care outside of Orange and Seminole Counties.

**2013 Medicare SNF Patients with Ventilator-Dependent Diagnoses
By Patient County and Facility County**

Patient County	Facility County				Percent of Patients Going Outside Orange/Seminole
	Orange	Seminole	Other	Total	
Orange	181	4	63	248	25.4%
Seminole	25	28	11	64	17.2%
Combined	206	32	74	312	23.7%

Source: CON application # 10361, page 46, CMS 2013 Skilled Nursing Facility SAF

The applicant states that the proposed facility will have the equipment, the nursing home staff and clinical services needed to deliver electronic health records (EHR) and telemedicine services. Orange SNF maintains that it will integrate telemedicine capabilities and care in three stages: technology installation, after-hours urgent telemedicine care for residents and specialist telemedicine coverage and partnership with USF.

Orange SNF indicates that Orange County has a higher percentage of households with no fluent English speakers than most Florida counties.

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The applicant notes that it has conditioned approval of CON #10361 to having two bilingual, Spanish speaking direct care providers per 24-hour period. In addition, Orange SNF states that staff will work with residents to identify programming and activities that will be meaningful for all residents and will ensure that Spanish-speaking residents are not excluded from enjoying social offerings.

The reviewer notes that the applicant did not provide projected admissions in Schedule 7. Below the applicant provides the projected ALOS for various payer types for the proposed project.

Orange SNF, ALOS by Payer

Payer	ALOS in Days
Medicare	31
Managed Care: Commercial, Managed Medicare and Managed Medicaid	19
Private	738
Medicaid	1,099

Source: CON application #10361, page 66

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362) states Orange County has 33 community nursing homes with a total of 4,074 beds, which represents 45.5 percent of District 7’s bed supply. Westminster Towers notes that the four CCRCs in Orange County, including the applicant, together add a total of 198 sheltered beds to the inventory of skilled nursing beds. The applicant also notes the majority of the subdistrict’s facilities experienced occupancy rates in excess of 90 percent during CY 2014. The applicant states that it had an occupancy rate of more than 99 percent for CY 2014—indicating community preference and ease in access for Orange County residents. Westminster Towers indicates with the proposed project, the conversion of sheltered to community beds provides a cost-effective way to provide an additional 30 community beds.

The applicant states the proposed project would positively impact accessibility. Westminster Towers indicates that it is conveniently located downtown and is within five miles of Orlando’s largest hospitals, Orlando Health and Florida Hospital. The applicant states, these two facilities represent 2,011 acute care beds and provide an important referral source to the facility. The applicant notes that the location of Westminster Towers provides ease in access with respect to the drive time for subdistrict residents. The applicant provides a chart of the eight hospitals within a ten mile radius of the proposed project on page 3-3 of CON #10362.

Westminster Towers notes that the population within ZIP codes within a 10-mile radius of the facility is projected to increase to almost 130,000 individuals in CY 2019, a projected 23 percent increase annually.

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The applicant notes that the current facility serves both Medicare and Medicaid as well as life care residents promoting financial accessibility.

The applicant provides the following chart in regards to forecasted utilization for the first two years of operation. The applicant notes admissions, patient days, ALOS and average daily census (ADC).

Projected Utilization for the First Two Years of Operation for the 30-bed Addition and Total Facility of 120

	30-Bed Addition		Total Facility	
	Year One	Year Two	Year One	Year Two
Admissions	127	126	507	506
Patient days	10,135	10,107	40,546	40,435
ALOS	80	80	80	80
ADC	28	28	111	111

Source: CON application #10362, page 2-9

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) states Orange County has 33 community nursing homes with a total of 4,074 beds, which represents 45.5 percent of District 7's bed supply. Westminster Winter Park notes that the four CCRCs in Orange County, including the applicant, together add a total of 198 sheltered beds to the inventory of skilled nursing beds. The applicant also notes the majority of the subdistrict's facilities experienced occupancy rates in excess of 90 percent during CY 2014. The applicant notes though that it had an occupancy rate lower than the subdistrict at 82.47 percent. Westminster Winter Park maintains that the conversion of sheltered to community beds provides a cost-effective way to provide an additional 17 community beds to the subdistrict.

The applicant states the proposed project would positively impact accessibility. With respect to location, the applicant states Westminster Winter Park is located in a ZIP code with a high concentration of persons aged 65 years and older. It is located within a three mile radius of two acute care hospitals--Winter Park Memorial Hospital (320 beds) and Florida Hospital (1,217 beds) and is near major roadways for ease of access.

The applicant notes that the current facility serves both Medicare and Medicaid as well as life care residents promoting financial accessibility.

The reviewer created the following chart in regards to forecasted utilization for the first two years of operation. The chart below indicates projected admissions, patient days and ALOS.

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**Projected Utilization for The First
Two Years of Operation for the 17-bed Addition and
Total Facility of 120**

	17-Bed Addition		Total Facility	
	Year One	Year Two	Year One	Year Two
Admissions	72	71	505	504
Patient days	5,388	5,374	38,018	37,914
ALOS	74.83	75.6	75	75

Source: CON application # 10363, Schedule 7

- b. Does the applicant have a history of providing quality of care? Has the applicant demonstrated the ability to provide quality of care? Is the applicant a Gold Seal Program nursing facility that is proposing to add beds to an existing nursing home? ss. 408.035 (1) (c) and (j), Florida Statutes.**

MF Orange, LLC (CON #10360) states that it is an affiliate of Gulf Coast Health Care, LLC which has a history of unparalleled medical and nursing care provided by a professional, multi-disciplinary team. The applicant maintains that Gulf Coast Health Care, LLC is committed to providing the highest possible quality of life for each resident through the individual care planning process.

The applicant states that the parent company is defined by its mission statement: *“Our core mission is to provide a compassionate community of caring for our residents, families and associates and that is what clearly defines us.”* MF Orange maintains that Gulf Coast Health Care, LLC is built on four pillars of excellence: people, service, quality and finance.

MF Orange states that Gulf Coast facilities strive toward a pathway to performance excellence through the American Health Care Association/National Center for Assistive Living (AHCA/NCAL) Program. The applicant maintains that every Gulf Coast Health Care, LLC facility has achieved at least Bronze Level on the quality awards and 18 have achieved Silver Level by the AHCA/NCAL.

The applicant notes that it has a formal quality improvement program (QAPI) as well two additional initiatives for improving resident care:

- Using PointClickCare for electronic medical records
- Using INTERACT (Interventions to Reduce Acute Care Transfers) to reduce the number of re-hospitalizations

MF Orange provides an overview of Gulf Coast’s QAPI on pages 4-5 through 4-6 of CON #10360. The applicant also presents an overview of the Resident Council and the Family Council which exist to gather comments, suggestions and create independent evaluations of care of the SNF.

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Agency complaint records indicate that the affiliated nursing homes associated with the parent company, for the three-year period ending May 20, 2015 had 21 substantiated complaints at its 33 facilities. A single complaint can encompass multiple complaint categories. The substantiated complaint categories are listed below:

Nursing Homes affiliated with Gulf Coast Health Care, LLC	
Complaint Category	Number Substantiated
Quality of Care/Treatment	19
Resident/Patient/Client Rights	10
Admission, Transfer & Discharge Rights	5
Dietary Services	5
Administration/Personnel	4
Nursing Services	3
Resident/Patient/Client Assessment	3
Infection Control	2
Physical Environment	2
Physician Services	2
Unqualified Personnel	2
Life Safety Code	1
Restraints/Seclusion General	1

Source: Florida Agency for Health Care Administration Complaint Records

Orange SNF, LLC (CON #10361) states it is a newly created entity developed for the purpose of submitting this CON application and does not hold a license for a nursing facility. The applicant indicates its response is submitted in regard to its ultimate management company-- Consulate.

The applicant maintains that at the core of all its policies, procedures and programs are Quality Assurance and Quality Improvement (QA/QI) structures as well as Root Cause Analysis (RCA). Orange SNF declares that the best practices of care in the pulmonary/respiratory clinical area developed at Consulate's Port Charlotte facility have been shared and implemented in other Consulate facilities as they continue to transform facilities that care for higher acuity patients in a more efficient and clinically responsible manner. The applicant asserts that the ventilator unit will benefit from Port Charlotte's expertise working to reduce readmissions for patients with pulmonary and respiratory conditions. The reviewer notes that according to FloridaHealthFinder.gov, Consulate Health Care of Port Charlotte does not list ventilator services as a special program or service at the facility.

Orange SNF declares that there are 70 Consulate care centers in Florida that are Bronze Award winners, including four care centers that received the Bronze Award this year. All Bronze and Silver Award recipients are listed in Attachment 10 of CON #10361.

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The applicant provides a detailed discussion of each of the following programs and policies related to quality of care:

- Consulate is organized to focus on quality of care
- Policies and procedures affecting quality of care
- The use of quality of care data at Consulate
- Quality of care for patients
- Avoidable hospital readmissions prevention
- Quality initiatives in programs and services
- Awards and recognition of Consulate’s Care Centers
- Quality of Consulate’s staff

Agency complaint records indicate that the affiliated nursing homes associated with the parent company, for the three-year period ending May 20, 2012 had 668 substantiated complaints at its 76 facilities. A single complaint can encompass multiple complaint categories. The substantiated complaint categories are listed below:

Nursing Homes affiliated with Consulate	
Complaint Category	Number Substantiated
Quality of Care/Treatment	239
Resident/Patient/Client Rights	81
Administration/Personnel	74
Nursing Services	57
Resident/Patient/Client Assessment	49
Physical Environment	42
Infection Control	29
Admission, Transfer, and Discharge Rights	26
Dietary Services	23
Resident/Patient/Client Abuse	17
Resident/Patient/Client Neglect	8
Unqualified Personnel	4
State Licensure	4
Life Safety Code	4
Falsification of Records/Reports	4
Misappropriation of Property	3
Physician Services	2
Quality of Life	1
Restraints/Seclusion General	1

Source: Florida Agency for Health Care Administration Complaint Records

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362) states it is a CMS four-star facility and also has been named as one of the Best Nursing Homes in Florida by the U.S. *News and World Report*. The applicant notes that the quality assurance program requires continuously monitoring and assessing resident care practices, identifying and investigating potential problems or concerns and implementing appropriate actions to reduce or eliminate problems to the degree possible. Westminster Towers indicates that five of the seven Florida operated facilities have a four-star rating or better.

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Westminster Towers affirms it has demonstrated it operates as a quality facility, with a high star rating across all categories, including overall quality, health inspection, quality measures, staffing and nursing staffing. Additionally, the applicant states it operates an ongoing QA program and offers a range of activities to residents.

Westminster Towers is not a Gold Seal Program nor is it on the Nursing Home Watch List. The most recent Agency inspection indicates Westminster Towers received an overall three-star rating out of a possible five stars. The Agency's Nursing Home Guide was last updated May 2015. Westminster Towers had three substantiated complaints during May 20, 2012 to May 20, 2015 in the complaint categories of quality of care/treatment (two) and resident/patient/client rights.

Agency complaint records indicate that the affiliated nursing home associated with the parent company, for the three-year period ending May 20, 2015 had five substantiated complaints at eight facilities. A single complaint can encompass multiple complaint categories. The substantiated complaint categories are listed below:

Nursing Homes Affiliated with Presbyterian Retirement Communities, Inc.	
Complaint Category	Number Substantiated
Quality of Care/Treatment	2
Nursing Services	1
Resident/Patient/Client Rights	1
Dietary Services	1
Physical Environment	1

Source: Florida Agency for Healthcare Administration Complaint Records

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) states it is a CMS four-star facility and also has been named as one of the Best Nursing Homes in Florida by the *U.S. News and World Report*. The applicant notes that the quality assurance program requires continuously monitoring and assessing resident care practices, identifying and investigating potential problems or concerns and implementing appropriate actions to reduce or eliminate problems to the degree possible. Westminster Winter Park indicates it has developed The applicant notes the 2015 findings were isolated class III deficiencies.

Westminster Winter Park notes that it has Quality Assurance Program to ensure that consistent, high-quality care is provided to all residents. The applicant states that it participates in the National Nursing Home Quality Care Collaborative led by CMS and Quality Improvement Organizations. Westminster Winter Park maintains it operates an ongoing Continuous Quality Improvement (CQI) program and offers a range of activities to residents.

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Westminster Winter Park is not a Gold Seal Program and is the Nursing Home Watch List with a Watch List Timeline of 02/13/2013 to 08/13/2015¹ according to FloridaHealthFinder.gov as examined by the reviewer on August 13, 2015. The most recent Agency inspection indicates Westminster Towers received an overall two-star rating out of a possible five stars. The Agency's Nursing Home Guide was last updated May 2015. Westminster Winter Park had one substantiated complaint during May 20, 2012 to May 20, 2015 in the category of nursing services.

Agency complaint records indicate that the affiliated nursing home associated with the parent company, for the three-year period ending May 20, 2015 had five substantiated complaints at eight facilities. A single complaint can encompass multiple complaint categories. The substantiated complaint categories are listed below:

Nursing Homes Affiliated with Presbyterian Retirement Communities, Inc.	
Complaint Category	Number Substantiated
Quality of Care/Treatment	2
Nursing Services	1
Resident/Patient/Client Rights	1
Dietary Services	1
Physical Environment	1

Source: Florida Agency for Healthcare Administration Complaint Records

- c. What resources, including health manpower, management personnel and funds for capital and operating expenditures, are available for project accomplishment and operation? ss. 408.035 (1)(d), Florida Statutes.**

MF Orange, LLC (CON #10360):

Analysis:

The purpose of our analysis for this section is to determine if the applicant has access to the funds necessary to fund this and all capital projects. Our review includes an analysis of the short and long-term position of the applicant, parent, or other related parties who will fund the project. The analysis of the short and long-term position is intended to provide some level of objective assurance on the likelihood that funding will be available. The stronger the short-term position, the more likely cash on hand or cash flows could be used to fund the project. The

¹ Westminster Winter Park's conditional timeframe lasted from April 3, 2014 to May 5, 2014 due to deficiency tag N0201 pursuant to Chapter 400.022 (1) (l), Florida Statutes the right to receive adequate and appropriate health care and protective and support services, including social services; mental health services, if available, planned recreational activities; and therapeutic and rehabilitative services consistent with the resident care plan, with established and recognized practice standards within the community, and with rules as adopted by the Agency.

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stronger the long-term position, the more likely that debt financing could be achieved if necessary to fund the project. We also calculate working capital (current assets less current liabilities) a measure of excess liquidity that could be used to fund capital projects.

Historically we have compared all applicant financial ratios regardless of type to bench marks established from financial ratios collected from Florida acute care hospitals. While not always a perfect match to a particular CON project it is a reasonable proxy for health care related entities. The below is an analysis of the audited financial statements of Omega Healthcare Investors, Inc., (3rd party) and where the two short-term and long-term measures fall on the scale (highlighted in gray) for the most recent year.

Omega Healthcare Investors		
	Dec-14	Dec-13
Current Assets	\$172,665,000	\$150,120,000
Total Assets	\$3,921,645,000	\$3,462,216,000
Current Liabilities	\$0	\$5,000,000
Total Liabilities	\$2,520,318,000	\$2,162,113,000
Net Assets	\$1,401,327,000	\$1,300,103,000
Total Revenues	\$504,787,000	\$418,714,000
Excess of Revenues Over Expenses	\$221,349,000	\$172,521,000
Cash Flow from Operations	\$337,540,000	\$279,949,000
Short-Term Analysis		
Current Ratio (CA/CL)	N/A	30.0
Cash Flow to Current Liabilities (CFO/CL)	N/A	5598.98%
Long-Term Analysis		
Long-Term Debt to Net Assets (TL-CL/NA)	179.9%	165.9%
Total Margin (ER/TR)	43.85%	41.20%
Measure of Available Funding		
Working Capital	\$172,665,000	\$145,120,000

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Position	Strong	Good	Adequate	Moderately Weak	Weak
Current Ratio	above 3	3 - 2.3	2.3 - 1.7	1.7 – 1.0	< 1.0
Cash Flow to Current Liabilities	>150%	150%-100%	100% - 50%	50% - 0%	< 0%
Debt to Equity	0% - 10%	10%-35%	35%-65%	65%-95%	> 95% or < 0%
Total Margin	> 12%	12% - 8.5%	8.5% - 5.5%	5.5% - 0%	< 0%

Capital Requirements and Funding:

The applicant provided a development stage audit. The audit indicates that the applicant has very little assets, liabilities, net worth and no revenue. The applicant indicates on Schedule 2 capital projects totaling \$20,317,500 which includes this project. The applicant indicates on Schedule 3 of its application that funding for the project will be provided by cash on hand and non-related company financing. The applicant provided a letter from Omega committing to funding this project. Omega submitted their audited financial statements as proof of available funding. Overall, Omega has a strong financial position and is likely to either fund through existing capital or raise the capital necessary to meet the commitments set forth in various CON applications in this batching cycle.

Conclusion:

Funding for this project should be available as needed.

Orange SNF, LLC (CON #10361):

Analysis:

The purpose of our analysis for this section is to determine if the applicant has access to the funds necessary to fund this and all capital projects. Our review includes an analysis of the short and long-term position of the applicant, parent, or other related parties who will fund the project. The applicant is a development stage company, meaning there is no operational data to be analyzed for the purposes of this review. The applicant indicated that funding will be provided by a third-party source.

Capital Requirements and Funding:

The applicant provided a development stage audit. The audit indicates that the applicant has no assets, liabilities, net worth or revenue. The applicant indicates on Schedule 2 capital projects totaling \$20,484,277 which includes this project. On Schedule 3 of its application, the

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applicant indicates that funding for the project will be provided by cash on hand and non-related company financing. The applicant provided a letter from Mainstreet Investments indicating a commitment to fund this project. The applicant provided audited financial statements of Mainstreet affiliates (Mainstreet Asset Management, Inc. and Mainstreet Property Group, LLC). The letter was specific to this project and in general mentioned funding 50 projects in 2015. Mainstreet is not a traditional bank or lender but rather is in the business of funding and acquiring funding from various investors, lenders, and various Real Estate Investment Trusts (REITs) to build facilities and lease and or sell them to operators of health care facilities. To that point, a letter of interest was provided by PNC Real Estate to provide funding for upcoming Mainstreet projects (it should be noted that a letter of interest is not considered a firm commitment to lend).

The structure and nature of these types of entities makes it difficult to determine ability to fund any given project due to both the complexity and variety of funding options and the turnover of projects. However, this is not an uncommon method of funding skilled nursing facility construction and operation. We reviewed the Mainstreet affiliated audits and the primary entity appears to be sound and has been in existence for over 10 years. While the letter of interest from PNC cannot be relied on as a commitment, the letter did acknowledge a preexisting lending relationship that supports the business conducted by Mainstreet as described in its commitment letter and audits. Based on that analysis, it is likely that Mainstreet would be able to fund this project.

Conclusion:

Funding for this project is not guaranteed but appears likely.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362):

Analysis:

The purpose of our analysis for this section is to determine if the applicant has access to the funds necessary to fund this and all capital projects. Our review includes an analysis of the short and long-term position of the applicant, parent, or other related parties who will fund the project. The analysis of the short and long-term position is intended to provide some level of objective assurance on the likelihood that funding will be available. The stronger the short-term position, the more likely cash on hand or cash flows could be used to fund the project. The stronger the long-term position, the more likely that debt financing could

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be achieved if necessary to fund the project. We also calculate working capital (current assets less current liabilities) a measure of excess liquidity that could be used to fund capital projects.

Historically we have compared all applicant financial ratios regardless of type to bench marks established from financial ratios collected from Florida acute care hospitals. While not always a perfect match to a particular CON project it is a reasonable proxy for health care related entities. The below is an analysis of the audited financial statements of The Obligated Group, which includes Presbyterian Retirement Communities, Inc., and where the two short-term and long-term measures fall on the scale (highlighted in gray) for the most recent year.

The Obligated Group		
	Mar-14	Mar-13
Current Assets	\$41,136,157	\$29,860,693
Total Assets	\$492,039,073	\$459,512,711
Current Liabilities	\$37,907,101	\$26,650,398
Total Liabilities	\$370,423,433	\$345,253,186
Net Assets	\$121,615,640	\$114,259,525
Total Revenues	\$146,805,324	\$136,825,996
Excess of Revenues Over Expenses	(\$8,668,953)	(\$10,088,859)
Cash Flow from Operations	\$44,908,227	\$27,695,293
Short-Term Analysis		
Current Ratio (CA/CL)	1.1	1.1
Cash Flow to Current Liabilities (CFO/CL)	118.47%	103.92%
Long-Term Analysis		
Long-Term Debt to Net Assets (TL-CL/NA)	273.4%	278.8%
Total Margin (ER/TR)	-5.91%	-7.37%
Measure of Available Funding		
Working Capital	\$3,229,056	\$3,210,295

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Position	Strong	Good	Adequate	Moderately Weak	Weak
Current Ratio	above 3	3 - 2.3	2.3 - 1.7	1.7 - 1.0	< 1.0
Cash Flow to Current Liabilities	>150%	150%-100%	100% - 50%	50% - 0%	< 0%
Debt to Equity	0% - 10%	10%-35%	35%-65%	65%-95%	> 95% or < 0%
Total Margin	> 12%	12% - 8.5%	8.5% - 5.5%	5.5% - 0%	< 0%

Capital Requirements and Funding:

There are no capital requirements for this project. The applicant is converting 30 existing sheltered nursing beds. Therefore, minimal costs are projected for this CON. The only cost associated with this CON is project development cost of \$57,705. The applicant has \$3.2 million in working capital.

Conclusion:

Funding for this project should be available as needed.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363):

Analysis:

The purpose of our analysis for this section is to determine if the applicant has access to the funds necessary to fund this and all capital projects. Our review includes an analysis of the short and long-term position of the applicant, parent, or other related parties who will fund the project. The analysis of the short and long-term position is intended to provide some level of objective assurance on the likelihood that funding will be available. The stronger the short-term position, the more likely cash on hand or cash flows could be used to fund the project. The stronger the long-term position, the more likely that debt financing could be achieved if necessary to fund the project. We also calculate working capital (current assets less current liabilities) a measure of excess liquidity that could be used to fund capital projects.

Historically we have compared all applicant financial ratios regardless of type to bench marks established from financial ratios collected from Florida acute care hospitals. While not always a perfect match to a particular CON project it is a reasonable proxy for health care related entities. The below is an analysis of the audited financial statements of

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The Obligated Group, which includes Presbyterian Retirement Communities, Inc., and where the two short-term and long-term measures fall on the scale (highlighted in gray) for the most recent year.

The Obligated Group		
	Mar-14	Mar-13
Current Assets	\$41,136,157	\$29,860,693
Total Assets	\$492,039,073	\$459,512,711
Current Liabilities	\$37,907,101	\$26,650,398
Total Liabilities	\$370,423,433	\$345,253,186
Net Assets	\$121,615,640	\$114,259,525
Total Revenues	\$146,805,324	\$136,825,996
Excess of Revenues Over Expenses	(\$8,668,953)	(\$10,088,859)
Cash Flow from Operations	\$44,908,227	\$27,695,293
Short-Term Analysis		
Current Ratio (CA/CL)	1.1	1.1
Cash Flow to Current Liabilities (CFO/CL)	118.47%	103.92%
Long-Term Analysis		
Long-Term Debt to Net Assets (TL-CL/NA)	273.4%	278.8%
Total Margin (ER/TR)	-5.91%	-7.37%
Measure of Available Funding		
Working Capital	\$3,229,056	\$3,210,295

Position	Strong	Good	Adequate	Moderately Weak	Weak
Current Ratio	above 3	3 - 2.3	2.3 - 1.7	1.7 - 1.0	< 1.0
Cash Flow to Current Liabilities	>150%	150%-100%	100% - 50%	50% - 0%	< 0%
Debt to Equity	0% - 10%	10%-35%	35%-65%	65%-95%	> 95% or < 0%
Total Margin	> 12%	12% - 8.5%	8.5% - 5.5%	5.5% - 0%	< 0%

Capital Requirements and Funding:

There are no capital requirements for this project. The applicant is converting 30 existing sheltered nursing beds. Therefore, minimal costs are projected for this CON. The only cost associated with this CON is project development cost of \$57,705. The applicant has \$3.2 million in working capital.

Conclusion:

Funding for this project should be available as needed.

- d. What is the immediate and long-term financial feasibility of the proposal? ss. 408.035 (1) (f), Florida Statutes.**

MF Orange, LLC (CON #10360):

Analysis:

The immediate and long-term financial feasibility of the project is tied to expected profitability. The purpose of our analysis for this section is to evaluate the reasonableness of the applicant’s profitability projections and, ultimately, whether profitability is achievable for this project. Our analysis includes an evaluation of net revenue per patient day (NRPD), cost per patient day (CPD), nurse staffing ratios, and profitability. We compared the NRPD, CPD, and profitability to actual operating results from skilled nursing facilities as reported on Medicaid cost reports (2012 and 2013 cost report years). For our comparison group, we selected skilled nursing facilities with similar Medicaid utilizations to the utilization projected by the applicant on a per patient day basis (PPD). Comparison group data was adjusted for inflation to match the second year projection (inflation factor was based on the New CMS Market Basket Price Index as published in the 1st Quarter 2015, Health Care Cost Review).

NRPD, CPD and profitability or operating margin that fall within the group range are considered reasonable projections. Below is the result of our analysis.

	PROJECTIONS PER APPLICANT		COMPARATIVE GROUP VALUES PPD		
	Total	PPD	Highest	Median	Lowest
Net Revenues	11,937,000	404	1,771	446	300
Total Expenses	11,272,200	381	1,680	434	307
Operating Income	664,800	22	186	23	-173
Operating Margin	5.57%		Comparative Group Values		
	Days	Percent	Highest	Median	Lowest
Occupancy	29,565	90.00%	97.64%	90.75%	55.01%
Medicaid	8,278	28.00%	38.34%	30.43%	20.69%
Medicare	16,852	57.00%	62.12%	38.55%	10.01%

Staffing:

Section 400.23(3)(a)(1), Florida Statutes, specifies a minimum certified nursing assistant staffing of 2.5 hours of direct care per resident per day and a minimum licensed nursing staffing of 1.0 hour of direct resident care per resident day. Based on the information provided in Schedule 6, the applicant's projected staffing meets this requirement.

The projected NRPD, CPD and profit fall within the group range and are considered reasonable. Therefore, the overall profitability appears achievable.

Conclusion:

This project appears to be financially feasible based on the projections provided by the applicant.

Orange SNF, LLC (CON #10361):

Analysis:

The immediate and long-term financial feasibility of the project is tied to expected profitability. The purpose of our analysis for this section is to evaluate the reasonableness of the applicant's profitability projections and ultimately whether profitability is achievable for this project. Our analysis includes an evaluation of net revenue per patient day (NRPD), cost per patient day (CPD), nurse staffing ratios, and profitability. We compared the NRPD, CPD, and profitability to actual operating results from skilled nursing facilities as reported on Medicaid cost reports (2012, 2013, and 2014 cost report years). For our comparison group, we selected skilled nursing facilities with similar Medicaid utilizations to the utilization projected by the applicant on a per patient day basis (PPD). Comparison group data was adjusted for inflation to match the second year projection (Inflation factor was based on the New CMS Market Basket Price Index as published in the 1st Quarter 2015, Health Care Cost Review).

NRPD, CPD and profitability or operating margin that fall within the group range are considered reasonable projections. Below is the result of our analysis.

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	PROJECTIONS PER APPLICANT		COMPARATIVE GROUP VALUES PPD		
	Total	PPD	Highest	Median	Lowest
Net Revenues	15,108,746	382	725	405	264
Total Expenses	14,928,769	378	700	384	299
Operating Income	179,977	5	95	16	-113
Operating Margin	1.19%		Comparative Group Values		
	Days	Percent	Highest	Median	Lowest
Occupancy	39,506	91.73%	96.71%	89.93%	70.42%
Medicaid/MDCD HMO	15,238	38.57%	49.81%	44.31%	30.05%
Medicare	20,618	52.19%	62.12%	33.63%	10.26%

Staffing:

Section 400.23(3)(a)(1), Florida Statutes, specifies a minimum certified nursing assistant staffing of 2.5 hours of direct care per resident per day and a minimum licensed nursing staffing of 1.0 hour of direct resident care per resident day. Based on the information provided in Schedule 6, neither the nursing assistant staffing, nor the nursing staffing meet this requirement. The projected nursing assistant staffing is 2.23 hours, which is less than the 2.5-hour requirement. The projected nursing staffing is 0.90 hours, which is less than the 1.0 hour requirement.

The projected NRPD, CPD and profit fall within the group range and are considered reasonable. However, the total cost appears understated due to the lack of sufficient staffing as outlined above. Therefore, the overall profitability of the nursing home appears to be overstated.

Conclusion:

This project appears to be financially feasible based on the projections provided by the applicant.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362):

Analysis:

The immediate and long-term financial feasibility of the project is tied to expected profitability. The purpose of our analysis for this section is to evaluate the reasonableness of the applicant’s profitability projections and, ultimately, whether profitability is achievable for this project. Our analysis includes an evaluation of net revenue per patient day (NRPD), cost per patient day (CPD), nurse staffing ratios, and profitability. We compared the NRPD, CPD, and profitability to actual operating results

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from skilled nursing facilities as reported on Medicaid cost reports (2012, 2013, and 2014 cost report years). For our comparison group, we selected skilled nursing facilities with similar Medicaid utilizations to the utilization projected by the applicant on a per patient day basis (PPD). Comparison group data was adjusted for inflation to match the second year projection (inflation factor was based on the New CMS Market Basket Price Index as published in the 1st Quarter 2015, Health Care Cost Review).

NRPD, CPD and profitability or operating margin that fall within the group range are considered reasonable projections. Below is the result of our analysis.

	PROJECTIONS PER APPLICANT		COMPARATIVE GROUP VALUES PPD		
	Total	PPD	Highest	Median	Lowest
Net Revenues	10,181,480	252	493	331	249
Total Expenses	9,701,453	240	404	325	223
Operating Income	480,027	12	112	7	-64
Operating Margin	4.71%		Comparative Group Values		
	Days	Percent	Highest	Median	Lowest
Occupancy	40,435	92.32%	99.58%	92.60%	68.34%
Medicaid/MDCD HMO	22,104	54.67%	59.95%	52.73%	40.10%
Medicare	5,093	12.60%	47.76%	26.21%	2.63%

The applicant nursing home is part of a CCRC. A CCRC is made up of residential units, an assisted living facility, and a nursing home and is regulated as a type of insurance arrangement. The idea is that CCRC residents buy into the community and transition through life from residential, to assisted living, and finally to skilled nursing. Skilled nursing is also available for rehabilitation to residents. The business model for a CCRC in general shows the skilled nursing component as a loss with the residential living and assisted living generating enough profit to cover the loss. In this case, the applicant projected an overall profit both with and without the net earnings of the rest of the CCRC.

CCRCs are regulated by the Florida Office of Insurance Regulation (OIR). OIR requires CCRCs to maintain a minimum liquid reserve and file financial statements on a regular basis. The existence of a Certificate of Authority issued by OIR and maintenance of a minimum liquid reserve indicates stability of the CCRC. The applicant CCRC has both.

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NRPD, CPD and operating income fall within the group range and is considered reasonable. Therefore, the overall profitability of the nursing home on a stand-alone basis appears reasonable.

Staffing:

Section 400.23(3)(a)(1), Florida Statutes, specifies a minimum certified nursing assistant staffing of 2.5 hours of direct care per resident per day and a minimum licensed nursing staffing of 1.0 hour of direct resident care per resident day. Based on the information provided in Schedule 6, the applicant's projected nursing staffing and nursing assistant staffing meet this requirement.

Conclusion:

This project appears to be financially feasible as part of the larger CCRC model.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363):

Analysis:

The immediate and long-term financial feasibility of the project is tied to expected profitability. The purpose of our analysis for this section is to evaluate the reasonableness of the applicant's profitability projections and, ultimately, whether profitability is achievable for this project. Our analysis includes an evaluation of net revenue per patient day (NRPD), cost per patient day (CPD), nurse staffing ratios, and profitability. We compared the NRPD, CPD, and profitability to actual operating results from skilled nursing facilities as reported on Medicaid cost reports (2012, 2013, and 2014 cost report years). For our comparison group, we selected skilled nursing facilities with similar Medicaid utilizations to the utilization projected by the applicant on a per patient day basis (PPD). Comparison group data was adjusted for inflation to match the second year projection (inflation factor was based on the New CMS Market Basket Price Index as published in the 1st Quarter 2015, Health Care Cost Review).

NRPD, CPD, and profitability or operating margin that fall within the group range are considered reasonable projections. Below is the result of our analysis.

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	PROJECTIONS PER APPLICANT		COMPARATIVE GROUP VALUES PPD		
	Total	PPD	Highest	Median	Lowest
Net Revenues	10,085,462	266	493	331	249
Total Expenses	9,975,376	263	404	325	223
Operating Income	110,086	3	112	7	-64
Operating Margin	1.09%		Comparative Group Values		
	Days	Percent	Highest	Median	Lowest
Occupancy	37,914	86.56%	99.58%	92.60%	68.34%
Medicaid/MDCD HMO	18,004	47.49%	59.95%	52.73%	40.10%
Medicare	7,436	19.61%	47.76%	26.21%	2.63%

The applicant nursing home is part of a Continuing Care Retirement Community (CCRC). A CCRC is made up of residential units, an assisted living facility, and a nursing home and is regulated as a type of insurance arrangement. The idea is that CCRC residents buy into the community and transition through life from residential, to assisted living, and finally to skilled nursing. Skilled nursing is also available for rehabilitation to residents. The business model for a CCRC in general shows the skilled nursing component as a loss with the residential living and assisted living generating enough profit to cover the loss. In this case, the applicant projected an overall profit both with and without the net earnings of the rest of the CCRC.

CCRCs are regulated by the Florida Office of Insurance Regulation (OIR). OIR requires CCRCs to maintain a minimum liquid reserve and file financial statements on a regular basis. The existence of a Certificate of Authority issued by OIR and maintenance of a minimum liquid reserve indicates stability of the CCRC. The applicant CCRC has both.

NRPD, CPD, and operating income fall within the group range and is considered reasonable. In addition, the total cost appears to include at least the minimum staffing required. Therefore, the overall profitability of the nursing home on a stand-alone basis appears reasonable.

Staffing:

Section 400.23(3)(a)(1), Florida Statutes, specifies a minimum certified nursing assistant staffing of 2.5 hours of direct care per resident per day and a minimum licensed nursing staffing of 1.0 hour of direct resident care per resident day. Based on the information provided in Schedule 6, the applicant’s projected nursing staffing and nursing assistant staffing meet this requirement.

Conclusion:

This project appears to be financially feasible as part of the larger CCRC model.

- e. Will the proposed project foster competition to promote quality and cost-effectiveness? ss. 408.035 (1)(e) and (g), Florida Statutes.**

The type of competition that would result in increased efficiencies, service, and quality is limited in health care. Cost-effectiveness through competition is typically achieved via a combination of competitive pricing that forces more efficient cost to remain profitable and offering higher quality and additional services to attract patients from competitors. Since Medicare and Medicaid are the primary payers in the nursing home industry, price-based competition is limited. With a large portion of the revenue stream essentially fixed on a per patient basis, the available margin to increase quality and offer additional services is limited. In addition, competitive forces truly do not begin to take shape until existing business' market share is threatened. The publication of need in this area suggests that there is an unmet and untapped customer base for a new entrant to absorb. Since nursing home services are limited to available beds and the need formula suggest excess capacity in the market to fill those beds, the impact on market share would be limited. The combination of the existing health care system's barrier to price-based competition via fixed price payers and the existence of unmet need in the district limits any significant gains in cost-effectiveness and quality that would be generated from competition.

Conclusion:

These projects are not likely to have a material impact on competition to promote quality and cost-effectiveness.

- f. Are the proposed costs and methods of construction reasonable? Do they comply with statutory and rule requirements? ss. 408.035 (1) (h), Florida Statutes; Ch. 59A-4, Florida Administrative Code.**

MF Orange, LLC (CON #10360): The applicant has submitted all information and documentation necessary to demonstrate compliance with the architectural review criteria. The cost estimate for the proposed project provided in Schedule 9, Table A and the project completion forecast provided in Schedule 10 appear to be reasonable. A review of the architectural plans, narratives and other supporting documents did not reveal any deficiencies that are likely to have significant impact on either construction costs or the proposed completion schedule.

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The plans submitted with this application were schematic in detail with the expectation that they will be necessarily revised and refined prior to being submitted for full plan review. The architectural review of this application shall not be construed as an in-depth effort to determine complete compliance with all applicable codes and standards. The final responsibility for facility compliance ultimately rests with the applicant owner. Approval from the Agency for Health Care Administration's Office of Plans and Construction is required before the commencement of any construction.

Orange SNF, LLC (CON #10361): The applicant has submitted all information and documentation necessary to demonstrate compliance with the architectural review criteria. The cost estimate for the proposed project provided in Schedule 9, Table A and the project completion forecast provided in Schedule 10 appear to be reasonable. A review of the architectural plans, narratives and other supporting documents did not reveal any deficiencies that are likely to have significant impact on either construction costs or the proposed completion schedule.

The plans submitted with this application were schematic in detail with the expectation that they will be necessarily revised and refined prior to being submitted for full plan review. The architectural review of this application shall not be construed as an in-depth effort to determine complete compliance with all applicable codes and standards. The final responsibility for facility compliance ultimately rests with the applicant owner. Approval from the Agency for Health Care Administration's Office of Plans and Construction is required before the commencement of any construction.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362): The Office of Plans and Construction notes that the codes and standards regulating the design and construction of SNFs are the same for beds licensed as sheltered beds and community beds.

It is the position of the Office of Plans and Construction that a review of the architectural submissions for this project is unnecessary since the existing nursing beds have already been reviewed and approved by the Agency for use as skilled nursing beds in accordance with Florida Statutes 400.232 and Florida Administrative Code 59A-4.133.

The reviewer notes that any modifications or alterations of the physical plant due to a conversion would need to be reviewed by the Office of Plans and Construction.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363): The Office of Plans and Construction notes that the codes and standards regulating the design and construction of SNFs are the same for beds licensed as sheltered beds and community beds.

It is the position of the Office of Plans and Construction that a review of the architectural submissions for this project is unnecessary since the existing nursing beds have already been reviewed and approved by the Agency for use as skilled nursing beds in accordance with Florida Statutes 400.232 and Florida Administrative Code 59A-4.133.

The reviewer notes that any modifications or alterations of the physical plant due to a conversion would need to be reviewed by the Office of Plans and Construction.

- g. Does the applicant have a history of and propose the provision of health services to Medicaid patients and the medically indigent? Does the applicant propose to provide health services to Medicaid patients and the medically indigent? ss. 408.035 (1) (i), Florida Statutes.**

A five-year history of Medicaid patient days and occupancy for the subdistrict, district and state is provided in the table below.

Medicaid Patient Days and Medicaid Occupancy in Orange County, District 7 and Florida

Medicaid Patient Days					
Area	2010	2011	2012	2013	2014
Orange County	814,845	828,454	824,000	826,827	838,644
District 7	1,762,965	1,771,754	1,768,611	1,758,966	1,781,886
Florida	15,530,575	15,612,015	15,733,318	15,700,197	15,932,613
Medicaid Occupancy					
Area	2010	2011	2012	2013	2014
Orange County	61.67%	62.41%	62.32%	62.09%	62.98%
District 7	60.05%	60.18%	60.26%	60.14%	60.43%
Florida	61.33%	61.56%	61.85%	61.66%	62.17%

Source: Florida Nursing Home Bed Need Projections by District and Subdistrict, April 2015 Batching Cycle

MF Orange, LLC (CON #10360) states the current Medicaid occupancy rate for all community nursing homes in Orange County is 62.98 percent. The forecast below is based on historical utilization of the applicant’s affiliates and other similarly sized facilities within the subdistrict.

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**Forecasted Admissions and Patient Days for MF Orange, LLC
First Two Years of Operation**

Payer	Year One: July 2018		Year Two: July 2019	
	Patient Days	Percent	Patient Days	Percent
Medicare	8,385	50.6%	16,852	57.0%
Medicaid	4,003	24.2%	8,278	28.0%
Private Pay	836	5.0%	887	3.0%
Other Payers	3,346	20.2%	3,548	12.0%
Total	16,570	100.0%	29,565	100.0%

Source: CON application #10360, page 3-22

The reviewer compiled the following Medicaid occupancy data for Gulf Coast Health Care, LLC's Florida facilities for January 1, 2014 to December 31, 2014. See the table below.

**Medicaid Occupancy and Total Occupancy Rates for Gulf Coast Health Care, LLC
SNFs in Florida, January 1, 2014-December 31, 2014**

District	County	Facility Name	Calendar Year 2014	
			Medicaid Occupancy	Total Occupancy
1	Escambia	Arcadia Health and Rehabilitation Center	61.5%	88.7%
1	Escambia	Bayside Health and Rehabilitation Center	72.8%	89.6%
1	Escambia	Rosewood Health and Rehabilitation Center	79.3%	93.6%
1	Escambia	Specialty Health and Rehabilitation Center	61.6%	93.8%
1	Okaloosa	Silvercrest Health and Rehabilitation Center	72.6%	94.5%
1	Santa Rosa	Bay Breeze Senior Living and Rehabilitation Center	62.2%	92.1%
1	Walton	Grand Boulevard Health and Rehabilitation Center	50.5%	82.8%
2	Bay	GlenCove Health and Rehabilitation Center	62.8%	95.0%
2	Bay	Panama City Health and Rehabilitation Center	72.6%	95.9%
2	Gadsden	Riverchase Health and Rehabilitation Center	82.3%	93.6%
2	Jackson	Chipola Health and Rehabilitation Center	63.1%	89.0%
2	Jefferson	Brynwood Health and Rehabilitation Center	76.1%	90.5%
3	Bradford	Windsor Manor	70.9%	91.3%
3	Lake	Lake Eustis Health and Rehabilitation Center	56.3%	93.0%
3	Suwannee	Suwannee Health and Rehabilitation Center	77.5%	94.1%
4	Flagler	Flagler Health and Rehabilitation Center	53.6%	91.4%
4	Volusia	Costal Health and Rehabilitation Center	79.8%	95.9%
4	Volusia	DeBary Health and Rehabilitation Center	65.1%	92.8%
4	Volusia	Seaside Health and Rehabilitation Center	83.1%	87.9%
4	Volusia	Parkside Health and Rehabilitation Center	86.1%	68.2%
5	Pasco	Heritage Health and Rehabilitation Center	70.4%	97.0%
5	Pinellas	Glen Oaks Health and Rehabilitation Center	88.9%	91.3%
6	Highlands	Lake Placid Health and Rehabilitation Center	67.0%	92.2%
6	Hillsborough	Accentia Health and Rehabilitation Center	78.6%	83.3%
7	Brevard	Wave Crest Health and Rehabilitation Center	69.6%	82.7%
7	Orange	The Rehabilitation Center of Winter Park	64.7%	77.9%
7	Osceola	Oaks of Kissimmee Health and Rehabilitation Center	56.7%	90.6%
7	Seminole	Longwood Health and Rehabilitation Center	70.8%	95.6%
8	Hendry	Oakbrook Health and Rehabilitation Center	69.0%	87.5%
9	Martin	Salerno Bay Health and Rehabilitation Center	69.5%	91.7%
9	Palm Beach	Boynton Health and Rehabilitation Center	52.6%	87.0%
9	Palm Beach	Royal Palm Beach Health and Rehabilitation Center	77.4%	97.1%
10	Broward	Margate Health and Rehabilitation Center	58.0%	93.3%

Source: AHCA publication, Florida Nursing Home Utilization by District and Subdistrict, April 2015 Batching Cycle

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MF Oranges indicates that the proposed facility will have open access to all payer types and their subscribers who require post-acute care services, assuring a range of means to promote access to care.

The applicant states with four Gulf Coast facilities within District 7, care can be coordinated and operations managed efficiently to meet both short-term and long-term care needs for residents of the area. According to MF Orange, implementation of this project will ensure continued access to skilled nursing care for Medicaid recipients.

The applicant notes that following the September 2014 initiation of Statewide Medicaid Managed Care (SMMC) Long Term Care (LTC) in Region 7, the four SMMC LTC plans operating enrolled approximately 9,300 individuals. MF Orange maintains that it will enroll in, and continue to provide timely and accurate provider information to the Agency Provider Master List. The applicant asserts that it will also collaborate with the chosen LTC plan to identify and implement quality and performance measures to monitor the facility's clinical performance on an ongoing basis. MF Orange provides a summary of the three available Medicaid SMMC LTC plans operating in Region 7.

The applicant's Schedule 7 indicates that Medicaid and self-pay represent 24.2 and 5.1 percent, respectively, of year one and 28.0 and 3.0 percent of year two, respectively, annual total patient days.

Orange SNF, LLC (CON #10361) notes that it is a newly created entity developed for the purpose of submitting this CON application and does not hold a license for a nursing facility. The applicant maintains that Consulate owns or operates 80 care centers in Florida.

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The applicant summarizes the following major observations:

- The total occupancy rates at the Consulate’s Florida SNFs range from 90-97 percent
- The total occupancy rate at Consulate’s Florida SNFs of 95.5 percent is higher than the State’s rate of 87.7 percent
- For the 12 months of January to December 2014, the 80 Consulate care centers in Florida provided more than 2 million days of care to Medicaid patients
- Medicaid occupancy at the “other”² Consulate Florida SNFs is 60.7 percent. This is slightly lower than the statewide Medicaid occupancy rate of 62.2 percent and reflects the higher patient acuity and short-term care population at some of Consulate’s Florida SNFs
- Utilization data document that Consulate care centers are available, accessible, and utilized by Medicaid and medically indigent persons

The reviewer compiled the following Medicaid occupancy data for Consulate’s Florida facilities for January 1, 2014 to December 31, 2014. Orange SNF reports a Medicaid occupancy rate of 60.7 percent for calendar year 2014, the reviewer notes the Medicaid rate for this same period is 64.95 percent. See the table below.

² It is unclear to the reviewer from the information provided on page 98 what the “other” Consulate Florida SNFs refer to in this bullet.

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**Consulate's Florida SNF's Medicaid Occupancy
January 31, 2014-December 31, 2014**

Facility	Medicaid Days	Total Days	Medicaid Occupancy
Bay Breeze Health and Rehabilitation Center	27,293	39,020	69.95%
Baya Pointe Nursing and Rehabilitation Center	17,821	30,958	57.57%
Bayonet Point, Consulate Health Care of	22,313	41,373	53.93%
Beneva Lakes Healthcare and Rehabilitation Center	32,329	41,209	78.45%
Bradenton Health Care	21,776	36,201	60.15%
Brandon Health and Rehabilitation Center	16,488	42,626	38.68%
Brandon, Consulate Health Care Of	22,414	42,205	53.11%
Brentwood, Health Center at	25,506	41,940	60.82%
Central Park Healthcare and Rehabilitation Center	25,350	40,110	63.20%
Colonial Lakes Health Care	49,603	63,213	78.47%
Coral Bay Healthcare and Rehab Center	29,143	41,449	70.31%
Coral Trace Health Care	23,913	39,242	60.94%
Countryside Rehab and Healthcare Center	25,306	40,493	62.49%
Destin Healthcare and Rehabilitation Center	21,594	38,648	55.87%
Deltona Health Care	25,602	41,568	61.59%
Dolphins View, The Health and Rehabilitation Center	8,250	19,748	41.78%
Emerald Shores Health and Rehabilitation	13,033	25,772	50.57%
Englewood Healthcare and Rehabilitation Center	23,409	40,777	57.41%
Evans Health Care	30,364	42,009	72.28%
Fletcher Health and Rehabilitation Center	26,286	41,607	63.18%
Fort Pierce Health Care	49,205	56,802	86.63%
Franco Nursing and Rehabilitation Center	28,841	41,016	70.32%
Governors Creek Health and Rehabilitation Center	30,871	42,028	73.45%
Grand Oaks Health and Rehabilitation Center	17,636	42,270	41.72%
Habana Health Care Center	39,151	52,507	74.56%
Harbor Beach Nursing and Rehabilitation Center	14,491	19,855	72.98%
Harts Harbor Health Care Center	49,726	62,539	79.51%
Heritage Healthcare and Rehabilitation Center	24,926	32,532	76.62%
Heritage Healthcare Center of Tallahassee	47,723	62,482	76.38%
Heritage Park Rehabilitation and Healthcare	33,448	42,437	78.82%
Heron Pointe Health and Rehabilitation	26,476	41,796	63.35%
Hillcrest Health Care and Rehabilitation Center	53,075	81,424	65.18%
Island Health and Rehabilitation Center	25,190	41,119	61.26%
Jacksonville, Consulate Health Care of	23,898	40,304	59.29%
Keystone Rehabilitation and Health Center	26,485	42,117	62.79%
Kissimmee, Consulate Health Care of	26,937	42,916	62.77%
Lake Mary Health and Rehabilitation Center	15,837	42,307	37.43%
Lake Parker, Consulate Health Care At	24,845	41,553	59.79%
Lakeland, Consulate Health Care of	29,563	41,446	71.33%
Lakeside Oaks Care Center	20,865	32,171	64.86%
Largo Health and Rehabilitation Center	37,213	55,560	66.98%
Magnolia Health and Rehabilitation Center	30,047	41,338	72.69%
Marshall Health and Rehabilitation Center	30,761	38,002	80.95%
Melbourne, Consulate Health Care Of	29,686	53,557	55.43%
New Port Richey, Consulate Health Care Of	27,226	41,939	64.92%
North Florida Rehabilitation and Specialty Care	19,080	41,424	46.06%
North Fort Myers, Consulate Health Care Of	25,217	37,236	67.72%
Oakbridge Healthcare Center	20,738	42,427	48.88%
Oaktree Healthcare	17,402	20,995	83.04%
Orange Park, Consulate Health Care Of	23,754	41,837	56.78%
Osprey Point Nursing Center	12,069	20,964	57.57%
Palms Rehabilitation and Healthcare Center	27,756	41,958	66.15%
Parks Healthcare and Rehabilitation Center	27,377	41,904	65.33%
Pensacola, Consulate Health Care Of	22,353	41,991	53.23%

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Plantation Bay Rehabilitation Center	28,770	42,895	67.07%
Port Charlotte, Consulate Health Care Of	26,603	39,973	68.26%
Renaissance Health and Rehabilitation	33,457	38,482	86.94%
Rio Pinar Health Care	42,607	63,859	66.72%
Rosewood Health and Rehabilitation Center	42,008	52,974	79.30%
Safety Harbor, Consulate Health Care Of	31,636	42,705	74.08%
San Jose Health and Rehabilitation	31,902	41,798	76.32%
Sarasota, Consulate Health Care Of	20,148	26,739	75.35%
Sea Breeze Health Care	29,673	41,094	72.21%
Seaview Nursing and Rehabilitation Center	22,186	28,665	77.40%
Shoal Creek Rehabilitation Center	28,123	42,541	66.11%
Spring Hill Health and Rehabilitation Center	20,323	41,737	48.69%
St. Petersburg, Consulate Health Care Of	27,801	41,784	66.54%
Tallahassee, Consulate Health Care Of	20,646	41,197	50.12%
University Hills Health and Rehabilitation	31,706	42,404	74.77%
Vero Beach, Consulate Health Care Of	40,349	55,084	73.25%
Vista Manor	27,300	39,692	68.78%
Wedgewood Healthcare Center	16,737	41,543	40.29%
West Altamonte, Consulate Health Care At	26,963	41,212	65.43%
West Palm Beach, Consulate Health Care Of	25,376	41,886	60.58%
Winter Haven, Consulate Health Care Of	20,706	41,295	50.14%
Wood Lake Health and Rehabilitation Center	34,956	40,991	85.28%
Total	2,077,637	3,183,471	64.95%

Source: AHCA publication, Florida Nursing Home Utilization by District and Subdistrict, April 2015 Batching Cycle

The applicant proposes to serve Medicaid and medically indigent persons at the proposed facility and as noted on Schedule 7, this application projects that the two key payer groups identified by this Agency rule preference are Self-Pay and Managed Medicaid. See the table below.

Orange SNF, LLC Medicaid

Payer	Percent of Total Patient Days	
	Year One	Year Two
Medicaid	35.3%	38.6%
Self-Pay	8.3%	9.2%
Total	43.6%	47.8%

Source: CON application #10361, Schedule 7

The applicant's Schedule 7 indicates that Medicaid and self-pay represent 35.3 and 8.3 percent, respectively, of year one and 38.6 percent and 9.2 percent, respectively, of year two annual total patient days.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362) states as a CCRC, life care residents as well as community members are able to access health center skilled nursing care, as needed. Further, the applicant indicates that it has a demonstrated commitment to serving low-income individuals through Medicaid services. Westminster Towers states that it provides Medicaid-

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funded long-term care services through its community beds. The table below provides its overall and Medicaid occupancy for the three most recent calendar years.

**Westminster Towers
2012-2014 Community Bed Occupancy
General and Medicaid Patient Days**

	CY 2012		CY 2013		CY 2014	
	Number	Percent	Number	Percent	Number	Percent
Patient Days						
Total	20,595	92.25%	21,980	98.72%	22,127	99.38%
Medicaid	15,259	74.09%	17,245	78.46%	14,048	63.49%

Source: CON application #10362 page 9-1

Westminster Towers provides the projected payer mix for the 30 community beds results in the following table below. The applicant notes there are more patient days in year one as 2016 is a leap year.

**Projected Utilization, 30 beds Forecast for the
First Two Years of Operation**

Payer	Year One Days	Year Two Days	Percent of Days	Year One Admits	Year Two Admits
Medicare	1,277	1,273	12.6%	28	28
Medicaid	5,540	5,525	54.7%	62	61
Self-Pay	2,278	2,272	22.5%	25	25
Other	1,040	1,037	10.3%	12	12
Total	10,135	10,107	100.0%	127	126
Occupancy	92.3%	92.03%			

Source: CON application #10362, page 9-2

The reviewer compiled the following Medicaid occupancy data for the applicant's five Florida SNFs for January 1, 2014 through December 31, 2014. See the table below:

**Presbyterian Retirement Communities Florida Medicaid Occupancy
January 1, 2014-December 31, 2014 (120-bed Facilities)**

Facility Name	Medicaid Days	Total Days	Medicaid Occupancy
Westminster Communities of Bradenton Westminster	6,037	13,228	45.64%
Westminster Oaks of Tallahassee	7,900	16,933	46.65%
Westminster Towers	14,048	22,127	63.49%
Westminster Towers and Shores of Bradenton	10,536	20,075	52.48%
Winter Park Towers	27,694	11,902	42.98%
Total	66,215	84,265	50.25%

Source: Florida Nursing Home Bed Need Projections by District and Subdistrict, April 2015 Batching Cycle

The applicant's Schedule 7 indicates that Medicaid and self-pay represents 54.7 percent and 22.5 percent, respectively, of year one and year two annual total patient days for the entire 120-bed facility.

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Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) states as a CCRC, life care residents as well as community members are able to access health center skilled nursing care, as needed. Further, the applicant has a demonstrated commitment to serving low-income individuals through Medicaid services. Westminster Winter Park provides Medicaid-funded long-term care services through its community beds. The table below provides its overall and Medicaid occupancy for the three most recent calendar years.

**Westminster Winter Park
2012-2014 Community Bed Occupancy
General and Medicaid Patient Days**

	CY 2012		CY 2013		CY 2014	
	Number	Percent	Number	Percent	Number	Percent
Patient Days						
Total	27,004	80.20%	26,712	79.55%	27,694	82.4%
Medicaid	11,800	43.99%	13,207	49.44%	11,902	42.98%

Source: CON application #10363 page 9-1

Westminster Winter Park provides the projected payer mix for the 17 community beds results in the following table below. The applicant notes there are more patient days in year one as 2016 is a leap year.

**Projected Utilization, 17-Beds Forecast for the
First Two Years of Operation**

Payer	Year One Days	Year Two Days	Percent of Days	Year One Admits	Year Two Admits
Medicare	1,057	1,054	19.6%	23	23
Medicaid	2,559	2,552	47.5%	28	28
Self-Pay	1,238	1,235	23.0%	14	14
Other	535	533	9.9%	7	7
Total	5,388	5,374	100.0%	72	72

Source: CON application #10362, page 9-2

The reviewer compiled the following Medicaid occupancy data for the applicant's five Florida SNFs for January 1, 2014 through December 2014. See the table below:

**Presbyterian Retirement Communities Florida Medicaid Occupancy
January 1, 2014-December 31, 2014 (120-bed Facilities)**

Facility Name	Medicaid Days	Total Days	Medicaid Occupancy
Westminster Communities of Bradenton Westminster	6,037	13,228	45.64%
Westminster Oaks of Tallahassee	7,900	16,933	46.65%
Westminster Towers	14,048	22,127	63.49%
Westminster Towers and Shores of Bradenton	10,536	20,075	52.48%
Winter Park Towers	27,694	11,902	42.98%
Total	66,215	84,265	50.25%

Source: Florida Nursing Home Bed Need Projections by District and Subdistrict, April 2015 Batching Cycle

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The applicant's Schedule 7 indicates that Medicaid and self-pay represents 47.5 percent and 23.0 percent, respectively, of year one and year two annual total patient days.

F. SUMMARY

MF Orange, LLC (CON #10360) proposes to establish a new 90-bed community nursing home through the de-licensure of 23 beds from The Rehabilitation Center of Winter Park, an existing licensed nursing home within the same subdistrict and 67 beds from the fixed need pool in Subdistrict 7-2, Orange County.

MF Orange, LLC is an affiliate of parent company Gulf Coast Health Care, LLC. The applicant states the parent company owns and operates 33 SNFs and ALFs in Florida.

The project involves 76,233 GSF of new construction. The construction cost is \$13,721,900. Total project cost is \$20,317,500. Project cost includes: land, building, equipment, project development, financing and start-up costs.

The applicant does not wish to accept any conditions for the proposed project.

Orange SNF, LLC (CON #10361) proposes to establish a new 118-bed community nursing home in Subdistrict 7-2, Orange County by aggregating the published need for 67 nursing home beds in Orange County (Subdistrict 7-2) with the published need for 51 beds from Seminole County (Subdistrict 7-4).

Consulate Healthcare operates 76 SNFs in Florida.

The project involves 74,052 GSF of new construction. The construction cost is \$12,959,100. Total project cost is \$20,484,277. Project cost includes land, building, equipment, project development and financing costs.

The applicant proposes 10 conditions on its Schedule C.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362) proposes to add 30 community nursing home beds at Westminster Towers through conversion of 30 sheltered nursing home beds at Westminster Towers in Subdistrict 7-2, Orange County.

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Westminster Towers is a 120-bed SNF with 59 sheltered nursing home beds and 61 community nursing home beds. Once the proposed conversion is implemented, the facility will have 91 community nursing beds with 29 sheltered beds.

The applicant operates eight SNFs in Florida.

The proposed project is a conversion of existing licensed beds and will involve no construction or renovation. The applicant states that project costs are those costs associated with the CON process, a total of \$57,705.

The applicant proposes one condition on its Schedule C.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) proposes to add 17 community nursing home beds at Westminster Winter Park through conversion of 17 sheltered nursing home beds at Westminster Winter Park in Subdistrict 7-2, Orange County.

The applicant operates eight SNFs in Florida.

The proposed project is a conversion of existing licensed beds and will involve no construction or renovation. The applicant states that the only project costs are those costs associated with the CON process, a total of \$57,705.

The applicant proposes one condition on its Schedule C.

Need:

In Volume 41, Number 81 of the Florida Administrative Register dated April 27, 2015, a corrected fixed need pool notice of 67 beds was published for Subdistrict 7-2 for the July 2018 Planning Horizon. Subdistrict 7-2 is comprised of Orange County.

As of May 20, 2014 Subdistrict 7-2 had 4,074 licensed and 200 approved community nursing home beds. During the 12-month period ending December 30, 2014 Subdistrict 7-2 experienced 89.55 percent utilization at 33 existing facilities.

MF Orange, LLC (CON #10360) states that the proposed project will create the following advantages:

- Creates a new physical plant built to current code that embraces culture change to improve quality

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- Allows for the delicensing and relocation of 23 beds to a more advantageous location and the remodeling of acquired space to add improvements and amenities
- Provides for higher quality of life and resident-centered care with 90 private rooms
- Focus will be placed on rehabilitation to return residents to their home environment
- The facility will contain a variety of spaces that are intended to promote resident activity, socialization, entertainment, independence and well-being
- Being developed by an applicant and its affiliated parent with significant experience in the development and operation of quality long-term care facilities
- The applicant is local to the project planning area with one existing facility in Orange County and a total of four facilities within District 7 and is able to keep the project on track and on budget

MF Orange maintains that two facilities will benefit from the proposed project as The Rehabilitation Center of Winter Park will implement projects as a result of the 23-bed transfer to the proposed facility. The applicant notes the followings benefits to the existing facility:

- Conversion of semi-private rooms into private suites
- Provides for living room and café areas
- Removes the old nurse station and adds a state-of-the-art nurse station
- Renovating the shower room into a spa
- Allow expansion of the rehab area for additional treatment modalities and state-of-the-art equipment

MF Orange's Schedule 7 indicates that the ALOS will be 37.83 days for year one and 36.4 days for year two of operation.

Orange SNF, LLC (CON #10361) states the proposed facility will be located in northern Orange County, which is adjacent to Seminole County. The applicant notes that it has identified three special programs that will greatly benefit area residents being discharged in the proposed service area:

- The applicant notes that currently, there is insufficient access for area residents who are ventilator-dependent
- The applicant asserts the proposed telemedicine program will ensure that Orange SNF residents have access to high-quality after-hours care and cutting edge technology for the delivery of specialty telemedicine care.

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- Orange SNF is dedicated to hiring bilingual staff and offering programs for Spanish speaking and Puerto Rican residents in order to make sure residents receive clinical care, social and cultural programming that makes them feel at home

The applicant provides the following chart and shows the average length of stay for several payer types.

Orange SNF, ALOS by Payer

Payer	ALOS in Days
Medicare	31
Managed Care: Commercial, Managed Medicare and Managed Medicaid	19
Private	738
Medicaid	1,099

Source: CON application #10361, page 66

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362) states the proposed conversion of sheltered beds to community beds will allow more residents from the surrounding community to participate in the applicant’s mission to provide quality care for older adults.

Presbyterian Retirement Communities asserts that the proposed project will convert 30 existing sheltered nursing home beds at Westminster Towers, a 120-bed nursing home (with 61 community and 59 sheltered beds) located in a CCRC in Orlando, Florida to 30 community nursing home beds. The applicant states the proposed project will provide the following:

- Increase access and availability of beds to members of the general public by locating beds centrally within Subdistrict 7-2 within close proximity to area hospitals (both Orland Health and Florida Hospital are within a five-mile radius) with established referral patterns to the facility
- Ensure that the facility has the flexibility of serving its contract holders as well as community members
- Gives community members the option to received nursing care at Westminster Towers and promote an aging-in-place process
- Provides a financially viable project that can be implemented with minimal costs

The applicant maintains that the proposed project is the highest and best use of the applicant’s resources in order to create an opportunity to increase community bed capacity by converting existing licensed sheltered beds. In addition, Westminster Towers asserts that members of the public residing in Orange County will experience improved access to community nursing home beds as well as the experience of being served within a CCRC.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) states that the proposed project will convert 17 existing sheltered nursing home beds at Westminster Winter Park, a 120-bed nursing home (with 92 community and 28 sheltered beds) located in a CCRC in Orlando, Florida, to 17 community nursing home beds. Once the proposed project is implemented, the facility will have 109 community beds with 11 sheltered beds which the applicant states will provide the greatest flexibility for the facility in terms of contract and community admissions.

The applicant states that the objectives of the proposed project are:

- Continue to assure that both members of the public and continuing care contract holders have access to high quality skilled nursing care
- Better align the facility within the community to accommodate demand while maintaining maximum flexibility
- Maintain continuous operations—members of the public and contract holders are not segmented within the facility, available beds are used for either type of resident
- Provides a financially viable project that can be implemented with minimal costs

The applicant contends that the ability to admit members of the general public to the nursing center has several benefits, including:

- Elders experience directly the constellation of services and life-style choices available in retirement
- Receive care that often may transition from the nursing center to home care, experiencing a smooth transition to a less institutional environment
- Experience and become familiar with options to maintain health and fitness through assisted living, memory care support and onsite activity centers for recreation, learning and fostering friendships

Quality of Care:

Each co-batched applicant described their ability to provide quality care.

MF Orange, LLC (CON #10360): The applicant's controlling interest had 21 substantiated complaints at its 33 Florida SNFs during May 20, 2012 to May 20, 2015.

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Orange SNF, LLC (CON #10361): The applicant's controlling interest had 668 substantiated complaints at its 76 Florida SNFs during May 20, 2012 to May 20, 2015.

Presbyterian Retirement Communities, Inc. d/b/a Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362): Westminster Towers had three substantiated complaints during May 20, 2012 to May 20, 2015.

The applicant's controlling interest had five substantiated complaints at its eight Florida SNFs during May 20, 2012 to May 20, 2015.

Presbyterian Retirement Communities, Inc. d/b/a Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363): Westminster Winter Park had one substantiated complaint during May 20, 2012 to May 20, 2015.

The applicant's controlling interest had five substantiated complaints at its eight Florida SNFs during May 20, 2012 to May 20, 2015.

Financial Feasibility/Availability of Funds:

MF Orange, LLC (CON #10360): Funding for this project should be available as needed. Based on the information provided in Schedule 6, the applicant's projected staffing meets the statutory requirement. This project appears to be financially feasible based on the projections provided by the applicant.

This project is not likely to have a material impact on competition to promote quality and cost-effectiveness.

Orange SNF, LLC (CON #10361): Funding for this project is not guaranteed but appears likely. This project appears to be financially feasible based on the projections provided by the applicant.

Section 400.23(3)(a)(1), Florida Statutes, specifies a minimum certified nursing assistant staffing of 2.5 hours of direct care per resident per day and a minimum licensed nursing staffing of 1.0 hour of direct resident care per resident day. Based on the information provided in Schedule 6, neither the nursing assistant staffing, nor the nursing staffing meet this requirement. The projected nursing assistant staffing is 2.23 hours, which is less than the 2.5-hour requirement. The projected nursing staffing is 0.90 hours, which is less than the 1.0-hour requirement.

This project is not likely to have a material impact on competition to promote quality and cost-effectiveness.

Presbyterian Retirement Communities, Inc. d/b/a Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers

(CON #10362): Funding for this project should be available as needed. Based on the information provided in Schedule 6, the applicant's projected staffing meets the statutory requirement. This project appears to be financially feasible as part of the larger CCRC model.

This project is not likely to have a material impact on competition to promote quality and cost-effectiveness.

Presbyterian Retirement Communities, Inc. d/b/a Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park

(CON #10363): Funding for this project should be available as needed. Based on the information provided in Schedule 6, the applicant's projected staffing meets the statutory requirement. This project appears to be financially feasible as part of the larger CCRC model.

This project is not likely to have a material impact on competition to promote quality and cost-effectiveness.

Medicaid/Charity Care:

MF Orange, LLC (CON #10360) does not propose to condition project approval to a percentage of Medicaid days.

The applicant's Schedule 7 indicates that Medicaid and self-pay represent 24.2 and 5.1 percent, respectively, of year one and represent 28.0 and 3.0 percent year two annual total patient days.

Orange SNF, LLC (CON #10361) does not propose to condition project approval to a percentage of Medicaid days.

The applicant's Schedule 7 indicates that Medicaid and self-pay represent 35.3 and 8.3 percent, respectively, of year one and 38.6 percent and 9.2 percent, respectively, of year two annual total patient days.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON #10362) does not propose to condition project approval to a percentage of Medicaid days.

The applicant's Schedule 7 indicates that Medicaid and self-pay represents 54.7 percent and 22.5 percent, respectively, of both year one and year two annual total patient days.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON #10363) does not propose to condition project approval to a percentage of Medicaid days.

The applicant's Schedule 7 indicates that Medicaid and self-pay represents 47.5 percent and 23.0 percent, respectively, of both year one and year two annual total patient days.

Architectural:

MF Orange, LLC (CON #10360): The cost estimate and the project completion forecast appear to be reasonable. A review of the architectural plans, narratives and other supporting documents did not reveal any deficiencies that are likely to have a significant impact on either construction costs or the proposed completion schedule.

Orange SNF, LLC (CON #10361): The cost estimate and the project completion forecast appear to be reasonable. A review of the architectural plans, narratives and other supporting documents did not reveal any deficiencies that are likely to have a significant impact on either construction costs or the proposed completion schedule.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Towers (CON#10362): The Office of Plans and Construction notes that the codes and standards regulating the design and construction of SNFs are the same for beds licensed as sheltered beds and community beds.

Therefore, a review of the architectural submissions for this project is unnecessary since the existing nursing beds have already been reviewed and approved by the Agency for use as skilled nursing beds in accordance with Florida Statutes 400.232 and Florida Administrative Code 59A-4.133.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Winter Park (CON#10363): The Office of Plans and Construction notes that the codes and standards regulating the design and construction of SNFs are the same for beds licensed as sheltered beds and community beds.

Therefore, a review of the architectural submissions for this project is unnecessary since the existing nursing beds have already been reviewed and approved by the Agency for use as skilled nursing beds in accordance with Florida Statutes 400.232 and Florida Administrative Code 59A-4.133.

G. RECOMMENDATION

Approve CON #10362 to add 30 community nursing home beds at Westminster Towers through the conversion of 30 sheltered nursing home beds in Orange County, District 7, Subdistrict 2. The total project cost is \$57,705. The project is a conversion of existing licensed beds and will involve no construction or renovation.

CONDITION: To assure members of the retirement community are a priority, the applicant will make a nursing home bed available at its nursing home facility to any Lifecare contract holder residing on the Westminster Towers Orlando campus who requires nursing home care.

Approve CON #10363 to add 17 community nursing home beds at Westminster Towers through the conversion of 17 sheltered nursing home beds in Orange County, District 7, Subdistrict 2. The total project cost is \$57,705. The project is a conversion of existing licensed beds and will involve no construction or renovation.

CONDITION: To assure members of the retirement community are a priority, the applicant will make a nursing home bed available at its nursing home facility to any Lifecare contract holder residing on the Westminster Winter Park campus who requires nursing home care.

Deny CON #'s 10360, 10361 and 10362.

AUTHORIZATION FOR AGENCY ACTION

Authorized representatives of the Agency for Health Care Administration adopted the recommendation contained herein and released the State Agency Action Report.

DATE: _____

Marisol Fitch
Health Services and Facilities Consultant Supervisor
Certificate of Need