

STATE AGENCY ACTION REPORT
ON APPLICATION FOR CERTIFICATE OF NEED

A. PROJECT IDENTIFICATION

1. Applicant/CON Action Number

Presbyterian Retirement Communities, Inc. d/b/a Westminster Manor of Bradenton/CON application #10623

80 West Lucerne Circle
Orlando, Florida 32801

Authorized Representative: Henry Keith
Chief Financial Officer
(407) 839-0707

Presbyterian Retirement Communities, Inc. d/b/a Westminster Point Pleasant/CON application #10624

80 West Lucerne Circle
Orlando, Florida 32801

Authorized Representative: Henry Keith
Chief Financial Officer
(407) 839-0707

2. Service District/Subdistrict

District 6, Subdistrict 2 (Manatee County)

B. PUBLIC HEARING

A public hearing was not held or requested regarding the proposed projects.

Letters of Support

Presbyterian Retirement Communities, Inc. d/b/a Westminster Manor of Bradenton (CON application #10623) did not contain letters of support and none were received independently for the proposal.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Point Pleasant (CON application #10624) included six letters of appreciation for care given at the facility.

C. PROJECT SUMMARY

Presbyterian Retirement Communities, Inc. d/b/a Westminster Manor of Bradenton (CON application #10623), a Florida non-profit entity, also referenced as WMB or the applicant, proposes to add 10 community nursing home beds by conversion of 10 sheltered nursing home beds at its continuing care retirement community (CCRC) in Subdistrict 6-2 (Manatee County). WMB has a 59-bed skilled nursing facility (SNF) with a current bed complement of 42 community nursing home beds and 17 sheltered nursing home beds.

WMB is one of several CCRC's operated by Presbyterian Retirement Communities, Inc. Facilities include:

- Westminster Oaks (Tallahassee)
- Westminster Palms (St. Petersburg)
- Westminster Pines (St. Augustine)
- Westminster Point Pleasant (Bradenton)
- Westminster Shores (St. Petersburg)
- Westminster Suncoast (St. Petersburg)
- Westminster Towers (Orlando)
- Westminster Winter Park (Winter Park)
- Westminster Woods on Julington Creek (Jacksonville)

The applicant expects issuance of license on March 2020 and initiation of service on April 2020.

The total project cost is \$47,555. The total project cost includes equipment, project development and start-up costs.

Pursuant to project approval, WMB offers the following Schedule C Condition:

- Presbyterian Retirement Communities, Inc. d/b/a Westminster Manor of Bradenton conditions the award of CON application #10623 on making a nursing home bed available at its nursing home facility to any Lifecare contract holder residing on the Westminster Manor of Bradenton campus who requires nursing home care.

CON Action Numbers: 10623 and 10624

Monitoring of the condition for the Lifecare residents' access to skilled nursing beds at Westminster Manor of Bradenton includes annual written confirmation that a nursing home bed was held available for any life care resident that may require it. Documentation, submitted to the Agency for Health Care Administration, or its designee, will demonstrate the facility did not exceed 98.1 percent occupancy (the maximum occupancy level for having 51 community beds filled) in its 52 community beds for the prior calendar year.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Point Pleasant (CON application #10624), is an existing, non-profit entity that will also be referred to as WPP or the applicant. WPP's CCRC has 120 SNF beds, 91 are designated as licensed community beds and 29 are designated as sheltered beds. WPP proposes to convert 19 sheltered beds into licensed community beds.

WPP is an affiliate of Westminster Services Inc. (see Westminster's facilities in the project summary to CON application #10623 above).

The applicant expects issuance of license on March 2020 and initiation of service on April 2020.

The total project cost is \$47,555. The total project cost includes equipment, project development and start-up costs.

Pursuant to project approval, WPP offers the following Schedule C condition:

- Presbyterian Retirement Communities, Inc. d/b/a Westminster Point Pleasant conditions the award of CON application #10624 on making a nursing home bed available at its nursing home facility to any Lifecare contract holder residing on the Westminster Point Pleasant campus who requires nursing home care.

Monitoring of the condition for the Lifecare residents' access to skilled nursing beds at Westminster Point Pleasant includes annual written confirmation that a nursing home bed was held available for any life care resident that may require it. Documentation, submitted to the Agency for Health Care Administration, or its designee, will demonstrate the facility did not exceed 99 percent occupancy (the maximum occupancy level for having 109 community beds filled) in its 110 community beds for the prior calendar year.

CON Action Numbers: 10623 and 10624

**Co-Batched Application #s 10623 & 10624
Subdistrict 6-2: Total GSF and Project Costs**

Applicant	CON #	Project	GSF	Total Cost	Cost Per Bed
Westminster Manor of Bradenton CCRC	10623	10-bed re-licensing	N/A	\$47,555	\$4,755.50
Westminster Point Pleasant	10624	19-bed re-licensing	N/A	\$47,555	\$2,502.89

Source: Schedules 1 and 9, of CON application #s 10623 & 10624

Should the proposed project(s) be approved, the applicants' conditions would be reported in the annual condition compliance report, as required by Rule 59C-1.013(3), Florida Administrative Code.

Note: Section 408.043(3), Florida Statutes, prohibits accreditation by any private organization as a requirement for the issuance or maintenance of a certificate of need, so Joint Commission accreditation will not be cited as a condition to approval. Should the project be approved, the applicants' proposed conditions would be reported in the annual condition compliance report as required by Rule 59C-1.013(3), Florida Administrative Code.

Issuance of a CON is required prior to licensure of certain health care facilities and services. The review of a CON application and ultimate approval or denial of a proposed project is based upon the applicable statutory criteria in the Health Facility and Services Development Act 408.031-408.045, Florida Statutes and applicable rule criteria within Chapters 59C-1 and 59C-2, Florida Administrative Code. An approved CON does not guarantee licensure of the proposed project. Meeting the applicable licensure requirements and licensure of the proposed project is the sole responsibility of the applicant.

D. REVIEW PROCEDURE

The evaluation process is structured by the certificate of need review criteria found in Section 408.035, Florida Statutes, rules of the State of Florida, and 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 provided in the application and independent information gathered by the reviewer.

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

Section 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, William J. Tripp, analyzed the application in its entirety with consultation from financial analyst Everett “Butch” Broussard of the Bureau of Central Services, who evaluated the financial data, and Scott Waltz 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 review criteria and application content requirements found in Sections 408.035 and 408.037, and applicable rules of the State of Florida, Chapters 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 45, Number 194, of the Florida Administrative Register dated October 4, 2019, need for 37 community nursing home beds was published in the fixed need pool for Subdistrict 6-2 for the July 2022 Planning Horizon.

Subdistrict 6-2 has 12 SNFs with 1,429 community nursing home beds.

As of December 26, 2019, the omission deadline for the October 2019 “Other Beds and Programs” batching cycle, there were no exemptions or expedited CON applications submitted to add beds to Manatee County.

Subdistrict 6-2 utilization for the 12 months ending June 2019 is shown in the table below.

CON Action Numbers: 10623 and 10624

Subdistrict 6-2, Manatee County, Utilization July 2018 – June 2019

Facility	Com. Beds	Bed Days	Patient Days	Utilization
Bay Vue Nursing and Rehabilitation Center	110	40,150	35,735	89.00%
Braden River Rehabilitation Center LLC	208	75,920	56,257	74.10%
Bradenton Health Care	105	38,325	34,456	89.90%
Casa Mora Rehabilitation and Extended Care	240	87,600	74,068	84.55%
Greenbriar Rehabilitation and Nursing Center	79	28,835	25,794	89.45%
Heritage Park Care and Rehabilitation Center	120	43,800	32,066	73.21%
Life Care Center of Sarasota	120	43,800	35,395	80.81%
Manatee Springs Rehabilitation and Nursing Center	120	43,800	42,615	97.29%
Riviera Palms Rehabilitation Center	120	43,800	37,438	85.47%
Surrey Place Healthcare and Rehabilitation	74	27,010	22,801	84.42%
Westminster Manor of Bradenton CCRC	42	15,330	12,130	79.13%
Westminster Point Pleasant	91	22,559	20,075	88.99%
Total – Subdistrict 6-2	1,429	510,929	428,830	83.93%
Total – District 6	8,972	3,253,717	2,811,367	86.40%
Total – State of Florida	81,510	29,507,650	25,088,910	85.03%

Source: Florida Nursing Home Bed Need Projections by District and Subdistrict for the July 2022 Planning Horizon

The reviewer notes Subdistrict 6-2’s Medicaid occupancy rate was 67.12 percent during the reporting period.

The current and projected population of Subdistrict 6-2, District 6 and the State of Florida for the current planning horizon. The projected population growth, both numerically and by percent, is provided in the following tables.

**Manatee County, Florida, District 6, Subdistrict 6-2
Population Estimates July 1, 2019 through July 1, 2022**

Area/Subdistrict	July 1, 2019 Population			July 1, 2022 Population		
	65+ - 74	75+	65+ Total	65+ - 74	75+	65+ Total
Manatee/6-2	54,547	42,505	97,052	57,974	47,215	105,189
District 6	277,456	200,460	477,916	297,466	223,414	520,880
State of Florida	2,379,631	1,833,175	4,212,806	2,547,685	2,026,052	4,573,737
Area/Subdistrict	July 2019 – July 2022 Increase			July 2019 – July 2022 Growth Rate		
	65+ - 74	75+	65+ Total	65+ - 74	75+	65+ Total
Manatee/6-2	+3,427	+4,710	+8,137	+6.28%	+11.08%	+8.38%
District 6	+20,010	+22,954	+42,964	+7.21%	+11.45%	+8.99%
State of Florida	+168,054	+192,877	+360,931	+7.06%	+10.52%	+8.57%

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

The reviewer notes that projected growth, from July 1, 2019 to July 1, 2022, in Subdistrict 6-2 is 8.38 percent for 65+ cohort, 6.28 percent for 65+ to 74 cohort and 11.08 percent for 75+ cohort.

The community nursing home beds per 1,000 residents, for the period from July 1, 2019 and July 1, 2022, for ages 65+ to 74, and 75+ cohorts, in Subdistrict 6-2 (Manatee County), District 6 and the State are shown below.

CON Action Numbers: 10623 and 10624

**Subdistrict 6-2 (Manatee County) District 6 & Florida
Community Nursing Home Bed to Population Aged 65-74 Ratio
July 1, 2019 & July 1, 2022**

County/Area	Community Beds	2019 Pop Age 65+ to 74	2019 Beds per 1,000	2022 Pop Age 65+ to 74	2022 Beds per 1,000
Subdistrict 6-2, Manatee County	1,429	54,547	26.20	57,974	24.65
District 6	8,972	277,456	32.34	297,466	30.16
State of Florida	81,510	2,379,631	34.25	2,547,685	31.99

Source: Florida Population Estimates and Projections by AHCA District, published February 2015, and Florida Nursing Home Bed Need Projections by District and Subdistrict, October 2019 Batching Cycle

As demonstrated in the preceding tables, as of July 1, 2019, Subdistrict 6-2's age 65 to 74 population has 26.20 licensed beds per 1,000 compared to the District amount of 32.34 and the State's 34.25 beds per 1,000. With the licensed and approved beds and the projected population growth for July 1, 2022, these ratios decline to 24.65 for Subdistrict 6-2, 30.16 per 1,000 for District 6 and 31.99 per 1,000 for the State.

As the Agency's fixed need formula places emphasis on the estimated bed rate for community SNF beds utilized by the population age 75+ in a subdistrict/district, the reviewer provides the following table for beds per 1,000 residents age 75+.

**Subdistrict 6-2 (Manatee County) District 6 & Florida
Community Nursing Home Bed to Population Aged 74+ Ratio
July 1, 2019 & July 1, 2022**

County/Area	Community Beds	2019 Pop Age 75+	2019 Beds per 1,000	2022 Pop Age 75+74	2022 Beds per 1,000
Subdistrict 6-2, Manatee County	1,429	42,505	33.62	47,215	30.27
District 6	8,972	200,460	44.76	223,414	40.16
State of Florida	81,510	1,833,175	44.46	2,026,052	40.23

Source: Florida Population Estimates and Projections by AHCA District, published February 2015, and Florida Nursing Home Bed Need Projections by District and Subdistrict, October 2019 Batching Cycle

As of July 1, 2019, Subdistrict 6-2's age 75+ population has 33.62 licensed beds per 1,000 compared to the District amount of 44.76 and the State's 44.46 beds per 1,000. With the licensed and approved beds and the projected population growth for July 1, 2022, these ratios decrease to 30.27 for Subdistrict 6-2, and both decrease to 40.16 per 1,000 for District 6 and 40.23 per 1,000 for the State.

The co-batched applicants state that the proposed projects are being submitted in response to the Agency's fixed need pool publication of 37 community nursing home beds dated October 4, 2019.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Manor of Bradenton (CON application #10623) proposes to add 10 community nursing home beds by conversion of 10 existing sheltered beds, resulting in a 59-bed SNF with 52 licensed community beds and seven sheltered beds.

CON Action Numbers: 10623 and 10624

The applicant’s proposal addresses the expansion of community beds to provide additional access to members of the general public. WMB comments this project has minimal costs to add the 10 beds; fees are primarily associated with obtaining the CON. The CCRC is located in Bradenton, Florida, Zip Code 34205, in close proximity to Manatee Memorial Hospital and Blake Medical Center. The applicant examined the number of hospital discharges of Manatee’s 65+ cohort who were discharged to a SNF in 2018; 3,730 or 69.4 percent came from Blake Medical Center or Manatee Memorial Hospital, located within the five-mile radius contour of WMB. The applicant contends that the facility’s location is ideal for receiving hospital discharges to its SNF. The applicant states that the Zip Code where the facility exists (34205) has the sixth largest number of 65+ cohort in Manatee County, with 8,228 65+ cohort projected to live within this Zip Code by 2024.

WMB states that the compound annual growth rate (CAGR) of 65+ cohort for Zip Code 34205 is projected at 2.8 percent between 2019 and 2024; if the population is examined using a five-mile radius contour, a total of 41,571 Manatee residents of 65+ cohort reside within the five-mile radius of WMB in 2019.

The applicant applied the use rate to the projected population for Fiscal Year (FY) 2021 to forecast the resident days if the 10 beds are added, and if this will have a negative impact on existing facilities; these calculations in Table 1-3 are reproduced by the Agency below.

Table 1-3 (CON application #10623) Forecasted Nursing Home Resident Days for the Subdistrict and 10 New Community Beds FY 2021	
Resident Days July 1, 2018 to June 30, 2019	428,830
Average Daily Census, FY 2019	1,175
Manatee County Population 65+, Jan 1, 2019	95,415
Days Per 1,000 Persons, 65+, FY 2019	4,494
Manatee County Population 65+, 2021	101,423
Resident Days Forecasted for FY 2021	455,832
Average Daily Census, FY 2021	1,249
Proposed Westminster Manor Days	3,650
Deduct Westminster Manor Days	452,182
Average Daily Census, FY 2021, Remaining Days	1,239

Source: CON application #10623, Tab 1, Table 1-3, page 1-12

Presbyterian Retirement Communities, Inc. d/b/a Westminster Point Pleasant (CON application #10624) proposes to convert 19 existing sheltered beds into licensed community beds, thus forming a 120-bed CCRC with 110 licensed community beds and 10 sheltered beds

The applicant’s proposal addresses the expansion of community beds to provide additional access to members of the general public. The applicant comments this project has minimal costs to add the 19 beds; fees are primarily associated with obtaining the CON.

The applicant presents an overview of WPP, including its location and relationship to other CCRCs operated by Westminster in Florida. WPP indicates that the facility is located in Bradenton, Zip Code 34205, in close proximity to Manatee Memorial Hospital and Blake Medical Center; CY 2018, there were 5,375 Manatee residents 65+ cohort who were discharged to an SNF from hospital. The applicant indicates that of those discharges, 3,730 or 69.4 percent of 65+ cohort Manatee residents discharged to SNFs came from either Blake Medical Center or Manatee Memorial Hospital. The applicant points out that the Zip Code (34205) in which the facility exists has the sixth largest number of 65+ cohort in the county, with 8,228 65+ cohort projected to live within the this Zip Code by 2024; the zip code has a CAGR projected at 2.8 percent for CY's 2019 through 2024. WPP maintains that a total of 47,344 Manatee residents of 65+ cohort reside within a five-mile radius contour of WPP.

The applicant applied the use rate to the projected population for FY 2021 to forecast the resident days if the 19 beds are added, and if this will have a negative impact on existing facilities; these calculations in Table 1-3 are reproduced by the Agency below.

Table 1-3 (CON #10624)	
Forecasted Nursing Home Resident Days for the Subdistrict and 19 New Community Beds	
FY 2021	
Resident Days July 1, 2018 to June 30, 2019	428,830
Average Daily Census, FY 2019	1,175
Manatee County Population 65+, Jan 1, 2019	95,415
Days Per 1,000 Persons, 65+, FY 2019	4,494
Manatee County Population 65+, 2021	101,423
Resident Days Forecasted for FY 2021	455,832
Average Daily Census, FY 2021	1,249
Proposed Westminster Manor Days	3,935
Deduct Westminster Manor Days	452,897
Average Daily Census, FY 2021, Remaining Days	1,230

Source: CON application #10624, Tab 1, Schedule B, Table 1-3, page 1-11

The applicant states that the project adds 19 community beds to the facility's license; this is accomplished through a change in licensure status of 19 sheltered beds, which become community beds, a ministerial function. WPP comments that with 29 sheltered beds currently designated at the facility, the change in licensure for 19 to become community beds retains 10 sheltered beds while meeting the community need; community beds are also available to CCRC residents as needed. WPP contends that licensing beds as community beds provides more flexibility for the facility, allowing a greater number of Manatee County residents to access the facility, while also maintaining beds for WPP residents.

2. **Agency Rule Criteria and 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, 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 Rule 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.**

The **co-batched applications** were not 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.**

Westminster Manor of Bradenton CCRC (CON application #10623):

The reviewer notes Table 2-1 *2018 MDCs for Manatee County Residents Aged 65 and older*, page 2-3, Tab 2 of CON application #10623. The reviewer notes this table lists MDCs by number and percentage of cases.

The applicant states that Table 2-1 shows the most frequent MDCs for Manatee County residents discharged from a hospital to an SNF during the period of January 1, 2018 through December 31, 2018. WMB indicates the largest proportion (24.4 percent) of elderly Manatee County residents discharged from a hospital to an SNF were for a musculoskeletal and connective tissue diagnosis; this MDC includes the Diagnostic Related Groups (DRGs) of joint replacement, hip and femur procedures, back problems, fractures, spinal fusion and other related types of diagnoses. The applicant notes that with these types of diagnoses, residents require restorative and rehabilitation services, including physical and occupational therapies. WMB states it currently has these therapies in place. The applicant states that conditions associated with the MDC 5, Circulatory System, was the second most common type of hospital discharge to a nursing facility for Manatee County residents 65+ cohort during 2018; this MDC includes diagnoses and illnesses such as acute myocardial infarction, heart failure, cardiac arrhythmia and other related conditions. WMB indicates other MDCs representing a large number of discharges from hospitals to SNFs for 65+ cohort Manatee County residents included MDC 11-Kidney and Urinary Tract and MDC 4 -Respiratory System.

The reviewer notes Table 2-2 *Most Frequent DRGs of Manatee County Elders Discharged from a Hospital to a Nursing Home CY 2018*, page 2-4, Tab 2, Schedule B, Table 2-2 of CON application #10623. The reviewer this table lists DRGs by number and percentage of cases.

The applicant notes that in Table 2-2, 320 Manatee County 65+ cohort experienced a major joint replacement, such as a hip or knee replacement; the facility offers the rehabilitative services necessary for an elderly resident to regain function and return home. WMB comments that although MDC 18 – Infectious and Parasitic Diseases does not fall within the most frequently occurring MDCs for hospital discharges of the 65+ cohort to a SNF, the DRG for septicemia or severe sepsis is the second most frequently occurring DRG when discharges of Manatee 65+ cohort are viewed by DRG; this diagnosis requires WMB to provide medical management of the condition, including IV care, as well as ensure a hygienic environment that minimizes risk of re-infection or the spread of infection throughout the facility.

WMB indicates it is both Medicaid and Medicare-certified, offering semi-private rooms for long and short-term stays; the facility has nine private rooms with licensed nursing staff is available 24 hours a day.

WMB provides the following services to SNF residents:

- Physical Therapy – Addresses gait abnormalities, balance, transferring, bed mobility, positioning, strengthening and splinting of the lower extremities.

CON Action Numbers: 10623 and 10624

- Occupational Therapy – Addresses activities of daily living or life skills, the ability to care for one’s self at home, upper body strengthening and positioning, and adaptive equipment
- Speech Therapy – Addresses cognition, swallowing, communication, language, and auditory skills
- Orthopedic Rehabilitation – Following joint replacement, fractures or injuries to restore musculoskeletal functions
- Neurological Rehabilitation – Help to regain functional mobility, maximize motor skills and optimize independence with self-care and daily living skills
- Pulmonary Rehabilitation – Focuses on decreasing pain and discomfort while maximizing cardiopulmonary functions and optimizing independence and mobility
- Medical Management – Management of complex medical problems including infectious disease, wounds, IV therapy, post-surgical complications, cancer, gastrointestinal problems, renal failure and diabetes
- Palliative Care – Designed to offer support and comfort to the terminally ill patient in the final stages of life
- Hospice Care – For support of patients and families of patients who are terminally ill in the final stages of life
- Wound Care – Nursing staff that specializes in caring for complicated wounds to ensure the best treatment and healing

The reviewer notes WMB’s admissions policies and patient assessment tools on pages 2-7 & 8, Tab 2 of CON application #10623.

WMB reviews the following in its admissions:

- Routines
- Cognitive patterns
- Communication
- Vision
- Mood and behavior patterns
- Psychological well-being
- Physical functioning
- Continence
- Disease diagnosis and health conditions
- Dental status
- Nutritional status
- Skin conditions
- Activity pursuit
- Medications
- Special treatments and procedures

CON Action Numbers: 10623 and 10624

WMB indicates the discharge plan contains a summary of prior treatment, diagnosis, medications and any indications or issues associated with the resident; WMB staff follows up with agencies to which a nursing home resident was referred to ensure the resident is receiving the necessary services.

The following table depicts WMB's years one and two FTE staffing pattern.

**Westminster Manor of Bradenton (CON #10623)
Projected Year One and Year Two FTE Staffing Units**

	Total FTEs Year One 03/31/2021	Total FTEs Year Two 03/31/2022
Administration		
Administrator	1.00	1.00
Director of Nursing	1.00	1.00
Admissions Director	1.50	1.50
Bookkeeper	1.00	1.00
Secretary	1.00	1.00
Medical Records Clerk	1.00	1.00
Other: Marketing	1.00	1.00
Other: Nursing Admin	3.00	3.00
Physician		
Medical Director (contracted)	1.00	1.00
Nursing		
RNs	3.58	3.58
LPNs	7.79	7.79
Nurses' Aides	27.01	27.01
Ancillary		
Physical Therapist	3.03	3.03
Speech Therapist	0.62	0.62
Occupational Therapist	1.97	1.97
Dietary		
Dietary Supervisor	2.00	2.00
Cooks	9.75	9.75
Dietary Aides (includes Servers)	9.75	9.75
Social Services		
Social Service Director & Assistant	1.37	1.37
Activity Director	1.00	1.00
Activities Assistant	3.01	3.01
Housekeeping		
Housekeeping Supervision	1.00	1.00
Housekeepers	3.68	3.68
Plant Maintenance		
Maintenance Supervisor	0.53	0.53
Maintenance Assistance	1.64	1.64
Total	88.74	88.74

Source: CON application #10623, Tab 5, Schedule 6A, pages 18 & 19

The applicant indicates 88.74 FTE's for year one and 88.74 for year two.

The reviewer notes WPP's discharge policies on pages 2-9 and 10, Tab 2 of CON application #16023. The applicant's Schedule 7 indicates that the 52-bed SNF is expected to have 18,982 total patient days in year one and 18,982 total patient days in year two ending March 31, 2021 and

2022, respectively. The applicant's Schedule 10 indicates an expected issuance of license on March 2020 and an expected initiation of services in April 2020.

Presbyterian Retirement Communities, Inc. d/b/a Westminster Point Pleasant (CON application #10624): The reviewer notes Table 2-1 *2018 MDCs for Manatee County Residents Aged 65 and older*, page 2-3, Tab 2 of CON application #10624. This table lists MDCs by number and percentage of cases.

The applicant states that Table 2-1 shows the most frequent MDCs for Manatee County residents discharged from a hospital to an SNF during the period of January 1, 2018 through December 31, 2018. WMB provides the identical Manatee County analysis as stated by Westminster of Bradenton (see CON application #10623 response above).

WPP indicates it is both Medicaid and Medicare-certified, offering semi-private rooms for long and short-term stays; the facility has 12 private rooms with licensed nursing staff is available 24 hours a day.

WPP lists the same services to SNF residents on pages 2-5 through 2-6 of CON application #10624 (see CON application #10623-WBB above). The reviewer notes WPP's admissions policies and patient assessment tools on pages 2-6 and 7, Tab 2 of CON application #16024. These are identical to CON application #10623 above.

WPP's discharge policies are included on pages 2-8 and 9, Tab 2 of CON application #16024. WPP indicates the discharge plan contains a summary of prior treatment, diagnosis, medications and any indications or issues associated with the resident; WPP staff follows up with agencies to which a nursing home resident was referred to ensure the resident is receiving the necessary services.

The following table depicts WPP's years one and two FTE staffing pattern.

CON Action Numbers: 10623 and 10624

**Westminster Point Pleasant (CON #16024)
Projected Year One and Year Two FTE Staffing Units**

	Total FTEs Year One 03/31/2021	Total FTEs Year Two 03/31/2022
Administration		
Administrator	1.00	1.00
Director of Nursing	1.00	1.00
Admissions Director	1.50	1.50
Bookkeeper	1.00	1.00
Secretary	1.00	1.00
Medical Records Clerk	1.00	1.00
Other: Marketing	1.00	1.00
Other: Nursing Admin	5.31	5.31
Other: Administrative	2.66	2.66
Physician		
Medical Director (contracted)	1.00	1.00
Nursing		
RNs	16.63	16.63
LPNs	7.70	7.70
Nurses' Aides	61.57	61.57
Ancillary		
Physical Therapist	7.53	7.53
Speech Therapist	1.46	1.46
Occupational Therapist	5.71	5.71
Dietary		
Dietary Supervisor	2.00	2.00
Cooks	13.10	13.10
Dietary Aides (includes Servers)	13.10	13.10
Social Services		
Social Service Director & Assistant	2.63	2.63
Activity Director	1.00	1.00
Activities Assistant	5.78	5.78
Housekeeping		
Housekeeping Supervision	1.00	1.00
Housekeepers	8.63	8.63
Plant Maintenance		
Maintenance Supervisor	0.53	0.53
Maintenance Assistance	0.75	0.75
Total	165.36	165.36

Source: CON application #16024, Tab 5, Schedule 6A, pages 18 & 19

The applicant indicates 165.36 FTE's for year one and 165.36 for year two.

The applicant's Schedule 7 indicates that the 110-bed SNF is expected to have 41,773 total patient days in year one and 41,773 total patient days in year two ending March 31, 2021 and 2022, respectively. The applicant's Schedule 10 indicates an expected issuance of license on March 2020 and an expected initiation of services in April 2020.

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.**

The **co-batched applicants** are existing CCRCs and neither has had a nursing facility license denied, revoked or suspended within the 36 months prior to the current application.

- 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?**

The **co-batched applicants** are existing CCRCs and neither has been placed into receivership within the 36 months prior to the current application.

- 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.**

The **co-batched applicants** indicate that these criteria are not applicable, as none of the applicants, nor their affiliated CCRCs through their parent corporation, have had a license denied, revoked, suspended or placed into receivership within the past 36 months.

- 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.**

The **co-batched applicants** indicate that this provision is not applicable, as there have not been any violations.

5. **Rule 59C-1.036(4)(f), Florida Administrative Code, 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.**

The **co-batched applicants** indicate that this provision is not applicable, as there have not been violations.

- d. **Rule 59C-1.036, Florida Administrative Code (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.**

Both applicants indicate that within 45 days after the end of each calendar quarter, they will report their total number of patient days, which occurred in each month of the quarter, and the number of such days, which were Medicaid patient days.

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? Section 408.035(1)(b) & (e), Florida Statutes.**

As of August 16, 2019, there are 12 licensed SNFs with a total of 1,429 licensed community beds no CON approved community nursing home beds in Subdistrict 6-2. The applicants projects are in response to the fixed need pool published October 4, 2019, for 37 community nursing homes in Subdistrict 6-2 (Manatee County).

Subdistrict 6-2 SNFs reported 83.93 percent total occupancy and 67.12 percent Medicaid occupancy during the 12-month period ending June 30, 2019.

Both applicants state that the approval of their proposals that include private/single occupancy beds would be positive for the availability for nursing home beds to the residents of Manatee County, Florida.

Westminster Manor of Bradenton (CON application #10623): The applicant indicates it utilizes existing policies and procedures as well as the Quality Assurance Program (QAP) concurrent with WMB's affiliated facilities throughout the United States. The applicant states that upon licensure and certification, WMB will adhere to any and all State and Federal nursing home regulations statutes and the entire facility will meet Medicare's Conditions of Participation.

Concerning availability, the applicant states that it accepts that the Agency's calculation of need is a reasonable balance to achieve availability and accessibility without negatively affecting current providers and the future utilization of existing providers.

Westminster Point Pleasant (CON application #10624): The applicant will develop all policies and procedures as well as the Quality Assurance Program (QAP) concurrent with WPP's affiliated facilities throughout the United States. The applicant states that upon licensure and certification, WPP will adhere to any and all State and Federal nursing home regulations statutes and the entire facility will meet Medicare's Conditions of Participation.

Concerning availability, the applicant states that it accepts that the Agency's calculation of need is a reasonable balance to achieve availability and accessibility without negatively affecting current providers and the future utilization of existing providers.

- 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? Section 408.035(1)(c) and (j), Florida Statutes.**

Both applicants state that implementation of these proposals will involve the utilization of existing quality policies and procedures, and a QAP. Both express a commitment to adhere to any and all State and Federal SNF regulations and statutes in addition to Medicare's Conditions of Participation.

Both applicant CCRCs are affiliated with Westminster; the parent is a not-for-profit entity, for 10 licensed CCRCs providing 791 beds. For the three-year period, November 20, 2016 to November 20, 2019, Westminster-affiliated facilities had 11 substantiated complaints, which are summarized in the table below. A single complaint can encompass multiple complaint categories.

Westminster Florida SNF's, Three Year Substantiated Complaint History	
Complaint Category	Number Substantiated
Quality of Care/Treatment	5
Resident/Patient/Client Neglect	2
Resident/Patient/Client Rights	2
Administration/Personnel	1
Elopement	1
Total Number of Substantiated Complaints	11

Source: Agency Complaint Records, November 20, 2016 – November 20, 2019

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

The following analysis applies to both applicants.

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 applicant provided audited financial statements, where the short term and long-term measures fall on the scale (highlighted in gray) for the most recent year.

CON Action Numbers: 10623 and 10624

Westminster Manor of Bradenton CCRC (CON application #10623):

CON-10623		
Presbyterian Retirement Communities, Inc., and Others		
Collectively, The Obligated Group		
	Mar-19	Mar-18
Current Assets	\$ 52,164,585	\$ 54,593,853
Total Assets	\$ 793,441,234	\$ 783,285,221
Current Liabilities	\$ 48,998,071	\$ 41,850,402
Total Liabilities	\$ 660,619,178	\$ 645,480,218
Net Assets	\$ 132,822,056	\$ 137,805,003
Total Revenues	\$ 193,656,796	\$ 181,676,874
Excess of Revenues Over Expenses	\$ (14,009,275)	\$ (15,146,267)
Cash Flow from Operations	\$ 36,265,592	\$ 59,088,203
Short-Term Analysis		
Current Ratio (CA/CL)	1.1	1.3
Cash Flow to Current Liabilities (CFO/CL)	74.01%	141.19%
Long-Term Analysis		
Long-Term Debt to Net Assets (TL-CL/NA)	460.5%	438.0%
Total Margin (ER/TR)	-7.23%	-8.34%
Measure of Available Funding		
Working Capital	\$3,166,514	\$12,743,451

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 indicates on Schedule 2 capital projects totaling \$40,716,310, which consists of this project (CON application #10623) of \$47,555 and CON application #10624 of \$47,555 and other projects of the various members of The Obligated Group. (Staff notes that Schedule 2 in CON application #10624 indicates total capital projects of \$40,705,755 for The Obligated Group and \$37,000 allocated to this project, CON application #10623.)

CON Action Numbers: 10623 and 10624

The applicant states on Schedule 3 that funding for this project will come from The Obligated Group. The applicant provided audited financial statements for the parent Obligated Group in support of its ability to fund the project. At March 2019, the audited financials show \$20.7 million in cash and cash equivalents, \$36.3 million in cash flow from operations and \$3.2 million in working capital.

Conclusion:

Funding from The Obligated Group for this project is assured. However, funding for the entire capital budget appears tenuous, as it could consume the total current liquid assets of The Group.

Westminster Point Pleasant (CON application #10624):

CON-10624		
Presbyterian Retirement Communities, Inc., and Others		
Collectively, The Obligated Group		
	Mar-19	Mar-18
Current Assets	\$ 52,164,585	\$ 54,593,853
Total Assets	\$ 793,441,234	\$ 783,285,221
Current Liabilities	\$ 48,998,071	\$ 41,850,402
Total Liabilities	\$ 660,619,178	\$ 645,480,218
Net Assets	\$ 132,822,056	\$ 137,805,003
Total Revenues	\$ 193,656,796	\$ 181,676,874
Excess of Revenues Over Expenses	\$ (14,009,275)	\$ (15,146,267)
Cash Flow from Operations	\$ 36,265,592	\$ 59,088,203
Short-Term Analysis		
Current Ratio (CA/CL)	1.1	1.3
Cash Flow to Current Liabilities (CFO/CL)	74.01%	141.19%
Long-Term Analysis		
Long-Term Debt to Net Assets (TL-CL/NA)	460.5%	438.0%
Total Margin (ER/TR)	-7.23%	-8.34%
Measure of Available Funding		
Working Capital	\$3,166,514	\$12,743,451

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 indicates on Schedule 2 capital projects totaling \$40,705,755, which consists of this project (CON application #10624) of \$47,555, CON application #10623 of \$37,000 and other projects of the various members of The Obligated Group. (Staff notes that Schedule 2 in CON application #10623 indicates total capital projects of \$40,716,310 for The Obligated Group and \$47,555 allocated to CON application #10623.)

The applicant states on Schedule 3 that funding for this project will come from The Obligated Group. The applicant provided audited financial statements for the parent Obligated Group in support of its ability to fund the project. At March 2019, the audited financials show \$20.7 million in cash and cash equivalents, \$36.3 million in cash flow from operations and \$3.2 million in working capital.

Conclusion:

Funding from The Obligated Group for this project is assured. However, funding for the entire capital budget appears tenuous, as it could consume the total current liquid assets of The Group.

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

Analysis – applies to both applicants:

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 (2016, 2017, and 2018 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 2nd Quarter 2019, 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.

Westminster Manor of Bradenton (CON application #10623)

	Projections Per Applicant		Comparative Facilities		
	Total	PPD	Highest	Median	Lowest
Net Revenues	6,819,400	359.26	1402.88	407.91	298.21
Total Expenses	6,809,500	358.73	1435.16	404.51	303.69
Operating Income	9,900	0.52	41.69	2.19	-122.07
Margin	0.15%				
Total Occupancy	88%		0.95	0.89	0.43
Medicaid Occ.	43%		0.53	0.43	0.34
Medicare Occ.	30%		0.52	0.27	0.09

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 the licensed nursing staffing requirement.

The projected NRPD, CPD and profit fall within the group range and are considered reasonable. In addition, the total cost appears to include at least the minimum staffing required. Therefore, the overall profitability appears achievable.

Conclusion:

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

Westminster Point Pleasant (CON application #10624):

	Projections Per Applicant		Comparative Facilities		
	Total	PPD	Highest	Median	Lowest
Net Revenues	13,521,500	323.69	1,087.00	361.39	283.76
Total Expenses	13,512,500	323.47	1,109.74	362.41	294.24
Operating Income	9,000	0.22	60.48	(0.18)	(298.49)
Margin	0.07%				
Total Occupancy	95%		0.98	0.92	0.24
Medicaid Occ.	51%		0.61	0.52	0.41
Medicare Occ.	22%		0.5	0.25	0.05

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 the licensed nursing staffing requirement.

The projected NRPD, CPD and profit fall within the group range and are considered reasonable. In addition, the total cost appears to include at least the minimum staffing required. Therefore, the overall profitability appears achievable.

Conclusion:

This project appears to be financially feasible based on the projections provided by the applicant, assuming financing is available.

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

Analysis – applies to both applicants:

Strictly from a financial perspective, 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:

This project is 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? Section 408.035(1)(h), Florida Statutes; Chapter 59A-4, Florida Administrative Code.**

Analysis – applies to both applicants: The projects do not involve construction or renovation.

The codes and standards regulating the design and construction of skilled nursing facilities are the same for beds licensed as sheltered beds and community beds. The proposed license conversions do not alter the use or function of the resident rooms or support spaces. It is the position of the Office of Plans and Construction that a review of the architectural submissions is unnecessary since the existing 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. **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? Section 408.035(1)(i), Florida Statutes.**

The reviewer notes the five-year Medicaid occupancy for Subdistrict 6-2, District 6 and the State of Florida in the following table:

**Medicaid Patient Days and Occupancy in Manatee County, District 6 and State of Florida
12-Month Periods Ending June 30**

Medicaid Patient Days					
Region	2015	2016	2017	2018	2019
Manatee County/6-2	246,650	257,191	267,394	274,301	287,827
District 6	1,659,397	1,667,627	1,668,200	1,668,948	1,762,763
Florida	15,875,092	16,097,612	16,077,665	15,962,594	16,282,260
Medicaid Occupancy					
Region	2015	2016	2017	2018	2019
Manatee County/6-2	59.88%	61.42%	62.96%	63.74%	67.12%
District 6	59.63%	60.33%	60.38%	60.19%	62.70%
Florida	61.88%	62.73%	63.34%	63.23%	64.90%

Source: Florida Nursing Home Bed Need Projections by District and Subdistrict, October 2015 - 2019
Batching Cycles

Both applicants maintain that they have an extensive history of participation in Medicaid and providing skilled nursing services to the Medicaid population. The applicant will enhance programmatic accessibility for Medicaid LTC enrollees. WMB indicates a commitment to care and equal access to Medicaid for its vulnerable and indigent populations. Both do not propose Medicaid or charity care patient conditions.

CON Action Numbers: 10623 and 10624

Westminster Manor (CON application #10623) projects 18,982 total annual patient days in years one and two, respectively. The applicant indicates that Medicaid/Medicaid HMO patients will account for 43.5 percent of the total annual patient days in both years. See the table below.

**Westminster Manor of Bradenton (CON #10623)
52 Community & Seven Sheltered Beds
First Two Years of Operation (2021/22)**

Payer	Year One Patient Days	Year Two Patient Days	Percent of Total Year One	Percent of Total Year Two
Medicare	3,901	3,901	20.6%	20.6%
Medicare HMO	1,750	1,750	9.2%	9.2%
Medicaid	1,293	1,293	6.8%	6.8%
Medicaid HMO	6,962	6,962	36.7%	36.7%
Self-Pay	4,573	4,573	24.1%	24.1%
Other Payers	503	503	2.7%	2.7%
Total	18,982	18,982	100.0%	100.0%

Source: CON application #10623, Tab 5, Schedule 6A

Based on the applicant's total patient/resident day estimates in Schedule 7, self-pay will represent 24.1 percent of year-one and year two total annual patient days, respectively.

Westminster Point Pleasant (CON application #10624) projects 41,773 total annual patient days in years one and two, respectively. The applicant indicates that Medicaid/Medicaid HMO patients will account for 51.0 percent of the total annual patient days in both years. See the table below.

**Westminster Point Pleasant (CON #10624)
110 Community & 10 Sheltered Nursing Home Beds
First Two Years of Operation (2021/22)**

Payer	Year One Patient Days	Year Two Patient Days	Percent of Total Year One	Percent of Total Year Two
Medicare	5,802	5,802	13.9%	13.9%
Medicare HMO	3,196	3,196	7.7%	7.7%
Medicaid	3,126	3,126	7.5%	7.5%
Medicaid HMO	18,182	18,182	43.5%	43.5%
Self-Pay	9,445	9,445	22.6%	22.6%
Other Payers	2,022	2,022	4.8%	4.8%
Total	41,773	41,773	100.0%	100.0%

Source: CON application #10624, Tab 5, Schedule 6a

Based on the applicant's total patient/resident day estimates in Schedule 7, Medicaid and self-pay represent 51.0 percent and 22.6 percent of year one and year two total annual patient days, respectively.

F. SUMMARY

Westminster Manor of Bradenton (CON application #10623) is an existing, non-profit entity. The applicant proposes to add 10 community nursing home beds by conversion of 10 existing sheltered beds resulting in the with CCRC's SNF having 52 licensed community beds and seven sheltered beds. There is no construction or renovation involved with the project.

The applicant expects issuance of license on March 2020 and initiation of service on April 2020.

The total project cost is \$47,555. The total project cost includes equipment, project development and start-up costs.

Pursuant to project approval, WMB offers one Schedule C condition.

Westminster Point Pleasant (CON application #10624) proposes to add 19 community nursing home beds by conversion of 19 sheltered nursing beds resulting in a 120-bed SNF with 110 licensed community beds and 10 sheltered beds. No construction or renovation is involved with the project.

The applicant expects issuance of license on March 2020 and initiation of service on April 2020.

The total project cost is \$47,555. The total project cost includes equipment, project development and start-up costs.

Pursuant to project approval, WPP offers one Schedule C condition.

Need

In Volume 45, Number 149 of the Florida Administrative Register, dated October 4, 2019, the need for 37 community nursing home beds was published for Subdistrict 6-2 for the July 2022 Planning Horizon.

The subdistrict averaged 83.93 percent total occupancy during July 2018 to June 2019. As of October 4, 2019, Subdistrict 6-2 had 12 SNF's with 1,429 licensed SNF beds and no CON approved beds.

As of the omissions deadline for the October 2019 Batching Cycle, December 26, 2019, there were no exemptions or expedited CON's submitted to add additional community nursing home beds within Subdistrict 6-2.

CON Action Numbers: 10623 and 10624

The applicants are responding to the projected 37-bed need for Subdistrict 6-2.

Westminster Manor of Bradenton CCRC (CON application #10623)

states the following factors supporting the proposed project:

- Historical occupancy rates of existing providers
- Historical hospital discharges to nursing homes by service line
- Limited access to nursing home beds for Medicaid long-term care population
- The growing 65+ population who are the most likely users of nursing home services
- Changes in the payor system to increase rates of LTC provided to the Medicaid population

Westminster Point Pleasant (CON application #10624) states the following factors supporting the proposed project:

- Historical occupancy rates of existing providers
- Historical hospital discharges to nursing homes by service line
- Limited access to nursing home beds for Medicaid long-term care population
- The growing 65+ population who are the most likely users of nursing home services
- Changes in the payor system to increase rates of LTC provided to the Medicaid population

The Agency has determined that within the context of the criteria specified in Section 408.035(1), Florida Statutes, and Rule 59C-1.036, Florida Administrative Code, CON application #s 10623 and 10624 both satisfy the criteria. The Agency notes that the unique needs of Manatee County, as demonstrated by CON application #s 10623 and 10624, both illustrate the need for additional SNF beds within the area as proposed. The Agency has determined that CON application #s 10623 and 10624 have demonstrated the ability to increase access and availability and enhance health care to the residents of the subdistrict with a quality operator of SNFs as the authorized representative of the proposed project who is significantly supported by the community.

Quality of Care

Both applicants demonstrate the ability to provide quality care.

Both applicants are affiliates of Presbyterian Retirement Communities, Inc., which operates 10 CCRC's with 791 community beds in Florida. The applicant's parent company has a history of providing quality care in Florida. Agency complaint records indicate that Westminster-affiliated CCRCs had 11 substantiated complaints for the three-year period ending November 20, 2019.

Financial Review

Both applicants

- Funding from The Obligated Group for this project is assured.
- This project does appear to be financially feasible based on the projections provided by the applicant
- Based on the information in Schedule 6, the applicant's projected staffing does meet requirements
- This project is not likely to have a material impact on competition to promote quality and cost-effectiveness

Medicaid/Charity Care

Westminster Manor of Bradenton (CON application #10623) forecasts the entire 59-bed facility will provide 43.5 percent of year one and two total annual patient days to Medicaid/Medicaid HMO patients

Westminster Point Pleasant (CON application #10624) forecasts the entire 120-bed facility will provide 51.0 percent of year one and two total annual patient days to Medicaid/Medicaid HMO patients.

Architectural Review

The projects do not involve construction or renovation.

G. RECOMMENDATION

Approve CON #10623 to add 10 community nursing home beds by conversion of 10 existing sheltered beds in District 6, Subdistrict 2, Manatee County. The total project cost is \$47,555.

CONDITION: Presbyterian Retirement Communities, Inc. d/b/a Westminster Manor of Bradenton conditions the award of CON application #10623 on making a nursing home bed available at its nursing home facility to any Lifecare contract holder residing on the Westminster Manor of Bradenton campus who requires nursing home care.

Approve CON #10624 to add 19 community nursing home beds by conversion of 19 sheltered nursing beds in District 6, Subdistrict 2, Manatee County. The total project cost is \$47,555.

CONDITION: Presbyterian Retirement Communities, Inc. d/b/a Westminster Point Pleasant conditions the award of CON application #10624 on making a nursing home bed available at its nursing home facility to any Lifecare contract holder residing on the Westminster Point Pleasant campus who requires nursing home care.

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: _____

James B. McLemore
Operations & Management Consultant Manager
Certificate of Need