

## LLR - BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS

### Board Meeting

Synergy Business Park, Kingstree Building  
110 Centerview Drive, Kingstree Building, Room 108  
Columbia, South Carolina 29210

## MINUTES

### WELCOME AND CALL TO ORDER

Ms. Merry Anne Gaddy, Chairperson, called the regular meeting of the Board of Long Term Health Care Administrators to order at 9:30 a.m. Other members present for the meeting included: Daniel McLeod, Jr., Vice-Chairperson, Mr. Brown McCallum, Jr., Mr. David Buckshorn, Dr. Brenna DeLaine, Mr. Leon Frishman, Mr. Melvin Hiatt, and Ms. Betty Tolbert.

Mr. Julius Kinney, Jr. was granted an excused absence.

Staff members participating during the meeting included: Stephanie Calhoun, Administrative Assistant; Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Sandra Dickert, Administrative Assistant; Pat Hanks, Attorney, LLR-Office of General Counsel; Dana Welborn, Administrator; and Wayne Whitworth, Investigator.

Ms. Gaddy announced that the meeting was held in accordance with Section 30-4-80 of the S.C. Freedom of Information Act by notice mailed to The State Newspaper, Associated Press, WIS-TV and all other requesting persons, organizations or news media. In addition, notice was posted on the bulletin Boards at the main entrance of the Kingstree Building.

### APPROVAL OF MINUTES

June 6, 2002

#### MOTION

Mr. McCallum moved to approve the minutes as presented. Mr. Buckshorn seconded the motion, which carried unanimously.

### COMMITTEE REPORTS

#### Executive Committee

Ms. Gaddy stated the terms of the current officers would expire December 31, 2002. She further stated that election of officers would be held today.

#### MOTION

Mr. McCallum moved the current officers be re-nominated for another year's term. The motion was seconded by Ms. Tolbert and unanimously carried.

### Investigative Review Committee

## MOTION

Mr. McCallum made a motion, seconded by Mr. Hiatt, and unanimously carried, that the Board enter executive session to hear the Investigative Review Committee report.

## RETURN TO PUBLIC SESSION

## MOTION

Mr. McCallum made a motion, seconded by Mr. McLeod and unanimously carried, that the Board accept the IRC recommendation for dismissal for the case numbers listed in the IRC report.

## MOTION

Mr. McLeod moved the Board accept the recommendation for the Letters of Concern listed. Mr. McCallum seconded the motion, which carried unanimously.

## MOTION

Mr. Buckshorn moved the Board accept the Formal Charges listed in the report. The motion was seconded by Mr. McCallum and unanimously carried.

## MOTION

Mr. McCallum made a motion, seconded by Mr. McLeod and unanimously carried, that the Board accept the report presented by Pat Hanks in the matters of Doris Fitzgerald, Sharon Moore, Gloria Johnston, Linda Charles, Kellerceal Brown, and Harriette Jenerette.

## Credentials Committee

Ms. Tolbert stated the Credentials Committee has not met formally, however, they have met by phone. She said she would answer any questions the Board may have regarding the numbers listed on the report of applications reviewed and licenses issued.

## Education Committee

Dr. DeLaine stated that there were 171 sponsor approved continuing education applications and 211 approved administrator continuing education applications from July 1, 2001 through June 30, 2002. She further reported that from June 1, 2002 to August 23, 2002 there were 17 sponsor continuing education applications approved and 64 administrator continuing education applications approved. She asked that any member wishing to monitor any class contact staff. She further stated that the Education Committee met on August 6, 2002 to review the current continuing education application criteria and procedures. She indicated the Committee is proposing several changes to the continuing education application guidelines and presented the changes to the Board members for their review. She does not consider the changes to be major.

## MOTION

Mr. Hiatt moved to accept the changes recommended by the Committee. Dr. DeLaine seconded the motion, which carried unanimously.

### AIT Committee

Ms. Gaddy stated the AIT Committee had not met, however, Ms. Welborn has set up an AIT Preceptor training and refresher for October 22, 2002. She indicated there is a vacancy on the Committee with Ms. Joanne James' resignation from the Board.

### Examination Committee

The Examination Committee had no report.

### Legislative Action Committee

Ms. Gaddy stated this Committee has not met since the June 2002 Board meeting. She further stated staff did follow up on a matter of unfinished business from the Committee's May 20, 2002 meeting. She continued by saying that at that meeting the Committee considered a request from the South Carolina Chapter of the American College of Health Care Administrators to amend the practice act. The Committee also reviewed information on another certification program, the National Certification of Retirement Housing Professionals. She indicated that the request was to see if NAB had considered accepting their program. She noted that NAB had not been approached to consider this program. There is no further action.

## ADMINISTRATOR'S REPORT

### NAB Mid-Year and Annual Meetings

Ms. Welborn stated that the Board of Governors elected new officers at the NAB mid-year meeting. She further stated Mr. Denny Austin is the new president. She indicated the Board should have received a copy of the newsletter announcing the new officers and giving a summary of the meeting activities. She will continue to serve as the vice chair of the residential care committee.

Ms. Welborn stated her travel request has been approved to attend the November 2002 meeting in Anaheim, California, should the Board wish her to attend this meeting.

Ms. Welborn stated she has received a request from the Nursing Home Administrator Exam Committee extending an invitation for Sonny Kinney to participate on that committee. She further stated that NAB would be paying the bill if he were able to attend.

### October Newsletter

Ms. Welborn presented the Board members with a draft of the October newsletter and briefed the Board on the contents of the newsletter. She noted that the only item missing is the disciplinary actions the Board took today. She asked the members for any suggestions or changes to the newsletter and as well as for the newsletter that will be going out in January 2003.

### FY 02/03 License Renewal and FY 01/02 Licensing and Complaint Data

Ms. Welborn stated that as of August 21, 2002, 995 administrators have renewed their licenses and that approximately 200 administrators have not renewed. She briefed the Board on how the administrators renewed, the number of administrators who were

disciplined during the last fiscal year, the number of new licenses issued and the number of complaints filed through the Board during last fiscal year.

#### Other State Agency Program Information

Ms. Welborn stated the S.C. Department of Health and Environmental Control, Division of Health Licensing is in the process of updating their reporting guidelines for accidents/incidents for residents of health care facilities. She presented the members with a copy of the draft staff received. She further stated they are also updating a memorandum that will be sent with the new form. She indicated Mr. Randy Clark is the contact person for any suggestions for the draft form.

Ms. Welborn presented the members with information from the Department of Health and Human Services regarding the updating of an agreement that it enters with Residential Care facilities for the Optional State Supplementation program.

Ms. Welborn stated the Department of Mental Health has collaborated with the Department of Health and Environmental Control, Division of Health Licensing, on a model format for an individual care plan. She noted this was designed specifically for CRCFs and is not a mandated form. She presented the members with a copy of the form for their information.

Ms. Welborn presented the members with a copy of the 2001/02 annual report from The Protection and Advocacy for People with Disabilities. She stated the Board is included in the information contained in the report since the Board routinely receives reports concerning residential care residents or facilities.

Ms. Welborn presented the members with copies of the 2001 annual report from the South Carolina Long Term Care Ombudsman Program for their review.

#### UNFINISHED BUSINESS

Review of Thelma Myers' request to sit for the CRCFA licensure examinations

This matter was heard at the June 4, 2002 meeting at which time Ms. Myers was asked to present further documentation regarding courses for the Board's September 2002 meeting. Ms. Myers submitted information to staff for presentation to the Board. It was noted that Ms. Myers has taken the exam five times.

#### MOTION

Mr. McCallum moved to table this matter until such time Ms. Myers' presents documentation on courses that she has attended and that this matter not be brought back until such time she has presented this information. A discussion regarding this issue ensued. Mr. McCallum's motion died.

#### MOTION

Mr. McCallum moved the Board allow Ms. Myers to take the exam and that she be instructed that if she fails the exam this time under the current application that she be

required to submit an application under the new requirements for license application. The motion was seconded by Mr. McLeod and unanimously carried.

## NEW BUSINESS

### Legislative Liaison Office Report

Ms. Lisa Maseng, Legislative Liaison, stated she is putting together a database containing information on all of the Boards' practice acts and regulations. The database will also include information on all of the state legislators, such as their business, home and office addresses. The database will also contain all of the Board members' representatives and senators. She also asked that the members submit any information that would have an impact on long term health care facilities.

## APPEARANCES

### Linda Orcutt

The Board took a five-minute recess at 10:55 a.m.

Ms. Orcutt appeared before the Board to appeal the denial of her nursing home administrator application.

Ms. Orcutt gave the Board background information of her duties while working in a health care facility.

## EXECUTIVE SESSION

The Board went into executive session to discuss Ms. Orcutt's application and testimony.

## RETURN TO PUBLIC SESSION

The Board returned to public session to entertain a motion on Ms. Orcutt's application.

Mr. McCallum moved to not allow Ms. Orcutt to take the test based on not meeting minimum requirements for the South Carolina license and to consult with staff regarding what she might do in order to meet minimum requirements. Mr. McLeod seconded the motion, which carried unanimously.

### Vera Singletary

Ms. Singletary appeared before the Board to appeal the denial of her community residential care facility administrator application. Ms. Singletary explained to the Board the duties that she performed at Florence Disabilities and Special Needs Board.

## EXECUTIVE SESSION

The Board went into executive session to discuss Ms. Singletary's application and testimony.

## RETURN TO PUBLIC SESSION

The Board returned to public session to entertain a motion on Ms. Singletary's application.

Mr. McCallum moved to not allow Ms. Singletary to take the state test based on not

meeting minimum requirements for the South Carolina license with encouragement to consult with the staff regarding what she might do in order to meet minimum requirements. Mr. McLeod seconded the motion, which carried unanimously.

Marcella Mitchell

Ms. Mitchell appeared before the Board to petition to take the state portion of the community residential care facility administrator examination again.

Ms. Mitchell explained to the Board the different processes she used to aid her in passing the exam, but none have worked.

Mr. Buckshorn moved to allow Ms. Mitchell to take the test again and recommended that she look through the regulation book and concentrate on the regulatory information. Mr. McLeod seconded the motion, which carried unanimously.

Helen Spearman

Ms. Spearman appeared before the Board to petition to take the national portion of the community residential care facility administrator examination again.

Ms. Spearman gave an explanation to the Board of why she felt she could not pass the exam. She recognized that there are areas that she needs to concentrate on. The study guide has been ordered to help aid her in passing the national portion of the examination.

Mr. McCallum moved that Ms. Spearman be allowed to take the national community residential care facility administrator examination and recommended that she not schedule it too soon after she gets the study guide. Mr. Buckshorn seconded the motion, which carried unanimously.

Loretta Wallace

Ms. Wallace appeared before the Board to petition to take the national portion of the community residential care facility administrator examination again.

Ms. Wallace explained to the Board that she has studied hard to pass the exam, but cannot seem to pass it.

Mr. McCallum moved that Ms. Wallace be allowed to take the national community residential care facility administrator examination again. Ms. Tolbert seconded the motion, which carried unanimously.

Shirley Robinson

Ms. Robinson was not able to attend the Board meeting. She submitted a letter requesting that the Board review her application to retake the state portion of the nursing home administrator licensing examination again.

Dr. DeLaine moved that Ms. Robinson be allowed to sit for the state portion of the nursing home administrator licensing examination again. Mr. McCallum seconded the motion, which carried unanimously.

The Board took a lunch break at 12:17 p.m.

The meeting convened again at 1:30 p.m.

There was discussion on fingerprint card checks that have come back unclear. Two administrators, Denise Benton and Sondra Crosby have submitted several unsuccessful fingerprint cards for reprinting. A name search was performed by the FBI on both applicants and they came back clear.

Ms. Welborn stated that the law requires the Board do a fingerprint background check, but the name check is not required by law. The Board will have to decide whether or not to accept the name search process.

The Board accepted the results of the FBI's name search on Ms. Benton and Ms. Crosby.

#### NEXT MEETING

Ms. Gaddy announced the date of the next meeting: December 4-5, 2002 at SCDLLR, Room 111. The 2003 meeting dates were set for March 5-6, June 4-5 and September 3-4 and December 3-4.

#### HEARING

The Board met at 1:53 p.m. on September 4, 2002 in the matter of Julia Bailey-Walker, a community residential care facility administrator. After hearing the matter of the formal accusation, the Board voted to dismiss the charges because the state failed to prove its allegations.

#### ADJOURN

The meeting was adjourned at 5:55 p.m.