

LLR - BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS
Synergy Business Park, Kingstree Building
110 Centerview Drive, Kingstree Building, Room 108
Columbia, South Carolina 29210

MARCH 6, 2003
MINUTES

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 participating in the meeting included: Daniel McLeod, Jr., Vice Chairperson, David B. Buckshorn, Dr. Brenna DeLaine, Leon Frishman, Brown McCallum, Jr., and Betty Tolbert.

Melvin K. Hiatt and Julius B. Kinney, Jr. were granted excused absences.

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

WELCOME AND CALL TO ORDER

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

January 7, 2003

MOTION

Mr. McCallum moved the Board approve the minutes of the January 7, 2003 meeting. Mr. Buckshorn seconded the motion, which carried unanimously.

COMMITTEE REPORTS

Executive Committee

Ms. Gaddy updated the Board on Board member vacancies. She asked that members provide Ms. Welborn with recommendations for Board vacancies. Ms. Welborn stated she would check with the associations for possible names. She indicated that recommendations would be forwarded to the Director's office, which, in turn, would forward the recommendations to the Governor's Office.

Investigative Review Committee

MOTION

Mr. McLeod made a motion, seconded by Mr. McCallum and unanimously carried, to enter executive session to hear the investigative review committee report.

RETURN TO PUBLIC SESSION

Ms. Gaddy noted for the record that no motions were made and no votes were taken during executive session.

Cases for Dismissal

MOTION

Mr. McCallum moved the Board accept the IRC recommendation regarding the cases for dismissal. Mr. McLeod seconded the motion, which carried unanimously.

Letters of Concern

MOTION

Mr. McLeod moved the Board accept the IRC recommendation regarding the cases for letters of concern. The motion was seconded by Mr. McCallum and unanimously carried.

Cases Being Recommended for Formal Charges

MOTION

Mr. McLeod made a motion, seconded by Mr. McCallum and unanimously carried, to accept the IRC recommendation regarding the cases being recommended for formal charges.

Consent Orders

MOTION

Mr. McCallum moved the Board accept the IRC recommendation regarding the signed consent orders. Mr. McLeod seconded the motion, which carried unanimously.

Dismissal with Letter of Concern

MOTION

Mr. McCallum moved the Board accept the IRC recommendation for the dismissal of case #2003-032C with a letter of concern. The motion was seconded by Mr. McLeod and unanimously carried.

Dismissal

MOTION

Mr. McLeod moved to accept the IRC recommendation to dismiss #2002-026C. Mr. McCallum seconded the motion, which carried unanimously.

Credentials Committee

Ms. Tolbert stated she and Mr. McCallum serve on this committee. She indicated some of the cases are brought before the full Board. She offered to answer any questions the Board may have. Ms. Tolbert asked if the numbers on the provisional licenses have increased. Ms. Welborn stated the provisional license numbers have remained about the same.

Education Committee

Dr. DeLaine presented the education committee report. She stated Table One on the committee report is for year 2002/2003 (July 1 - present). She indicated the number of approved sponsors for continuing education applications was 127. She went on to say the number of approved administrator continuing education applications is 77. She said that Table Two contains the number of continuing education applications received between December 1, 2002 and February 24, 2003. She indicated the number of sponsor continuing education applications was 70 and the number of administrator continuing education classes was 28. She presented the members with a list of approved programs dated February 24, 2003. She stated the members could advise staff if they were interested in attending any of the programs.

ADMINISTRATOR'S REPORT

NAB Annual Meeting

Ms. Welborn stated the annual meeting would be held June 11-13, 2003 in Portland, Oregon. She stated Ms. Adrienne Youmans has indicated she would allow the administrator and two Board members to attend national meetings. Mr. McCallum expressed interest in attending the meeting.

Legislation Update

Ms. Welborn briefed the Board on the Board's bill. She indicated she met with Senator Harvey Peeler's staff on February 20, 2003 regarding sponsorship of the bill, however, staff has not heard if he would sponsor the bill. She indicated the final regulations were published in the State Register on February 28, 2003.

Ms. Welborn presented the members with three additional bills.

Ms. Welborn stated Senate Bill 383 was introduced by several senators and affects cabinet level agencies. She further stated this bill would affect three levels of management, the director and two levels below, would become at-will positions. She presented the members with an email from Mr. Buckshorn to Senator Drummond in regard to this bill. She asked that any Board feedback regarding this bill be directed to the Senate Finance Committee. Ms. Dantzler stated a similar, but not identical, companion bill, was introduced in the House on March 5, 2003. The Board discussed employees that would be affected by this bill.

Ms. Welborn stated House Bill 3252 proposes administrative suspension of professional licenses on individuals who default on student loans. She further stated that Mr. Randy Bryant suggested that if we must have this requirement that it be set up similar to the Dead Beat Dad's Law, as it does not take up much of staff's time. The consensus of the Board was that the system in place for monitoring student loan defaults is fragmented and the best place to handle this problem would be the Department of Revenue who could seize the state tax refund.

Ms. Welborn presented the members with an e-mail from Daniel Boan, of the Democratic Caucus in regards to proposed language that would require nursing homes to store medications a patient no longer uses and holding that medication until another individual needs it. She indicated that the Board of Pharmacy and the Board of Nursing are opposed to any bill with the requirement. Ms. Welborn stated she has indicated her opposition to this language. She went on to say the Board of Nursing, the Board of Pharmacy and the Board of Long Term Health Care Administrators are completing a Bill Summary for the LLR Legislative Liaison Office stating each of the Board's positions. She noted that she has shared the language with Alan Hughes, Randy Lee and Sonny Kinney who have also voiced opposition. She indicated a citizen's group developed this idea and presented it to Senator Linda Short, who asked her staff to research this matter.

Ms. Welborn stated she has learned that most nursing homes use unit doses and unused amounts can be returned to the contracting pharmacies.

UNFINISHED BUSINESS

There was no unfinished business discussed during the March 6, 2003 meeting.

NEW BUSINESS

There was no new business discussed during the March 6, 2003 meeting.
The Board took a five-minute recess at 10:25 a.m.

RETURN TO PUBLIC SESSION

LICENSE APPLICATIONS

Crystal Griffith

Ms. Griffith was not present for the 10:30 a.m. scheduled appearance. The Board voted to carry the matter over to the June 4-5, 2003.

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 a brief explanation to the Board of why she felt she could not pass the exam. She asked the Board to give her another opportunity to sit for the examination.

MOTION

Mr. McCallum moved that Ms. Spearman be allowed to take the national community residential care facility administrator examination. Mr. McLeod seconded and the motion 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 gave an explanation to the Board of what she had done to further prepare for the examination. She asked the Board to give her another opportunity to sit for the examination.

MOTION

Mr. McLeod moved that Ms. Spearman be allowed to take the national community residential care facility administrator examination. Mr. McCallum seconded and the motion carried unanimously.

Mary Johnson

Ms. Johnson appeared before the Board to request the Board to consider her application for the community residential care facility administrator license based on her pharmacy technician certificate and her pharmacy work experience in combination with her community residential care facility work experience.

Ms. Johnson gave an explanation to the Board about her pharmacy technician training and her CRCF work experience.

EXECUTIVE SESSION

The Board went into executive session to discuss Ms. Johnson's application.

RETURN TO PUBLIC SESSION

MOTION

Dr. DeLaine moved the Board deny the application on the basis that Ms. Johnson has not fulfilled the education requirement. Mr. McLeod seconded the motion, which carried unanimously.

POLICY DISCUSSION

The Board discussed its policy regarding the number of times an applicant can sit for the licensing examinations. The policy set at the December 4, 2002 meeting was the Board Administrator could approve an applicant to sit for the licensing examinations up to three times and then the applicant would have to petition the Board to sit for the examination thereafter.

After further discussion, the consensus of the Board was to revise the policy to require the applicant to provide information to the Board prior to being scheduled for a petition appearance that indicates how the applicant has further prepared for the examination in the weak domains of practice within 6 months of failing the examination(s) the third time. The Board will vote on this matter at the June 4, 2003 meeting and publish the revision in the application packets and Board newsletter. The effective date of the policy will be determined at the June 4, 2003 meeting.

NEXT MEETING

June 4-5, 2003 at SCDLLR, Room 108

ADJOURN

The meeting was adjourned at 1:30 p.m.