

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

MINUTES

WEDNESDAY, SEPTEMBER 6, 2006

9:00 AM

WELCOME AND CALL TO ORDER

Mr. McLeod announced that this 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.

Dan McLeod, Jr., of Greenville, called the regular meeting of the Long Term Health Care Administrators to order at 9:05 a.m. Other members present for the meeting included: David Buckshorn, of Greenville; Melvin Hiatt, of Fairfax; Pam Dukes; of Columbia and Brown McCallum, of Summerville.

Julius Kinney, Jr., of Anderson, was granted an excused absence.

Staff members participating during the meeting included: Lee Ann Bundrick, Administrator and Stephanie Calhoun, Administrative Assistant. LLR employees participating during the meeting included: Sharon Dantzler, Deputy General Counsel, Office of General Counsel; Sandra Dickert, Administrative Assistant; Shirley Robinson, Hearing Attorney; Sheridan Spoon, Office of General Counsel; and Shunna Vance, Law Clerk, Office of General Counsel.

Mr. McLeod welcomed Ms. Pam Dukes, of the SC Department of Health and Environmental Control (DHEC), as a new member to the Board.

APPROVAL OF MINUTES OF THE JUNE 7, 2006 MEETING

MOTION

Mr. Buckshorn moved the Board approve the minutes of the June 7, 2006 meeting as presented. Mr. Hiatt seconded the motion, which carried unanimously.

COMMITTEE REPORTS

Executive Committee

This committee had no report.

Investigative Review Committee

Dismissals

MOTION

Mr. McCallum made a motion, seconded by Mr. Hiatt and unanimously carried, that the Board accept the IRCs recommendation regarding the following cases for dismissal.

2005-17

2005-54

2006-4

Formal Complaints

MOTION

Mr. Hiatt moved the Board accept the IRCs recommendation regarding the following cases for formal complaints. Mr. Buckshorn seconded the motion, which carried unanimously.

Letter of Caution**MOTION**

Mr. Hiatt moved the Board accept the IRCs recommendation regarding the case for letter of caution. Mr. Buckshorn seconded the motion, which carried unanimously.

2005-55

Credentials Committee

Mr. McCallum presented the members with the report from the Credentials Committee. He noted there is a drop in licensees for CRCFA facilities, however, the nursing home licensees are holding steady. He stated there has been discussion at NAB conferences for some years regarding the number of nursing home administrator applicants. He indicated the number has stabilized but it is not at the peak it had been. He believes there are enough licensees to sustain number of licensed facilities; however, the number of facilities is not growing as it once was.

Education Committee

Mr. Hiatt presented the members with the Education Committee report. He stated the number of sponsor applications and administrator applications are consistent with that time. He also presented the members with the approved programs for the next three months and for 2007.

AIT Committee

Mr. Buckshorn stated discussion has been going on for awhile on concern from providers are not involved in the certification program. He further stated those facilities still have a need for an AIT program and they have a desire for preceptors. He said the Board had discussed setting parameters for a Memorandum of Agreement (MOA) between a non-certified provider and a certified provider with the Board. He noted this MOA would allow individuals to move through a program with a licensed, non-certified facility and then move through the board required two-three certified study in a certified facility.

Mr. Buckshorn noted the following ideas from the committee for the Board's review:

- The agreement should be between the two providers and the Board.
- The Board, or a staff member or a Board committee, should approve all MOAs prior to the commencement of the AIT program.
- Both of the providers must agree to follow the criteria set forth under the SC AIT Program.
- The Board will establish the required criteria to be listed in the agreement.
- Providers must be located in South Carolina under the jurisdiction of both DHEC and the Board.
- The Board has the right to inspect each facility to validate the program and has the right to deny or revoke the AIT if it finds cause. The cause would be not following the criteria.
- MOA can be between a non-certified provider and a corporate setting of the Board's approval;
- The Board will provide a list of all certified preceptors of certified facilities in the state to non-certified preceptors wishing to train an AIT in their non-certified facility.
- The Board will not get involved in any discussion on compensation between facilities nor the AIT.

A brief discussion ensued. The Board will review a draft document at the next meeting.

ADMINISTRATOR'S REPORT

Nursing Home AIT Update

Ms. Bundrick presented the members with a nursing home AIT update. She noted there are 2 active participants in the program and that these participants would complete the program prior to the next meeting. She also stated that Mr. Tom Porter recently trained a new preceptor.

FYI-Governor signs Legislation in Chicago

Ms. Bundrick presented the members with a news release regarding the Illinois Governor signing legislation in regard to protecting senior citizens from themselves. She noted the legislation takes effect on January 1, 2007 and will require provider agencies that receive reports of self-neglect to do in-person assessments that will help connect individuals with the correct state and local services, i.e., Meals on Wheels, by January to work with a newly created Elder Self-Neglect Steering Committee. It will also give the staff of the Chicago Department on Aging access to reports of self-neglect and other alleged abuse, neglect and exploitation upon request and other powers. There is no current federal law that addresses elder abuse in its entirety.

NAB Exam Prep Class for AIT Candidates

Ms. Bundrick presented the members with a letter from Rebecca Perley, with RMP and Associates. Ms. Perley is requesting the Board's review of information in regard to a one-day NAB prep class, offered by RMP and Associates, for AIT candidates.

A discussion ensued on this class. The Board determined that it would not endorse the class, although it is a good move and another resource for preparing for the exam.

NAB Mid-Year Meeting

Ms. Bundrick stated she was unable to give the Board a report on the earlier NAB meeting, as Mr. Porter was unable to attend due to other obligations. She further stated the next mid-year meeting is scheduled for November 15-27, 2006 in St. Petersburg, Florida. She asked that any member who wishes to attend the meeting to contact Ms. Calhoun no later than September 29, 2006.

Election of Officers

Ms. Bundrick presented the members with a letter from Merry Ann Gaddy in regard to her resignation from the Board.

Chairman

NOMINATION

Mr. McCallum nominated Mr. McLeod as chairman. Mr. Buckshorn seconded the nomination, which carried unanimously.

Mr. McLeod was elected chairman by acclamation.

Vice Chairman

NOMINATION

Mr. Hiatt nominated Mr. Buckshorn as vice chairman. The nomination was seconded by Mr. McCallum and unanimously carried.

Mr. Buckshorn was elected vice chairman by acclamation.

A brief discussion ensued regarding Board appointments.

Mr. Buckshorn briefly discussed the review of the continuing education courses. He suggested an annual fee each year for a certain amount of programs. He indicated it could streamline the process if there is a problem in South Carolina.

Neither Mr. McLeod nor Mr. Hiatt feels overwhelmed by the review process. Ms. Dantzer stated a change to the regulations would be required to make this change. She suggested when a serious change to the regulations is needed the Board would need to set criteria for approved providers instead of course by course. She suggested the Board not open the regulations specifically for making this change.

COMPLIANCE

Consent Agreements

Case #2005-43

MOTION

Mr. McCallum made a motion, seconded by Mr. Hiatt and unanimously carried, that the Board accept the consent agreement in this case.

Case #2005-18

MOTION

Mr. McCallum moved the Board accept the consent agreement in this matter. Mr. Buckshorn seconded the motion, which carried unanimously.

Case #2005-47

Ms. Dukes recused herself from participating in the discussion and vote on this matter.

MOTION

Mr. Buckshorn moved the Board accept the consent agreement in this matter. Mr. Hiatt seconded the motion, which carried unanimously.

Case #2005-56

Ms. Dukes recused herself from participating in the discussion and vote on this matter.

MOTION

Mr. McCallum made a motion, seconded by Mr. Hiatt and unanimously carried, that the Board accept the consent agreement in this matter.

Hearings

Case# 2003-52

MOTION

Mr. McCallum moved the Board accept the charges as presented. The motion was seconded by Mr. Buckshorn and unanimously carried.

Ms. Dukes recused herself from participating in the discussion and vote on this matter.

MOTION

Mr. McCallum made a motion, seconded by Mr. Hiatt and unanimously carried, find violation of the practice act in this matter.

MOTION

Mr. McCallum moved the Board levy a fine of \$1,000 and that Ms. Martin appear before the Board should she present an application for licensure. Mr. Buckshorn seconded the motion, which carried unanimously.

Case# 2005-22

MOTION

Mr. McCallum made a motion, seconded by Mr. Hiatt and unanimously carried, that the Board levy no monetary fine, although it should be stated that she has violated the practice act; however, should Ms. Doolittle reactivate her license, it will be placed on a 24 month probation and subject to review by staff.

Case# 2005-32

MOTION

Mr. McCallum made a motion, seconded by Mr. Buckshorn and unanimously carried, that the Board find there is no violation of the practice act in this matter. The motion was seconded by Mr. Buckshorn and unanimously carried.

Case# 2005-51

MOTION

Mr. McCallum made a motion, seconded by Mr. Buckshorn and unanimously carried, that the Board accept counsel's recommendation.

MOTION

Mr. McCallum moved the Board find there is no violation of the practice act in this matter. The motion was seconded by Mr. Hiatt and unanimously carried.

Case# 2005-52

MOTION

Mr. McCallum made a motion to accept the charges as presented. The motion was seconded by Mr. Hiatt and unanimously carried.

Ms. Dukes recused herself from participating in the discussion and the vote in this matter.

MOTION

Mr. McCallum moved the Board find violation of the practice act in this matter. Mr. Buckshorn seconded the motion, which carried unanimously,

Case# 2005-56

Ms. Dukes recused herself from participating in the discussion and the vote in this matter.

MOTION

Mr. McCallum made a motion, seconded by Mr. Hiatt that the Board accept the consent agreement in this matter.

LICENSE APPLICATIONS

Steven R. Burge

Mr. Burge did not appear at this meeting.

Alexis J. Dupont

As staff could not approve Ms. Dupont for licensure, she appeared before the Board in an applicant hearing. The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. Buckshorn made a motion, seconded by Mr. McCallum and unanimously carried that the Board allow Ms. Dupont to sit for the examination.

Shannon F. Hicks

Ms. Hicks did not appear at this meeting.

Pamela A. McAlister

As staff could not approve Ms. McAlister for licensure, she appeared before the Board in an applicant hearing. The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. McCallum moved, upon completion of the RN program, the Board allow Ms. McAlister to sit for the exam. Mr. Buckshorn seconded the motion, which carried unanimously.

Wanda M. Morris

As staff could not approve Ms. Morris for licensure, she appeared before the Board in an applicant hearing. The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. Buckshorn made a motion, seconded by Mr. McCallum and unanimously carried, that the Board allow Ms. Morris to sit for the exam.

Billy L. Freeman

As Mr. Freeman's license application could not be approved at staff level, he appeared before the Board in an applicant hearing. The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. Buckshorn moved the Board allow Mr. Freeman to take the exam upon the completion of the full one year of employment under the supervision of a licensed administrator. Mr. Hiatt seconded the motion, which carried unanimously.

James R. Broadfoot

Mr. Broadfoot did not appear at this meeting.

NEXT MEETING/ADJOURN

December 6-7, 2006 SCDLLR, Room 111

The next meeting of the SC Board of Long Term Health Care Administrators is scheduled for December 6-7, 2006.

2007 QUARTERLY BOARD MEETING DATES

March 7-8, 2007	Room 111
June 6-7, 2007	Room 111
September 5-6, 2007	Room 111
December 5-6, 2007	Room 111

ADJOURNMENT

The September 6, 2006 meeting of the SC Board of Long Term Health Care Administrators adjourned at 4:30 p.m.