

MINUTES
South Carolina Board of Long Term Health Care Administrators
Board Meeting

9:30 a.m., March 3, 2011
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 108
Columbia, South Carolina

Thursday, March 3, 2011

1. Meeting Called to Order

Dan McLeod, chairman, of Greenville, called the regular meeting of the Board of Long Term Health Care Administrators to order at 9:35 a.m. Other members present for the meeting included: Pam Dukes, of Columbia; Marvin Hyatt, of Rock Hill; Julius Kinney, Jr., of Anderson (by phone); and Nikki Robertson, of Little River.

Staff members participating in the meeting included: Christa Bell, Associate General Counsel, Office of General Counsel; Lee Ann Bundrick, RPh, Administrator; Stephanie Calhoun, Administrative Assistant, Sharon Dantzler, Associate General Counsel; Sandra Dickert, Administrative Assistant; P.C. Faglie, Investigator, Office of Investigations and Enforcement; Beverly Gould, Administrative Assistant; Gigi Lewis, Associate General Counsel, Office of General Counsel; Tracey McCarley, Education Coordinator; and Yolanda Rodgers, Investigator, Office of Investigations and Enforcement.

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.

2. Pledge of Allegiance

All present recited the Pledge of Allegiance.

3. Introduction of Board Members and All Other Persons Attending

Mr. McLeod introduced the members present.

4. Consideration of Excuses for Absences of Board Members

David B. Buckshorn and Melvin K. Hiatt were granted excused absences.

5. Adoption of Agenda

MOTION

Ms. Robertson made a motion the Board approve the agenda as submitted. Mr. Hyatt seconded the motion which carried unanimously.

6. Approval of the Meeting Minutes

a. September 2, 2010

MOTION

Mr. Hyatt made a motion the Board approve the minutes of the September 2, 2010 meeting. Ms. Dukes seconded the motion which carried unanimously.

b. December 2, 2010

MOTION

Mr. Hyatt made a motion the Board approve the minutes of the December 2, 2010 meeting. Ms. Robertson seconded the motion which carried unanimously.

c. December 16, 2010 Conference Call Board Meeting

MOTION

Mr. Kinney made a motion the Board approve the December 16, 2010 conference call Board meeting minutes. Mr. Hyatt seconded the motion which carried unanimously.

7. Chairman's Remarks

Mr. McLeod did not make any remarks at this time.

8. New Business

a. Committee Reports

i. Investigative Review Committee

Dismissals

MOTION

Mr. Kinney made a motion the Board approve the five cases recommended for dismissal. Mr. Hyatt seconded the motion which carried unanimously.

Dismissal with Letter of Concern

MOTION

Mr. Hyatt made a motion the Board approve the one case recommended for dismissal with letter of caution. Ms. Robertson seconded the motion which carried unanimously.

Reconsideration of Dismissal

MOTION

Mr. Hyatt made a motion the Board approve the one case for reconsideration of dismissal. Mr. Kinney seconded the motion which carried unanimously.

Consent Agreement – 2010-02

MOTION

Mr. Hyatt made a motion the Board approve the consent agreement. Ms. Robertson seconded the motion which carried unanimously.

ii. Credentials Committee

The Board took the report of the Credentials Committee as information. The report shows six nursing home administrators (NHA), 14 Community Residential Care Facility Administrator (CRCF), and two dual candidates have been approved since February 24, 2011. It also shows that eight NHA provisional licenses and 11 CRCFA provisional licenses have been issued since February 24, 2011.

iii. Education Committee

The Board took the report of the Education Committee as information.

iv. AIT Committee

AIT Committee Report

The Board took the AIT Committee report as information. The report shows seven new preceptors have been certified since the last meeting. There are currently five candidates in the training course.

AIT Preceptor Requirement Changes

Mr. Kinney briefed the members regarding the Preceptor Committee report. He discussed changes that the AIT felt were appropriate for preceptor requirements and these included; an administrator or person training in a facility must be currently licensed in SC and licensed two out of the last three years, have no disciplinary sanctions, must be employed as an administrator of record in a facility licensed under DHEC, and must have worked in a facility that accepts Medicare in order to be able to train with that knowledge for at least one year. Discussion followed about modifying the last point.

MOTION

Ms. Robertson made a motion to accept the committee's recommendation with a change to bullet point five that would modify it to read, '...must have worked in a facility for one year that accepts Medicare and/or Medicaid...'. Mr. Hyatt seconded the motion which carried unanimously.

v. Board Member Travel Information

Mrs. Bundrick stated board members are no longer required to submit travel requests for approval by the agency head. Travel and training needs for the Board are to be decided by the Board. It will be up to the Board administrators and members to determine, based on their monthly reports, if funds are available to cover travel costs.

Mrs. Bundrick stated travel vouchers will continue to be processed as before. Reimbursement for travel expenses will be calculated following the state travel regulations. Please note that no travel regulations have changed. The travel certification form required by the Comptroller General's Office must be attached to the travel voucher. State law still requires that travel be justifiable. Travel by commercial airlines must be accomplished in coach class. Actual costs for lodging will be reimbursed in accordance with the current maximum lodging rates as established by the US General Services Administration. Travel must be accomplished in the most economical method possible. Questions regarding travel regulations may be directed to Terri Hammond in the Finance area.

vi. State Ethics Commission

Mrs. Bundrick reminded the members to submit the Statement of Economic Interest forms to the State Ethics Commission no later than April 15, 2011.

vii. Office of General Council Report

Gigi Lewis, of the Office of General Counsel, reported that as of March 3, 2011 there are two cases open with two cases pending final order hearings. She continued that twenty-two cases have been closed since January 2009.

viii. Office of Investigations Report

Mrs. Bundrick reported that the Office of Investigations currently has 11 active cases, four cases pending action by the IRC, six cases have been closed, and 13 cases which were not opened. She noted the total active cases are 21. She further stated OIE closed 41 cases in 2010. She went on to say since January 1, 2011 OIE has received five cases which are currently active, one case which was deemed a 'do not open' case, and one case which is pending action by the IRC.

ix. Financial Report

Ms. Tracey McCarley presented the members with a financial report. She noted the Board would be receiving a report during each meeting.

9. Applicant Appearance(s) – Qualification Approval

a. Justin Smith

Mr. Smith did not appear during this meeting. The Board took no action on the application.

b. Shirley K. Simon

Ms. Simon's application is before the Board because the Credentials Committee determined that her combination of education and experience should be reviewed by the full Board.

This proceeding was taken by a court reporter in order to produce a verbatim transcript should one be necessary.

MOTION

Mr. Kinney made a motion Ms. Simon be allowed to sit for the exam. Ms. Robertson seconded the motion which carried unanimously.

c. Christine B. Fullard

Ms. Fullard's application is before the Board because the Credentials Committee determined that her combination of education and experience should be reviewed by the full Board.

This proceeding was taken by a court reporter in order to produce a verbatim transcript should one be necessary.

Executive Session

MOTION

Ms. Robertson made a motion the Board enter executive session to seek legal advice on this matter. Mr. Hyatt seconded the motion which carried unanimously.

Return to Public Session

MOTION

Mr. Hyatt made a motion the Board return to public session. Mr. Kinney seconded the motion which carried unanimously.

Christine Fullard

MOTION

Ms. Dukes made a motion the Board at this time deny Ms. Fullard to sit for the exam but that the Board give Ms. Fullard guidance. Mr. Hyatt seconded the motion which carried unanimously.

d. William Chris Little

Mr. Little's application was reviewed and denied by staff and the Credentials Committee because it did not meet the CRCF requirements. He is requesting that his education and experience be reviewed by the full Board.

This proceeding was taken by a court reporter in order to produce a verbatim transcript should one be necessary.

MOTION

Mr. Kinney made a motion Mr. Little be allowed to sit for the exam. Mr. Hyatt seconded the motion which carried unanimously

10. Applicant Appearance(s) - Qualification Approval - Other Certificate Program

a. Natasha R. Burton

Ms. Burton does not meet the minimum education requirement for the CRCFA license. Her diploma in practical nursing and work experience must be considered by the full Board in accordance with the Board policy stating:

Other certificate programs in combination with CRCF and other health care work experience will be considered on a case-by-case basis.

This proceeding was taken by a court reporter in order to produce a verbatim transcript should one be necessary.

Executive Session

MOTION

Ms. Robertson made a motion the Board enter executive session to seek legal advice on this matter. Mr. Hyatt seconded the motion which carried unanimously.

Return to Public Session

MOTION

Mr. Hyatt made a motion the Board return to public session. Mr. Kinney seconded the motion which carried unanimously.

Natasha R. Burton

MOTION

Ms. Robertson made a motion the Board deny this applicant to sit for the CRCF exam. Mr. Hyatt seconded the motion which carried unanimously.

11. Applicant Appearance(s) - Qualification Approval - Criminal Background

a. Darryl A. Mast

Mr. Mast's application is before the Board because he answered 'yes' to the question asking, 'Have you ever been convicted or pled guilty or nolo contendere to any felony, misdemeanor, or crime of moral turpitude?' Staff included documents regarding past disciplinary actions with the SC Board of Pharmacy for the Board's review. His application was also before the Board regarding approval of his education and experience for CRCFA licensure.

This proceeding was taken by a court reporter in order to produce a verbatim transcript should one be necessary.

Executive Session

MOTION

Mr. Kinney made a motion the Board enter executive session to seek legal advice in this matter. Ms. Robertson seconded the motion which carried unanimously.

Public Session

MOTION

Mr. Hyatt made a motion the Board return to public session. Ms. Robertson seconded the motion which carried unanimously.

Darryl A. Mast

MOTION

Mrs. Dukes made a motion the Board grant Mr. Mast a license upon successful completion of the exam with the provision that his license be placed on probation for one year pending

successful completion of a senior contract with RPP for one year. Mr. Hyatt seconded the motion which carried unanimously.

12. Applicant Appearance(s) - Qualification Approval - Request to Retake Exam

a. Joseph A. Evans

Mr. Evans' application is petitioning the Board to retake the exam after failing three times.

This proceeding was taken by a court reporter in order to produce a verbatim transcript should one be necessary.

MOTION

Mr. Kinney made a motion the Board give Mr. Evans the opportunity to retake the exam. Ms. Robertson seconded the motion which carried unanimously.

13. Public Comments

No public comments were made during this meeting.

14. Adjournment

MOTION

There being no further business to be discussed at this time, Mr. Hyatt made a motion the meeting be adjourned.

The March 3, 2011 meeting of the SC Board of Long Term Health Care Administrators adjourned at 11:50 a.m.

The next meeting of the SC Board of Long Term Health Care Administrators is scheduled for June 2, 2011.