

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

9:30 a.m., June 6, 2019
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 204
Columbia, South Carolina

Public notice of this meeting was properly posted at the S.C. Board of Environmental Certification office, Synergy Business Park, Kingstree Building, and on the board website and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

BOARD MEMBERS PRESENT:

Melissa Yetter, Chairman
Elizabeth Schaper
Julius Kinney
Sarah Doctor-Greenwade
William Birmingham
Gwen Thomson

SCLLR STAFF PRESENT:

Georgia Lewis, Office of Advice Counsel
Meredith Buttler, Administrator
Kathy Burgess, Program Coordinator
Megan Flannery, Office of Disciplinary Counsel
Greg Hinson, Office of Investigations
Holly Beason, Office of Communication and Governmental Affairs
Emily Farr, Director of LLR

PRESENT:

Kitty, Court Reporter

CALL TO ORDER: Chairman Yetter called the meeting to order at 9:30 a.m.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion: To approve the agenda with amendment to the Disciplinary Hearing order and addition of an executive session after Staff Reports.
Kinney/Birmingham/approved.

INTRODUCTION OF BOARD MEMBERS

Each Board member provided a brief introduction of themselves.

APPROVAL OF MEETING MINUTES

Motion: To approve the minutes from the March 7, 2019 meeting.
Kinney/Schaper/approved.

DIRECTOR OF LLR

Emily Farr, Director of LLR, introduced herself to the Board and thanked them for their Service. Director Farr, shared with the Board information regarding new agency staffing, revised reporting, and new website and logo.

CHAIRMAN'S REMARKS

Chairman Yetter state she did not have any remarks.

STAFF REPORTS

OIE Statistical Report

Greg Hinson reported from January 1, 2019 to May 29, 2019, the Board has received a total of 43 complaints. A report showing the breakdown of complaints by alleged issues was provided to the Board as information. Also within reported time period, OIE has closed 33 cases.

Mr. Hinson also reported on the OIE Investigator training completed in 2018 and year to date in 2019.

IRC Report

Greg Hinson informed the Board that the IRC met on May 23, 2019. The IRC Report recommends ten cases for dismissal, zero letter of caution, and four formal complaints.

Motion: To approve the recommendations for dismissals on the IRC report.
Kinney/Birmingham/approved.

Motion: To approve the recommendations for formal complaints on the IRC report.
Kinney/Schaper/approved.

ODC Report

Megan Flannery reported there are currently 16 cases open: 0 pending panel hearing, 2 pending ODC action, 8 pending CA/MOAs, 6 pending Board hearings/action, and 8 closed.

Legislative Update

Holly Beeson updated the Board regarding the proposed regulation changes that were passed by legislature. The Regulation 93-110(K), has to be resubmitted but was approved. The approved regulation will come into effect January 2020. Ms. Beeson shared an overview of other bills that are before legislature that may have an effect on the Board. As a whole, legislature is pushing licensure reform so as to make it easier for applicants to become licensed.

Administrator Report

Ms. Buttler reported that the Board Licensee reports have been provided to members to review. Currently there are 519 active licenses, 774 active in renewal licenses, and 169 pending applications.

Ms. Buttler reminded the Board that renewals are open and will close June 30, 2019. After this date, the online portal will not be available to licensees and a paper application must be submitted. A late fee of \$50 will be added to all renewals received during July 2019.

Staff is working with CE Broker and getting closer to an official roll-out. Ms. Buttler assured the Board she would be working with CE Broker to get it to somehow talk with NABs CE program.

The annual meeting for NAB is taking place next week in Charleston, SC. Ms. Buttler and Program Coordinator, Kathy Burgess, will be in attendance.

EXECUTIVE SESSION

Motion: For the Board and Board Administrator to enter into executive session to seek legal advice.
Kinney/Doctor-Greenwade/approved.

Return to Public Session

Motion: For the Board to return to public session
Kinney/ Doctor-Greenwade/approved.

DISCIPLINARY HEARINGS

Case #2014-53 Final Order Hearing

The respondent appeared before the Board for a Final Order Hearing. Respondent was represented by counsel and was sworn in by the court reporter. Disciplinary hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To accept the hearing officer's recommendation for dismissal with a letter of caution to be mindful of facility requirements.
Birmingham/Kinney/approved

Case #2017-35 Memorandum of Agreement

The respondent appeared before the Board for a Memorandum of Agreement Hearing. Respondent was represented by counsel and was sworn in by the court reporter. Board member Gwen Thomson recused herself from the hearing. Disciplinary hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Executive Session

Motion: For the Board to enter into executive session to seek legal advice regarding disciplinary hearing.
Kinney/Schaper/approved.

Return to Public Session

Motion: For the Board to return to public session
Kinney/Birmingham/approved.

Board Chairman, Melissa Yetter, noted for the record that no votes or actions were taken while in executive session.

Motion: To approve the MOA and issue of a Letter of Caution.
Birmingham/Kinney/approved

Case #2017-53 and 2018-6 Consent Agreement

Motion: To approve accept the Consent Agreement as presented.
Kinney/Birmingham/approved

NEW BUSINESS

Discussion and Action: Delegation of authority to Board Chair to issue C&D for unlicensed practice

Ms. Lewis reported that all boards within LLR are being presented with this new system. To streamline the process and provide quicker service to unlicensed individuals, the C&D order would not go through the steps of IRC review and Board review but would instead be reviewed internally first by OIE, then ODC, and then to OAC before being brought to the Board Chair for signature and issuance. The C&D order signed by the Chair would be the last step in the process and constitute a final order, not requiring Board review.

Motion: To approve delegation of authority to Board Chair to issue C&D for unlicensed practice.
Kinney/Doctor-Greenwade/approved

CE Policy: Board Meeting Credit

Ms. Buttler informed the Board that at the September 2, 2003 Board meeting a motion was made to approve Board meetings as CE credit. This practice will no longer be allowed as a board motion cannot overrule Board Statutes or Regulations.

Board Regulation Revisions – HSE certification recognition

Ms. Buttler reported to the Board that following the March board meeting, she and Ms. Burgess attended the SCALA spring conference to learn more about the HSE certification. Ms. Buttler also contacted NAB department responsible for the HSE program to gain further understanding of the certification and receive copies of the wording used by other agencies for legislation approval. After review of the program, Ms. Buttler, Ms. Lewis and Ms. Beeson met to discuss how the board can recognize the HSE certification. Ms. Buttler submitted to the Board for review an update to the regulations that would define the HSE certification and allow recognition of it under the “combination of education and experience” as allow in 40-35-40.

Motion: To approve a notice of drafting for regulations changes to 93-50 and 93-70.
Kinney/Schaper/approved

Board Delegation of Re-Examination Petition Approval

Following the regulation revisions as imposed by legislature, Ms. Buttler reviewed the requirements of 93-110(K). A Petition for Re-Examination Application was submitted to the Board for review. Per regulation stipulations, an applicant must petition the board after the second failed exam attempt. The form would serve as the formal petition by the applicant and

Ms. Buttler is asking the board to allow delegation of approval to Board staff. Should board staff have questions regarding the application, a designated board member would be asked to review prior to approval/disapproval of the petition application.

Motion: To approve the use of the forms, delegation of approval to board staff and designate Sarah Doctor-Greenwade as board appointed review.
Kinney/Schaper/approved

CRCFA AIT Program

In an effort to bring the Board applications into compliance with best practices, Ms. Buttler revised all forms and applications related to the Administrator-In-Training program. Currently, CRCFA AIT program guidelines and forms are not available on the Board website. Ms. Buttler reviewed the current NAB Preceptor handbook and board regulations to ensure full compliance. Several Board members asked for additional time in which to review the documents. Approval of forms and applications will be tabled till the next board meeting.

APPROVAL OF ABSENT BOARD MEMBER

Motion: To approve the absence of Timothy Slice due to misinformation regarding the changed meeting date.
Kinney/Birmingham/approved.

ELECTION OF OFFICERS

Ms. Buttler called for nominations for Board Chair. Mr. Birmingham nominated Ms. Yetter to continue as Board Chair.

Motion: To approve Melissa Yetter as Board Chair.
Birmingham/Kinney/approved.

Ms. Yetter called for nominations for Board Vice-Chair. Mr. Kinney nominated Mr. Birmingham to continue as Board Vice-Chair.

Motion: To approve Melissa Yetter as Board Chair.
Kinney/Schaper/approved.

PUBLIC COMMENTS

Mr. Kinney introduced Mr. Moorehouse, the board member nominee for the NHA Proprietary seat. Mr. Moorehouse stated he is looking forward to working with the Board.

Ms. Yetter introduced her AIT participant, Matt Arledge.

ANNOUNCEMENT

Next Board Meeting date September 5, 2019.

ADJOURNMENT

Motion: To adjourn the meeting.
Kinney/Doctor-Greenwade/approved

The June 6, 2019, meeting of the S.C. Long Term Health Care Administrators Board adjourned at 1:37 p.m.

The next meeting of the S.C. Long Term Health Care Administrators Board is scheduled for September 5, 2019, in room 204.