

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

9:30 a.m., September 10, 2020

Public notice of this meeting was properly posted at the S.C. Board of Long Term Health Care Administrators 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. In accordance with the Governor's directives regarding social distancing, the meeting will be held via video and teleconferencing. Members of the public who wish to attend may do so by telephone. The telephone number and access code are provided on the posted agenda.

BOARD MEMBERS PRESENT:

Melissa Yetter, Chair
William Birmingham, Vice-Chair
Timothy Slice
Sarah Doctor-Greenwade
Elizabeth Schaper
Bentley White

SCLLR STAFF PRESENT:

Mary League, Office of Advice Counsel
Meredith Buttler, Administrator
Megan Flannery, Office of Disciplinary Counsel
Beverly Gould, Office of Disciplinary Counsel
Greg Hinson, Office of Investigations
Byron Ray, Office of Investigations
Doris Cochran, Office of Investigations
Carmen Felton-Barner, Office of Investigations
Bianca Smith, Office of Investigations
Jennifer Hollis, Office of Investigations

PRESENT:

Kathryn Lindler, Court Reporter
Clara Lesesne
Lula Etheridge
Christina Jones

CALL TO ORDER: Chairman Yetter called the meeting to order at 9:38 a.m.

APPROVAL OF AGENDA

Motion: To approve the agenda.
Birmingham/Doctor-Greenwade/approved.

INTRODUCTION OF BOARD MEMBERS

Each Board member provided a brief introduction of themselves.

APPROVAL OF EXCUSED ABSENCES

No members absent

APPROVAL OF MEETING MINUTES

Motion: To approve the minutes from the March 16, 2020 meeting.
Birmingham/Slice/approved.

Motion: To approve the minutes from the May 28, 2020 meeting.
Schaper/Birmingham/approved.

STAFF REPORTS

OIE Statistical Report

Greg Hinson reported for the third quarter of 2020, the Board has received a total of 21 complaints. A report showing the breakdown of complaints by alleged issues was provided to the Board as information. Additionally for the third quarter, OIE has closed 19 cases.

IRC Report

Mr. Hinson informed the Board that the IRC met on August 20, 2020. The IRC Report recommends 3 cases for dismissal and 1 formal complaint.

Motion: To approve the recommendations for dismissals on the IRC report.
Schaper/Doctor-Greenwade/approved.

Motion: To approve the recommendations for formal complaints on the IRC report.
Doctor-Greenwade/Slice/approved.

ODC Report

Ms. Megan Flannery reported there are currently 10 cases open: 7 pending action, 5 pending MOAs and 5 pending hearings. Since January 1, 2020, 3 cases have been closed. Three of the MOAs are to be ready for signing at the December meeting.

DISCIPLINARY APPEARANCE

a. 2018-30 MOA

The respondent appeared before the Board for a closed Memorandum of Agreement Hearing. Respondent was not 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.

Executive Session

Motion: For the Board to enter into executive session to seek legal advice. Board Administrator to be included not for purposes of discussion but for facilitation of software.
Birmingham/Schaper/approved.

Return to Public Session

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

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

Motion: To accept the MOA as written, the Board not finding the conduct arises to the level of misconduct, recommends a dismissal and a letter of caution reminding the respondent to be mindful of renewing the license in a timely manner and that a facility cannot operate without a licensed administrator.
Birmingham/Slice/approved.

b. 2019-42 MOA

The respondent appeared before the Board for a closed Memorandum of Agreement Hearing. Respondent was not 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.

Executive Session

Motion: For the Board to enter into executive session to seek legal advice. Board Administrator to be included not for purposes of discussion but for facilitation of software.
Doctor-Greenwade/Birmingham/approved.

Return to Public Session

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

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

Motion: To accept the MOA as written with a penalty for the admitted violation with a fine of \$1,000 to be paid within 90 days of the Board Order.
Doctor-Greenwade/Birmingham/Slice/approved.

c. 2018-40 MOA

The respondent appeared before the Board for to request an amendment to Board order 2018-40. Respondent was not represented by counsel and was sworn in by the court reporter. Board Member Sarah Doctor-Greenwade 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. Board Administrator to be included not for purposes of discussion but for facilitation of

software.
Birmingham/Schaper/approved.

Return to Public Session

Motion: For the Board to return to public session
Schaper/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 lifting of suspension of licensure and to reinstate the probation for the original term through January 2022, granting the request for amendment due to the unusual circumstances of the national health crisis.
Schaper/Birmingham/approved.

ADMINISTRATOR REPORT

The Board Licensee reports were provided to members to review. Currently there are 444 active and 192 active in renewal CRCFA licenses, 241 active and 110 active in renewal NHA licenses and 128 active and 67 active in renewal Dual licenses. The report included breakdowns of the Select Inactive licenses and pending application numbers. The Board's current account balance as of July 31, 2020 is \$229,260.83.

Ms. Buttler reported renewals opened in April 2020 and per directive from the Agency director, the renewal deadline has extended to September 30, 2020. In conjunction to the renewal, the CE cycle is also extended to September 30, 2020. Licensees will be reminded that CEs acquired during the period July 1, 2020 and September 30, 2020 will not be counted twice. If CEs accrued during this period are used to satisfy this renewal period, then it cannot be counted towards next year's renewal.

OLD BUSINESS

a. Review of Regulation 93-65 and the Interpretive Guidelines

Ms. Buttler shared the request from the IRC regarding potential abuse of the Board's clarification of 'available'. The Board has requested a committee to be formed to look into the matter and propose revisions to the Regulation or the Board's published clarification. Ms. Buttler is to follow up with the members following the meeting to determine members.

NEW BUSINESS

a. Review of Enlivant AIT Program

Ms. Buttler presented the Enlivant's AIT program proposal for review. Ms. Christina Jones with Enlivant was present and able to answer questions for the Board.

Executive Session

Motion: For the Board to enter into executive session to seek legal advice. Board Administrator to be included not for purposes of discussion but for facilitation of

software.
Doctor-Greenwade/Birmingham/approved.

Return to Public Session

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

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

Motion: To accept Enlivant's AIT program contingent on it resubmitting revised versions to suit the CRCFA's AIT Program time requirement of 3 month, 6 months and 9 months.
Birmingham/Schaper/approved.

b. Discussion and Consideration: Code of Ethics

On behalf of Ms. Georgia Lewis, Ms. Mary League shared that the Agency has asked each Board to review their statutes and regulations to determine if a Code of Ethics is needed in the Regulations. Ms. League stated any additions would have to be done to the Regulations and follow the full legislative process.

Motion: To accept the current statutes and regulations as meeting the ethical guidelines for administrators.
Birmingham/Doctor-Greenwade/approved.

c. Travel Approval: NAB Virtual Annual Meeting

The NAB Annual meeting is now being offered on a virtual platform and allowing all Board members to attend. Ms. Buttler shared the Board has previously approved physical travel for the meeting for two board members and administrator but with the ability for the full Board to attend, Ms. Buttler requested an office amendment from the Board.

Motion: To amend prior travel approval for the NAB Annual Meeting so as to allow all Board members to attend the virtual meeting.
Birmingham/Doctor-Greenwade/approved.

PUBLIC COMMENTS

None.

ANNOUNCEMENT

Next Board Meeting date December 3, 2020.

ADJOURNMENT

Motion: To adjourn the meeting.
Birmingham/Slice/approved

The September 10, 2020, meeting of the S.C. Long Term Health Care Administrators Board adjourned at 12:45 p.m.

The next meeting of the S.C. Long Term Health Care Administrators Board is scheduled for December 3, 2020 via WebEx platform.