

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

9:30 a.m., March 2, 2017
Synergy Business Park
110 Centerview Drive, Kingtree Building Room 204
Columbia, South Carolina

Thursday, March 2, 2017

Note: These minutes are a record of the motions and official actions taken by the Board and brief summary of the meeting.

MEETING CALLED TO ORDER

Daniel R. McLeod, Jr., 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 Kingtree Building.

Daniel R. McLeod, Jr., Chairman, of Greenville, called the regular meeting of the Board of Long Term Health Care Administrators to order at 9:30 a.m. Other members present for the meeting included: Julius Sonny Kinney, Jr. of Anderson, Shelly Kelly of Columbia, Melvin K. Hiatt of Allendale, Timothy Slice of Chapin, Sarah D. Doctor-Greenwade of Columbia and Melissa Yetter of Simpsonville.

Staff members participating in the meeting included: April Koon, Board Administrator, Stephanie Calhoun, Program Coordinator I, Georgia Lewis, Office of Advice Counsel, Megan Flannery, Office of General Counsel, Doris Cochran, Investigator, Office of Investigations and Enforcement, and Jason Haynes, Chief Investigator, Office of Investigations and Enforcement,

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

INTRODUCTION OF BOARD MEMBERS AND ALL OTHER PERSONS ATTENDING

Mr. McLeod introduced the members present.

CONSIDERATION OF EXCUSES FOR ABSENCES OF BOARD MEMBERS

David Buckshorn received excused absence.

MOTION

Mr. Kinney made a motion to accept Mr. Buckshorn's excused absence. Ms. Yetter seconded the motion, which carried unanimously.

CHAIRMAN'S REMARKS

There were no remarks.

APPROVAL OF AGENDA

MOTION

Mr. Kinney made a motion to accept the approval of the agenda. Mr. Hiatt seconded the motion, which carried unanimously.

APPROVAL OF MEETING MINUTES

December 1, 2016 Board Meeting Minutes

MOTION

Mr. Kinney made a motion to accept the December 1, 2016 Board meeting minutes. Mr. Slice seconded the motion, which carried unanimously.

APPLICANT APPEARANCES

Janice Gore

Ms. Gore appeared before the Board to request to retake the national community residential care administrator licensing exam again after failing three times.

MOTION

Mr. Kinney made a motion to allow Ms. Gore to retake the national community residential care administrator exam again. Mr. Hiatt seconded the motion, which was carried unanimously.

The Board recommended Ms. Gore to wait until July 2017 to take the new national exam that will be administered by the National Board of Long Term Care Administrators (NAB).

Samuel A. Kolapo

Mr. Kolapo appeared before the Board to request to retake the national community residential care administrator licensing exam again after failing three times.

MOTION

Mr. Kinney made a motion to allow Mr. Kolapo retake the national community residential care administrator exam again. Mr. Slice seconded the motion, which was carried unanimously.

The Board recommended Mr. Kolapo to wait until July 2017 to take the new national exam that will be administered by the National Board of Long Term Care Administrators (NAB).

Virginia Merritt

Ms. Merritt appeared before the Board to request to retake the national community residential care administrator licensing exam again after failing five times.

Mr. Slice recused himself and left the room. He signed a statement of recusal, which was given to the court reporter for the record.

Executive Session In

MOTION

Ms. Yetter made a motion to go into executive session for legal advice. Mr. Kinney seconded the motion, which carried unanimously.

Executive Session Out

MOTION

Mr. Kinney made a motion to come out of executive session. Ms. Greenwade seconded the motion, which carried unanimously.

MOTION

Mr. Kinney made a motion to allow Ms. Merritt to retake the national community residential care administrator exam again. Ms. Yetter, seconded the motion, which was carried unanimously.

The Board recommended Ms. Merritt to wait until July 2017 to take the new national exam that will be administered by the National Board of Long Term Care Administrators (NAB).

National State Based Law Exam

Ms. Calhoun asked if Ms. Merritt has to retake the CRCF state exam since questions were updated after she took the exam in 2014.

MOTION

Ms. Yetter made a motion to accept the state exam score. Mr. Kinney seconded the motion, which carried unanimously.

Trenay Dukes

Ms. Dukes appeared before the Board to request to retake the national community residential care administrator licensing exam again after failing three times.

Mr. Kinney made a motion to allow Ms. Dukes to retake the national community residential care administrator exam again. Ms. Greenwade seconded the motion, which was carried unanimously.

The Board recommended Ms. Dukes to wait until July 2017 to take the new national exam that will be administered by the National Board of Long Term Care Administrators (NAB).

Amanda F. Rainey

Ms. Rainey appeared before the Board to request to retake the national community residential care administrator licensing exam again after failing four times.

Mr. Kinney made a motion to allow Ms. Rainey to retake the national community residential care administrator exam again. Mr. Hiatt seconded the motion, which was carried unanimously.

Kim D. Duncan

Ms. Duncan appeared before the Board to request to retake the national community residential care administrator licensing exam again after failing five times.

Mr. Kinney made a motion to allow Ms. Duncan to retake the national community residential care administrator exam again. Ms. Yetter seconded the motion, which was carried unanimously.

The Board recommended Ms. Duncan to wait until July 2017 to take the new national exam that will be administered by the National Board of Long Term Care Administrators (NAB).

Lueneather Stokes-Cakley

Ms. Cakley appeared before the Board to request that her Community Residential Care Administrator Facility license be reinstated to inactive status. Office records indicate that her license expired June 30, 2015. Records also indicate that the license was renewed inactive for the years 2008-2014.

Executive Session In

MOTION

Mr. Kinney made a motion to go into executive session for legal advice. Ms. Yetter seconded the motion, which carried unanimously.

Executive Session Out

MOTION

Mr. Kinney made a motion to come out of executive session. Mr. Hiatt seconded the motion, which carried unanimously.

MOTION

Mr. Slice made a motion that because Ms. Cakley license was lapsed for more than a year, she will have to complete the initial application, pay the application fees and undergo a background check. She is excused from retaking the national and state exams. Ms. Yetter seconded the motion, which carried unanimously.

Cyntina Jackson

Ms. Jackson appeared before the Board because she answered “no” to the question on the application which states, “Have you ever been convicted of or pled guilty or nolo contendere to any felony, misdemeanor, or crime of moral turpitude?” Her background revealed convictions. The Board was provided her explanation of the background results.

Ms. Jackson meets the CRCF requirements.

MOTION

Mr. Kinney made a motion to allow Ms. Jackson to take the national community residential care administrator exam and state exam. Mr. Slice seconded the motion, which was carried unanimously.

Jennifer Clark

Ms. Clark appeared before the Board because she answered “no” to the question on the application which states, “Have you ever been convicted of or pled guilty or nolo contendere to any felony, misdemeanor, or crime of moral turpitude?” Attached is her explanation of the background results.

Ms. Clark meets the CRCF requirements.

MOTION

Mr. Kinney made a motion to allow Ms. Clark to take the national community residential care administrator exam and state exam. Ms. Yetter seconded the motion, which was carried unanimously.

HEARING OFFICER RECOMMENDATION-FINAL ORDER HEARING

Case#2015-28

Ms. Flannery gave the Board a summary of the hearing officer’s recommendation.

MOTION

Mr. Kinney made a motion to accept the hearing officer’s recommendation. Ms. Yetter seconded the motion, which carried unanimously.

COMPLIANCE REPORTS

IRC Recommendations and Office of Investigations Report

Mr. Haynes presented the recommendations from the Investigative Review Committee. There were four (4) dismissals, three (3) formal complaints and one (1) letter of caution.

Dismissals

MOTION

Mr. Kinney made a motion to accept the dismissals. Mr. Hiatt seconded the motion, which carried unanimously.

Formal Complaints

MOTION

Mr. Kinney made motion to accept the formal complaints. Ms. Yetter seconded the motion, which carried unanimously.

Letters of Caution

MOTION

Mr. Kinney made a motion to accept the letter of caution. Mr. Slice seconded the motion, which carried unanimously.

Office of Investigations Report

There were fourteen (14) cases received in the fourth quarter of the year 2016. There were twelve (12) cases closed in the fourth quarter of the year 2016.

The Office of Investigations report also revealed trainings for the investigative staff for the first quarter of 2017.

Office of Disciplinary Counsel Report

Megan Flannery presented the ODC report.

There were sixteen (16) open cases, eight (8) pending actions, four (4) pending CA/MOAs, two (2) pending Board hearings/Action one (1) pending new OIE case, one (1) pending scheduling, two (2) closed and no appeals. These cases are as of February 21, 2016.

ADMINISTRATOR'S REMARKS

2017 NAB Annual Meeting

The 2017 NAB Annual Meeting will be held June 14-16, 2017 in Salt Lake City, Utah. The Board will need to vote on at least two staff, and two Board members to attend.

MOTION

Mr. Kinney made a motion that two staff and two Board members be allowed to attend the 2017 NAB Annual Meeting. Mr. Hiatt seconded the motion, which carried unanimously.

Office of Finance Report

Ms. Calhoun presented the Board with the Office of Finance reports for November 2016, December 2016, and January 2017. These reports were taken as information.

SCARCH Spring Conference

Staff is requesting approval to attend the SCARCH Spring Conference –April 12-13, 2017, Columbia, SC 29210 this conference on behalf of the Board to provide information to CRCF Administrators and be available to answer questions.

SC Health Care Association Conference

Staff is requesting approval to attend this South Carolina Health Care Conference-April 23-25, 2017 on behalf of the Board to provide information to NHA Administrators and be available to answer questions.

MOTION

Mr. Kinney made a motion that staff be allowed to attend the SCARCH Spring Conference and the SC Health Care Association Conference. Ms. Yetter seconded the motion, which carried unanimously.

2017 Statement of Economic Interest (SEI) Report

Staff reminded Board members to complete the 2017 Statement of Economic Interest by March 30, 2017.

New NAB Examination Fee Structure

Ms. Calhoun presented the Board with information regarding NAB two part exams and new fee structures for NHA and CRCF and the new HSE exam.

NAB will transition to a two part component exam structure with the introduction of the HSE exam program in July of 2017. The component exam will consist of a 110 item core of knowledge exam (100 items scored plus 10 unscored pre-test items) plus a line of service exam (LOS exam) of 55 items (50 items scored plus 5 pretest items). To qualify for licensure, candidates will be required to pass both the core of knowledge and the appropriate line of service (NHA, RCAL, and/or HCBS) examinations.

This structure will result in a higher level of validation of competency for both the common core and line of service knowledge. A benefit to candidates will be that if they are successful on one component of the exam and not the other, they will only have to repeat the component that they failed.

The primary impact on state licensing boards and agencies will be that two separate scores will be received for each candidate, one for the core of knowledge exam, one for the line of service exam. It will be important to assure that prior to issuing a license the candidate has passed both components of the examination.

To further illustrate, candidates may schedule and take each component separately or in a combined session. Two hours would be allowed for the core of knowledge exam, one hour for the line of service exam (LOS exam).

As soon as NAB has a firm launch date, they will inform the boards and also provide a timeline of transition, which will require a brief blackout period for exam administrators as they transition to the new exam forms.

MOTION

Ms. Yetter made a motion to accept the NAB exam guidelines put in place so that staff can make the ruling for passing one portion of the exam but failing another portion. In this case, we would follow NAB's guidelines. If the applicant fails both portions, they will follow regulations of two times failure and they would need to appear before the Board. Mr. Slice seconded the motion. Motion carries.

CRCF AIT Program

There was discussion about implementing the AIT Program for CRCF Administrators. Mr. Kinney suggested that the three Board members with CRCF background form a committee to discuss how this program should be implemented.

MOTION

Mr. Kinney made a motion that a committee be formed to address the CRCF AIT Program, consisting of the CRCF members on the Board. Mr. Hiatt seconded the motion, which carried unanimously.

Ms. Lewis stated that the committee would look at the nursing home guidelines as a base to help form the guidelines for the CRCF AIT Program.

Clarification of Inactive and Active lapsed Licenses

Staff requested clarification on the requirements on inactive and active lapsed licensees as it relates to the law. The Board recommended that according to law, if the licensee is lapsed for more than one year, they must be able to provide proof that they have kept up with their CE hours annually and the prior experience will be accepted. The licensee will have to complete an initial application, pay the fees and undergo another background check. If the licensee cannot provide proof of CE hours annually, they will need to appear before the Board.

COMMITTEE REPORTS

Credentials Committee

The Board took the report of the Credentials Committee as information. The report showed fourteen (14) Nursing Home Administrators (NHA), thirty-one (Community Residential Care Facility Administrators (CRCF), and one (1) Dual administrator have been approved since February 23, 2017. The report shows no NHA provisional license; six (6) CRCFA provisional licenses and no Dual provisional licenses have been issued since February 23, 2017. The report shows eleven (11) Nursing Home Administrators, five (5) Community Residential Care Administrators and ten (10) Dual Administrators licensed between December 1, 2016-February 23, 2017. Since January 1, 2017, eight (8) Nursing Home Administrators, four (4) Community Residential Care Administrators and eight (8) Dual Administrators were licensed.

Education Committee

The Board reviewed the Education Committee report. The report showed seven (7) approved Sponsor CE applications, six (6) approved Administrator CE application between December 1, 2016-February 23, 2017. The report showed five (5) approved Sponsor CE applications and three (3) approved Administrator CE applications between December 1, 2016-February 23, 2017.

Staff provided the Board with a current listing of continuing education courses.

AIT Committee

AIT Current Trainings

Mr. Kinney presented the AIT committee report. There are currently forty-seven (47) preceptors. Three (3) preceptors out of the total can only train employees. Eight (8) AIT candidates are currently training and four (4) AIT candidates have completed the program.

Staff is waiting on two administrators to complete the AIT Preceptor Online Training and three preceptors to renew their certificate and take the AIT Preceptor Online Training program as a refresher course.

AIT Preceptor Directory

A list of current AIT preceptors were provided to the Board and taken as information.

PUBLIC COMMENTS

There were no comments from the public.

ADJOURNMENT

MOTION

Mr. Kinney made a motion to adjourn the meeting. Ms. Greenwade seconded the motion which carried unanimously.

The March 2, 2017 Board meeting of the SC Board of Long Term Health Care Administrators adjourned at 1:15 pm.