

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

9:30 a.m., March 5, 2015  
Synergy Business Park  
110 Centerview Drive, Kingstree Building Room 204  
Columbia, South Carolina

**Thursday, March 5, 2015**

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

**1. Meeting Called to Order**

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: Sonny Kinney of Anderson and Melvin K. Hiatt of Fairfax.

Staff members participating in the meeting included: Lee Ann F. Bundrick, Administrator, Stephanie Calhoun, Administrative Assistant, Georgia L. Lewis, Advice Attorney, Office of Advice Counsel, Megan Flannery, Office of General Counsel, Ashley Bailey, Investigator, Office of Investigations and Enforcement, David Love, Chief Investigator, Office of Investigations and Enforcement and Ramona Alston, 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 Buckshorn and Nikki Robertson received excused absences.

**MOTION**

Mr. Kinney made a motion to accept the excused absences for David Buckshorn and Nikki Robertson. Mr. Hiatt seconded the motion, which carried unanimously.

**5. Chairman's Remarks**

**Approval of Amendment of Agenda-2014-16 and 2014-46 under new business item 4**

**MOTION**

Mr. Kinney made a motion to accept the amendment to the agenda to add case # 2014-16 and 2014-46. Mr. Hiatt seconded the motion, which carried unanimously.

**6. Approval of the Meeting Minutes**

**December 11, 2014**

**MOTION**

Mr. Kinney made a motion to accept the minutes from the December 11, 2014 Board meeting with the correction made to paragraph four to change the motion from Mr. Kinney to Mr. Buckshorn. Mr. Hiatt seconded the motion, which carried unanimously.

**7. Compliance Reports**

**IRC Recommendations**

**Dismissals**

**MOTION**

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

**Formal Complaints**

**MOTION**

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

**Letters of Caution**

**MOTION**

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

**Office of Investigations**

David Love presented the OIE report.

There were 69 cases received from January 1, 2014-December 31, 2014 and 44 cases closed from January 1, 2014-December 31, 2014. There were 5 cases received from January 1, 2015-February 28, 2015 and 3 cases closed from January 1, 2015-February 28, 2015.

## **Office General Counsel Report**

Meghan Flannery presented the OGC report.

There were twenty (20) open cases, three (3) pending actions, eight (8) pending CA/MOAs, four (4) pending hearings, five (5) pending final orders and thirteen (13) closed. These cases are as of March 5, 2015.

### **8. Applicant Appearances**

#### **Bobbi Triolo**

Ms. Triolo appeared before the Board to request reconsideration of her application because staff determined that her CRCF experience was not obtained under a licensed CRCF Administrator as required by law.

#### **Executive Session In**

##### **MOTION**

Mr. Kinney made a motion to go into executive session for legal advice. Mr. Hiatt 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. Kinney made a motion that Ms. Triolo be allowed to sit for the community residential care national and state exams based on her experience under a licensed Nursing Home Administrator in New York where a license is not required for ALF/CRCF Administrators. Mr. Hiatt seconded the motion, which carried unanimously.

#### **Mark A. Feltham**

Mr. Feltham appeared before the Board because his previous Nursing Home Administrator's license lapsed June 30, 2009. His experience is more than 5 years ago; therefore, his application could not be handled in a routine manner by staff.

#### **Executive Session In**

##### **MOTION**

Mr. Kinney made a motion to go into executive session for legal advice. Mr. Hiatt 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. Kinney made a motion that Mr. Feltham be allow to sit for the nursing home national and state exams. Mr. Hiatt seconded the motion, which carried unanimously.

### **Tyler A. Lofe**

Mr. Lofe appeared before the Board because staff denied his application for licensure as a Community Residential Care Facility Administrator because his work experience does not meet current CRCF requirements. He is asking the Board to reconsider his work experience based on previous CRCF requirements.

## **Executive Session In**

### **MOTION**

Mr. Kinney made a motion to go into executive session. Mr. Hiatt 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. Kinney made a motion that Mr. Lofe be allowed to sit for the CRCF national and state exams based on the fact that he met the requirements before the change in the law that went into effect June 9, 2014. In addition, he has obtained 480 hours in a CRCF, which is more than the required 192 hours in a six months timeframe as required by law. Mr. Hiatt seconded the motion, which carried unanimously.

### **Rita Hill**

Ms. Hill appeared before the Board because her North Carolina CRCF experience was not obtained under a licensed CRCF Administrator according to her Endorsement Licensure Questionnaire. The review of her application could not be handled in a routine manner by staff.

## **Executive Session In**

### **MOTION**

Mr. Kinney made a motion to go into executive session. Mr. Hiatt 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. Hiatt made a motion that Ms. Hill be allowed to sit for the CRCF national and state exams based on additional information she provided in regards to obtaining CRCF experience under a licensed Administrator from August 2014 until March 5, 2015 and her experience in North Carolina. Mr. Kinney seconded the motion, which carried unanimously.

### **Cynthia Reinheimer**

Ms. Reinheimer appeared before the Board because staff determined that a decision regarding her CRCF work experience could not be handled in a routine manner by staff. Her CRCF experience was not obtained under a licensed CRCF Administrator as required by law in South Carolina.

## **Executive Session In**

### **MOTION**

Mr. Kinney made a motion to go into executive session. Mr. Hiatt 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. Hiatt made a motion that Ms. Reinheimer be allowed to sit for the CRCF national and state exams based her previous experience in North Carolina and the additional experience under a licensed CRCF Administrator in South Carolina. Mr. Hiatt seconded the motion, which carried unanimously.

## **9. New Business-Board Approval**

### **Case# 2009-43 Consent Agreement**

### **MOTION**

Mr. Kinney made a motion to accept the Consent Agreement for case 2009-43. Mr. Hiatt seconded the motion, which carried unanimously.

### **Case# 2014-4 Consent Agreement**

#### **MOTION**

Mr. Kinney made a motion to accept the Consent Agreement for case 2014-4. Mr. Hiatt seconded the motion, which carried unanimously.

### **Case# 2014-13-Consent Agreement**

#### **MOTION**

Mr. Kinney made a motion to accept the Consent Agreement for case 2014-13. Mr. Hiatt seconded the motion, which carried unanimously.

### **Case# 2014-16-Consent Agreement**

#### **MOTION**

Mr. Kinney made a motion to accept the Consent Agreement for case 2014-16. Mr. Hiatt seconded the motion, which carried unanimously.

### **Case# 2014-46-Consent Agreement**

#### **MOTION**

Mr. Kinney made a motion to accept the Consent Agreement for case 2014-46. Mr. Hiatt seconded the motion, which carried unanimously.

## **10. Advice Counsel-Board Member Information Update**

Ms. Lewis gave the Board a brief overview of the Office of General Counsel's duties. She reminded the Board of what they are allowed and not allowed to do with regards to their professional standing with the Board as Board members.

## **11. Administrator's Remarks**

### **Office of Finance**

Ms. Bundrick gave the office of finance report for November 2014, December 2014 and January 2015. The Board took this report as information.

### **Composition of Board**

Grant Gillespie spoke with the Board about its composition. He said that since the Long Term Care Committee of Health and Human Services Coordinating Council no longer exist; the Governor's Office is looking at removing the position from statute. They are having a difficult time finding individuals that fit the qualifications as well as willingness serve. By taking away the voting member of the Long Term Care Committee position will leave the Board composition with 8 positions. It is customary to not have even number positions. Therefore, the Board

recommended changing 40-35-10 (1) because of the difficulty in finding someone with hospital experience. Another suggestion would be to look at changing 40-35-10 (2) (3).

The terms of service for the Board is also being taken in consideration for possible change. Mr. Gillespie will take the Board's recommendations back to the Governor's Office.

### **Criminal Conviction Staff Licensing Authorization**

Staff requested licensing authority to approve criminal convictions that are not relevant to the practice of Nursing Home Administration and Community Residential Care Administration in regards to financial misconduct or physical violence. The request also extends to the approval of misdemeanor convictions. The Board directed staff to contact the Department of Health and Environmental Control (DHEC) to find out how they handle these matters and to make sure we are making the same decisions. Ms. Bundrick asked if staff could direct questions regarding background convictions to the Board Chair or Board Attorney, the Board agreed. Staff was given authority to approve any misdemeanors except if the applicant answers "yes" to the background question on the application, which they will have to come before the Board. Only misdemeanors greater than five years can be approved by staff.

### **NHA and CRCF State Exam Test Questions Update**

The Professional Examination Services provided staff with the NHA state and CRCF state exams recommendations to be reviewed by the Examination Committee. The Board at a previous meeting voted to allow PES to review test questions to make sure that they are appropriate test questions and that they meet the competencies. Ms. Calhoun will send an email to committee members requesting available dates. Once the Committee meets and reviews the questions, Ms. Calhoun will forward the decision of the Committee to PES.

### **NAB State-Based Exam Increase**

The National Association of Long Term Care Administrators Board of Governors approved an increase in the examination fees for the NHA and CRCF National State Based Licensing (NSBL) exams administration. Effective March 1, 2015, the NSBL fee will increase from \$175 to \$190.

### **SC State Ethics Commission**

Staff reminded Board members to complete the 2014 Statement of Economic Interest form online by March 30, 2015.

### **2015 NAB Annual Meeting**

The NAB Mid-Year Meeting will be held June 3-5, 2015 at the Sonesta Hotel in Philadelphia, PA.

### **MOTION**

Mr. Kinney made a motion to approve two staff members and one Board member to attend the NAB Midyear meeting June 3-5, 2015 in Philadelphia, PA. Mr. McLeod seconded the motion, which carried unanimously.

### **Reactivation of Retired License Application**

At the September 4, 2014 Board meeting, the Board approved the Reactivation of Inactive License Application. Staff is requesting approval for the Reactivation of Retired License Application. The Board agreed to the new application with corrections.

### **Lapsed License Grace Period**

The NHA and CRCF license is considered lapsed as of July 1<sup>st</sup>. Staff requested guidance in regards to opening a complaint against the Administrator (currently practicing) for having a lapsed license as of this date. The statute and regulations do not allow for a grace period for lapsed license. Ms. Lewis will review the engine to determine if the Board has a right to impose additional fines along with what is already required for lapsed license.

## **12. Committee Reports**

### **Credentials Committee**

The Board took the report of the Credentials Committee as information. The report showed eleven (11) Nursing Home Administrators (NHA), fourteen (14) Community Residential Care Facility Administrators (CRCF), and four (4) Dual administrators have been approved since February 27, 2015. The report shows four (4) NHA provisional licenses, seven (7) CRCFA provisional licenses and no Dual provisional licenses have been issued since February 27, 2015. It also showed twelve (12) Nursing Home Administrators, eighteen (18) Community Residential Care Administrators and three (3) Dual Administrators licensed between September 4, 2014-February 27, 2015. Since January 1, 2015, seven (7) Nursing Home Administrators, eight (8) Community Residential Care Administrators and one (1) Dual Administrators were licensed.

### **Education Committee**

Mr. Hiatt presented the Education Committee report. The report showed forty (40) approved Sponsor CE applications, nineteen (19) approved Administrator CE application between September 4, 2014-February 27, 2015. The report showed that ten (10) approved Sponsor CE applications and five (5) approved Administrator CE applications between January 1, 2015 and February 27, 2015.

### **AIT Committee**

Mr. Kinney said that the AIT Committee met on the February 24, 2015. The Committee is trying to meet with the colleges in South Carolina: USC, Lander, MUSC, Coastal Carolina, Winthrop University and Clemson University. The goal of the committee is to develop collaboration between certain institutions of higher education in South Carolina and the State Board of Long Term Care Administrators. This Partnership would create a seamless pathway to licensure for those students seeking a career in Health Care Administration. Meeting with the schools and incorporating the program into their curriculum will allow the students to train in the program before they graduate.

### **AIT Current Trainings**

Mr. Kinney presented the AIT committee report. There are currently forty-eight preceptors. Eleven preceptors out of the total can only train employees. Nine (9) AIT candidates are currently training and one (1) AIT candidate has completed the program.



### **AIT Preceptor Directory**

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

### **Adjournment**

#### **MOTION**

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

The March 5, 2015 Board meeting of the SC Board of Long Term Health Care Administrators adjourned at 1:00 pm.