

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

9:30 a.m., September 3, 2015  
Synergy Business Park  
110 Centerview Drive, Kingstree Building Room 204  
Columbia, South Carolina

**Thursday, September 3, 2015**

**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., 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: David Buckshorn, Vice Chair, Nikki Robertson of Columbia, Julius Sonny Kinney, Jr. of Anderson, Shelly Kelly of Columbia, and Melissa Yetter of Simpsonville.

Staff members participating in the meeting included: Lee Ann F. Bundrick, Administrator, Stephanie Calhoun, Administrative Assistant, Georgia Lewis, Office of Advice Counsel, Megan Flannery, Office of General Counsel, Ashley Bailey, Investigator, Office of Investigations and Enforcement, Althea Myers, 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.

**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**

Melvin K Hiatt received excused absence.

**MOTION**

Mr. Kinney made a motion to accept the excused absence for Melvin K. Hiatt. Mr. Buckshorn seconded the motion, which carried unanimously.

**Chairman's Remarks**

Mr. McLeod introduced the two new Board members; Shelly Kelly, DHEC-Director of Health Regulation, Board position: Ex Officio and Melissa Yetter, Administrator, Board position: CRCF non-profit.

## **APPROVAL OF THE AGENDA AND MEETING MINUTES**

### **Agenda**

#### **MOTION**

Mr. Kinney made a motion to accept the agenda with the change of moving the agenda item C in place of the item B. Ms. Robertson made seconded the motion, which carried unanimously.

### **June 11, 2015 Board Meeting Minutes**

#### **MOTION**

Mr. Kinney made a motion to accept the minutes from the June 11, 2015 Board meeting minutes. Mr. Buckshorn seconded the motion, which carried unanimously.

## **COMPLIANCE REPORTS**

### **IRC Recommendations**

#### **Dismissals**

#### **MOTION**

Mr. Kinney made a motion to accept the dismissals. Ms. Yetter seconded the motion which carried unanimously.

### **Formal Complaints**

#### **MOTION**

Mr. Buckshorn made a motion to accept the formal complaints. Ms. Robertson seconded the motion which carried unanimously.

### **Letters of Caution**

#### **MOTION**

Ms. Yetter made a motion to accept the letters of caution. Mr. Buckshorn seconded the motion which carried unanimously.

### **Office of Investigations**

Althea Myers presented the OIE report.

There were 30 cases received in the third quarter of the year 2015 and 1 case closed in the third quarter of the year 2015.

## **Office General Counsel Report**

Meghan Flannery presented the OGC report.

There were seventeen (17) open cases, three (3) pending actions, four (4) pending CA/MOAs, four (4) pending hearings, five (5) pending final order hearings, one (1) formal complaint and six (6) closed. These cases are as of August 10, 2015.

## **APPLICANT APPEARANCES**

### **John R. Lewis**

Mr. Lewis failed to appear before the Board regarding reconsideration of his CRCF experience.

### **Terra G. Sutton**

Ms. Sutton appeared before the Board because her CRCF experience obtained in Virginia 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. Buckshorn seconded the motion which carried unanimously.

## **Executive Session Out**

### **MOTION**

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

### **MOTION**

Ms. Robertson made a motion that Ms. Sutton be allowed to sit for the CRCF state exam provided that she submits proof of passing the CRCF national exam. Mr. Kinney seconded the motion which carried unanimously.

### **Maleika N. Wright**

Ms. Wright petitioned the Board to allow her to take the national community residential care administrator licensing exam again after failing three times.

### **MOTION**

Mr. Kinney made a motion to allow Ms. Wright to sit for the CRCF national for the fourth time. Ms. Yetter seconded the motion, which carried unanimously.

### **Aubre Burgess**

Ms. Burgess petitioned the Board to allow her to take the national community residential care administrator licensing exam again after failing three times.

**MOTION**

Mr. Kinney made a motion to allow Ms. Burgess to sit for the CRCF national for the fourth time. Mr. Buckshorn seconded the motion, which carried unanimously.

**Matthew M. Hannagan**

Mr. Hannagan appeared before the Board because his position as a Director of Rehabilitation and Executive Director of Sales and Marketing is out of the parameters of approval by staff.

**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. Buckshorn seconded the motion which carried unanimously.

**MOTION**

Mr. Kinney made a motion that Mr. Hannagan not be allowed to sit for the NHA national and state exams. He recommended that he focus on the areas of work experience as established in 40-35. Mr. Buckshorn seconded the motion which carried unanimously.

**Lisa R. Harrison**

Ms. Harrison appeared before the Board because her CRCF experience was obtained in Alabama, Indiana and Tennessee. Staff could not review her application in a routine manner because the CRCF experience in these states does not meet the requirements as established for CRCF in 40-35-40.

**MOTION**

Mr. Kinney made a motion that Ms. Harrison be allowed to sit for the CRCF national and state exams. Ms. Robertson seconded the motion, which carried unanimously.

**Rochelle E. Beach**

Ms. Beach petitioned the Board to allow her to take the NHA national exam again after failing four times.

Mr. Kinney was recused after completing the statement of recusal.

**Executive Session In**

**MOTION**

Ms. Robertson made a motion to go into executive session for legal advice. Mr. Bucksorn seconded the motion which carried unanimously.

## **Executive Session Out**

### **MOTION**

Ms. Robertson made a motion to come out of executive session. Ms. Yetter seconded the motion which carried unanimously.

### **MOTION**

Mr. Buckshorn made a motion that Ms. Beach be allowed to sit for the NHA national exam again for the fifth time. Ms. Yetter seconded the motion which carried unanimously.

### **Beverly A. Strong**

Ms. Strong contacted staff the day before the meeting and requested to reschedule her appearance for December 3, 2015 Board meeting.

### **Stacy M. Floyd**

Ms. Floyd appeared before the Board because her CRCF license expired June 30, 2008. Her application did not indicate current work experience within the past five years. For this reason, her application could not be reviewed on staff level.

## **Executive Session In**

### **MOTION**

Ms. Robertson made a motion to go into executive session for legal advice. Mr. Buckshorn seconded the motion which carried unanimously.

## **Executive Session Out**

### **MOTION**

Mr. Buckshorn made a motion to come out of executive session. Ms. Robertson seconded the motion which carried unanimously.

### **MOTION**

Ms. Yetter made a motion that Ms. Floyd be allowed to sit for the CRCF national and state exams. Mr. Buckshorn seconded the motion which carried unanimously.

### **Aimee T. Shearous**

Ms. Shearouse appeared before the Board requesting reconsideration of her NHA application after being denied by staff because she does not have a second area of supervisory experience in Business and Fiscal management or supporting services.

### **MOTION**

Mr. Kinney made a motion that Ms. Shearous be allowed to sit for the NHA national and state exams. Mr. Buckshorn seconded the motion which carried unanimously.

**Brooke A. Thompson**

Ms. Thompson appeared before the Board to request to sit for the NHA national and NSBL state exams. She completed the AIT program in 2011 and did not apply to sit for the exams within one year from completion of the AIT program as required by the AIT guidelines.

**MOTION**

Ms. Robertson made a motion that Ms. Thompson be allowed to sit for the NHA national and state exams. Mr. Kinney seconded the motion which carried unanimously.

**NEW BUSINESS-BOARD APPROVAL**

**Case# 2014-30 and 2014-45 Consent Agreement**

Nikki Robertson and Melissa Yetter were recused after completing the statement of recusal.

**MOTION**

Mr. Kinney made a motion to accept the Consent Agreement-Case #2014-30 and 2014-45. Mr. Buckshorn seconded the motion which carried unanimously.

**DISCIPLINARY HEARINGS**

**Case# 2014-26 Memorandum of Agreement**

**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. Buckshorn seconded the emotion which carried unanimously.

**MOTION**

Mr. Kinney made a motion that the licensee receive a public reprimand, \$1000 fine (due in ninety (90) days) and a Cease and Desist order be given because the license was lapsed as of June 30, 2015.

**Case# 2014-22-Final Order Hearing**

**MOTION**

Mr. Kinney made a motion to accept the Hearing Officer's recommendations. Mr. Buckshorn seconded the motion which carried unanimously.

## **Case# 2012-18-Final Order Hearing**

### **MOTION**

Mr. Kinney made a motion to accept the Hearing Officer's recommendations. Ms. Robertson seconded the motion which carried unanimously.

### **ADMINISTRATOR'S REMARKS**

#### **2015 NAB Mid Year Meeting**

The NAB Mid-Year Meeting will be held November 11-13, 2015 in Naples, Florida.

### **MOTION**

Mr. Kinney made a motion that two staff members and two board members be allowed to attend the NAB Mid-Year Meeting in Naples, Florida.

#### **Office of Finance Report**

The Board reviewed the budgets for June and July 2015.

#### **2015 License Renewals**

Ms. Bundrick presented the totals for the active and inactive license renewals for 2015. There were five hundred twenty-five (525) active CRCFs, Fifty (50) inactive CRCFs, two hundred ninety-two (292) active NHAs, twenty six (26) inactive NHAs, one hundred thirty-six (136) active Duals and fourteen (14) inactive Duals.

Ms. Bundrick also presented the totals for 2014 for comparison.

Lapsed renewal letters were mailed in July and August. A final lapsed letter will be mailed in September.

#### **2015 CE Audit**

Ms. Calhoun gave the report on the 2015 CE Audit. Out of 953 active licensees a random CE audit was conducted. There were twenty-seven (27) active NHAs, ninety-two (92) active CRCFs and twelve (12) active Duals.

#### **2015 Lapsed Licensees**

Administrator licenses are considered lapsed as of July 1<sup>st</sup>. The law does not provide a grace period. Staff asks for guidance on whether a complaint should be opened against an Administrator (currently practicing) for having a lapsed license as of this date or should there be a seven (7) to fourteen (14) day grace period.

Ms. Lewis referred the board to the statute 40-35-45(B), which states the licensee cannot practice after the expiration date. Further practice may be sanctioned as unlicensed practice. The statute does not allow for a grace period. As of July 1st, lapsed licensees should be sent a Cease and desist order. The statute also allows for a civil penalty imposed by the board not more than \$200

per day and the licensee can be sanctioned for discipline. The law requires that the licensee signs a document confirming that they have not practiced with a lapsed license.

### **MOTION**

Mr. Kinney made a motion that two notices be sent in May and June as reminder to the renewal notification sent in April. Anyone failing to renew their license by June 30<sup>th</sup> will be issued a Cease and Desist. Ms. Yetter seconded the motion, which carried unanimously.

The Board Chair will review the Cease and Desist Orders and authorize staff by email to use his signature stamp on the orders.

## **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 two (2) Dual administrators have been approved since August 27, 2015. The report shows one (1) NHA provisional license, eight (8) CRCFA provisional licenses and no Dual provisional licenses have been issued since August 27, 2015. It also showed six (6) Nursing Home Administrators, eight (8) Community Residential Care Administrators and three (3) Dual Administrators licensed between June 11, 2015-August 27, 2015. Since January 1, 2015, twenty-three (23) Nursing Home Administrators, thirty (30) Community Residential Care Administrators and nine (9) Dual Administrators were licensed.

### **Education Committee**

The Board reviewed the Education Committee report. The report showed twenty-one (21) approved Sponsor CE applications, ten (10) approved Administrator CE application between June-11, 2015-August 27, 2015. The report showed that seventy-nine (79) approved Sponsor CE applications and sixty-three (63) approved Administrator CE applications between January 1, 2015 and August 27, 2015.

### **AIT Committee**

#### **AIT Current Trainings**

Mr. Kinney presented the AIT committee report. There are currently thirty-seven (36) preceptors. Eleven (11) 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.

#### **AIT Preceptor Directory**

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



## **ADVICE COUNSEL REMARKS**

### **Executive Session In**

#### **MOTION**

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

### **Executive Session Out**

#### **MOTION**

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

## **ADJOURNMENT**

#### **MOTION**

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

The September 3, 2015 Board meeting of the SC Board of Long Term Health Care Administrators adjourned at 3:00 pm.