

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

9:30 a.m., June 12, 2014
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 204
Columbia, South Carolina

Thursday, June 12, 2014

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: Nikki Robertson, of Columbia, and Julius B. Kinney, Jr., of Anderson, David Buckshorn Vice Chairman, of Greenwood 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, Enforcement, Althea Myers, Chief Investigator, Office of Investigations and Enforcement and Ramona Alston, Office of Investigations and Enforcement and Frank Sheheen, Recovery Professional Recovery Program.

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

Stefanie Corbett was granted an excuse absence.

MOTION

Mr. Kinney made a motion to accept the excuse absence of Stefanie Corbett. Mr. Buckshorn seconded the motion which carried unanimously.

5. Chairman's Remarks

There were no chairman remarks.

6. Approval of the Meeting Minutes
March 6, 2014 Meeting Minutes

MOTION

Mr. Kinney made a motion to approve the March 6, 2014 Board meeting minutes. Ms. Robertson seconded the motion which carried unanimously.

7. Compliance Reports

Dismissals

MOTION

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

Formal Complaints

MOTION

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

Letters of Caution

MOTION

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

8. Investigative Review Committee

Office of Investigations

Althea Myers presented the OIE report.

There were sixteen (16) active investigations and seven (7) closed cases. These cases were received from March 1, 2014 through May 31, 2014.

Office General Counsel Report

Meghan Flannery presented the OGC report.

There were twenty-two (22) open cases, thirteen (13) pending actions, four (4) pending CA/MOAs, five (5) pending hearings and one (1) closed. These cases are as of May 27, 2014.

10. Administrator's Remarks

Recovery Professional Program (RPP) Update

As requested by the Board, Mr. Frankie Sheheen gave an overview of the program. The purpose of the program is to monitor and treat licensees for chemical dependency and substance abuse. This program began in 2000. They are required to obtain 26 blood/urine tests per year. All

counselors working with the program are well trained and have had prior experience in other employment. Positive drugs screens went from 22% percent to 3%. There are currently two licensees in the program. Ms. Bundrick receives quarterly reports of detailed information on data from RPP.

Office of Finance

This report was received as information.

2014 NAB Annual Meeting

Nikki Robertson, Stephanie Calhoun and Lee Ann Bundrick attended the NAB Annual meeting in Louisville, KY, June 4-6, 2014.

Ms. Robertson stated that NAB is creating a Health Executive license which will combine the nursing home administrator's license, community residential care license and other health care licenses. Individuals will take one exam which will encompass questions for all licenses. They are in the process of getting the South Health Care Association and Leading Age involved with promoting this license. NAB sees this as an opportunity to approve the mobility between states. However, each state will have its own state exam and regulations. Administrators will still be required to pass both national and state exams before becoming licensed. It also allows states to look at creating exams or licensure where one license allows the individual to run a nursing home, community residential care facility, hospice and home health. Ms. Robertson said that NAB is pushing to get this new license in place. The Board will need to get involved to stay updated with the progress of this new license. However, there is legislation that will need to be introduced for each state, should the states decide to go this direction.

Ms. Bundrick stated that Randy Lindler discussed creating a model act for NAB for all states to follow. He talked about working with Dale Atkins, attorney to accomplish this in the future.

Ms. Robertson stated that she attended the meeting regarding the AIT program. There were incentives mentioned at the meeting to get administrators to become preceptors. She would like to present those incentives to the AIT committee to encourage South Carolina administrators to become preceptors.

Mr. Kinney stated that the committee contacted schools in South Carolina that offer the healthcare administration degree. The goal is to get the schools to allow the program to be a part of their curriculum. Unfortunately, the committee was not able to follow through with this phase of the program, due to other circumstances.

Ms. Robertson said that NAB is starting to provide more information on their web site regarding the program. This will help the committee obtain ideas on improving the South Carolina AIT program.

Ms. Bundrick presented the Board with a detailed cost estimate for ProExam Editorial Services. These services include a One-time Editorial Review and Training Activities. The Training Activities are broken down into subcategories; Virtual Training Session, Tiered Webinar

Training Sessions and ProExam Write and ProExam Bank. These services would be beneficial to the Board to ensure that questions are written to meet the standard.

MOTION

Mr. Kinney made a motion to acquire the services of Professional Examination Services (PES) to provide a one-time editorial review of the state examination questions for nursing home and community residential care. Ms. Robertson seconded the motion which carried unanimously.

Ms. Bundrick mentioned that the 2014 Mid-Year Annual meeting is November 12-14, 2014 in San Francisco, CA.

Exam Expiration Date

The September 1, 2011 Board meeting discussion on the exam expiration date for the state exam was tabled from a past Board meeting until the Nursing Home Administrator and Community Residential Care Facility Administrator state exams were updated. The state exams have been updated and staff needed guidance on the recommendation which states that nursing home administrators and community residential care facility administrators who have allowed their licenses to expire up to five years, do not have to retake the national exams. According to 93-210(B)-if the lapsed license period is more than one year, the individual shall meet the requirements in 93-70. This recommendation is invalid according to the law and can no longer be followed.

Legislative Update

Ms. Lewis stated that the statute passed June 5, 2014 allowing changes for the definitions and experience requirements to take place. She will find out the timeline to submit the regulations for approval since the time for review and approval has passed. The regulations will mirror the statute. Staff will determine if the 120 days will continue or it will have to start over. The statute precedes the regulations and can be followed at this time. Staff will need to update the applications on the website to make sure that applicants review the statute. Applications received before June 5, 2014 can be reviewed under the old statute, regulation or the new statute, whichever will be beneficial for the applicant.

FY 2014 Year-End Closeout

Ms. Bundrick reported to the Board that the 2014 Year-End Closeout date is June 30, 2014. The deadline for Finance to receive any invoices and travel reimbursement documents is 5:00 pm on July 11, 2014.

South Carolina Healthcare Association

Ms. Bundrick and Ms. Calhoun attended the SC Healthcare Association Conference April 27-30, 2014. Staff's purpose for attending the conference was to promote the Administrator in Training Program (AIT). Administrators attending the conference had questions regarding the AIT program and indicated favorable interest in becoming an AIT Preceptor.

NAB Exam Rate Increase

The exam rate will increase for the NHA national exam and RCAL national exam. The NHA national exam fee will increase from \$475 to \$500 and the RCAL national exam fee will increase from \$300 to \$325. The changes will go into effect September 15, 2014.

11. Committee Reports

Credentials Committee

The Board took the report of the Credentials Committee as information. The report showed five (5) Nursing Home Administrators (NHA), eighteen (18) Community Residential Care Facility Administrators (CRCF), and one (1) Dual administrator has been approved since May 29, 2014. The report shows three (3) NHA provisional license, two (2) CRCFA provisional licenses and zero (0) Dual provisional licenses have been issued since May 29, 2014. It also showed zero (0) Nursing Home Administrators, five (5) Community Residential Care Administrators and one (1) Dual Administrator licensed between March 6, 2014 and May 29, 2014. Since January 1, 2014, two (2) Nursing Home Administrators, six (6) Community Residential Care Administrators and two (2) Dual Administrators were licensed.

Education Committee

The Board took the report of the Education Committee as information. The report showed forty (40) approved Sponsor CE applications, fifty-five (55) approved Administrator CE application between March 6, 2014 and May 29, 2014. The report showed that fifty-six (56) approved Sponsor CE applications and thirty-four (34) approved Administrator CE application between January 1, 2014 and May 29, 2014.

AIT Committee

Mr. Kinney presented the Board with an updated list of preceptors. The list has been divided into two lists. One list has available preceptors and the other list has preceptors who can only train AIT candidates who are employed by the facility. There are currently eight AIT candidates participating in the program and four have completed the program.

Mr. Kinney is meeting with a CEO from one of the major chains about having his Nursing Home Administrators become AIT preceptors. This will add at least twelve new preceptors for the program. He is encouraged by the increase of administrators participating as preceptors in the program.

12. Applicant Appearances

Scottie L. Johnson

Ms. Johnson appeared before the Board because her community residential care experience is more than five years ago. Therefore, 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. 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 motions which carried unanimously.

MOTION

Ms. Robertson made a motion to allow Ms. Johnson to sit for the national and state community residential care exams provided that she obtains at least three months of on-site work experience under the supervision of a licensed Community Residential Care Facility Administrator. She must have a minimum of 192 hours documented for this on-site work experience. Ms. Johnson must provide staff with the required documentation upon receipt of this on-site work experience under the supervision of a licensed Community Residential Care Facility Administrator. Mr. Kinney seconded the motion which carried unanimously.

Theresa H. Farmer

Ms. Farmer 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?” However, the criminal background results indicate discipline.

MOTION

Mr. Kinney made a motion to allow Ms. Farmer to sit for the national and state community residential care exams. Mr. Buckshorn seconded the motion which carried unanimously.

Christopher A. Kellogg

Mr. Kellogg did not appear before the Board.

Kathryn D. Gill

Ms. Gill appeared before the Board because her community residential care experience is more than five years ago. Therefore, her application could not be handled in a routine manner by staff.

MOTION

Mr. Kinney made a motion to allow Ms. Gill to sit for the national and state community residential care exams provided that she obtains at least three months of on-site work experience under the supervision of a licensed Community Residential Care Facility Administrator. She must have a minimum of 192 hours documented for this on-site work experience. Ms. Gill must provide staff with the required documentation upon receipt of this on-site work experience under the supervision of a licensed Community Residential Care Facility Administrator.

Amanda S. Fowler

Ms. Fowler appeared before the Board because her community residential care experience is more than five years ago. Therefore, her application could not be handled in a routine manner by staff.

MOTION

Mr. Kinney made a motion to allow Ms. Fowler to sit for the national and state community residential care exams provided that she provides an updated resume. Mr. Buckshorn seconded the motion which carried unanimously.

Kellie A. Hiers

Ms. Hiers appeared before the Board because the Credentials Committee determined that her education and experience needs to be reviewed by the full Board.

Executive Session In

MOTION

Ms. Robertson made a motion to go into executive session. 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

Mr. Buckshorn made a motion to allow Ms. Hiers to sit for the nursing home national and state exams. Mr. Hiatt seconded the motion which carried unanimously.

13. Disciplinary

Case 2012-26

MOTION

Mr. Kinney made a motion to accept the Consent Agreement. Mr. Buckshorn seconded the motion which carried unanimously.

Case 2013-36

MOTION

Mr. Kinney made a motion to accept the Consent Agreement. Mr. Buckshorn seconded the motion which carried unanimously.

Case 2011-42

MOTION

Mr. Kinney made a motion to accept the Consent Agreement. Mr. Buckshorn seconded the motion which carried unanimously.

Case 2013-20

Executive Session In

MOTION

Mr. Kinney made a motion to go into executive session. 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.

Executive Session In

MOTION

Mr. Kinney made a motion to go into executive session. Ms. Robertson seconded the motion which carried unanimously.

Executive Session Out

MOTION

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

MOTION

Mr. Kinney made a motion that Ms. Johnson receives a public reprimand, \$1,000 fine, 12 months suspension which will be immediately stayed and her license shall continue uninterrupted in a probationary status for a period of twelve (12) months. Mr. Buckshorn seconded the motion which carried unanimously.

Adjournment

MOTION

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

The June 12, 2014 meeting of the SC Board of Long Term Health Care Administrators adjourned at 2:30 pm.