

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

9:30 a.m., March 7, 2013
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 204
Columbia, South Carolina

Thursday, March 7, 2013

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., presiding Chairman, of Greenville, called the regular meeting of the Board of Long Term Health Care Administrators to order at 9:38 a.m. Other members present for the meeting included: David B. Buckshorn, Vice Chairman, of Greenwood, Marvin Hyatt, of Rock Hill; Nikki Robertson, of Columbia, and Julius B. Kinney, Jr., of Anderson, Pam Dukes, of Columbia, Melvin K. Hiatt, of Fairfax .

Staff members participating in the meeting included: Stephanie Calhoun, Administrative Assistant, Lee Ann Bundrick, Board Administrator, Darra Coleman, Office of Advice Counsel, Ashley Bailey, Investigator, Office of Investigations and Enforcement, Althea Myers, Chief Investigator, Office of Investigations and Enforcement and Pat Hanks, Legal Counsel, Office of General Counsel.

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

Marvin Hiatt and Sonny Kinney

5. Chairman's Remarks

There were no chairman remarks.

6. Administrator's Remarks

There were no administrator remarks

7. Approval of the Meeting Minutes

December 6, 2012 Board Meeting Minutes

MOTION

Ms. Dukes made a motion the Board approve the minutes of the December 6, 2012 Board meeting minutes. Mr. Buckshorn seconded the motion which carried unanimously.

8. Compliance Report

Investigative Review Committee

Althea Myers presented the recommendations from the Investigative Review Committee meeting held on February 21, 2013.

Dismissals

MOTION

Mr. Buckshorn made a motion the Board approve the recommended dismissals. Ms. Robertson seconded the motion which carried unanimously.

Formal Complaints

MOTION

Ms. Dukes made a motion the Board approve the recommended formal complaints. Ms. Robertson seconded the motion which carried unanimously.

Office of Investigations Report

Ms. Myers presented the report from the Office of Investigations.

There are fifteen (15) active investigations, sixteen (16) closed cases, six (6) do not open cases, and thirteen (13) pending Board action cases. These cases were received during calendar year 2012.

There are eleven (11) active investigations, one (1) closed case, two (2) do not open cases and fourteen (14) pending Board action cases. These cases were received from January 1, 2013 through February 28, 2013.

Office of General Counsel Report

Mr. Hanks presented the Board with an overview of the cases in the Office of General Counsel. There are twelve (12) open cases, one (1) pending action, one (1) Consent Agreement/Memorandum of Agreement, one (1) Agreement to relinquish and two (2) closed cases.

a. Consent Agreement-Case 2011-33

Motion

Mr. Buckshorn made a motion to accept the consent agreement. Mr. Hyatt seconded the motion, which carried unanimously.

b. Agreement to Relinquish-Case 2012-29

Motion

Ms. Robertson made a motion to accept the agreement to relinquish. Mr. Buckshorn seconded the motion, which carried unanimously.

Mr. Hanks ask the Board to consider the possibility of referring some disciplinary cases to a panel of one to two members, or a designee to hear cases. No decision on this request was made at this time.

9. Committee Reports

Credentials Committee

The Board took the report of the Credentials Committee as information. The report shows six (6) nursing home administrators (NHA), six (6) Community Residential Care Facility Administrator (CRCF), and one (1) dual candidate have been approved since February 28, 2013. The report shows that one (1) NHA provisional licenses, four (4) CRCFA provisional licenses and zero (0) dual provisional license have been issued since February 28, 2013. It also shows eight (8) nursing home administrators, ten (10) community residential care administrators and zero (0) dual administrator licensed between December 6, 2012 and February 29, 2013. As of January 1, 2013, five (5) nursing home administrators, six (6) community residential care administrators and zero (0) dual administrators were licensed.

Education Committee

The Board took the report of the Education Committee as information. The report shows fifteen (15) approved Sponsor CE applications, one (1) approved Administrator CE application between December 6, 2012 and February 28, 2013. The report shows that twelve (12) approved Sponsor CE applications and one (1) approved Administrator CE application between January 1, 2013 and February 28, 2013.

AIT Committee

The Board took the AIT Committee report as information. The report shows five (5) AIT candidates currently being trained by AIT Preceptors. It also shows two (2) candidates who completed the program. There are currently 43 Preceptors in South Carolina.

a. AIT Committee-Preceptor Update

The Board took this update as information.

Legislative Committee

Mr. McLeod stated that Mr. Buckshorn, Mr. Hyatt, Ms. Dukes and himself met to review the statutory provisions regarding the Board. The proposed changes are in the board notebook. The question was asked, what is the next step in the process? Ms. Bundrick said that the full Board will need to review the changes and determine if they would like to proceed with the changes. Ms. Coleman stated that it would be prudent for the Board to go ahead and file legislation because of the interest in regulatory review pursuant to Governor Haley's Executive Order and establishment of the Regulatory Review Task Force.

Discussion ensued about the statute and regulation changes. In order to make statute changes a sponsor will need to be secured. The sponsor will introduce the statute as a bill to go through the legislative process. The Agency would send a notice of drafting for the regulations. If there is any opposition, then the matter is referred to the Administrative Law Judge.

10. Applicant Appearance

Deborah Dorscher-McCormack

Ms. Mc-Cormack's application was presented to the board as a request for reconsideration to practice as a nursing home administrator and community residential care facility administrator after being denied by staff.

Executive Session In

MOTION

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

Execution Session Out

MOTION

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

MOTION

Mr. Buckshorn made a motion to not allow Ms. McCormack to take the nursing home and community residential care administrator exams based on the information in her application. Details of the explanation are in the Board meeting transcript.

Judy D. O'Quinn

Ms. O'Quinn's application was presented to the Board for reconsideration to practice as a nursing home administrator after being denied by Staff.

Executive Session In

MOTION

Mr. Buckshorn made a motion to go into executive session. Mr. Hyatt seconded the motion which carried unanimously.

Executive Session Out

MOTION

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

MOTION

Ms. Dukes made a motion that Ms. O'Quinn not be allowed to sit for the national and state nursing home administrator exams based on 40-35-40,40-35-45 and Regulation 93-70. Mr. Buckshorn seconded the motion which carried unanimously. Details of the explanation are in the Board meeting transcript.

11. Other New Business

Office of Finance Report

The Board reviewed the Financial Report. After some discussion it was taken as information.

New Prometric Fees & Procedures for exam

There was some discussion and changes taken as information.

NAB Annual Meeting.

The 2013 annual meeting will be held June 12 through 14 in Seattle, Washington.

MOTION

Ms. Dukes made a motion to send one board member and two staff members to the NAB annual meeting in Seattle, Washington. Ms. Robertson seconded the motion which carried unanimously.

NAB-Professional Practice Analysis

Ms. Bundrick said the NAB Professional Practice Analysis is launching a task force charged with delineating the domains of practice, skills, knowledge and task that constitute the full competencies for all long term care administrators. The task force has been launched. The first meeting will be March 15 and 16 in Las Vegas. Subsequent meetings and teleconferences will be held through the spring of 2014. The Board took this as information.

Saint Joseph's College

Ms. Bundrick presented information regarding Saint Joseph's College. It is an online school that offers a BS degree in long term care administration, a long term care administration certificate and a master's of health administration. Saint Joseph's College is accredited by NAB making it the only NAB accredited distant education long term care administration program for both undergraduate and graduate degrees. The Board took this as information.

Governor's Regulatory Review Task Force

Mr. McLeod said the Regulatory Review Task Force and the Governor is requesting that the Board review and revise regulations to improve the impact that the regulations have on South Carolina businesses. The letter from the Governor and Executive Order are in the Board notebook. Ms. Coleman stated that the goal is not to eliminate any regulation but to preserve public safety. A letter will be going out to all associations and stake holders with an e-mail account set up for the solicitation of written comments.

Ms. Roberts added changes to the draft regulations. These changes were recorded by Stephanie Calhoun and Darra Coleman. (Changes also listed in Board transcript).

The Board members agreed to schedule a conference call meeting on March 21, 2013 to review and make further changes to the regulations. The meeting will be held at LLR in room 105 at 10:00 am.

State Ethics Commission

Ms. Bundrick reminded the Board to complete the 2013 Statement of Economic Interest Report by April 15, 2013.

Public Comments

There were not public comments.

Adjourn

MOTION

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

The March 7, 2013 meeting of the SC Board of Long Term Health Care Administrators adjourned at 1:00 pm.