

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

9:30 a.m., June 21, 2012
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 108
Columbia, South Carolina

Thursday, June 21, 2012

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 .

Staff members participating in the meeting included: Lee Ann Bundrick, RPh, Administrator; Stephanie Calhoun, Administrative Assistant, Jamie Saxon, Advice Attorney, Office of Advice Counsel, Frank Sheheen, Esquire, RPP, Ashley Bailey, Investigator, Office of Investigations and Enforcement, David Love, Chief Investigator, Office of Investigations and Enforcement and Yolanda Rodgers, 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

Melvin K. Hiatt was granted excused absence.

5. Chairman's Remarks

There were no chairman remarks.

6. Administrator's Remarks

Ms. Bundrick thanked the South Carolina Health Care Association for allowing her and Stephanie Calhoun participate in their conference by exhibiting information in a booth. Mr. Kinney was also in attendance at the meeting and stated that the booth displaying the AIT information attracted a lot of interest from administrators.

7. Approval of the Meeting Minutes

March 8, 2012 Board Meeting Minutes

MOTION

Mr. Kinney made a motion the Board approve the minutes of the March 8, 2012 Board meeting. Mr. Hyatt seconded the motion which carried unanimously

April 19, 2012 AIT Committee Meeting Minutes

MOTION

Mr. Hyatt made a motion the Board approve the minutes of the April 19, 2012 AIT Committee Meeting Minutes. Ms. Robertson seconded the motion which carried unanimously

8. Old Business

Release from Board Order-Darryl Mast

Mr. Mast came before the Board requesting release from an order he was issued March of 2011.

MOTION

Mr. Kinney made a motion that Mr. Mast be release from the March 2011 Board order. Ms. Robertson seconded the motion which carried unanimously

NAB Test Confidentiality and Attestation Document

There was discussion about this document coming before the Board at a previous meeting. Ms. Robertson stated that the document was discussed at the NAB Annual meeting. She stated that there was a breach of exam questions in the last year. Upon investigating, the individual was identified. This document will prohibit any further breach of security in the future.

MOTION

Mr. Buckshorn made a motion that the Board accepts the NAB Test Confidentiality and Attestation document with adding the CRCF exam form for South Carolina. Mr. Hyatt seconded the motion which carried unanimously.

9. New Business

Holly Pisarik, Director of LLR

Ms. Pisarik appeared before the board and introduced herself as the new director for Labor, Licensing and Regulations. She invited the Board to contact her about any questions or assistance with matters regarding the Board.

Darra Coleman, new Advice Counsel introduced herself to the Board and offer availability to assist the Board.

Committee Reports

Investigative Review Committee

David Love presented the recommendations from the Investigative Review Committee meeting held on May 22, 2012.

Letter of Caution

MOTION

Mr. Kinney made a motion the Board approve the recommended letter of caution. Mr. Hyatt seconded the motion which carried unanimously.

Dismissals

MOTION

Mr. Kinney made a motion the Board approves the recommended dismissal with correction on spelling. Ms. Robertson seconded the motion which carried unanimously.

Order of Temporary Suspension

The Order of Temporary Suspension was taken as information only.

Credentials Committee

The Board took the report of the Credentials Committee as information. The report shows nine (9) nursing home administrators (NHA), eleven (11) Community Residential Care Facility Administrator (CRCF), and five (5) dual candidates have been approved since June 14, 2012. The report shows that two (2) NHA provisional licenses and six (6) CRCFA provisional licenses and one (1) dual provisional license have been issued since June 14, 2012. It also shows zero (0) nursing home administrators, four (4) community residential care administrators and one (1) dual administrator licensed since June 14, 2012. As of January 1, 2012, 0(0) nursing home administrators, eleven (11) community residential care administrators and three (3) dual administrators were licensed.

Education Committee

The Board took the report of the Education Committee as information.

AIT Committee

AIT Committee Report

The Board took the AIT Committee report as information. The report shows eight (8) AIT candidates currently being trained by AIT Preceptors. It also shows two (2) candidates who completed the program. There are currently 38 Preceptors in South Carolina.

a. AIT Committee-Preceptor Update

Mr. Kinney stated that the Committee is trying to expand the number of preceptors in the State so that AIT candidates would not have to travel across State to be trained. The map with counties highlighted in yellow, shows where there are preceptors in the State. The goal is to have preceptors in every county to accommodate those individuals interested in becoming future administrators. The training to become an AIT preceptor is two to three hours. The goal is to have the preceptors do training for future preceptors. The committee would like to get the schools, with health related degrees involved by having students train in the AIT program while completing their degree. The Committee also plans to solicit help from the associations.

10. Reports From

Office of General Council Report

Ms. Bundrick presented the Board with an overview of the cases in the Office of General Counsel. There are two (2) open cases, three (3) pending actions, two (2) Consent Agreement/Memorandum of Agreement, one (1) pending hearing and nine (9) closed cases.

Office of Investigations Report

Mr. Love presented the report from the Office of Investigations.

There is one (1) active investigation, sixteen (16) closed cases, twelve (12) do not open cases, three (3) pending Board action cases, one (1) pending investigative review committee case, and one (1) pending drafting formal complaint and one (1) pending Office of General Council Action. These cases were received from January 1, 2010 through December 31, 2010.

There are twenty-one (21) active investigation, twelve (12) closed cases, nine (9) do not open cases, four (4) pending Board action cases, one (1) pending consent agreement, and one (1) pending respondent agreement. These cases were received from January 1, 2011 through December 31, 2011.

There are thirteen (13) active investigations, four (4) do not open cases, and four (4) pending Board action case and one (1) pending drafting consent agreement. These cases were received from January 1, 2012 through May 22, 2012.

Financial Report

The Financial Report was received as information.

11. Other New Business

Annual NAB Meeting Report

Ms. Robertson presented a report from the NAB meeting. She attended the State Board Member Forum. She gave a detail report of the topics discussed in the forum. One topic discussed from the meeting is a super license. The candidate will take an exam which would allow them to operate under the NHA, CRCF or a home care license, if that state requires such licenses. An interesting recent study on statistical data showed a significant difference in education, experience and the quality of capable administrators. This study indicated that the AIT programs with individuals having a master's degree or higher education do make a difference in the quality of administrators. This study showed that these individuals do better on the examinations. Ms. Robertson presented other topics from the meeting.

Draft Report of NHA Study for the NAB Foundation

Ms. Robertson recognizes this draft information as part of the discussion at the NAB Meeting. The Board took it as information.

Letter of Caution/Concerns-Other Board Actions

Ms. Bundrick brief the Board on the e-mail regarding allowing staff to sign LOC. The Board chair usually signs the LOC and the vice chair signs them in the absence of the Board chair.

MOTION

Mr. Kinney made a motion that the signing of LOC remain with the chair and vice chair unless they're unavailable, Ms. Bundrick will have the authority to sign them. Mr. Hyatt seconded the motion which carried unanimously.

Insurance Reserve Fund Class

Ms. Bundrick informed the Board that there will be a class held Friday, September 14, 2012 at the Denny Auditorium, SC Fire Academy, 151 Monticello Road, Columbia, SC, 10 am to 12 noon. Staff will be sending out a reminder by e-mail in the near future. The IRC chairs will be invited to attend the class.

The Insurance Reserve Fund representatives will talk about their purpose of the fund and what they do for the agency.

12. Consent Agreement

Case# 2010-30

Ms. Baldwin presented the Consent Agreement to the Board on behalf of Pat Hanks, general counsel for the Board.

MOTION

Mr. Kinney made a motion that the Board accepts the Consent Agreement. Mr. Buckshorn seconded the motion which carried unanimously.

13. Applicant Appearance(s) – Other Certificate Programs

Hiedi L. Smola

Ms. Smola does not meet the minimum education requirement for the CRCFA license. Her diploma in practical nursing and work experience must be considered by the full Board in accordance with the Board policy stating:

Other certificate programs in combination with CRCF and other health care work experience will be considered on a case-by-case basis.

MOTION

Ms. Robertson made a motion Ms. Smola be allowed to sit for the exam. Mr. Buckshorn seconded the motion which carried unanimously.

14. Applicant Appearance(s) - Background

Michael S. Davidson

Mr. Davidson appeared before the Board because he answered “yes” to question 7 on the application which states, “*Have you ever been convicted or pled guilty or nolo contendere to any felony, misdemeanor, or crime of moral turpitude?*” The criminal background results revealed that he was convicted of Disorderly Conduct on June 25, 1997 and Driving under suspension on March 8, 1993. He also indicated on his application a DUI charge in 2002.

Executive Session

MOTION

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

Executive Session

MOTION

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

MOTION

Mr. Kinney made a motion that Mr. Davidson be allowed to sit for the national and state CRCF exams. Mr. Hyatt seconded the motion which carried unanimously.

Sharon C. Shands

Ms. Shands is before the Board because she answered “no” to question 7 on the application which states, “*Have you ever been convicted or pled guilty or nolo contendere to any felony, misdemeanor, or crime of moral turpitude?*” The criminal background results revealed that she was convicted of a Fraudulent Check on February 3, 2003.

MOTION

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

15. Applicant Appearance(s) - Qualification Approval

Theresa O. Mizzell

Ms. Mizzell’s application was reviewed and denied by staff and the Credentials Committee because it did not meet the CRCF requirements.

MOTION

Mr. Buckshorn made a motion that Ms. Mizzell be allowed to sit for the exams. Ms. Robertson seconded the motion which carried unanimously.

Debra J. Punzirudu

Ms. Punzirudu’s application is before the Board because the Credentials Committee determined that her education and experience must be reviewed by the full Board.

Executive Session

MOTION

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

Executive Session

MOTION

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

MOTION

Ms. Robertson made a motion that Ms. Punzirudu not be allowed to sit for the exams until she gains six months experience in direct patient care or supporting services. Mr. Kinney seconded the motion which carried unanimously.

Michele F. Riordan

Ms. Riordan requested to appear before the Board for reconsideration of the denial of her nursing home administrator application to practice as a nursing home administrator.

Executive Session

MOTION

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

Executive Session

MOTION

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

MOTION

Ms. Kinney made a motion that Ms. Riordan be allowed to sit for the exams. Mr. Buckshorn seconded the motion which carried unanimously.

Matthew R. Whitehead

Mr. Whitehead's application is before the Board because the Credentials Committee determined that his education and experience must be reviewed by the full Board.

MOTION

Ms. Kinney made a motion that Mr. Whitehead be allowed to sit for the exam. Mr. Buckshorn seconded the motion which carried unanimously.

16. Public Comments

No public comments were made during this meeting.

17. Adjournment

The June 21, 2012 meeting of the SC Board of Long Term Health Care Administrators adjourned at 12:30 pm.

The next meeting of the SC Board of Long Term Health Care Administrators is scheduled for September 6, 2012.