

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

9:00 a.m., March 8, 2012
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 108
Columbia, South Carolina

Thursday, March 8, 2012

Note: These minutes are a record of the motions and official actions taken by the Board and brief summary of the meeting. A transcript of this meeting providing more detail will be available on the Board's website: www.llr.state.sc.us/pol/

1. Meeting Called to Order

David Buckshorn, presiding Chairman, of Greenwood, 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: Melvin Ken Hiatt of Fairfax; Marvin Hyatt, of Rock Hill; Nikki Robertson, of Columbia, and Julius B. Kinney, Jr., of Anderson.

Staff members participating in the meeting included: Lee Ann Bundrick, RPh, Administrator; Stephanie Calhoun, Administrative Assistant, Dean Griggs, Advice Attorney, Office of Advice Counsel, Pat Hanks, Attorney, Office of General Counsel; Rick Wilson, 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. Buckshorn 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. Buckshorn introduced the members present.

4. Consideration of Excuses for Absences of Board Members

Pam Dukes and Daniel R. McLeod, Jr. were granted excused absence.

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 1, 2011 Board Meeting Minutes

MOTION

Mr. Kinney made a motion the Board approve the minutes of the December 1, 2011 Board meeting. Mr. Hiatt seconded the motion which carried unanimously

January 4, 2012 Credential Committee Meeting Minutes

MOTION

Mr. Hiatt made a motion the Board approve the minutes of the January 4, 2012 Credentials Committee Meeting Minutes. Mr. Hiatt seconded the motion which carried unanimously

8. Old Business

Recovering Professional Program (RPP)-Update Abstinence Policy

Mr. Wilson gave a brief overview of the Recovering Professional Program-Update Abstinence Policy and answered questions and/or concerns from the Board.

Parameters for failed CE Audits

The committee members presented parameters to the Board regarding 2011 failed CE audits.

Mr. Kinney suggested that staff contact the associations to put in their newsletters information about the annual renewal, the random CE audit and disciplinary actions for failed CE audits.

MOTION

Mr. Kinney made a motion the Board accept the parameters for failed CE audits. Mr. Hiatt seconded the motion which carried unanimously.

9. New Business

Committee Reports

Investigative Review Committee

Letter of Caution

MOTION

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

Formal Complaints

MOTION

Mr. Kinney made a motion the Board approve the recommended formal complaints. Mr. Hiatt seconded the motion which carried unanimously.

Reconsideration of Letter of Caution

MOTION

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

Credentials Committee

The Board took the report of the Credentials Committee as information. The report shows six (6) nursing home administrators (NHA), twelve (12) Community Residential Care Facility Administrator (CRCF), and four (4) dual candidates have been approved since February 29, 2012. The report shows that two (2) NHA provisional licenses and six (6) CRCFA provisional licenses and two (2) dual provisional licenses have been issued since February 29, 2012. It also

shows thirteen (13) nursing home administrators, nine (9) community residential care administrators and one (1) dual administrator licensed since February 29, 2012. As of January 1, 2012, ten (10) nursing home administrators, six (6) community residential care administrators and one (1) dual administrator were licensed.

Education Committee

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

a. Continuing Education Sponsor Request

The Board reviewed and considered the request from Sharon Hewins, CE Sponsor regarding approval for webinars for South Carolina licensees. These webinars were approved in the past by the National Association of Board for Long Term Care Administrators (NAB). However, the cost for approval is very expensive.

MOTION

Mr. Kinney made a motion the Board refer the request to the Education Committee for review and recommendations. Ms. Robertson seconded the motion which carried unanimously.

AIT Committee

AIT Committee Report

The Board took the AIT Committee report as information. The report shows six AIT candidates currently being trained by AIT Preceptors. It also shows one (1) candidate who completed the program. There are currently 38 Preceptors in South Carolina.

Mr. Kinney instructed staff to submit available dates for an AIT Committee meeting. The Committee will meet before the next Board meeting. Staff was instructed to verify the current list to see which preceptors are still active in the program. Staff will need to make contact with DHEC about getting an updated list of administrator changes. A letter will need to go out to current AIT Preceptors about the CE hours.

a. AIT Committee-Preceptor Hours

At the December 2, 2010 Board meeting the Board voted to accept the Continuing Education Policy for AIT Preceptors. This policy reflects the biennial renewal period put in place by the agency in 2009. Now that the administrators are required to renew annually again. The AIT Preceptor CE policy needs to be adjusted to meet the annual CE renewal requirements.

MOTION

Mr. Kinney made a motion the Board adjust the continuing education (CE) hours to read, an AIT Preceptor, who trains an AIT for six (6) months, would receive seven (7) CE hours within a license period. A Preceptor, who trains an AIT for nine (9) months, receives ten (10) CE hours within a license period. If a Preceptor trains an AIT for six (6) months and trains another AIT for nine (9) months, then they would receive 15 CE hours, with five additional hours in a classroom setting, within a license period. Mr. Hiatt seconded the motion which carried unanimously.

10. Reports From

Office of General Council Report

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

Office of Investigations Report

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

There are twenty (22) active investigations, eight (8) closed cases, nine (9) do not open cases, four (4) pending Board action cases, one (1) pending investigative review committee case, and one (1) pending respondent agreement. These cases were received from January 1, 2011 through December 21, 2011.

There are eight (8) active investigations, four (4) do not open cases, and one (1) pending Board action case. These cases were received from January 1, 2012 through February 21, 2012.

Financial Report

The Financial Report was received as information.

11. Other New Business

Nursing Home Administrator State Exam

Mr. Kinney suggested that staff get a copy of the exam questions for nursing home and community residential care administrators, so that the Board can begin reviewing and updating test questions after the June Board meeting.

NAB Test Confidentiality and Attestation Document

NAB prepared a document for the Board's consideration regarding test-takers' confidentiality and attestation. This document was recommended by NAB's State Governance and Regulations Committee and adopted by the NAB Board of Governors at the last Mid-Year Meeting. As the administrator of a NAB member state that utilizes the NAB NHA and/or RCAL examination, NAB is requesting that the Board make this form available to all exam applicants and to keep the signed forms on file. Mr. Kinney suggested Board members review the information and be prepared to make comments at the next Board meeting.

NAB RCAL Criteria for Endorsement

NAB Residential Care Assisted Living (RCAL) Criteria for Endorsement and the NAB RCAL Licensure Endorsement Agreement was given to the Board members for review and consideration.

The SC Board of LTHCA Chapter 35 and Regulations 93 do not require endorsement for Community Residential Care Facility Administrators (CRCFA) license.

MOTION

Ms. Robertson made a motion that the Board does not endorse the NAB RCAL Criteria for Endorsement. Mr. Hiatt seconded the motion which carried unanimously.

NAB Exam Fee Increase

The exam fee increase was taken as information.

NAB Elections

The NAB elections were taken as information.

12. Board Orders

There were no orders to consider.

13. Applicant Appearance(s) – Other Certificate Programs

Jo Ann F. Evans

Ms. Evans' 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

Mr. Kinney made a motion Ms. Evans be allowed to sit for the exam. Mr. Hiatt seconded the motion which carried unanimously.

14. Applicant Appearance(s) - Background

Ada Nwankudu

Ms. Nwankudu appeared before the Board at its June 2, 2011 meeting regarding disciplinary action with the Board of Nursing, which she was approved to sit for the Community Residential Care Facility Administrators examinations. She is before the Board again, 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 results of her criminal background check indicate that she was convicted of Public Disorderly Conduct on May 15, 2009

Executive Session

MOTION

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

Executive Session

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. Nwankudu be issued a license pending information from the Florence Police Department regarding court appearance and conviction. Also, must submit the name of the individual who paid the bail fee. Mr. Hiatt seconded the motion which carried unanimously.

15. Applicant Appearance(s) - Qualification Approval

Barbara Broom

Ms. Broom is before the Board requesting that her college credit hours be accepted in lieu of the required 48 college credit hours as stated under combination of education and experience established by the Board of LTHCA.

MOTION

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

Angela J. Young

Ms. Young's application was reviewed and denied by the Credentials Committee because it did not meet the NHA requirements. Ms. Young is before the Board requesting that her education and experience be reviewed by the full Board.

Executive Session

MOTION

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

Ms. Robertson made a motion that Ms. Brooms not be allowed to sit for the exam. However, one year of experience will go towards the two year requirement. It is recommended that she work under a licensed administrator for one year and resubmit a new application. Mr. Hyatt seconded the motion which carried unanimously.

16. Public Comments

No public comments were made during this meeting.

17. Other Business

NAB Annual Meeting

Ms. Robertson made a motion that the Board sends two Board members and one staff member to the NAB Annual Meeting. Mr. Hyatt seconded the motion which carried unanimously.

Board Meeting Date Change

Ms. Roberts made a motion that the Board meeting be changed from June 8, 2012 to June 21, 2012 due to the NAB June Conference. Mr. Hyatt seconded the motion which carried unanimously.

18. Adjournment

MOTION

Mr. Kinney made a motion that SC Board of Long Term Health Care Administrators meeting be adjourned. Mr. Hyatt seconded the motion which carried unanimously.

The March 8, 2012 meeting of the SC Board of Long Term Health Care Administrators adjourned at 1:30 pm.

The next meeting of the SC Board of Long Term Health Care Administrators is scheduled for June 21, 2012.