

LLR - BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS
Synergy Business Park, Kingstree Building
110 Centerview Drive, Kingstree Building, Room 111
Columbia, South Carolina 29210

MINUTES

WEDNESDAY, MARCH 7, 2007

9:00 AM

WELCOME AND CALL TO ORDER

Mr. McLeod announced that this meeting was being 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.

Dan McLeod, Jr., chairman, of Greenville, called the regular meeting of the Long Term Health Care Administrators to order at 9:05 a.m. Other members present for the meeting included: David Buckshorn, vice chairman, of Greenville; Pam Dukes, of Columbia; Melvin Hiatt, of Fairfax; and Julius Kinney, Jr., of Anderson.

Brown McCallum, of Summerville, was granted an excused absence.

Staff members participating during the meeting included: Stephanie Calhoun, Administrative Assistant and Tom Porter, Inspector. LLR employees participating during the meeting included: Sharon Dantzler, Deputy General Counsel, Office of General Counsel; Sandra Dickert, Administrative Assistant; Yolanda Rogers, Office of Investigations and Enforcement; and Sheridan Spoon, Attorney, Office of General Counsel.

APPROVAL OF MINUTES

December 6, 2006

MOTION

Mr. Kinney moved the Board approve the minutes of the December 6, 2007 meeting as mailed. Mr. Buckshorn seconded the motion, which carried unanimously.

COMMITTEE REPORTS

Investigative Review Committee

Ms. Yolanda Rogers, of the Office of Investigations and Enforcement, briefed the members on the IRC meeting held on February 13, 2007.

Dismissals

MOTION

Mr. Buckshorn made a motion, seconded by Mr. Kinney and unanimously carried, that the Board accept the IRCs recommendation on the following cases for dismissal.

2005-44 2006-22 2006-24 2006-31 2006-64 2006-70

Formal Complaints

MOTION

Mr. Hiatt moved the Board accept the IRCs recommendation on the following cases for formal complaints.

2006-29 2006-30 2006-58

Letter of Caution

MOTION

Mr. Hiatt made a motion, seconded by Mr. Buckshorn and unanimously carried, that the Board accept the IRCs recommendation regarding the following cases for letter of caution.

2006-32 2006-34 2006-39 2006-45
2007-71 2006-72 2006-90

Ms. Rogers stated the IRC closed 17 cases as most of the cases were duplicates.

IRC Recommendation Committee

Mr. Porter stated the Board created a complaint committee during the last meeting. He briefed the Board on the committee's discussion. He presented the criteria to initiate a complaint, which includes:

1. A complaint will not be opened unless the administrator is also the owner if a facility does not comply with the 24 month plan;
2. A complaint will not be opened unless the administrator is also the owner of a facility that fails to change the licensee according to DHEC regulations;
3. A complaint will be opened if an unlicensed facility is being operated by a licensed administrator;
4. A complaint will be opened in regard to any survey letter received from DHEC above the letter (G) in the DHEC grid.

Credentials Committee

Ms. Calhoun stated that as of February 28, 2007 there were six NHA approved candidates, ten CRCF approved candidates, and one dual. She further stated the number of provisional licensees as of February 28, 2007 include four NHA approved candidates, nine CRCF approved candidates, and two dual. She went on to say licenses issued between June 1, 2006 and February 28, 2007 include 23 NHA candidates, 29 CRCF and three dual. She said licenses issued since January 1, 2007 include three NHA, nine CRCF and no dual licenses. She noted the grid presented to the members notes the number of licenses issued per calendar year.

Education Committee

Ms. Calhoun stated that because the Board has several sponsors that the Board has approved for such a long period of time she has processed the applications and sends applications from new sponsors to the committee. She noted that the listing of the programs is now available on the Board's website.

Mr. Hiatt stated the committee has reviewed a few new classes. He further stated the Board has received a listing of upcoming programs. He went on to say any Board member wishing to monitor a program should contact Ms. Calhoun.

Mr. Buckshorn asked if a health care organization or a non-profit organization could apply and pay annual fee instead of paying a fee with each application. Ms. Calhoun stated she believes allowing such a fee would require a change in the regulation.

AIT Committee

Mr. Buckshorn stated he was approached by a company representative with facilities in different states who had mentioned that other states with a campus setting with multiple CRCFs and a nursing home on the same campus may have administrators in different areas. He went on to say under the AIT program other states if the executive director or president is a preceptor those states allow the preceptor, with close relationship with the administrators oversees the preceptor of fact and is not necessarily the administrator of record of that particular facility that enables a community to train more administrators at a higher quality level and there are more individuals entering the field of a higher caliber.

Mrs. Dantzler stated this concept would require a change in the regulations.

ADMINISTRATOR'S REPORT

AIT Update

Mr. Porter stated there is currently one active AIT participant. He further stated he interviewed a possible preceptor from Camden on March 5, 2007.

License Renewals

Mr. Porter stated renewal forms would be mailed on April 1, 2007.

COMPLIANCE

Consent Agreements

2005-7

Mr. Sheridan Spoon briefed the Board in regard to a consent agreement in regard to case # 2005-7.

Mrs. Dukes recused herself from participating and voting in this matter as the consent agreement is a result of a complaint registered with the SC Department of Health and Environmental Control (SCDHEC).

MOTION

Mr. Kinney moved the Board accept the consent agreement in regard to case # 2005-7. Mr. Hiatt seconded the motion, which carried unanimously.

Case # 2005-29

Mr. Spoon briefed the Board in regard to a consent agreement in regard to case # 2005-29.

MOTION

Mr. Kinney made a motion, seconded by Mr. Buckshorn and unanimously carried, that the Board accept the consent agreement concerning case # 2005-29.

Mr. Buckshorn stated there is currently no mechanism in place to protect residents from an abusive CNA. He noted there is no registry of an administrator who has been released from a facility for abusing residents and no avenue for facilities to report such actions. He further stated a facility could be sued for providing such information to a prospective employer.

The Board suggested an outside association sponsor legislation in regard to this matter.

Case # 2005-30 and Case # 2006-42

Mr. Spoon briefed the Board regarding a consent agreement in regard to case #2005-30 and Case #2006-42. He stated the respondent named in both of these cases in turn proposed to resolve the cases by permanently relinquishing her license.

Mrs. Dukes recused herself from participating and voting in this matter as the consent agreement is a result of a complaint registered with the SC Department of Health and Environmental Control (SCDHEC).

MOTION

Mr. Kinney moved the Board accept the consent agreement permanently relinquishing the license of this respondent. Mr. Buckshorn seconded the motion, which carried unanimously.

LICENSE APPLICATIONS

Shazia S. Arroyo

The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. Kinney moved the Board allow Ms. Arroyo the opportunity to take the exam. Mr. Buckshorn seconded the motion, which carried unanimously.

Holly Black

The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. Kinney made a motion, seconded by Mr. Buckshorn and unanimously carried, that the Board allow Ms. Black the opportunity to take the exam.

Kathryn E. Derrick

The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

Mr. McLeod recused himself from participating and voting in this matter as his law firm does work for the facility where Ms. Derrick is employed.

Mr. McLeod turned the meeting over to Mr. Buckshorn at this time.

MOTION

Mr. Kinney moved the Board allow Ms. Derrick the opportunity to take the exam. Mr. Hiatt seconded the motion, which carried unanimously.

Mr. Buckshorn turned the meeting over to Mr. McLeod at this time.

Peggy D. Moore

The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. Kinney made a motion, seconded by Mr. Buckshorn and unanimously carried, that the Board deny Ms. Moore the opportunity to take the exam.

Mary I. Scott

The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. Kinney moved the Board allow Ms. Scott the opportunity to take the exam for the fourth time. Mr. Buckshorn seconded the motion, which carried unanimously.

Kevin Vacher

The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. Kinney made a motion, seconded by Mr. Buckshorn and unanimously carried, that the Board allow Mr. Vacher the opportunity to take the exam pending presentation of the three random drug tests administered between the submittal of his application and the time he began work and any other drug tests administered when he applies to take the exam.

Sandra Williams

The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. Kinney moved the Board grant Ms. Williams the opportunity to take the exam. Mr. Buckshorn seconded the motion, which carried unanimously.

Betty J. Koski

The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. Kinney made a motion, seconded by Mr. Hiatt and unanimously carried, that the Board grant Ms. Koski the opportunity to take the exam.

Donna Rhoney

The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. Kinney moved the Board grant Ms. Rhoney the opportunity to take the exam for the fourth time. Mr. Buckshorn seconded the motion, which carried unanimously.

Tonya D. Watford

The proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

MOTION

Mr. Kinney made a motion, seconded by Mr. Buckshorn and unanimously carried, that the Board allow Ms. Watford the opportunity to take the exam.

NEXT MEETING

June 6-7, 2007, room 111

The next meeting of the SC Board of Long Term Health Care Administrators is scheduled for June 6-7, 2007 in conference room 111.

ADJOURNMENT

MOTION

Mr. Kinney moved the March 7, 2007 meeting of the SC Board of Long Term Health Care Administrators be adjourned. Mr. Buckshorn seconded the motion, which carried unanimously.

The March 7, 2007 meeting of the SC Board of Long Term Health Care Administrators adjourned at 12:40 p.m.