

LLR - BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS
Synergy Business Park, Kingstree Building
110 Centerview Drive, Kingstree Building, Room 108
Columbia, South Carolina 29210

MINUTES

WEDNESDAY, SEPTEMBER 7, 2005

10:00 AM

Merry Ann Gaddy, Chairperson, of Charleston, called the regular meeting of the Long Term Health Care Administrators to order at 8:45 a.m. Other members present for the meeting included: Julius Kinney, Jr., of Anderson; Leon Frishman, of Columbia; and Melvin Hiatt, of Fairfax.

David Buckshorn, of Greenville; Brown McCallum, of Summerville; and Dan McLeod, Jr., of Greenville were each granted an excused absence.

Staff members participating during the meeting included: Stephanie Calhoun, Administrative Assistant; and Lee Ann Bundrick, Interim Administrator; Randall Bryant, Assistant Deputy Director; Wayne Whitworth, Office of Investigations and Enforcement; Connie Huffstetler, Administrative Assistant; Gail Moore, Office of General Counsel; Sheridan Spoon, LLR-Office of General Counsel; and Sharon Dantzer, Deputy General Counsel, LLR-Office of General Counsel.

WELCOME AND CALL TO ORDER

Ms. Gaddy 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.

APPROVAL OF MINUTES

Ms. Gaddy asked if there were any corrections to the June 8, 2005 meeting minutes. There being none, Ms. Gaddy declared the minutes to be approved as drafted.

COMMITTEE REPORTS

Investigative Review Committee

Cases Recommended for Dismissal

Ms. Bundrick presented to the members the cases recommended for dismissal.

MOTION

Mr. Kinney moved the Board accept the IRC recommendation regarding cases for dismissal. Mr. Hiatt seconded the motion, which carried.

Cases Recommended for Formal Charges

Ms. Bundrick presented to the members the cases recommended for formal charges.

MOTION

Mr. Kinney moved the Board accept the IRC recommendations for cases recommended for formal charges. Mr. Hiatt seconded the motion, which carried.

Consent Orders

Mr. Spoon presented to the Board the cases in which consent order agreements had been reached.

Case 2004-55C

MOTION

Mr. Kinney moved the Board approve the consent agreement reached in this case. Mr. Hiatt seconded the motion, which carried.

Case 2005-36C

MOTION

Mr. Kinney moved the Board approve the consent agreement reached in this case. Mr. Hiatt seconded the motion, which carried.

Case 2005-41C

MOTION

Mr. Kinney moved the Board approve the consent agreement reached in this case. Mr. Hiatt seconded the motion, which carried.

Case 2005-04C

MOTION

Mr. Kinney moved the Board approve the consent agreement reached in this case. Mr. Hiatt seconded the motion, which carried.

Mr. Spoon also made a report to the Board on the settlement of a lawsuit filed against LLR and other state agencies.

At this time, Ms. Dantzer addressed the members regarding the hearings scheduled for Thursday, September 8, 2006. She suggested that a hearing officer be appointed to hear the cases, since a quorum of the Board members are not available. Ms. Dantzer stated that the only other option would be to postpone the cases until the December Board meeting, and expressed concern at such a delay in the hearings. She also noted that the respondents and witnesses would have to be contacted if the hearings were postponed.

Ms. Dantzer recommended that the Board consider allowing John Fantry to hear the cases. He has done a variety of hearings in the past and Ms. Dantzer feels that he would do an excellent job. She explained that the hearing officer would hear the evidence in the cases and make recommendations to the Board. The Board could then review the hearing officer's recommendations and conduct a conference call to vote on them.

MOTION

Mr. Kinney moved the Board allow a hearing officer to hear the cases scheduled for Thursday, September 8, 2006. Mr. Hiatt seconded the motion, which carried.

Credentials Committee

In Mr. McCallum's absence, Ms Gaddy presented the Credentials Report to the other members.

Education Committee

Mr. Hiatt presented the Education Committee Report to the other members. Ms. Bundrick advised the members of a letter received from Johnette Kinard regarding on-line continuing education. The letter was referred to the committee for review.

AIT Committee

Ms. Gaddy stated that the committee has not met since the last Board meeting.

Mr. Kinney asked what the plans were for preceptor training. Ms. Bundrick suggested that Tom Porter might be able to do some preceptor training.

ASSISTANT DEPUTY DIRECTOR'S REPORT

Mr. Bryant spoke to the members regarding the Administrator's position. He noted that Ms. Bundrick has been serving as Interim Administrator for Long Term Health Care Administrators for the past 3 months in addition to her position as Administrator for the Board of Pharmacy. Mr. Bryant remarked that many administrators within LLR have responsibility for more than one program, and that he feels Ms. Bundrick is extremely capable of overseeing both programs.

Mr. Bryant said that he would welcome any comments the board members might have. Mr. Kinney acknowledged that there would be a transition period with a new administrator, but said that Ms. Bundrick is well respected. He said that the main concern of the Board is that the level of service to which the licensees and board members are accustomed remains high. Mr. Bryant agreed that is also the goal of LLR.

ADMINISTRATOR'S REPORT

Ms. Bundrick thanked the Board members for their patience during the transition period and assured them that she and Ms. Calhoun will work together to maintain excellence within the LTHCA program.

Nursing Home AIT Program Update

Ms. Bundrick noted that the information presented to the members includes a list of training sites, preceptors, length of time and training dates. Mr. Porter has visited the sites and spoken with the AIT's and feels the program is going very well.

Protection and Advocacy Meeting

Ms. Bundrick stated that she and Ms. Calhoun attended the original meeting. A relocation team has been created as well as guidelines for moving residents to compliant CRCF's.

NAB Mid-Year Meeting

The meeting will be held in Charleston, November 16-18, 2005. Ms. Bundrick encouraged the members to attend.

UNFINISHED BUSINESS

Recovering Professional Program

After a brief discussion of the presentation made at the last meeting, the members took no action.

NEW BUSINESS

H.3781, Amendment to the Engine Act

Ms. Gaddy asked for comments regarding the proposed legislation. Ms. Dantzer gave an overview of the changes and explained that most of the changes deal with LLR's relationship with the administrative law court. The members agreed to review the bill and take a vote at a later date.

Mr. Frishman received an emergency phone call and was excused from the meeting at this time.

Online Renewals

Ms. Bundrick advised the Board that during the next renewal period, LLR is strongly recommending that all licensees renew online. A computer will be connected in the lobby area for use by licensees who do not have other access. Those who cannot renew online will still have the option of being sent a renewal form.

Newsletter Committee

Ms. Gaddy noted that Ms. Blanton had written the newsletter while she was administrator. Ms. Bundrick will contact Ms. Blanton to get information from her about compiling the newsletter. Mr. Kinney offered some suggestions as to what could be included. The Board will discuss the matter further at the next meeting and appoint a committee.

LICENSE APPLICATIONS

Wade Ammons

Mr. Ammons appeared before the Board to request that he be allowed to take the National Nursing Home Administrator exam for the fourth time, having failed the exams on three previous attempts. Ms. Dantzer

explained to Mr. Ammons that a quorum of members was not present and asked if he wished to have the matter decided by the members present. Mr. Ammons agreed to waive a quorum.

MOTION

Mr. Kinney moved to enter Executive Session. Mr. Hiatt seconded the motion, which carried.

MOTION

Mr. Kinney moved to return to Public Session. Mr. Hiatt seconded the motion, which carried.

MOTION

Mr. Kinney made a motion that Mr. Ammons be allowed to take the National Nursing Home Administrator exam for the fourth time. Mr. Hiatt seconded the motion and it carried.

Debbie Shealy

Ms. Shealy appeared before the Board in the matter of license renewal. Ms. Shealy's attorney, Lawrence Simmons, was also present. Ms. Dantzler explained to Ms. Shealy that since there was no quorum, she could choose to request to appear at the next meeting, or she can waive the quorum. Ms. Shealy agreed to waive the quorum.

MOTION

Mr. Kinney moved to enter Executive Session. Mr. Hiatt seconded the motion, which carried.

MOTION

Mr. Kinney moved to return to Public Session. Mr. Hiatt seconded the motion, which carried.

MOTION

Mr. Kinney moved to allow Ms. Shealy to renew her license. Mr. Hiatt seconded the motion, which carried.

Sarah M. Moody

Ms. Moody appeared before the Board in the matter of her application for a CRCF Administrator's license. Ms. Dantzler advised Ms. Moody that a quorum was not present and she could choose to appear at the next meeting, or she could waive the quorum. Ms. Moody agreed to waive the quorum.

MOTION

Mr. Kinney moved to enter Executive Session. Mr. Hiatt seconded the motion and it carried.

MOTION

Mr. Kinney moved to return to Public Session. Mr. Hiatt seconded the motion, which carried.

MOTION

Mr. Kinney moved to allow Ms. Moody to take the exam a fourth time.

Ms. Dantzler suggested that the Board consider allowing Mr. Fantry to serve as hearing officer for the cases scheduled for today, since there was no longer a quorum due to Mr. Frishman's unexpected early departure from the meeting.

MOTION

Mr. Kinney moved to allow Mr. Fantry to serve a shearing officer for the cases scheduled for today. Mr. Hiatt seconded and the motion carried.

QUARTERLY BOARD MEETING DATES

The members reviewed the following meeting dates for 2006:

March 8-9, 2006	Room 111
June 7-8, 2006	Room 111,108
September 6-7, 2006	Room 108
December 6-7, 2006	Room 111

ADJOURNMENT

There being no further business, the meeting was adjourned.