

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

9:30 a.m., December 6, 2018
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 204
Columbia, South Carolina

Note: These minutes are a record of the motions and official actions taken by the Board and brief summary of the meeting.

MEETING CALLED TO ORDER

Melissa Yetter, Chair, of Simpsonville, was not yet present due to unexpected traffic delays and Mr. Julius (Sonny) Kinney, Jr. of Anderson called the meeting of the Board of Long Term Health Care Administrators to order at 9:39 a.m. Other members present for the meeting included: Timothy Slice of Chapin, E. Annette Schaper of Spartanburg; Sarah Doctor-Greenwade of Columbia, Elizabeth Schaper of Spartanburg, and Shelly Kelly of Columbia.

Mr. Julius (Sonny) Kinney, Jr., 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.

Staff members participating in the meeting included: Kathy Burgess, Program Coordinator I and Georgia Lewis, Office of Advice Counsel.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

INTRODUCTON OF BOARD MEMBERS AND STAFF

The Board and staff members briefly introduced themselves.

CONSIDERATION OF EXCUSES FOR ABSENCES OF BOARD MEMBERS

Mr. Bill Birmingham

MOTION

Mr. Slice made a motion to accept the excused absence. Ms. Schaper seconded the motion, which carried unanimously.

APPROVAL OF AGENDA

MOTION

Ms. Schaper made a motion to accept the approval of the agenda. Mr. Slice seconded the motion, which carried unanimously.

APPROVAL OF MEETING MINUTES

September 5, 2018 Minutes

MOTION

Mr. Slice made a motion to accept the approval of the Minutes for September 5, 2018.

Ms. Schaper seconded the motion, which carried unanimously.

IRC RECOMMENDATIONS AND OFFICE OF INVESTIGATIONS REPORT

Mr. Greg Hinson, Chief Investigator for the Office of Investigations, presented the OIE Statistical Report and the recommendations from the Investigative Review Committee (IRC). Since January 1, 2018, there were forty-five (45) cases received and sixty-six (66) cases closed. Mr. Hinson presented the training report for the investigative staff for informational purposes only.

Mr. Hinson presented the IRC Case Recommendations to the Board. There are six (6) Dismissals, one (1) Letter of Caution, and seven (7) Formal Complaints.

MOTION

Mr. Slice made a motion to accept the recommendations from the IRC for the six (6) dismissals with the correction of revocation in number six (6) on the report. Ms. Schaper seconded the motion, which carried unanimously.

MOTION

Ms. Doctor-Greenwade made a motion to accept the recommendations of the IRC for the one (1) Letter of Caution. Ms. Schaper seconded the motion, which carried unanimously.

MOTION

Ms. Doctor-Greenwade made a motion to accept the recommendations of the IRC for the seven (7) formal complaints. Mr. Slice seconded the motion, which carried unanimously.

OFFICE OF DISCIPLINARY COUNSEL REPORT

Megan Flannery from the Office of Disciplinary Counsel presented the ODC Report. There are sixteen (16) open cases, five (5) cases are pending ODC action, seven (7) cases are pending a Consent Agreement or MOA, and four (4) cases are pending Board hearings. Seven (7) Cases have been closed since January 1, 2018.

For informational purposes only. No votes were taken.

APPLICANT APPEARANCES

Princillia Sumpter

Ms. Sumpter appeared before the Board because she applied to take the exams for the Nursing Home Administrators license and her employment reference was incomplete due to an administrative change in the company. Ms. Sumpter presented additional evidence of employment to the Board for approval.

MOTION

Ms. Doctor-Greenwade made a motion to go into executive session for legal advice. Ms. Schaper seconded the motion, which carried unanimously.

MOTION

Ms. Schaper made a motion to go back into open session. Ms. Yetter seconded the motion, which carried unanimously.

MOTION

Ms. Doctor-Greenwade made a motion to approve Ms. Sumpter to take the exams for the Nursing Home Administrators license based on documentation presented to the Board as evidence of employment. Ms. Schaper seconded the motion, which carried unanimously.

Ms. Yetter arrived. The Board took a five minute break and Ms. Yetter resumed the meeting as Chair.

Sheletha Mays

Ms. Mays appeared before the Board because she failed the National Core Exam four times and requested approval from the Board to retake the exam when she is eligible. She will be eligible to retake the exam on February 2, 2019.

MOTION

Mr. Kinney made a motion to go into executive session for legal advice. Ms. Schaper seconded the motion, which carried unanimously.

MOTION

Ms. Doctor-Greenwade made a motion to go back into open session. Ms. Schaper seconded the motion, which carried unanimously.

MOTION

Mr. Kinney made a motion to approve Ms. Mays to retake the National Core Exam on or after February 2, 2019. Ms. Doctor-Greenwade seconded the motion, which carried unanimously.

Tiffany Keith

Ms. Keith appeared before the Board because she failed the National Core Exam four times and requested approval from the Board to retake the exam when she is eligible. She will be eligible to retake the exam on December 28, 2018.

MOTION

Mr. Kinney made a motion to go into executive session for legal advice. Ms. Schaper seconded the motion, which carried unanimously.

MOTION

Mr. Kinney made a motion to go back into open session. Ms. Schaper seconded the motion, which carried unanimously.

MOTION

Mr. Slice made a motion to approve Ms. Keith to retake the National Core Exam on or after December 28, 2018. Ms. Schaper seconded the motion, which carried unanimously.

Allison Johnson

Ms. Johnson appeared before the Board because she failed the National NHA Exam four times and requested approval from the board to retake the exam when she is eligible. She will be eligible to retake the exams on March 27, 2019.

MOTION

Mr. Kinney made a motion to approve Ms. Johnson to retake the National NHA Exam on or after March 27, 2019. Ms. Doctor-Greenwade seconded the motion, which carried unanimously.

DISCIPLINARY HEARINGS

2017-8; Memorandum of Agreement

MOTION

Mr. Kinney made a motion to go into executive session for legal advice. Ms. Schaper seconded the motion, which carried unanimously.

MOTION

Mr. Kinney made a motion to go back into open session. Mr. Slice seconded the motion, which carried unanimously.

MOTION

Mr. Kinney made a motion that the MOA with attachments be accepted; based on the litigating testimony of the Respondent, the terms of the MOA, the CO attachment, the State has not met its burden of proof; according to Regulation 40-35-110-4 and 40-35-110-2, the case is dismissed. Mr. Slice seconded the motion, which carried unanimously

2017-50; Memorandum of Agreement –Continued

2015; 30 Final Order Hearing

MOTION

Mr. Kinney made a motion to accept the Hearing Officer's Recommendations; public reprimand; five hundred dollar (\$500.00) fine to be paid within forty-five (45) days of the Board's issuance of the final order in this matter; if the respondent submits a renewal application an appearance before the Board is required to determine competency to practice. Ms. Schaper seconded the motion, which carried unanimously.

2015-54 Final Order Hearing

MOTION

Mr. Kinney made a motion to accept the Hearing Officer's Recommendations; Respondent's license is permanently revoked; in addition to the Hearing Officer's recommendations, the final order will include a Cease and Desist Order. Mr. Slice seconded the motion, which carried unanimously.

NEW BUSINESS

Elaine Mathis presented a request to the Board for an extension of the Board's interpretation of normal business hours and asked the Board for an exception to Regulation 93-65(4); specifically, if the Board would allow the Administrator to manage an additional facility that is beyond the 40 miles allowed for combination sites.

MOTION

Ms. Schaper made a motion to go into executive session for legal advice. Mr. Slice seconded the motion, which carried unanimously.

MOTION

Mr. Kinney made a motion to go back into open session. Mr. Slice seconded the motion, which carried unanimously.

MOTION

Ms. Doctor-Greenwade made a motion to keep the Board's interpretation as stated for normal business hours with the addition that normal business hours can be interpreted by the Board based on specific facts presented at a Board appearance; Aldersgate Special Needs Ministry request for the extension of normal business hours is accepted; however, the request to extend the 40 mile radius is denied because it is a regulation and regulations cannot be changed at this time.

Approval of 2019 Board Meeting Dates

MOTION

Mr. Kinney made a motion to approve the proposed 2019 Meeting Dates. Mr. Slice seconded the motion, which carried unanimously.

MOTION

Ms. Doctor-Greenwade made a motion to postpone all other business to the next Board meeting on March 7, 2019. Mr. Slice seconded the motion, which carried unanimously.

PUBLIC COMMENTS

There were no comments from the public.

ANNOUNCEMENT

The next Board meeting date is March 7, 2019.

MOTION

Mr. Kinney made a motion to adjourn the meeting at 2:00 p.m. Ms. Schaper seconded the motion which carried unanimously.

ADJOURNMENT

The meeting adjourned at 2:00 p.m.