

OPEN SESSION MINUTES
MISSOURI BOARD OF NURSING HOME ADMINISTRATORS
April 17, 2013

The members of the Missouri Board of Nursing Home Administrators convened on April 17, 2013 at 9:24 a.m., in Knipp Training Room, 3418 Knipp Drive, Jefferson City.

Presiding: Don Yost, President

Members Present: Mike Levitt
Ann Harris
Dr. Naveed Razzaque
Phyllis Stayton
Alexis Roam
Jeanne Serra, Acting Division Director

Staff Present: Sally McKee, Board Coordinator
Stephanie White Thorn, Asst. Attorney General
Ross Brown, Asst. Attorney General

Absent: Mike Roth, Vice President
Janice Unger, Secretary

Agenda

A motion was made by Dr. Razzaque and seconded by Ann Harris to approve the agenda. Motion carried unanimously.

February 2013 Meeting Minutes

A motion was made by Dr. Razzaque and seconded by Alexis Roam to accept the February 6, 2013, meeting minutes. Motion carried unanimously.

Meeting Dates

The next Board meeting is confirmed for Wednesday, June 26, 2013 at 9:00 a.m. The Disciplinary Review Committee (DRC) will meet on Tuesday, June 25, 2013.

The Board scheduled another meeting for Wednesday, September 11, 2013 with the DRC meeting on September 10, 2013.

Rules Committee Report

Since the last board meeting, the Rules Committee has been reviewing five rules and providing comments to the board office. The five rules are as follows: new proposed rule for procedures and requirements for limited licensure of nursing home administrators, 19 CSR 73-2.050, 19 CSR 73-2.051, 19 CSR 73-2.053, and 19 CSR 73.2.060. These rules were sent on April 8, 2013, to Leading Age MO, Missouri Health Care Association, Missouri Association of Nursing Home Administrators, Missouri Assisted Living Association, and Missouri League for Nursing for their review and input. The feedback will be shared with the Rules Committee.

Board Office Report

Sally McKee presented the Board office report. She provided an overview of the data below.

New Applicants	7/1/11 – 6/30/12		7/1/12 – 6/30/13		
		July – 28 (2 RCAL, 26 NHA)		July – 47 (12 RCAL, 35 NHA)	
	Sept – 48 (2 RCAL, 46 NHA)		Oct – 46 (7 RCAL, 39 NHA)		
	Dec – 52 (3 RCAL, 49 NHA)		Dec – 35 (6 RCAL, 29 NHA)		
	Feb – 27 (3 RCAL, 24 NHA)		Feb – 39 (12 RCAL/27 NHA)		
	April – 31 (6 RCAL, 25 NHA)		Apr – 39 (7 RCAL/32 NHA)		
Fiscal Year – July 1 through June 30					
	July 2012	Oct 2012	Dec 2012	Feb 2013	April 2013
Licensed Administrators	1593	1622	1642	1657	1669
New Licenses	N/A	25	17	12	9
Inactive Licensees	34	34	34	33	33
Retired Licensees	98	98	98	98	98
RCAL state exams	0	14	7	7	0
TEs Issued	3	7	7	4	4
Letters of Inquiries to Licensees	10	4	8	9	--
Board Interviews	8	7	6	5	8
Public Complaints Received	2	1	4	0	0
Board Hearing	0	0	0	0	1
AHC Hearing	0	0	0	0	0
Letters of Concern Issued	13	11	10	8	--
Referral to AGO for Action	6	1	0	1	--
No action taken	3	5	5	3	--
Disciplinary Action Issued	2	0	2	1	0

Renewals	2013	2012	2011	2010
<i>Mailed</i>	835	814	835	868
<i>Expired</i>	95*	101	96	83

*Approximately 95 licenses are due to expire June 30, 2013. They are currently in lapsed status and the licensee can reinstate his/her license by submitting the renewal application, clock hours, and fee on or before June 30, 2013.

Sally presented at MANHA Winterfest conference on February 13, 2013. She will be presenting at the MALA conference in April and the MANHA June conference.

NAB Annual meeting will be June 12-14, 2013, at Seattle, Washington. She is the chair for the State Executive Forum that will be held June 12.

NAB launched the professional practice analysis project in February 2013. This project is to identify the domains of practice, tasks performed, and knowledge and skills used by individuals responsible for leadership in organizations that provide long-term care supports and services. The job analysis process is vital to ensuring that the NAB professional credentialing programs (Academic Accreditation, Examinations and Continuing Education Approval) reflect the current state of practice in the profession. A task force was established to create an up-to-date description of leadership practice in organizations that provide long-term care supports and services in terms of the tasks performed by leaders, and the knowledge and skills required to perform those tasks. Subsequently, the tasks, knowledge, and skills will be incorporated into a survey document that Professional Examination Service will send to a large sample of leaders in organizations that provide long-term care supports and services. NAB will then make revisions to the structure and content of its programs based on the results of the survey. The task force met in March and plans to meet two more times. Kendall Brune, Missouri administrator, is a member of the task force. He will be sharing information with me as the project continues.

2013 Legislative Session:

SB 80 – Gary Romine – Requires the MBNHA to notify, instead of mail, an application when it is time for license renewal

04/10/13 – Sally McKee testified at House Hearing

SB 106 – Dan Brown - Requires higher education institutions to accept credits for courses that the military awarded to personnel as part of their military training if the courses meet certain standards for academic credit.

Members of the armed forces with health-related professional licenses or certificates that are in good standing when entering active duty will remain in good standing while on active duty. Renewal of these licenses or certificates while the member is on active duty shall occur without the payment of dues. Continuing education will also not be required if certain requirements are met.

Service as a member of the armed forces, if satisfactory to the licensing board, may be applied towards qualifications to receive a license or certificate from a professional licensing board.

This act is similar to SB 672 (2012). *BNHA is not included in this bill – Ch 344, RSMo*

4/3/2013 - Referred to H Rules Committee

SB 199 – Maria Chappelle-Nadal - This act requires the Department of Health and Senior Services to strongly encourage all long-term care facilities licensed in this state to institute policies that will encourage familial involvement in the well-being and support of residents of long-term care facilities. This act is identical to SB 536 (2012) and SB 43 (2011).

03/08/13 House 2nd read

SB 194 – Rob Schaaf - This act limits the Certificate of Need (CON) law by having it apply to only long-term care facilities and services.

01/31/13 Second read and referred Senate Veterans' Affairs and Health Comm

Applications for NHA Licensure

After review of the NHA applications for licensure, Dr. Razzaque made the motion to accept the following applicants qualified to examine. Alexis Roam seconded the motion. Motion carried unanimously.

Anderson, Stormy Leeann	Branstetter, Shanda Victoria	Butera, Robyn Gay
Carotenuto, Bernardo J	Crahan, Dorothy Katherine	Crutchfield, Carol Jean
Douglas, Ramonzo Maurice	Grogan, Angela Renee	Gubanski, Andrea Ann
Hensley, Kristi Lee	Hensley, Sarah Beth	Kilker, Elizabeth Grace
Klein, Beverly Ann	Lankford, Rosemarie	Logsdon, Angela Lynne
Matlock, Brigit Nigel	McCann, Eileen Marie	McFarlin, Kristen Jean
Millsap, Theresa Marie	Murphy, Michele Rene	Quist, Sena Abla
Renfro, Travis James	Rogers, Lana Maurice	Sasser, Paul Alan
Segar, Renita Joy	Smith, Tiffany Rae	Strubberg, Kristen Raine
Wakeman, Shannon Rebecca	Wilson, Rebecca Ann	Wood, Jimmy Max

Dr. Razzaque made the motion to accept the following NHA applicants as not qualified to examine. Phyllis Stayton seconded the motion. Motion carried unanimously.

Miller, Charles Evan Pratt, Franchot Lamandosio

Applications for RCAL Licensure

After review of the RCAL applications for licensure, Dr. Razzaque made the motion to accept the following applicants qualified to examine. Phyllis Stayton seconded the motion. Motion carried unanimously.

Mathews, Patricia Anne	Poe, John Allen	Reed, Pamela Beth
Treece, Alisha Marie		

Dr. Razzaque made the motion to accept the following RCAL applicants as not qualified to examine. Alexis Roam seconded the motion. Motion carried unanimously.

Maples, Terri Ann	Segar, Amber Lynne	Ward, Eric Walker
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Application Reevaluations

Oneva McClendon was found not qualified to sit for the RCAL exams at the February 6, 2013, board meeting. She requested a re-evaluation of her application along with the additional information provided for this meeting. The Board reviewed and discussed her request. A motion was made by Dr. Razzaque and seconded by Alexis Roam to approve Ms. McClendon's request to be found qualified. Motion carried unanimously.

Gerrell Wells was found not qualified to sit for the RCAL exams at the February 6, 2013, board meeting. He requested a re-evaluation of his application along with the additional information provided for this meeting. The Board reviewed and discussed his request. A motion was made by Dr. Razzaque and seconded by Alexis Roam to approve Mr. Wells' request to be found qualified. Motion carried unanimously.

Christopher Shaul is a qualified applicant for the NHA exams. He failed the NAB exam for the third time in August 2012. Three times fail of an exam requires the applicant to complete course of instruction prescribed and approved by the Board, pursuant to 19 CSR 73-2.070 (8). Mr. Shaul was prescribed to complete 2000 hours of internship and complete 21 semester hours of coursework from an accredited college or university. Prescribed course of instruction is based on qualifications at time of application, pursuant to 19 CSR 73-2.031. Mr. Shaul requested for reduction of internship hours from 2000 hours to 1000 hours. The Board reviewed and discussed his request. A motion was made by Dr. Razzaque and seconded by Alexis Roam to approve Mr. Shaul's request. Motion carried unanimously.

Disciplinary Hearing

A disciplinary hearing was held in the case of Missouri Board of Nursing Home Administrators v. Barry G. Clark, Case no. 11-0628 NH. Midwest Litigation Services recorded the hearing and a transcript of the hearing is on file. Ross Brown served as the legal advisor to the Board. Stephanie White-Thorn represented the Board during the hearing. Mr. Clark was not present at the hearing. After the hearing concluded, the Board discussed possible disciplinary action to be taken on Clark's license. Ann Harris made the motion to probate Clark's license for 2 years, require him to attend the September 11, 2013, Board meeting, renew his license annually by May 30, and complete 10 additional clock hours annually. Mike Levitt seconded the motion. Motion carried unanimously.

Disciplinary Process

The Board discussed the disciplinary process pertaining to interviews. During the year 2012 through April 2013, the DRC has been conducting the interviews the day before the Board meeting and making recommendations to the Board. It was noted that the Board delegated this to the DRC in December 2011 due to the long waiting list of licensees that were to be interviewed and to help streamline the process. As of this meeting, five interviews need to be scheduled. It is outlined in Chapter 344, RSMo, interviews are to be held before the Board. A concern was shared that when the DRC held the interviews there were times that one or more members had to step out due to conflict of interest. This resulted in a smaller panel to fairly listen and interview the licensee. The concern is whether the DRC can fairly make recommendations to the Board. After discussion, Alexis Roam made the motion to have the interviews be held before the Board and Dr. Razzaque seconded the motion. Motion carried unanimously.

Stephanie White-Thorn shared the need for an investigator for the Board. This would help in the disciplinary review process as the DRC reviews the cases. The DRC reviews statements of deficiencies and other relevant materials pertaining to the case. Interviews and/or letters are sent to the licensee to inquire into the matter. An investigator would be able to verify the

information, take statements, and follow-up with key players in the situation. A report with the validated findings and facts would be presented to the Board. In addition, he/she would be an expert witness if the Board or the AHC would conduct a hearing. Jeanne Serra shared with the Board that Sally McKee has discussed this issue with her and they are looking into the matter. The difficulty is justifying a position when the Board is funded by general revenue. However, the department's Office of Special Investigations is located within the Division of Senior and Disability Services and there could possibly be a way to collaborate with them to utilize one of their investigators.

Closed Session

A motion was made by Dr. Razzaque and seconded by Ann Harris to go into closed session at 11:50 a.m., and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed, under Section 610.021 Subsection (1) RSMo for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney. Motion carried unanimously after a roll call vote.

Open Session

A motion was made by Dr. Razzaque and seconded by Alexis Roam to return to open session at 1:55 p.m. Motion carried unanimously after a roll call vote.

Adjournment

A motion was made by Alexis Roam and seconded by Mike Levitt to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 2:15 p.m.



Sally McKee, Board Coordinator
Board of Nursing Home Administrators