

NEVADA BOARD OF EXAMINERS
FOR
LONG TERM CARE ADMINISTRATORS

MINUTES OF REGULAR QUARTERLY BOARD MEETING

October 13, 2011 and October 14, 2011

1:00 pm and 9:00 am

GRANT SAWYER STATE OFFICE BUILDING

CONFERENCE ROOM 4401

555 EAST WASHINGTON AVENUE

LAS VEGAS, NEVADA

VIDEO CONFERENCE

LEGISLATIVE COUNSEL BUREAU

CONFERENCE ROOM 2134

401 SOUTH CARSON STREET

CARSON CITY, NEVADA 89701

MEETING – October 13, 2011

- I. Margaret McConnell, Chairperson, called the meeting to order at 1:15 P.m.
- II. Sandy Lampert, Executive Secretary, called the roll and a quorum was present.

Board Members:

Margaret McConnell, Chair
Douglas Sinclair, Secretary/Treasurer
Lindsay Hansen, M.D.
Carol Sala, Administrator, ADSD

Mary Ellen Wilkinson, Vice Chair
Terry Clodt
Linda Gelinger, NFA

Staff:

Sophia G. Long, Esq., DAG

Sandy Lampert, Executive Secretary

Guests:

Donna McCafferty, HCQC
Nana Gyeabour, RFA
Daniel Mathis, NHCA
Donna Rose, RFA

Carson City:

Patricia Chambers, BHCQC

III. Public Comments

Daniel Mathis of NHCA spoke about a new class of employee for Skilled Facilities, Med Aid. NHCA is working on forming a foundation to provide training classes They are expanding the education arm of the NHCA. Daniel Mathis is replacing Charles Perry as the CEO of NHCA, and Charles Perry will be heading up The Perry Foundation.

VII. Unfinished Business

a. Nursing Home AIT Program – Linda Gelinger stated that all of the AIT programs have been submitted to the Board, and the approved programs and preceptors are posted on the Beltca website. Chair, Margaret McConnell stated that applicants for an AIT program must notify the Board to make sure that the program and preceptor have been approved by Beltca. Also, the Board will be making drop in visits to see how the program is working. The Board would like to be able to provide a more formal preceptor training program, possibly by partnering with NHCA.

Daniel Mathis stated that the Perry Foundation will be providing education for the improvement of skilled nursing and post acute care services. NHCA has the Quality First Series which is focusing on the top 10 deficiencies as noted by HCQC. Pay for performance is now in Nevada. This means that Medicare reimbursements will include quality points that can increase a facility's rate. SB-411 created a new class of employee for Skilled Facilities, Medication Aide, to free up the time of the Licensed Nurse. The Board of Nursing is developing the curriculum based on national guidelines that will be 120 hour course and candidates must be a CNA for 1 year.

IV. Approval of Proposed Disciplinary Action

Christie Garcia – Las Vegas Home Sweet Home – Case No. B-35985

Douglas Sinclair motioned to approve the disciplinary action. Linda Gelinger Seconds. Motion carried. T. Clodt abstained.

V. Secretary/Treasurer's Reports

a and b. Secretary/Treasurer, Douglas Sinclair asked the members to review the Minutes of July 27th and 28th, and September 23, 2011. Chair, Margaret McConnell ask for a motion to approve. Lindsay Hansen motioned to approve, Linda Gelinger seconds. Motion carried.

c. Secretary/Treasurer, Douglas Sinclair asked the Board to review the Balance Sheet and Financial Statement. Chair, Margaret McConnell, asked for a motion to approve. Terry Clodt moved to approve, Linda Gelinger seconds. Motion carried.

VI. Administrative Report

a. Quarterly Disciplinary Report – Executive Secretary presented the list of disciplinary actions that have been reported and now on Beltca's website.

b. RFA/NFA Mailing List Requests – Sandy Lampert reported that after the last meeting an email blast was sent to administrators informing them about the requests for mailing lists and allowing them to chose to have their personal information included. We have also a new section to the Release of Information which allows administrators to state whether or not they want their personal information included. Currently, 18 RFAs requested to have their personal information included, 4 do not want their information released and 9 NFAs want their information released and 5 who do not want this information included. As renewals come in, this information will continue to be updated.

c. Office Update – Executive Secretary, Sandy Lampert, stated that all files have been audited and the website has been updated as well.

VII. Administrator Licenses Issued Must Receive Final Board Approval When All Requirements Have Been Met.

- a. Nursing Facility Administrators Licenses Issued “for possible action”
 1. Martin, Richard
 2. Campbell, David
 3. Flinders, Benjamin
 4. Prasky, Sarah

Chair, Margaret McConnell asked for a motion to approve the NFA licenses. Terry Clodt motioned to approve, Linda Gelinger seconds. Motion passed.

- b. Residential Facility Administrator Licenses Issued “for possible action”
 1. Pophal, Jeffrey
 2. Caudill, Ruth
 3. Sharman, Lyn
 4. Heuer, Mark
 5. Christian, Jody
 6. Assad, Zeid
 7. Overson, Nancy
 8. King, Michael

Chair, Margaret McConnell asked for a motion to approve the RFA licenses. Douglas Sinclair motioned to approve, Lindsay Hansen seconds. Motion passed.

- c. Inactive Requests “for possible action”
 1. Mercado-Causing, Maria, RFA
 2. McConnell, Mark, RFA

Chair, Margaret McConnell asked for a motion to approve the Inactive Requests. Douglas Sinclair moved to approve, Terry Clodt seconds. Motion passed.

VIII. Unfinished Business

c. Dual Licenses held by Licensees for RC/AL Facilities and Nursing Facilities “for possible action”. Chair, Margaret McConnell states that for Nursing Facilities, Beltca’s Regulations say that a Nursing Facility Administrator may not be the administrator of record for more than one facility for more than 90 days in a calendar year. HCQC has made several allowances due to hardship. Residential Facility Administrators may not be the administrator of record for more than 5 facilities and/or a total of 150 beds. Beltca hasn’t addressed the situation of an administrator being named at both a Nursing Facility and a Residential Facility at the same time. Patricia Chambers of HCQC stated that this was not a problem at this time. Item is tabled until the Regulation Review.

X. Deputy Attorney General’s Report

Sophia Long, Deputy Attorney General, informed the Board of a Training Class will be held on November 3rd and 4th from 1 pm to 4 pm for all Board Members or Administrators to review the Open Meeting Laws, Administrative Hearings and Ethics.

VIII. Unfinished Business

b. RCAL AIT Program Reports “for possible action”. Rosemary Womack reported that to date there have been 10 AIT candidates. 7 have finished the AIT program, 6 have completed the RC/AL program and 3 are due to finish around the end of October. Abba has completed the mentor meetings and the refresher class for both Northern and Southern Nevada. We are now requiring an additional class on Regulations and Abuse Training. Rosemary Womack is recruiting and training new mentors.

d. 24 Hour CEU Program by Lynn Homnick and Rosemary Womack “for possible action”. Lynn Homnick reported that the first class was held at the Flamingo Library and there were 67 administrators who attended. 32 signed up for the next class on Resident Care which will follow the Vigilant Program. Program is offered at no charge.

Chair, Margaret McConnell called for a 20 minute break.

Chair, Margaret McConnell reconvened the meeting at 2:40 pm.

X. New Business

a. Regulation Review “for possible action”. Chair, Margaret McConnell informed the Board that Governor Brian Sandoval is requiring all Boards to review their current regulations. One of the goals of the Board is to be consistent with HCQC. Chair, Margaret McConnell asked if any Board Member could suggest changes to any regulation. Suggestions as follows:

654.110.2 – The fee for an application for a license as a nursing facility administrator is ~~\$200.00~~ as determined by the Board (NRS 654.140.2.b not to exceed \$250.00)

654.112.1.b – A nonrefundable renewal fee of ~~\$350.00~~ or as determined by the Board

654.165.2 – If the Board imposes an administrative fine on a ~~licensee-person~~ for a violation of

654.130.4.a – Having an article published (not self-published)

654.130.4.b – Having an article published (not self-published)

654.130.6 – ~~A person who wishes to receive credit for continuing education received in a program which has not been approved pursuant to subsection 5 must submit a request for approval of continuing education units to the Board before the Board will award credit for the continuing education. A request made pursuant to this subsection must be submitted on a special form available for the office of the Board.~~

654.140.3 – To pass the written examination, an applicant must receive ~~a grade of at least 75 percent~~ a passing grade as established by the National Association of Long Term Care Administrator Boards.

654.130.4.d – Add CEU credit for Preceptors not to exceed ___ hours.

Chair, Margaret McConnell called for a break at 3:50 pm to reconvene at 4:00 pm

Chair, Margaret McConnell reconvened the meeting at 4:00 pm

X. New Business (Cont.)

654.166.2 – Is ~~required to have a physical presence and is~~ responsible for the oversight and direction of the members of the staff of the facility as necessary to ensure that the residents of the facility receive needed services and protective supervision.

654.210.2.h – Referring a patient or resident to a facility in which the applicant or licensee is employed or otherwise has an interest if the employment or interest was not disclosed, both verbally and in writing, to the patient or resident, his family or his agent by the applicant or licensee or his representative, ~~an administrator shall not: pay or receive a fee, inducement or incentive for any reason for prospective clients, or from any person or entity; give a discharge planner, case manager, social worker or any other person who has the responsibility of discharge planning, a fee or incentive for prospective clients;~~

At 4:35 pm, Chair, Margaret McConnell called for a motion to adjourn. Douglas Sinclair so moved, Terry Clodt seconds. Motion carried.

DRAFT OF MINUTES – MEETING OCTOBER 14, 2011

Chairperson, Margaret McConnell called the meeting to order at 10:00 a.m.

II. Sandy Lampert, Executive Secretary, called the roll – a quorum was present.

Board Members:

Margaret McConnell, Chair

Douglas Sinclair, Secretary/Treasurer

Lindsay Hansen, M.D.

Carol Sala, Administrator, ADSD

Mary Ellen Wilkinson, Vice Chair

Terry Clodt

Linda Gelinger, NFA

Staff:

Sandy Lampert, Executive Secretary

Guests:

Paul Shubert, BHCQC

Carson City:

Patricia Chambers, BHCQC

III. Public Comments

X. New Business

a. Regulation Review – Continue discussions of suggested amendments to regulations as follows:

Linda Gelinger researched NAB and determined that each State Board establishes the passing score for their state, a Scale Score of 113 is recommended by NAB. Diagnostic Score Report is available from NAB at a cost of \$63.00.

654.152 - Add – 1. All applications filed with the Board must be accompanied with a nonrefundable fee of \$150.00 and licensing must be completed within a year of submission of the application will be considered void.

654.152.b – A nonrefundable renewal fee of \$350 as determined by the Board.

It was decided to remove the required notary from the Release of Information form.

Discussion was held regarding the requirement to have fingerprints taken every 4 year

654.162 .3 – An applicant who fails the examination may retake the examination not more than three one additional time within the year after the date on which he first took the examination.

654.157.a He is a licensed as an administrator of a residential facility for groups in a state that requires a person to pass the national examination administered by the National Association of

Examiners of Long Term Care Administrator Boards to obtain such a license, and provide documentation indicating a passing score on the national examination.

654.165.2 – If the Board imposes an administrative fine on a licensee person for a violation of subsection 1, the amount of the fine will be at least \$500 for a first violation and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

654.166.2 – Is required to have a physical presence and is responsible for the oversight and direction of the members of the staff of the facility as necessary to ensure that the residents of the facility receive needed services and protective supervision.

654.168.1 – ~~The Board may issue a provisional license to an applicant pending receipt of the report of the Federal Bureau of Investigation concerning the criminal history of the applicant if the Board determines that the applicant is otherwise qualified. A provisional license expires 90 days after the date it is issued and is renewable at the discretion of the Board.~~

654.168.2 – Upon the written request of a nursing facility administrator or an administrator of a residential facility for groups who is in good standing, the Board will transfer the status of his license to inactive for a time not to exceed 2 years. A licensee whose license is on inactive status shall pay a non-refundable fee of \$50 as determined by the Board.

654.169 – A licensee who holds both a license as a nursing facility administrator and a license as an administrator of a residential facility for groups may renew his license as a nursing facility administrator and his license as an administrator of a residential facility for groups if he has completed a total of 30 and 16 continuing education units specific to that license in programs approved by the Board pursuant to NAD 654.130 or 654.152.

654.181.c – Any time there is a change in the number of licensed beds at a facility.

654.181.2 – If the Board imposes an administrative fine on a licensee for a violation of Subsection 1, the amount of the fine will be at least \$500 for a first violation and other action as determined by the Board and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

654.190 – Each person licensed as a nursing facility administrator or an administrator of a residential facility for groups shall conspicuously display his original license naming that facility in a public place within the facility for which he is the administrator or record.

654.210 – In addition to the reasons set forth in NRS 654.190, the Board may bring disciplinary action against a licensee or deny the issuance of or refuse to renew a license as a nursing facility administrator or an administrator of a residential facility for groups if, after notice and hearing the Board finds that the applicant or licensee:

654.250 .1 – Except as otherwise provided in subsection 6, a person licensed as a nursing facility administrator may not be the administrator of record of more than one nursing facility at the same time for more than 90 days in a calendar year without approval by the Board.

654.250.3.b – Obtain a secondary administrator's license for each additional residential facility for groups that he is operating by paying a nonrefundable fee of \$100 for each license with the name of the facility imprinted on each license.

XIII. The next quarterly meeting will be held on February 1, 2012 at 9:00 am and extended to February 2, 2012 at 9:00 am if needed.

XIV. Adjournment – Chair, Margaret McConnell asked for a motion to adjourn. Terry Clodt so moved, Linda Gelinger seconds. Motion passes.

Respectfully submitted:

Sandy Lampert

Sandy Lampert
Executive Secretary

Attested:

Douglas Sinclair

Douglas Sinclair
Secretary/Treasurer