NEVADA BOARD OF EXAMINERS
FOR
LONG TERM CAREADMINISTRATORS

MINUTES OF REGULAR QUARTERLY BOARD MEETING
MAY 4, and MAY 5, 2011
9:30 A.M.
GRANT SAWYER STATE OFFICE BUILDING
CONFERENCE ROOM 4500
555 EAST WASHINGTON AV ENUE
LAS VEGAS, NEVADA
VIDEO CONFERENCE
MOOT COURTROM
ATTORNEY GENERAL'S OFFICE
101 NORTH CARSON STREET
CARSON CITY, NEVADA 89701

MEETING – MAY 4, 2011

I. Margaret McConnell, Chairperson, called the meeting to order at 9:35 a.m.

II. Terry Pedrotti, 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
MaryEllenWilkinson,Vice Chair
Terry Clodt
Linda Gelinger, NFA

Staff:
Sophia G. Long, Esq., DAG
Kali Miller, Esq., Bd. DAG, Pro Tem
Jean Dahlberg, Court Reporter
Terry Pedrotti, Executive Secretary
Sandy Lampert, Assist. Exec. Sec.

Guests:
Joy Borbon, RFA Administrator
Franco Espatero, Best Care Facility I
Marie Ramos, Best Care Facility I
Julie Bell,Surveyor, BHCQC, LV

Carson City:
Patricia Chambers, BHCQC
Hal Taylor, Esq., Counsel for June Madurski

*III. Hearing in the Matter of the Complaint for Disciplinary Action against Joy Borbon, Residential Facility Administrator, RFA License No. 7089.

Joy Borbon was sworn in by Jean Dahlberg, Court Reporter. Although, Ms Borbon had executed a Stipulation of Facts, she requested time to explain that her facility had received an "A" rating in the most recent survey. A discussion among the board members followed. Douglas Sinclair moved to waive a fine, but Joy Borbon was to pay the costs of the legal proceedings, together with administrative and investigative costs, commencing with the effective date of the "ORDER OF FINDINGS." The first payment shall equal 10% of the "ORDER", followed by 11 additional equal monthly payments due on the 15th day of each month following the initial payment until the fine is paid in full. No grace period is permitted. Any installment payment not actually received by BELTCA on or before its due date will be subjected to a $50 late fee and assessed $5.00 per day after 10 days of due date. If monthly installments are not brought current within 30 days of due date, it will be construed as a default by Respondent.

In the event of default, Respondent agrees that his/her license shall be immediately suspended, the unpaid balance shall become immediately accelerated, and shall be due in full to BELTCA within 10 calendar days of the date of default. The suspension of Respondent's license shall continue until the unpaid balance is paid in full. Further, debt collection actions for unpaid monetary assessments in this case may be instituted by BELTCA.

BELTCA agrees not to pursue any other or greater remedies or fines in connection Respondent's alleged Conduct referenced herein, and that once this Order is fully performed, BELTCA will close its file in this matter.

A discussion followed, and Mary Ellen Wilkinson seconded the motion; Linda Gelinger requested an amendment to the motion – adding a one (1) year's probation from the date of the ORDER or the next survey.

Mary Ellen Wilkinson agreed and seconded the amended motion. The motion was carried unanimously. Terry Clodt, Board Member Investigator, abstained.

*IV. Hearing in the Matter of the Complaint for Disciplinary Action Against Theresa Brushfield, Residential Facility Administrator, License No. RFA 5778.

Theresa Brushfield was ill and requested continuance to the next Board meeting. Ms. Brushfield was granted continuance.

*VIII. Hearing in the Matter of the Complaint for Disciplinary Action Against June Madurski, Nursing Facility Administrator License No. NFA 416.

Mr. Hal Taylor, Esq, counsel for Ms. Madurski, requested that the hearing be continued to the next board meeting. The Board members consulted and agreed to continue June Madurski's hearing to the next Board meeting.

*V. Hearing in the Matter of the Complaint for Disciplinary Action Against Emilia De Castro, Residential Facility Administrator, License No. RFA 9105.

Emilia De Castro had executed a "STIPULATION OF FACTS." A discussion followed. Douglas Sinclair made a motion to impose a fine of $1,500.00, including all costs of proceedings which includes administrative and investigative costs, to be paid within 24 months. The conditions of the payment are to be the same as those listed above for Joy Borbon. Mr. Sinclair added that Emilia De Castro should be placed on probation until the next survey, and if an "A" rating is received, the probation will be lifted. Mary Ellen Wilkinson seconded the motion, and the motion was carried. Terry Clodt, abstained.

*VI. Hearing in the Matter of the Complaint for Disciplinary Action Against Christie L. Garcia, Residential Facility Administrator, License No. RFA 7038.

Christie Garcia had executed a "STIPULATION OF FACTS" and had signed a "WAIVER NOT TO ATTEND" the board meeting. The board members discussed the issues. Mary Ellen Wilkinson moved to have Ms. Garcia pay all of the costs of the proceedings, including the investigative and administrative costs, payable under the terms imposed upon the previous 2 licensees. Additionally, Ms. Garcia will be limited to one RFA facility license for 2 years, relinquishing her two other additional licenses within 45 days of the date of the "ORDER"; and her request for additional RFA facility license is denied; probation for 24 months from date of the "ORDER", and must come before the Board at the conclusion of the 2 years. If she does not receive an "A" rating, her license will be immediately suspended. If all conditions are met, Ms. Garcia may request additional RFA facility licenses. A discussion followed and Douglas Sinclair amended the motion to include a $2,500.00 fine payable within 24 months under the terms of the preceding disciplinary hearings. Ms. Wilkinson accepted the amendment, Douglas Sinclair seconded the motion, and it was carried unanimously. Terry Clodt, Board Member Investigator, abstained.

*VII. Hearing in the Matter of the Complaint for Disciplinary Action Against Prudence Landicho, Residential Facility Administrator, License No. RFA 7038.

Prudence Landicho had executed a "STIPULATION OF FACTS" and "WAIVER NOT TO ATTEND" the meeting. The Board members discussed the issues. Douglas Sinclair moved to have Ms. Landicho pay all associated costs of the proceedings, together with administrative and investigative costs for one year under the same conditions imposed upon the preceding licensees. No fine was imposed. Mary Ellen Wilkinson seconded the motion. The motion was carried. Terry Clodt, Board Member Investigator abstained.

*XVII. The Board Members were asked to consult their calendars for the next quarterly Board meeting date. It was agreed to for July 27, 2011 and July 28, 2011 at 9:30 a.m. for both days and by teleconference between Las Vegas and Carson City. The Executive Secretary will arrange specifics for the meeting dates.

*X. The Chairperson adjourned the meeting at 11:30 a.m.

MINUTES – MEETING MAY 5, 2011

I. McConnell,Chairperson, called the meeting to order at 9:40 a.m.

II. Terry Pedrotti, Executive Secretary, called the roll – a quorum was present.

Board Members:
Margaret McConnell, Chair
Douglas R. Sinclair, Secretary/Treasurer
Linda Gelinger, NFA
Mary Ellen Wilkinson, Vice Chair
Carol Sala, Administrator, ADSD
Lindsay Hansen, M.D.

Staff:
Sophia G. Long, Esq., DAG
Sandy Lampert, Assistant Exec. Secretary
Terry Pedrotti, Executive Secretary

Guests:
Ava La Forteza, Administrator
LynnAnn Homnick, Administrator
Eunice Felix, 7th Heaven Facility
Phyllis Militello, NGEC

Carson City:
Patricia Chambers, BHCQC
Adam Koehm, NFA Applicant
Patricia Swager, NGEC

Chairperson, Margaret McConnell announced that items would be taken out of order to conduct business in more efficient manner.

*XII Unfinished Business:

*b. Patricia Swager presented her report on the RFA AIT Mentors' activity, stating that from 2007 through December 31, 2010, 74 applicants had completed the RFA AIT Mentoring Program. Sandy Lampert was asked to arrange for a conference call on June 15, 2011 with board members to award a contract from July 1, 2011 to June 30, 2012 to provide the RFA AIT Program.

*a. The newly implemented CEU Policy that became effective February 1, 2011 was questioned regarding non-profit organizations. A discussion followed. Douglas Sinclair moved that a "Certified Sponsors' Group be formed. The Group would be charged an annual fee of $300.00 for a maximum of 15 requested hours. An organization that is requesting 8 programs or 20 hours for the public that are totally free of charge would not be charged for approval review. This fee structure is retroactive to January 31, 2011. The original CEU procedure for approval will remain as implemented with a fee of $135.00 for 1 to 7 hour programs with a 30-day advance request. Linda Gelinger seconded the motion, and it was carried.

*e. Ava LaForteza's probationary requirements were met by receipt of an "A" rating on her most recent survey, and she was released from the probation.

*d. Application in Question – Adam Koehm.

Mary Ellen Wilkinson moved to go into "Closed Session." Douglas Sinclair seconded the motion. The motion was carried

Dr. Lesley Hansen moved to reopen the session. Mary Ellen Wilkinson seconded the motion, and the motion was carried.

Linda Gelinger moved to allow the issuance of a NFA license to Adam Koehm on the condition that he appear before the Board at a meeting prior to expiration of his license to show that his license is in good standing. If it is not (in Nevada), the license will be revoked. If it is in good standing, it will, of course be reissued.

XVI: Public Comments
This item is to receive comments limited to five (5) minutes, on any issue and any discussion of those items. However, no action will be taken on an item raised during Public Comments.

Lynn Homnick RFA Administrator of Silver Sky Assisted Living addressed the problem of RFAs with longer licensure tenure receiving more deficiencies from HCQ C and proposed to offer a 24 hr CEU Course. This item is to be added as an action item to the Agenda of the next Board Meeting on July 28th.

Lynn Homnick then brought up the issue of "Paper Hangers".
Margaret McConnell suggested the idea of a Provisional License to help the problem. This item to be added as an agenda item for the next Board Meeting on July 28th.

IX. Secretary/Treasurer's Reports – Douglas Sinclair, Secretary/Treasurer

a. Minutes of Regular Board Meeting – January 13, 2011

Mr. Sinclair requested a motion. Mary Ellen Wilkinson moved to accept the minutes as written. Linda Gelinger seconded the motion. The motion carried.

Treasurer Reports Presented:

b. Second quarter Financial Report was presented
c. Profit and Loss Statement was presented

Mary Ellen Wilkinson moved to accept the financial documents as presented. Linda Gelinger seconded the motion. The motion carried.

XI. Administrator Licenses issued must receive final board approval when all requirements have been met.

*a. Nursing Facility Administrator Licenses Issued.

(1) Brantley, Tracy
(2) Huish, Richard
(3) Lindahl, Kirkman B.
(4) Rine, David M.
(5) Scott, Ellen
(6) Wilhite, Jeffrey

Linda Gelinger moved to accept the candidates for Nursing Facility Administrators. Douglas Sinclair seconded the motion. The motion carried.

*b. Residential Facility Administrator Licenses Issued:

(1) Hines, Shiela
(2) Mason, Julia

Mary Ellen Wilkinson moved to accept the candidates for Residential Facility Administrators. Douglas Sinclair seconded the motion. The motion carried.

*c. Inactive Requests

(1) Arrthur, Mary, NFA
(2) Barnes, Joseph, NFA
(3) Morcom, Robert, RFA

Douglas Sinclair moved to accept the requests. Mary Ellen Wilkinson seconded the motion. The motion carried.

*XII. Unfinished Business

*c. Nursing Home AIT Report – Linda Gelinger is creating a master list of approved preceptors and approved AIT programs. Mary Ellen Wilkinson and Linda Gelinger will develop criteria for approval of programs and preceptors. Out of state candidates must meet the same criteria as in state candidates. A letter will be drafted and sent to Nursing Facilities informing them that when this policy is in effect. Further discussion tabled for next Board Meeting

*e. Dual Licenses to be addressed at next meeting

*f. AB296 cleared the Assembly and is before the Senate. It will become effective upon passage. This allows the Board to assess a fine in lieu of a hearing if agreed to by the licensee. Action item for the next meeting to address how these fines will be assessed

*XIII. New Business

*XIV Deputy Attorney General's Report
Sophia Long reported that she has finished the first round of complaints.

*XVII. The next regular meeting will be held on Wednesday, July 27th and extended to July 28th.

Respectfully submitted:

Sandy Lampert
Sandy Lampert, Executive Secretary

Attested

DOUGLAS R. SINCLAIR
Douglas R. Sinclair, Secretary/Treasurer