

**STATE OF NEVADA
BOARD OF EXAMINERS FOR LONG-TERM CARE ADMINISTRATORS**

Minutes of Regular Quarterly Board Meeting

Date & Time: Wednesday, September 27, 2023, at 9:30 am
Place of Meeting: Virtually via Zoom:

<https://zoom.us/j/96982686568?pwd=eGpkQnhaTnJoZFhPZVdUWkYrMIhnQT09>

Meeting ID: 969 8268 6568

Passcode: 960216

I. Chair, Margaret McConnell called the meeting to order at 9:34 a.m.

II. MISSION STATEMENT:

It is the mission of the Nevada Board of Long Term Care Administrators (BELTCA) to license and regulate long term care administrators in Nevada, including Nursing Home Administrators, Residential Facilities for Groups Administrators, and Health Service Executives. The Board provides consumers with an assurance of the qualifications of licensees, along with a means of enforcement for the benefit of the public, to ensure Nevada's citizens are served in a dignified and caring manner.

III. ROLL CALL: Executive Director, Sandy Lampert called the roll and a quorum was present.

Board Members:

Margaret McConnell, Chair
Lindsay Hansen, M.D.
Brooke Westlake - Excused
Lisa Meyer

Mary Ellen Wilkinson, Vice Chair
Dena Schmidt, ADSD - Excused
Douglas Sinclair
Daniel Mathis

Staff:

Sandy Lampert, Executive Director

Sophia Long, Deputy Attorney General

Guests:

David Barney, Esq.
Jonathan Fayeghi
Michelle Deschamps
Brett Salmon, NVHCA
Micheal Trail

Johannah O'Connell
Jim Rosenthal, Caring, Inc
Kira Little
Maria Coe, ADSD

IV. 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. Comments based on viewpoint are welcome.

V. APPROVAL OF THE FOLLOWING PROPOSED DISCIPLINARY ACTION** (Board may go into closed session) "for possible action"

- a. Cresencia Smith – European Home Care – Case No. B-36230
- b. Jasmine Castillo – Desert Inn Residential – Case No. B-36232
- c. Lawrence O'Shea – Golden Years Memory Care – Case No. B-36233

Chair, Margaret McConnell called for a motion to approve the disciplinary actions. Lisa Meyer moved to approve. Daniel Mathis seconded. Motion passed.

VI. SECRETARY'S REPORT: Approve Minutes of July 5, 2023, Meeting "for possible action"

Chair, Margaret McConnell called for a motion to approve the minutes as stated. Lindsay Hansen moved to approve the minutes. Douglas Sinclair seconded. Motion passed.

VII. ADMINISTRATIVE REPORT "for possible action"

Executive Director, Sandy Lampert informed that Board that we are beginning our biannual audit and are working with a new firm.

VIII. ADMINISTRATOR LICENSES ISSUED MUST RECEIVE FINAL BOARD APPROVAL WHEN ALL REQUIREMENTS HAVE BEEN MET.

a. Health Services Executive Licenses Issued "for possible action"

b. Nursing Facility Administrator Licenses Issued "for possible action"

- (1) Quinones, Eliacim

c. Residential Facility Administrator Licenses Issued "for possible action"

- (1) Sy, Joan
- (2) Zito, Dawn M.
- (3) Hoehn, Jennifer
- (4) Sanderson, Robert J.
- (5) Carlile, Lori A.
- (6) Stern, Sean M.

d. Inactive Requests "for possible action"

Chair, Margaret McConnell called for a motion. Douglas Sinclair moved to approve the licenses. Lisa Meyer seconded. Motion passed.

e. Approve/Deny RFA Application "for possible action" May go into Closed (Executive) Session per NRS 241.030

- (1) Deschamps, Michelle R.

The Application for Licensure clearly states that failure to disclose or providing false information will result in the denial of your application. Ms. Deschamps answered "NO" to and initialed Item IV-2-a, however her background check disclosed incidents that took place on September 18, 2014 and October 3, 2014. Therefore, her application was denied. Ms. Deschamps stated that she forgot about a traffic violation that went to warrant.

Chair, Margaret McConnell called for a motion. Douglas Sinclair moved to deny her application. She may reapply and will be placed on probation for 18 months from the date her license is issued and during that time she must maintain a B or above on all of her facilities. If she receives a grade below a B her license shall be immediately suspended until she comes before the Board. Daniel Mathis seconded. Motion passed.

(2) Little, Kira I.

The Application for Licensure clearly states that failure to disclose or providing false information will result in the denial of your application. Ms. Little answered "NO" to and initialed Item IV-2-a, however her background check disclosed incidents that took place on January 20, 2007, and July 4, 2009. Therefore, her application was denied. Ms. Little stated that she didn't understand that arrest meant charged. She did not intentionally answer incorrectly. Chair, Margaret McConnell called for a motion. Douglas Sinclair moved to deny her application. She may reapply and will be placed on probation for 18 months from the date her license is issued and during that time she must maintain a B or above on all of her facilities. If she receives a grade below a B her license shall be immediately suspended until she comes before the Board. Lisa Meyer seconded. Motion passed.

IX. UNFINISHED BUSINESS:

a. Board Statistics "for possible action"

Executive Director, Sandy Lampert, stated the following:

RFA – As of June 28, 2023, there are 412 RFA facilities that require a licensed administrator, 2 facilities are currently being run by a Health Services Executive. We have a total 242 of in State working administrators. There are currently 5 facilities operating without a license administrator. As of the previous meeting we had 33 candidates going through the licensing process. We received 12 applications, 6 applications voided due to failing the NAB Exam twice, 2 expired due to time and 4 licenses were issued. which leaves 33 candidates going through the program.

HSE – We now have 10 Health Service Executives.

NFA – There are 64 NFA facilities, 2 are being run by a HSE, so there are 62 facilities that require a licensed NFA. We have 146 licensed administrators, 10 are inactive, 33 are out of State leaving 103 in state active administrators. As of this report there were 4 facilities operating without an administrator. As of the last report there were 3 candidates going through the program. 5 applications were received, 4 licenses were issued so there are currently 4 applicants going through the licensure process.

Disciplinary Actions – For this fiscal year, we have received 12 referrals, 11 are for RFAs and 1 is for a HSE. There are 8 open cases for RFAs and 1 for HSE.

X. NEW BUSINESS:

a. Review and possible adoption of Advisory Opinion on SB260 senior community referral agencies as it relates to licensed Administrators "for possibly action"

Sophia Long provided the Board with an Advisory Opinion on the Applicability of SB 260 on NAC 654.210 (2)(f), (g), and (h) which makes administrators who pay for referrals subject to discipline. Ms. Long advised the Board that SB 260 allows for Senior Living Community Referral Agencies. The advisory opinion states that the Board has no jurisdiction over the facility, only administrators who pay for referrals. Conclusion is that the Board's regulations are still valid as they stand. Mary Ellen Wilkinson questioned how this impacts smaller facilities where the administrator is also the owner. Chair, Margaret McConnell called for a motion. Mary Ellen Wilkinson moved to adopt the Advisory Opinion. Daniel Mathis seconded. Motion passed.

b. A Place for Mom, LLC's petition to repeal NAC 654.210(2) (f), (g) and (h) "for possible action"

Deputy Attorney General, Sophia Long informed the Board that the correct name for A Place for Mom, LLC is A Place for Mom, Inc. Their petition was not to repeal NAC 654.210(2)(f)(g) and (h), but rather they are asking for an amendment to the regulation. Also, after reading the petition, the only thing that the Board can do today is to deny the petition or vote to go into the regulatory process, but no decisions can be made. David Barney, Esq on behalf of A Place for Mom stated that they want to clarify the issue created by SB 260. What they would like is for the Board to call for a rule making proceeding. Their recommendation is that the Board modify its regulation regarding the payment of referral fees to say that licensees are prohibited from paying referral fees except as expressly set forth in SB 260. This is important because the law sets certain operational and contractual requirements for facilities and for referral agencies. Deputy Attorney General, Sophia Long instructed the Board that this is a joint petition with Caring, Inc. Jim Rosenthal, CEO of Caring Inc., supported all that was said by David Barney. Chair, Margaret McConnell asked Mr. Rosenthal what the relationship was between Caring Inc

and A Place for Mom. Mr. Rosenthal stated that they were competitors. Chair, Margaret McConnell called for a motion. Mary Ellen Wilkinson moved to initiate regulation making proceedings pursuant to NRS 234(b).100. Douglas Sinclair seconded. Motion passed.

XI. DEPUTY ATTORNEY GENERAL'S REPORT

Deputy Attorney General, Sophia Long advised the Board that the annual Board training will take place on October 17, 2023.

XII. BOARD MEMBER COMMENTS

XIII. 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. Comments based on viewpoint are welcome.

XIV. TIME/DATE/LOCATION OF NEXT REGULAR QUARTERLY MEETING(S) "for possible action"

The Board will be meeting on Tuesday, January 2, 2024, at 9:30 am via Zoom.

XV. ADJOURNMENT

Chair, Margaret McConnell called for a motion to adjourn at 10:47 am. Daniel Mathis moved to adjourn. Mary Ellen Wilkinson seconded. Motion passed.

Respectfully submitted:

Sandy Lampert

Sandy Lampert
Executive Director

Attested by:

Dena Schmidt

Dena Schmidt
Secretary/Treasurer