

LLR - BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS

Synergy Business Park, Kingstree Building

Board Meeting

10:00 a.m., Wednesday, March 6, 2002

110 Centerview Drive, Kingstree Building, Room 108

Columbia, South Carolina 29210

Ms. Merry Anne Gaddy, Chairperson called the regular meeting of the Board of Long Term Health Care Administrators to order at 10:00 a.m. Board members present for the meeting included: Mr. Daniel McLeod, Jr., Vice-Chairperson; Mr. Brown McCallum, Jr.; Mr. David Buckshorn; Mr. Leon Frishman; Mr. Kenneth Hiatt; Mr. Julius Kinney, Jr.; Ms. Joann James; and Ms. Betty Tolbert.

Dr. Brenna DeLaine was granted an excused absence.

Staff members participating at various times during the meeting included: Dana Welborn, Administrator; Stephanie Calhoun, Administrative Assistant; Sandra Dickert, Administrative Assistant; Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Wayne Whitworth, Investigator; Susan Duncan, Assistant to Legislative Liaison, LLR-Legislative Liaison Office; and Rick Fulmer, Legislative Liaison, LLR-Legislative Liaison Office.

WELCOME AND CALL TO ORDER

Ms. Gaddy announced the 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.

Ms. Gaddy welcomed all present.

INVOCATION

Mr. McCallum delivered the invocation.

APPROVAL OF MINUTES

December 11, 2001

Mr. Kinney moved the minutes from the December 11, 2001 meeting be approved as written. The motion was seconded by Mr. Buckshorn and unanimously carried.

COMMITTEE REPORTS

Executive Committee

Ms. Gaddy stated there was no Executive Committee report.

Investigative Review Committee

Ms. Jan Benson, Chairperson of the Investigative Review Committee, appeared before the Board at this time.

EXECUTIVE SESSION

Mr. McCallum moved to enter executive session to discuss the IRC recommendations. Mr. Buckshorn seconded the motion, which carried unanimously.

RETURN TO PUBLIC SESSION

Ms. Gaddy noted for the record that no motions were made and no votes were taken during the time the Board was in executive session.

Mr. McLeod moved the Board approve the IRC recommendations regarding the dismissals. Mr. McCallum seconded the motion, which carried unanimously.

Mr. Kinney moved the Board approve the IRC recommendations regarding letters of caution. Mr. Buckshorn seconded the motion, which carried unanimously.

Mr. McCallum moved the Board approve the IRC recommendations regarding formal accusations. Ms. Gaddy seconded the motion, which carried unanimously.

Credentials Committee

Ms. Tolbert presented the members with data on the number of approved applicants and the number of new licensees in 2001. There was a discussion regarding CRCFs, the construction of facilities and lack of beds.

Education Committee

Ms. DeLaine was not present, however, a report was presented for the Board's review.

AIT Committee

There was no AIT Committee report given.

Examination Committee

No Examination Committee report was given.

Legislative Action Committee

Ms. Gaddy stated the Legislative Action Committee met to complete the draft of the Code of Ethics.

The Board asked that the ethics code be mailed with the 2002-2003 licenses. Ms. Dantzler stated the Office of Communications & Governmental Affairs could be recruited to assist in mailing the ethics code to the media. It was also suggested that the ethics code be mailed to all new licensees.

Mr. McCallum moved to accept the Code of Ethics for Long Term Health Care Administrators as written. Mr. Buckshorn seconded the motion, which carried unanimously.

ADMINISTRATOR'S REPORT

NAB Annual Meeting

Ms. Welborn stated the NAB meeting would be held June 12-14, 2002 in Providence, Rhode Island. She noted that one member would be able to attend.

Mr. McCallum moved the Board send Ms. Welborn to the meeting. Ms. Tolbert seconded the motion, which carried unanimously.

Proposed Legislation

Mr. Fulmer provided the members with a summary of the Board's legislation. He stated the summary is geared to the legislature. He noted that all information regarding the proposed legislation has been forwarded to Ms. McKinney. He indicated Representative Kenny Bingham would be the sponsor for proposed legislation in the House of Representatives. He noted that Senator Verne Smith has been suggested as the sponsor for the Senate.

The Board asked that more information be obtained regarding the monies in the fines account and that the Board receive quarterly information regarding the fines account.

OSHA Training

Ms. Welborn stated the February training provided to administrators by staff of the Division of Labor went well. She noted that Ms. Benson attended. She further noted a second training session would be held on April 3, 2002.

April Newsletter

Ms. Welborn presented the members with a draft of the April newsletter for the Board's information. She noted a couple of corrections. Ms. Dantzler suggested the new Code of Ethics be inserted in the newsletter or that a reference to the new Code of Ethics be made in the newsletter.

Mr. Kinney suggested the newsletter recognize licensees for accomplishments and providing special services in future newsletters.

CRCF Level of Care Committee

Ms. Welborn stated this committee was organized by DHEC, Division of Health Licensing. She presented the members with a highlight of the committee's activities. She asked the Board members for their responses regarding the committee's activities.

RECESS

The Board recessed at 11:25 a.m.

RETURN TO PUBLIC SESSION

The Board returned to public session at 11:42 a.m. and began the appearances.

APPEARANCES

Cheryl Brannon, AIT and Mel Stepp, NHA

Ms. Gaddy stated that the Ms. Brannon and Mr. Stepp's AIT program was before the Board along with a letter of resignation from Cheryl Brannon that was received by fax in the Board office that morning. Ms. Gaddy requested Ms. Brannon make a statement for the record regarding her program experience.

Ms. Brannon stated that her expectations for the program were not met. She said that she expressed her concerns with Mr. Stepp and other nursing home staff and she did not experience any change. She stated that Mr. Stepp tried to provide direction and guidance during the program. Ms. Brannon said her program was being funded through the South Carolina Health Care Recruitment and Retention Center for their Palmetto Initiative for Excellence program.

Mr. McLeod asked Ms. Brannon if she had any advice to offer the Board in how to evaluate her concerns. Ms. Brannon stated the preceptor eligibility should be looked at more closely. She said her program was lacking structure and communication from the preceptor to the nursing home staff.

The members discussed the possibility of Ms. Brannon transferring to another site to complete her AIT program. Mr. McCallum moved that the Board authorize the transfer with Ms. Gaddy and Ms. Welborn's review. Mr. Kinney seconded the motion, which carried unanimously.

Virginia Roof

Ms. Welborn stated Ms. Roof's community residential care facility administrator license application was denied by staff initially and then by the Credentials Committee upon reconsideration.

Ms. Roof stated she is currently a certified nursing assistant instructor for Lexington District Two Adult Education. Ms. Roof detailed her education in nursing and her work experience in the health care field and in a community residential care facility to the Board.

Mr. Kinney recused himself from this matter after hearing Ms. Roof's testimony regarding her work relationship with National Health Care Corporation in her current position as a CNA instructor.

Mr. Buckshorn moved that Ms. Roof be denied her request to sit for the exam on the basis of inadequate information provided. Mr. McLeod asked to amend the motion to clarify she did not provided adequate information about her experience with business and fiscal responsibilities and that a written order be provided to Ms. Roof. Mr. Buckshorn

accepted the amendment to his motion. The motion carried with one opposed.

Kasatra Cue

Ms. Welborn stated that the applicant answered no to the question on the license application regarding criminal conviction. The background check results showed one conviction.

Ms. Cue stated that she did not intentionally answer the question incorrectly. She stated she was convicted of fraudulent check and the judge said her record would be expunged. Since she learned that the conviction is on her record, she submitted a request for expungement, which was approved by the solicitor. Ms. Cue provided a copy of the signed document for her Board record.

EXECUTIVE SESSION

Mr. McCallum moved the Board go into executive session. Mr. McLeod seconded the motion, which carried unanimously.

RETURN TO PUBLIC SESSION

Mr. McCallum moved that Ms. Cue not be fined and that her explanation be accepted and that she be allowed to sit for the exam. Ms. Tolbert seconded the motion, which carried unanimously.

LUNCH

The Board recessed for lunch at 1:10 p.m. and resumed regular session at 1:40 p.m.

Octavene Gray

Mr. Whitworth stated that Ms. Gray was not present.

Mr. McCallum moved to table the consideration of Ms. Gray's petition to sit for the residential care administrator examination and consider it at the next meeting if she appears. Mr. Kinney seconded the motion, which carried unanimously. Ms. Dantzer stated Ms. Gray would be notified that this matter would not be taken into consideration until such time as she chooses to appear.

Loretta Wallace

Ms. Welborn stated that the applicant was petitioning the Board to allow her to sit for the community residential care facility administrator licensing examination again. She said Ms. Wallace has passed the state exam, but still had to pass the national examination.

Ms. Wallace stated that she sought additional references to study for the examination. She stated that she recently enrolled at the local community college for more education in the business field.

Marcella Mitchell

Ms. Welborn stated that the applicant was petitioning the Board to sit for the licensing examination again. She said Ms. Mitchell had passed the national portion of the residential care administrator examination, but still had to pass the state examination.

Ms. Mitchell stated that she needed to sit for the exam again. She said her family has owned a residential care facility and adult day care facility since 1987. She stated she is a licensed practical nurse and has worked in the medical field since high school. She said her father was ready to retire and wanted her to operate the facility.

Ms. Mitchell said she has studied the regulations but gets nervous when she sits for the exam. She stated that a licensed administrator is helping her prepare for the exam.

EXECUTIVE SESSION

Mr. Kinney moved that the Board go into executive session. Mr. McCallum seconded the motion, which carried unanimously.

RETURN TO PUBLIC SESSION

Mr. McCallum moved that Ms. Wallace and Ms. Mitchell be allowed to sit for the license examinations as requested. Mr. Buckshorn seconded the motion, which carried unanimously.

UNFINISHED BUSINESS

Review of American College of Health Care Administrators Certification Program

Ms. Gaddy stated the SC Chapter of the ACHCA is asking to grant licensure on reciprocity instead of qualifications.

It was noted that the reciprocity could be considered for nursing home administrators and residential care facility administrators.

Mr. Kinney suggested the program be referred to a committee for study and that the committee bring a recommendation to the Board.

Ms. Dantzler stated the College is asking for an individual who comes from another state with qualifications be granted licensure.

Mr. Kinney moved the Board refer this matter to the Legislative Action Committee. Mr. McCallum seconded the motion, which carried unanimously.

EXECUTIVE SESSION

Mr. McLeod moved the Board enter executive session for deliberations on Ms. Brannon's matter. Mr. McCallum seconded the motion, which carried unanimously.

NEW BUSINESS

There was no new business to be discussed during this meeting.

NEXT MEETING

June 5-6, 2002

ADJOURN

There being no further business to be brought before the Board at this time, the meeting adjourned at 3:15 p.m.