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**DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE
BOARD OF NURSING HOME ADMINISTRATORS**

**MINUTES
GENERAL BUSINESS MEETING**

November 18, 2011

**Tampa Airport Marriott
4200 George J. Bean Parkway
Tampa, Florida 33607**

(813) 879-5151

16 **CALL TO ORDER:**

17 Ms. Patricia Freeman, Acting Chairman, called the meeting to order at 9:02 a.m. Those present
18 for all or part of the meeting included the following:

19
20 **MEMBERS PRESENT:**

21 Patricia Freeman, Vice-Chair
22 Cathy Bracher
23 Robert Rosenthal
24 Keith Myers

25
26 **MEMBER NOT PRESENT:**

27 Jeri Francoeur, Chair (excused)

28
29 **STAFF PRESENT:**

30 Bruce Deterding, Board Executive Director
31 Sharon Guilford, Program Operations Administrator

32
33 **BOARD COUNSEL:**

34 Michael Flury, Assistant Attorney General
35 Office of Attorney General

36
37 **PROSECUTING ATTORNEY:**

38 Lealand McCharen, Assistant General Counsel
39 Department of Health

40
41 **APPROVAL OF MINUTES:**

42
43 **September 23, 2011 – Telephone Conference Call Meeting**

44
45 **Mr. Myers moved to approve the minutes as presented. The motion was seconded and**
46 **carried 4/0.**

47
48 **September 12, 2011 – Telephone Conference Call Meeting**

49
50 **Ms. Bracher moved to approve the minutes as presented. The motion was seconded and**
51 **carried 4/0.**

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August 19, 2011 – Full Board Meeting

Mr. Rosenthal moved to approve the minutes as presented. The motion was seconded and carried 4/0.

FINAL ORDER ACTIONS:

Motions for Final Order by Settlement Agreement:

Aliceann Donaldson, N.H.A. – Case Number 11-05313
PCP: Freeman/Goodman

Ms. Donaldson was neither present nor represented by counsel.

Mr. McCharen informed the board that the respondent had violated:

- Section 468.1755(1)(r), F.S. (2010)

Mr. McCharen recommended the following penalty:

- appearance
- letter of concern
- administrative fine of \$750.00
- administrative costs of \$477.98
- completion of the continuing education from previous order

Discussion ensued.

Ms. Bracher moved to accept the settlement agreement as presented. The motion was seconded and carried 3/0.

Scott K. Elsass, N.H.A. – Case Number 10-15996
PCP: Freeman/Goodman

Mr. Elsass was present, sworn and was represented by Ms. Holly Platter, Esq.

Mr. McCharen informed the board that the respondent had violated:

- Section 468.1755(1)(h), F.S. (2009)

Mr. McCharen recommended the following penalty:

- appearance
- letter of concern
- administrative fine of \$500.00
- administrative costs of \$994.10
- completion of 10 hours of continuing education

Ms. Platter and Mr. Elsass addressed the board.

Discussion ensued.

1 **Ms. Bracher moved to accept the settlement agreement as presented. The motion was**
2 **seconded and carried 3/0.**

3
4 **Prosecution Report**

5
6 Mr. McCharen provided an overview of the Prosecution Report.

7
8 **APPLICANTS PRESENTED FOR BOARD REVIEW:**

9
10 **Dietchyne Aime – Administrator in Training**

11
12 Mr. Aime was neither present nor represented by counsel.

13
14 Mr. Rosenthal provided an overview of Mr. Aime's reports.

15
16 Discussion ensued.

17
18 **Ms. Freeman moved to dismiss Ms. Aime from the AIT program and require her personal**
19 **appearance before the board if she reapplies. The motion was seconded and carried 4/0.**

20
21 **Steven D. Gottlieb – Administrator in Training**

22
23 Mr. Gottlieb was neither present nor represented by counsel.

24
25 Discussion ensued.

26
27 **Ms. Freeman moved to require Mr. Gottlieb and his preceptor to appear before the board**
28 **at the next scheduled board meeting to discuss the issues of concern. The motion was**
29 **seconded and carried 4/0.**

30
31 **RATIFICATION OF LICENSURE:**

32
33 **Nursing Home Administrators**
34 **(Edeline Joseph, 5177 through Andrew Thomas Green, 5215)**

35
36 **Mr. Myers moved to accept the ratification list as presented. The motion was seconded and**
37 **carried 4/0.**

38
39 **Examination**
40 **(Sally Ann Boswell through Thomas Joseph Sylvain)**

41
42 **Mr. Myers moved to accept the ratification list as presented. The motion was seconded and**
43 **carried 4/0.**

44
45 **Administrator in Training**
46 **(Portal Babilonia through Deniese Maureen Williams)**

47
48 **Mr. Myers moved to accept the ratification list as presented. The motion was seconded and**
49 **carried 4/0.**

50
51 **Preceptors**

1
2 **Mr. Myers moved to accept the ratification list as presented. The motion was seconded and**
3 **carried 4/0.**

4
5 **CHAIR/VICE CHAIR REPORT:**

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7 **Update from Chair/Vice-Chair's Meeting**

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9 No report.

10
11 **Approval to pay NAB Annual Dues**

12
13 **Mr. Rosenthal moved to approve to pay NAB Annual Dues. The motion was seconded and**
14 **carried 4/0.**

15
16 Ms. Freeman provided an overview of the NAB meeting. Several items were mentioned as
17 follows:

- 18 • dues will increase from \$1,200 to \$1,500 beginning January 2013 (NAB requested the
19 board consider sending representative to the NAB meetings that could attend for a period
20 of two years)
21 • interested in states reciprocity
22 • licensure for ALF administrators (they have a workgroup for a possible examination for
23 licensure). Florida requires certification only
24

25 **Future Agenda Items**

26
27 There were no future agenda items provided.

28
29 **EXECUTIVE DIRECTOR'S REPORT**

30
31 Mr. Deterding provided a brief overview of the Electronic Death Registration System (EDRS)
32 implementation. He also provided information on the new travel policy.

33
34 The board recommended holding a future meeting in Jacksonville at the Clarion Hotel.

35
36 **BOARD COUNSEL'S REPORT:**

- 37
38 • **Interim Guidance Regarding the Office of Fiscal Accountability and**
39 **Regulatory Reform (OFARR)**
40 • **Executive Order 11-211**

41
42 Mr. Flury provided an overview of the reports

43
44 **Rules Status Report**

45
46 Ms. Rigsby stated that she had requested a Rules Hearing on Rule 64B10-16.005, F.A.C., relating
47 to the AIT Domains of Practice Quarterly Checklist form. She indicated that if the board would
48 allow her to discuss the following recommendations to the last page:

- 49
50 • #5. modify "your program" and striking "one year".

- 1 • #6. preceptor is supervising only one AIT
2 • #7. Preceptor and AIT have a formal written agreement 64B10-16.001(7) and developed
3 a written plan outlined in 64B10-16.005(8) or its equivalent to the current proposed
4 language.
5
6 • The board requested “Please indicate the applicable Domain of Practice” to the top of
7 Page 14 of 14.
8

9 **Mr. Myers moved to Notice of Rule Development to include the above modifications**
10 **Domain of Practice to the top of page 14 of 14. The motion was seconded and carried 4/0.**

11
12 **COMMITTEE REPORTS:**

13
14 **AIT – Pat Freeman/Bobby Rosenthal**

15
16 Mr. Rosenthal and Ms. Freeman provided an overview of the process in reviewing AIT Quarterly
17 Reports.
18

- 19 • communicates with the preceptor and AIT prior to commencing
20 • provides a package to them outlining the requirements and provide examples of reports
21 and narratives including the laws and rules
22 • writing their narrative in the same order as the checklist
23 • provide best practices
24 • contact by email
25 • use the template provided by DOH
26 • AIT Quarterly Reports
27 ○ verify hours and math
28 ○ review narratives
29 • communicates with the preceptor and AIT relating to the deficiencies
30 • preceptor applicants shall be required to be interviewed
31

32 The board requested staff to establish a guideline to be used in reviewing the reports.
33

34 Ms. Freeman stated that she would provide an example of the information used when conducting
35 a review of the AIT Quarterly Checklist.
36

37 Ms. Guilford stated that she would develop a guideline to be reviewed by the members.
38

39 **Budget – Pat Freeman**

- 40
41 • **Revenue Report**
42 • **Expenditures by Function Ending June 30, 2011**
43 • **Cash Balance Ending June 30, 2011**
44 • **Total Expenditures (Direct and Allocated) Ending June 30, 2011**
45 • **Allocations to Boards by Source Organization and Category Ending June 30, 2011**
46

47 Ms. Freeman provided an overview of the budget report.
48

49 **Continuing Education – Pat Freeman**

1 Ms. Freeman asked staff to inform licensees submitting transcripts in order to meet the continuing
2 education requirements for renewal that they must clearly identify the course and subject area.

3
4 Ms. Freeman requested staff to contact the providers on the list of continuing education courses
5 that were not acceptable and require them to send written materials (course content and outline)
6 for each course.

7
8 **Credentials – Pat Freeman**

9
10 No report.

11
12 **Disciplinary Compliance – Jeri Francoeur**

13
14 No report.

15
16 **Examination – Bobby Rosenthal**

17
18 No report.

19
20 **Legislation – Bobby Rosenthal**

21
22 Ms. Freeman stated that board discussed Chapter 468, Part II, Florida Statutes, as follows:

- 23
24
- 25 • 468.1665 – chair and vice be a NHA
 - 26 • 468.1685 delete (7)
 - 27 • 468.1695 no change
 - 28 • 468.1695(2)(a)1. – to work with key stakeholders (Florida universities) to
29 understand that the board may approve their NHA program and then clarify the 60
30 semester hours by rule
 - 31 • 468.1695(2)(a)2. – place the number of hours in by rule
 - 32 • 468.1695(2)2.b. – as defined by board rule
 - 33 • 468.1705(1)(a)1. – modify language ...state or meet the requirements when
34 licensed
 - 35 • 468.1705((1)(b)3. from two (2) to one (1) year and also make changes to 64B10-
36 11.002(3)(b)

37 The board discussed repealing the following:

- 38
- 39 • 468.1705(4) – repeal
 - 40 • 468.1735 - repeal

41
42 **Mr. Myers moved to repeal Section 468.1705(4), and 468.1735, F.S. The motion was**
43 **seconded and carried 4/0.**

44
45 **Probable Cause – Pat Freeman**

46
47 **Stats**

48
49 Informational purposes.

1
2 **Rules – Jeri Francoeur**

3
4 **Discussion of Rule 64B10-16.0025, F.A.C. – Preceptor Training Seminar**

5
6 Ms. Freeman provided an overview of the above rule.

7
8 The board requested the board staff to research other professions to include in the continuing
9 education rule granting board members continuing education towards licensure renewal.

10
11 **Unlicensed Activity – Jeri Francoeur**

12
13 No report.

14
15 **ELECTION OF OFFICERS**

16
17 **Mr. Myers moved to appoint Ms. Freeman as Chair. The motion was seconded and carried**
18 **4/0.**

19
20 **Mr. Myers moved to appoint Mr. Rosenthal as Vice-Chair. The motion was seconded and**
21 **carried 4/0.**

22
23 **Rules Status Report (continued)**

24
25 Mr. Flury requested the board to readdress the previous action to Rule 64B10-16.005, F.A.C.

26
27 **Ms. Freeman moved that the proposed rule would not have any adverse impacts on small**
28 **businesses and would not be likely to directly or indirectly increase regulatory costs to any**
29 **entity (including government) in excess of \$200,000 in the aggregate in Florida within 1 year**
30 **after the implementation of the rule. The motion was seconded and carried 4/0.**

31
32 **COMMITTEE ASSIGNMENTS:**

- 33
34
- 35 • Credentials: Pat Freeman
 - 36 • Budget: Keith Myers
 - 37 • Examination/NAB Representative: Pat Freeman
 - 38 • Probable Cause: Bobby Rosenthal
Terry Goodman, Chair
 - 39 • Rules: Cathy Bracher
 - 40 • AIT/Preceptor: Pat Freeman
Bobby Rosenthal
Keith Myers
 - 41 • Continuing Education: Cathy Bracher
 - 42 • Legislation: Keith Myers
 - 43 • Disciplinary Compliance: Jeri Francoeur
 - 44 • Unlicensed Activity: Jeri Francoeur
- 45
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47

48 **NEXT MEETING DATE – March 16th – Tampa**

1 The board requested a board meeting January 6, 2012. Mr. Deterding stated that the board staff
2 would look into the logistics and let the board members know as soon as possible about the
3 possibility of such a meeting.

4

5 **ADJOURNMENT:**

6

7 The meeting was adjourned at 1:05 p.m.