

**BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS
MINUTES**

DATE: August 3, 2009

TIME: 9:00 a.m. C.D.T

LOCATION: 227 French Landing Dr
Heritage Place, Metro Center
Ground Floor, Iris Conference Room
Nashville, TN 37243

MEMBERS PRESENT: Harold Walker, NHA, Chair
Mark Davis, NHA, Vice Chair
Norma Lester, RN, NHA, Secretary
Stephen J. D'Amico, MD
Craig Laman, NHA
Kathryn Wilhoit, RN, NHA
Jimmy Johnston, Consumer Member

MEMBER(S) ABSENT: Vickie Harris, NHA

STAFF PRESENT: Marva Swann, Board Director
Mary V. Webb, Board Administrator
Erin Begley, Advisory Attorney
Libby Miller, HRB Director
Juanita Stone, BIV Disciplinary Coordinator

GUEST: Richard Russell, Legal Counsel, Tennessee Health Care
Association, (THCA)

With a quorum being present, Mr. Walker called the meeting to order at 9:10 a. m.

Conflict of Interest

Erin Begley instructed the members of their responsibility under the Conflict of Interest Policy.

Office of General Counsel Report

Erin Begley presented the following OGC report:

Rules:

- Increase Licensure Requirements, Eligibility, for Exams, Conditions, Titles [120-1.07, .10, .15, .16] –(07-1323). The rulemaking hearing was held on August 20, 2007, and was approved by the Board for filing on November 5, 2007. The rules were reviewed by the Assistant General Counsel and forwarded to supervising attorneys on January 25, 2008. These rules will be sent to the Attorney General's office for approval this week.

Litigation:

- There are five (5) open cases in OGC pertaining to the Board of Nursing Home Administrators.

Minutes

Ms. Lester made a motion seconded by Dr. D'Amico to approve the minutes for the June 1, 2009 meeting as presented. The motion carried.

Investigative/Disciplinary Reports

Juanita Stone, Disciplinary Coordinator for the Office of Investigations, presented the investigative and disciplinary reports. There are currently six (6) open cases in investigations all of which are awaiting a second review.

There are four (4) practitioners currently being monitored after Board disciplinary action.

Applicant Interviews/File Reviews

- A. **Amanda Spencer**—Ms. Spencer appeared before the Board as an AIT applicant. After interview and review of her file by the Board, Mr. Laman made a motion seconded by Mr. Davis to approve Ms. Spencer for a six-month AIT program. The motion carried.

- B. **Donald Herring**—Mr. Herring appeared before the Board as an AIT applicant. After interview and review of his file by the Board, Mr. Davis made a motion seconded by Ms. Lester to approve Mr. Herring for a six- month AIT program. The motion carried.

- C. **Daniel Richmond**—Mr. Richmond appeared before the Board an AIT applicant. After interview and review of his file by the Board, Mr. Davis made a motion seconded by Ms. Wilhoit to approve Mr. Richmond for a six-month AIT program. Dr. D'Amico recused himself. The motion carried.

- D. **Randy Reynolds**—Mr. Reynolds is an AIT applicant. He was not present. After review of his file by the Board, Mr. Laman made a motion seconded by Ms. Lester to approve Mr. Reynolds for a six-month AIT program. Mr. Davis recused himself. The motion carried.
- E. **Yuriy Lutsenko**—Mr. Lutsenko is an AIT applicant. He was not present. After review of his file by the Board, Mr. Laman made a motion seconded by Ms. Wilhoit to approve Mr. Lutsenko for a six-month AIT program. The motion carried.
- F. **Yonatan Freiden**—Mr. Freidan was not present. His file was presented to the Board for his approval to take the NAB exam. He had been granted a six-month AIT at a previous meeting, but requested that his credentials be reexamined to allow him to take the exam without completing an AIT program. His education did not include an internship. After re-examination of Mr. Freiden's credentials, Mr. Davis made a motion seconded by Ms. Lester to deny his request to take the NAB exam.
- G. **Sean Whiteside**—Mr. Whiteside appeared before the Board due to his having failed the NAB exam twice. His preceptor, Lois Johnstone, could not be present but sent a letter on Mr. Whiteside's behalf as to the measures he will take to pass the exam. After interview, the Board granted Mr. Whiteside permission to retake the NAB exam.
- H. **Pamela Bishop**—Ms. Bishop appeared before the Board to be approved for a license by reciprocity. Ms. Bishop is currently licensed as a nursing home administrator in the state of South Carolina. After interview and review of her file, a motion was made by Mr. Davis seconded by Ms. Lester to approve Ms. Bishop for licensure by reciprocity. The motion carried.
- I. **James Delaney**—Mr. Delaney sent a letter requesting that the Board approve a change of his preceptor for the last two months of his AIT program from Richie Anderson at Rosewood Manor to Ron Knox at Waverly Healthcare and Rehab. Mr. Delaney felt it would be more beneficial to complete his AIT at the facility at which he hopes to become the administrator. After discussion, Mr. Laman made a motion seconded by Dr. D'Amico to approve Mr. Delaney's request for a change of preceptor. Mr. Davis recused himself. The motion carried.
- J. **Debra Johnson**—Ms. Johnson sent a letter requesting that the Board approve a change of her preceptor for the remainder of her AIT program at Covington Care Center from Becky Spray to Heather Lansaw. Ms. Spray has accepted another position with the facility and can no longer act as preceptor for Ms. Johnson. Ms. Lansaw is the Regional Administrator. After discussion, Ms. Lester made a motion seconded by Mr. Laman to approve Ms. Johnson's request for a change of preceptor. Mr. Davis recused himself. The motion carried.

- K. **Hannah Comer**—Ms. Comer appeared before the Board to request that she be allowed to start her AIT program on September 8, 2009 which will be one month after her graduation from Mississippi State University on August 8, 2009 with a B.S. in Human Sciences. After interview and discussion, Mr. Davis made a motion seconded by Ms. Lester to grant Ms. Comer’s request to begin her AIT program on September 8, 2009. The motion carried.

Board Reports

Administrator’s Report

There are 768 active nursing home administrators as of June 1, 2009.

The following is an account of Board activity from February 28, 2009 through June 30, 2009:

- New licenses—18
- Retired licenses—4
- Renewals—56 (26 renewed online)

Continuing Education Audit January 2008 through December 31, 2008:

- Number Audited—47
- Number Compliant—41
- Number Non-Compliant—6

All six (6) licensees who were non-compliant have been mailed Agreed Citations.

Board Members

All positions are currently filled with the exception of the Ex Officio.

Financial Report

The Board deferred discussion of the financial report until the November 2, 2009 meeting pending receipt of the 2009 FY report.

Ratifications

Mr. Davis made a motion seconded by Ms. Lester to approve the following list of initial determinations for **new licenses**. The motion carried.

DOUGLAS MICHAEL BASS
CAMILLA BRUNGARD BAUGHMAN
JEFF AUSTIN CHAMBERLAIN
TRUDY KAY DURHAM
JAMES CLINTON HICKERSON

DAVID B. JOHNSTON
JASON LEE JONES
TERESA LEWIS KISKADEN
DAWN LEIGH LEWIS
JODI A. LEWTON

MARILYN MADRY MCCLAIN
BRENDA GENEINE NAGEY
BRUCE WILLIAM ROBERSON

MELISSA GAYLE TIPPS
AMY MIDDLETON WILEY

Ms. Lester made a motion seconded by Mr. Laman to approve the following initial determinations for **reinstatement** of licensure. The motion carried.

CHRISTOPHER ALEXANDER GADDY
ELIZABETH C LAWRENCE

DOUGLAS L. MALIN
MARKESTA K. WINTERS

Ms. Laman made a motion seconded by Mr. Davis to approve the following applicants as **preceptors**. The motion carried. Both applicants attended the THCA continuing education course and have had a recent facility survey in good standing.

KELVIN HAZEL

RICHARD McCORMICK

The Board would like the administrative office to send out a letter each year to all listed preceptors inquiring as to their current address and status to keep the list up to date.

Agreed Citations

The following licensees were issued Agreed Citations for failure to maintain sufficient continuing education credits in violation of Tenn. Code Ann. § 63-16-107 (5). They will be required to remit a civil penalty of one hundred dollars (\$100.00) in addition to submitting the continuing education they were deficient plus nine (9) penalty hours.

KATHERINE A. BENNETT
TOMMY LEE DAVIDSON
DAVID GAITHER

MARY FRANCES PFEIFER
JOHN B. WHITE

Mr. Laman made a motion seconded by Ms. Lester to accept the Agreed Citations. The motion carried.

Adjournment

There being no further business, the meeting adjourned at 11:25 a.m.

These minutes were ratified at the November 2, 2009 meeting.