

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

DATE: November 5, 2007

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

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

MEMBERS PRESENT: Harold Walker, Chair, NHA  
Craig Laman, NHA  
Kathryn Wilhoit, RN, NHA  
Jennifer Johnson, M.D.  
Vickie Harris, NHA

MEMBERS ABSENT: Mark Davis, Vice Chair  
Norma Lester, Secretary  
Susan Carson, Citizen

STAFF PRESENT: Marva Swann, Unit Director  
Mary V. Webb, Board Administrator  
Erin Begley, Board Attorney  
Karen Robinson, Board Administrator  
Juanita Stone, Disciplinary Coordinator  
Sandra Sturgis, Special Assistant to Commissioner  
Edward Heenan, Board Consultant

GUESTS: Richard Russell, Legal Counsel, THCA  
Harold Ermshar, THSA

COURT REPORTER: Denise Stacy, from Denise Harwood-Stacy

With a quorum being present, Mr. Walker called the meeting to order at 9:04 a. m.

**Conflict Of Interest**

Ms. Begley discussed the Conflict of Interest Policy and reminded the Board members of their responsibilities under the policy.

## **Consent Order**

Ms. Begley, Board Attorney, presented to the Board a consent order for Debbie Powell, NHA License #3030-Case #200601596. Ms. Begley explained that Ms. Powell submitted an application for nursing home administrator on June 2, 2005 which was approved and granted a license on August 15, 2005. In the application process the applicant was asked if she had ever held or applied for a license or certificate to practice as a nursing home administrator or any other health care professional in any state, county, or province, was or has it ever been denied, reprimanded, suspended, restricted, revoked or otherwise disciplined, curtailed, or voluntarily surrendered under threat of investigation or disciplinary action. Ms. Powell submitted disciplinary paperwork in the form of a letter of admonition by the Colorado State Board of Nursing for failing to report disciplinary action taken upon a nurse under Ms. Powell's supervision. The letter of admonition attached to Ms. Powell's application was from the Colorado Nursing Home Administrators Board. No information was submitted from the Colorado State Board of Nursing nor was it indicated anywhere on the Tennessee nursing home administrator application. Ms. Begley explained that Ms. Powell agreed to a reprimand for the formal disciplinary action taken against her license which will be reported to the Health Integrity and Protection Data Bank (HIPD), and pay costs not to exceed one thousand five hundred dollars (\$1,500.00) upon ratification of this order by the Board. A motion was made by Dr. Johnson and seconded by Ms. Wilhoit. The motion carried with a unanimous vote.

## **Minutes**

A motion was made by Mr. Laman and seconded by Dr. Johnson to approve the August 6, 2007 minutes. The motion carried.

## **Applicant Interviews/File Reviews**

**George Deakins** –Mr. Deakins was requested to appear before the Board to give an explanation of his Administrator In Training (A.I.T.) Mr. Heath Ball failing the NAB examination twice. After much discussion, the Board recommended that Mr. Deakins assist Mr. Ball in training for the NAB exam and granted Mr. Ball to retake the exam.

**Guy Crosson** - Mr. Crosson was requested to appear before the Board to give an explanation of his A.I.T. Mr. Bartlee Norton failing the NAB examination twice. After much discussion, the Board approved Mr. Norton to retake the exam on November 16, 2007 and if he fails the exam he is requested to attend the March 3, 2008 board meeting.

**Sandra Casper** - Ms. Casper was requested to appear before the Board to give explanation of her nursing home management experience. Ms. Robinson explained that Ms. Casper stated she could not be present at the meeting. Ms. Casper's resume states she has a Diploma for R.N. from Milwaukee County Nursing School of Nursing in 9/6/1968, and that she has worked as an Administrator/Evaluator of a Nursing Home Survey Process from 1980 until 1984, President/CEO of Rehabilitation Care Consultants from 1981 thru 2003 and President, General Medicine Consulting from 11/2002 thru 3/2003. Ms. Casper is currently licensed in Wisconsin with expiration date of 6/30/2008 and South

Carolina with expiration date of 6/30/2008. After much discussion, a motion was made by Ms. Wilhoit and seconded by Dr. Johnson to deny Ms. Casper's application for licensure. Pursuant to Rule 1020-1-.07(3). The Board requested for Ms. Casper to attend the 3/3/2008 meeting to give explanation of her nursing home administrator management experience before licensure can be granted. The motion carried.

**Sheila Stephens** - Ms. Stephens was requested to appear before the Board to give explanation of her nursing home administrator management experience. Ms. Stephens's resume states that she has an AAS in Office Systems Administration with concentration in Medical Office Assistant from Cleveland State in 1997, and that she has worked as the Assistant Administrator from 1996 till present. A motion was made by Dr. Johnson and seconded by Mr. Laman to approve Ms. Stephens's management experience and approve her for a six month A.I.T. program. Ms. Stephens requested for a decreased in the A.I.T. hours with all he experience and the Board explained the rules state the minimum of an A.I.T. is six months. The motion carried.

**Van Bergstrom** —Mr. Bergstrom was requested to attend the Board meeting to give explanation of his nursing home administrator management experience. Mr. Bergstrom's resume states that he has an MA in Health Education and Promotion from East Carolina University in 12/2003, and that he worked as an A.I.T. from 12/2004 to 6/2005, and worked as an Administrative Assistant II to The Director of Nursing Service from 8/2006 till present. Mr. Bergstrom is currently licensed in North Carolina with expiration date of 3/30/2006 and Iowa with expiration date of 12/31/2007. After much discussion, a motion was made by Mr. Laman and seconded by Ms. Harris to approve Mr. Bergstrom's management experience and to approve Mr. Bergstrom to take the state jurisprudence exam. The motion carried.

**Melinda Wade** - Ms. Wade's application was presented to the Board for review. Ms. Wade's transcript states that she has a BS in Organizational Management from Bethel College in 5/6/2007. After the file was reviewed a motion was made by Ms. Harris and seconded by Mr. Laman to approve Ms. Wade for a six (6) month A.I.T. program. The motion carried.

## **Rules**

Discuss and conduct a roll call vote for the August 20, 2007 rulemaking hearing regarding:

- A. Increase of standards for three (3) pathways to licensure
- B. Examination deadlines to complete
- C. Conditions imposed upon disciplinary licensee
- D. Use of titles in advertisements

After much discussion, a motion was made by Dr. Johnson and seconded by Mr. Laman to approve the rule changes. A roll call vote was taken with Mr. Walker, Mr. Laman, Dr. Johnson, Ms. Wilhoit and Ms. Harris with Mr. Davis, Ms. Lester, and Ms. Carson noted absent. The motion carried with a unanimous vote.

Discuss and consider a rulemaking hearing regarding succession of Board officers:

A motion was made by Dr. Johnson and seconded by Mr. Laman to discontinue any action on this rulemaking hearing regarding succession of Board officers. The motion carried with a unanimous vote.

**A.I.T. Applications**

A motion was made by Mr. Laman and seconded by Ms. Harris to approve the following for a six (6) month A.I.T. program to begin on Monday November 12, 2007. The motion carried.

Shelia Deadmon	Christian Woody
Allan Maness	Tiffany Thompson
Tammy Wagner	J. Matthew Cummings
Brenda Karagiannidis	Rebekah Sharpe

**New Exam Applicant**

A motion was made by Mr. Laman and seconded by Ms. Harris to approve Lindsey Lawson to sit for the NAB exam. The motion carried.

**Office of General Counsel Reports and or Discussions**

Ms. Begley presented the OGC report and discussed the following rules and legislation: Rule 1020-1-.07, .10,.15,.16 07-1323 Increase Licensure Requirements, Eligibility for Exams, Conditions, Titles, the rulemaking notice was filed on June 4, 2007 and the rule went to hearing on August 20, 2007, and is before the Board today for a roll-call vote as to final approval.

Ms. Begley stated that OGC currently has one open disciplinary case pertaining to the Board of Examiners For Nursing Home Administrators.

Topic for Discussion:

Conflict of interest policy – Ms. Begley gave instructions to the Board in the Conflict of Interest policy prior to the start of scheduled Board Business.

**Administrative Reports**

Ms. Webb presented the statistical reports which indicate the following:

<b>Nursing Home Administrators July 2007</b>	<b>Nursing Home Administrators August 2007</b>	<b>Nursing Home Administrators September 2007</b>
<b>Active Licensees – 768</b>	<b>Active Licensees – 766</b>	<b>Active Licensees – 766</b>

<b>Retired Licensees – 813</b>	<b>Retired Licensees – 821</b>	<b>Retired Licensees – 824</b>
<b>Failed to Renew - 668</b>	<b>Failed to Renew - 668</b>	<b>Failed to Renew - 668</b>

**PERFORMANCE MEASURES**

<i>Performance Measure</i>	<i>Goal</i>	<i>Nov-Feb 2006-2007</i>
Renewal Processing Time	14 days	5 to 7 days
Application Processing Time	100 days	200 to 550 + days

The application processing time is directly relative to the length of the A.I.T. program, the length of the NAB examination process, and the length of the state jurisprudence examination and the success or lack thereof, of the applicants on the examinations. Ms. Harris suggested that it would be a none reasonable measurement of the administrative process to log the length of time it takes from initial application until an applicant starts the A.I.T. Program.

Ms. Harris discussed and suggested a spread sheet on the preceptor’s and A.I.T. program to track the NAB examination pass/fail rate.

**BUDGET/TRAVEL ISSUES**

Ms. Webb presented to the Board that a change has been made in the travel agency for the state which was effective Monday, October 29, 2007, and that no one is to make any arrangements prior to receiving approval; and when making travel arrangements, such as purchasing airline tickets, you must go through Wright Travel Agency of Nashville at 1-800-643-5992. Each time you go through Wright Travel Agency of Nashville, you must identify that you are with the State of Tennessee and provide them with the Board’s budget and allotment code which can be obtained from the Unit Director or the Administrator of the Board.

**Financial Report**

Ms. Webb presented to the Board a financial report for the projected cumulative carryover at June 30, 2007. Ms. Swann stated the new financial report will not be presented until January 2008.

**Preceptor List**

Mr. Laman asked if the preceptor list had been updated and that at the June 4, 2007 board meeting Mr. Davis was concerned about the incorrect addresses on the preceptor list. Ms. Harris asked if the Board office changed the address from the renewal application to the preceptor list. Ms. Robinson stated only if the licensee requests for the address to be changed on the preceptor list; and the rules state the licensee is responsible for submitting the address change in writing to the administrative office pursuant to rule 1020-1-.03(9)(a).

**Voluntary Retired List**

Mr. Walker requested the voluntary retired list for review from the August 6, 2007 Board meeting.

### **Investigative and Disciplinary Reports**

Ms. Stone presented the investigative report which indicated that there are five year to date new complaints received as of September 2007. One complaint newly referred to screening panel. Nine closed complaints, five no action, one letter of concern, one letter of warning, two referred to OGC. One drug related, one unlicensed practice, one violation of Board order, one other, two from the west region, three from the middle region.

Ms. Stone presented the disciplinary report which indicated that Ms. Billie Anderson surrendered her license June 4, 2007. Ms. Stone indicated that there are three names that needed to be added to the report and will be on the next report; Mr. Jack Jordan, Mr. Sidney Pierce, and George Schumann.

Mr. Walker requested a quarterly report of the online renewals for the next Board meeting of March 3, 2008.

### **Ratifications**

#### New Licensees

A motion was made by Dr. Johnson and seconded by Ms. Wilhoit to approve the following New Licensees for licensure. The motion carried.

Angela Ammons	David E. Boozer, II
Betty D. Caton	Colin G. Chesley
Edward R. Harries	Joyce M. Henson
Patricia P. Ketterman	Randall J. McClellan
Waldemar W. Seltzer	Jean Webb
Tyler R. Williams	Roderick D. Wolfe

#### Reinstatements

A motion was made by Ms. Harris and seconded by Dr. Johnson to approve Leonard P. Smith for reinstatement of licensure. The motion carried.

### **Adjourn**

A motion was made by Ms. Harris and seconded by Dr. Johnson, with there being no further business, the meeting was adjourned at 11:27 a.m.

**These minutes were ratified by the Board of Examiners for Nursing Home Administrators on 3/3/08.**