



April 11, 2007, Quarterly Meeting

MINUTES

Convened

The meeting convened at 8:40 a.m. in room 445 of the Portland State Office Building.

Members Present

Rob Hays, NHA, Chair; Anita Schacher, NHA, Vice Chair; Margaret Clark, Public Member; Larry Davy, NHA; Kathleen Elias, RN; George Gerding, R.Ph; Ronald Gilson, MD; Arlene Gardner, Public Member

Members Absent

Jim Bagley, Public Member

Others Present

Janet Bartel, Executive Director; Dolores Hubert, Ombudsman

Introduction and Welcome to New Public Member

The Board welcomed new public member, Arlene Gardner. Gardner shared her professional history and interest in serving on the Board. She pointed out a correction to the Board's Press Release regarding care for the "venerable" elderly stating that it should actually read "vulnerable" elderly.

Adoption of April 11, 2007, Agenda

Action: George Gerding moved to accept the agenda as submitted. Kathleen Elias seconded and the motion passed unanimously.

Approval of January 10, 2007, Minutes

Action: George Gerding moved to approve the January 10, 2007, minutes as submitted. Margaret Clark seconded and the motion passed unanimously.

Ratification of New Licenses

Action: Larry Davy moved to ratify the following licenses as issued. Kathleen Elias seconded and the motion passed unanimously.

Licenses Issued From January 2007 To March 2007

<u>LICENSEE NAME</u>	<u>LIC. NO.</u>	<u>LIC. TYPE</u>	<u>ISSUE DATE</u>
Boulette, Bruce P.	2424	NHA	01/29/2007
Buckley, John P.	664	Provisional	01/22/2007
Budo, Patricia J.	666	Provisional	03/23/2007

Easley , Nicole M.	663	Provisional	01/11/2007
Hanson , Kandis B.	665	Provisional	03/05/2007
Pool , Matthew W.	2427	NHA	03/05/2007
Redberg , Nathan E.	2426	NHA	02/26/2007
Robers , Martha M.	2425	NHA	02/12/2007

Election of 2007-08 Officers

Action: George Gerding moved to nominate Anita Schacher for Chair. Arlene Gardner seconded and the motion passed unanimously.

Action: George Gerding moved to nominate Kathleen Elias for Vice Chair. Margaret Clark Seconded the motion and passed unanimously.

Endorsement Applications

- **Patricia Budo** – Providence Child Center
- **Renee Naylor**

Action: Margaret Clark moved to approve the endorsement applications. Kathleen Elias seconded and the motion passed unanimously.

Final Interviews (Exam Candidates)

Action: The following candidates were interviewed and approved for the NAB and State NHA examinations:

- **John Naumes** – Rogue Valley Manor
- **Amy Robbins** – Rogue Valley Manor
- **Erin Rudolph** – Providence Benedictine Nursing Center

Mid-Way Interviews

Action: Mid-way interview candidates were approved with the following recommendations:

Ben Garber – Highland House Nursing & Rehab Center

- Become knowledgeable about consultant pharmacy role (include a tour of the pharmacy)
- Become knowledgeable about psychotropic drugs and effect on geriatric population
- Become knowledgeable about the following services:
 - Nursing
 - Activities (try to develop and lead an activity)
 - Rehab & Restorative services
 - Human Resources (hiring, firing, discipline, etc.) and learn about BOLI
- Become knowledgeable about role and function of medical director (learn about F-tag 501)
- Increase knowledge about gerontology
- Increase knowledge about Medicare/Medicaid process and forms (financial knowledge, billing, collections, etc.)
- Visit not-for-profit nursing facility
- Review LTC rules, interpretive guidelines and compare to facility procedures
- Try to spend a night in the facility to gain a better understanding of the residents' perspective

- Increase knowledge of the culture change--person centered care--movement
- Interview a union building administrator
- Increase knowledge about cultural diversity
- Begin preparing for the national examination

Derek Johnson – Friendship Manor

- Participate in CNA training class or review training materials for 40 hours and shadow a nurse for 40 hours
- Become knowledgeable about consultant pharmacy role (include a tour of the pharmacy)
- Become knowledgeable about psychotropic drugs and effect on geriatric population
- Become knowledgeable about the following services:
 - Nursing (DNS, RCM, etc.)
 - Social Services (including Dental/Vision/Hearing services)
 - Rehab & Restorative services
 - Human Resources (hiring, firing, discipline, etc.) and learn about BOLI
- Become knowledgeable about role and function of medical director (learn about F-tag 501)
- Increase knowledge about gerontology
- Increase knowledge about Medicare/Medicaid process and forms (financial knowledge, billing, collections, etc.)
- Visit facility(ies) certified for Medicare & Medicaid
- Visit for-profit nursing facility
- Be involved in mock survey or visit another facility to participate in survey and Plan of Correction process
- Continue to review LTC rules, interpretive guidelines and compare to facility procedures
- Try to spend a night in the facility to gain a better understanding of the residents' perspective
- Interview a union building administrator
- Begin preparing for the national examination

Michael Quayle – Avamere Court at Keizer

- Participate in CNA training class or review training materials for 40 hours and shadow a nurse for 40 hours
- Become knowledgeable about consultant pharmacy role (include a tour of the pharmacy)
- Become knowledgeable about psychotropic drugs and effect on geriatric population
- Become knowledgeable about the following services:
 - Nursing (DNS, RCM, etc.)
 - Activities (try to develop and lead an activity)
 - Dietary - sample the food textures (i.e., puree, thickened water, etc.)
 - Rehab & Restorative services
 - Human Resources (learn about BOLI)
- Visit not-for-profit nursing facility
- Be involved in mock survey or visit another facility to participate in survey and Plan of Correction process
- Review LTC rules, interpretive guidelines and compare to facility procedures
- Try to spend a night in the facility to gain a better understanding of the residents' perspective

- Increase knowledge about disaster planning and preparedness
- Increase knowledge of the culture change--person centered care--movement
- Interview a union building administrator
- Begin preparing for the national examination

Gina Ryan – Clatsop Care Center

- Become knowledgeable about consultant pharmacy role (include a tour of the pharmacy)
- Become knowledgeable about psychotropic drugs and effect on geriatric population
- Become knowledgeable about the following services:
 - Nursing (DNS, RCM, etc.)
- Arrange to meet your facility medical director (learn about F-tag 501)
- Meet with local ombudsman and learn more about program
- Try to spend a night in the facility to gain a better understanding of the residents' perspective
- Increase knowledge about disaster planning and preparedness
- Interview a union building administrator
- Increase knowledge about cultural diversity
- Begin preparing for the national examination

Executive Session Convened

Public session was closed and executive session convened at 12:05 p.m.

Executive session was closed at 12:35 p.m. and public session reconvened at 12:36 p.m.

Executive Session – AIT Survey Review

Action: Dr. Gilson moved that no action is required with regard to the surveys reviewed. Arlene Gardner seconded and the motion passed unanimously.

New Business – NAB 2007 Annual Meeting & Authorization to Vote

Bartel reported that John Hogan has again volunteered to represent the Board during the NAB Annual meeting on June 13-15, 2007. In the ensuing discussion, the Board agreed that current financial constraints prevent attendance at this year's annual meeting; however, the Board will retain its goal to send a Board representative to future annual meetings when feasible.

Action: Anita Schacher moved to approve John Hogan as the Board's representative at the NAB Board of Governors' Meeting on June 15, 2007. Margaret Clark seconded and the motion passed unanimously. The Board directed Bartel to invite John Hogan to provide a report on the highlights of NAB's meeting activities at the July meeting.

New Business – Long-Term Care Ombudsman Budget Request

Past public member Dolores Hubert reported that the Long-Term Care Ombudsman's (LTCO) Budget Hearing is scheduled for Wednesday, April 18, 2007. She called for the Board's support of the LTCO budget request for two additional deputies that would provide for 40 additional volunteers.

Action: Margaret Clark moved for the Board to provide a written statement in support of the LTCO's budget request. George Gerding seconded and the motion passed unanimously.

New Business – Budget Report

Bartel reported that she and Elias appeared before the Joint Ways & Means Committee to present the Board's 2007-09 budget request. She related that it was a positive experience for the most part and believed the presentation was well received. Following the presentation, they answered committee members' questions, and Senator Deckert referred to a recent article in Willamette Week titled "Home Alone," which reported negatively on the Pearl at Kruse Way located in Lake Oswego. Senator Deckert questioned the Board's role in addressing the issues within the facility. At that time, Bartel had not seen the article but offered to provide committee members a written response. Bartel related that in her response to Senator Deckert she advised of the Board's jurisdiction and mission, when action is appropriate from the Board's perspective, the Board's consideration and action on DHS Civil Penalties, and its response to citizen complaints. Bartel believed that she covered everything in the response that should have been covered on the Board's behalf. She added that Oregon Health Care Association submitted written testimony in support of the Board's budget request; although, they did not address the consideration of ALF/RCF administrator licensing. Bartel reported that a worksession followed the budget hearing on April 5, 2007, with the LFO recommending reinstatement of the Executive Director position to nearly full time (.92 FTE). Additionally they reinstated limitation in Personal Services and Services and Supplies to equal the Board's projected revenue of \$200,249. Bartel emphasized that she would need to monitor the Board's budget carefully in the next biennium and reduce her hours as needed to offset Board costs. The Board's proposal for fee increases was not denied with the committee suggesting the Board may return to the E-Board with a fee and limitation increase in the next biennium. The committee made it clear, however, the Board should plan to return to the next session with a long-term solution to its revenue deficit. The Board briefly discussed AFL/RCF administrator licensing and the effect on the composition of the existing Board and the potential increase in complaints involving these facilities. Bartel believed that the additional revenue generated by license fees would likely provide for an investigator to handle the increased complaints and compliance issues. During discussion, the Board agreed the licensing of ALF/RCF administrators to be imminent, as the public is demanding more accountability from these facilities. Bartel expressed her opinion that the Board could work amicably with the professional associations and their members to develop professional licensing regulations citing the AIT rule review process as a successful effort to develop regulations that are both effective and broadly acceptable. During further discussion, the Board expressed the need to begin discussions in a meeting involving the two professional associations and the appropriate DHS representative. Bartel recommended the Ombudsman's Office be included in these discussions.

Action: The Board directed that a meeting with the aforementioned parties be scheduled for the October meeting

New Business – Cost Containment Efforts

Bartel asked the Board to review the packet information related to cost containment efforts in order to fully appreciate the Board's efforts to reduce costs. She stressed that the approved 2007-09 budget will likely include in-state travel cuts, however, the Board may pull from other line items to fund travel costs if necessary. She suggested that the Board might need to consider reducing the number of meetings in the second year of the biennium in order to reduce travel related costs. Bartel emphasized that she takes all reasonable measures to contain Board costs and will continue to do so into the future regardless the Board's financial situation.

New Business – State Exam Question Review Committee

Bartel reported that the Board has not reviewed its state exams since her arrival in 2003. She recommended that the Board compare the current DHS regulations with the state exam questions to ensure that questions and study materials reflect the current laws.

Action: The Board directed that Bartel divide the exam question pool amongst the board members for review.

New Business – National Exam Prep Service (RMP & Associates)

Bartel reported that AITs routinely ask the board office for guidance and recommendations on preparing for the national examination. She learned of RMP & Associates, an exam prep service that offers a course for the national examination, and wrote to them asking whether they could bring their training to Oregon. Currently, the course is offered exclusively in the state of California. She advised that the reported pass rate is higher for individuals taking the course than those who do not. During discussion, the Board expressed concern with endorsing a specific exam preparation service believing that it is essential for trainees to acquire this information in an academic sense and in conjunction with practical training. The Board agreed it to be preferable for trainees to prepare for the national examination in relation to their training program, but that this service could be offered as a resource to those trainees who demonstrated difficulty with the testing process.

New Business – 2007-09 License Renewals & CE Guidelines

Bartel presented the Board with the current CE Guidelines for self-directed activities that allow for 12 hours in this area. It occurred to her that the Board is allowing 12 hours for both Inactive and Active licensees whose continuing education requirements are 30 to 60 hours respectively. She recommended adjustments to the guideline based on the status of the licensee, with Inactive licensees allowed 6 hours and Active licensees allowed 12 hours. Additionally, the board office has received several requests from college course instructors to be allowed the same CE credit as college students (10 hours per college credit). The Board agreed that an instructor teaching a course already knows the subject matter and therefore should not receive the same credit allowed to students; however, there is course preparation and the opportunity for learning to be considered. Bartel related that she polled other similar licensing board's on their allowance in this area and not many allow credit; however, one allowed up to 15 hours credit for college course preparation. The Board agreed that course preparation could technically be classified as a self-directed activity with the maximums that are allowed within the CE Guidelines.

Action: Kathleen Elias moved to approve the aforementioned changes to the Board's CE Guidelines. George Gerding seconded and the motion passed unanimously.

New Business – AIT Application Review, Ashley Wart

Bartel reported that the reason for Board review on this application is twofold: the preceptor, Gary Wart, is the AIT's father and he is not the administrator of the facility; although, he is there frequently as the owner. She related that she spoke with both the AIT candidate and her father and related the Board's expectation for offsite preceptors to meet regularly with AITs and provide the appropriate oversight and guidance. The Board reviewed Wart's written explanation of his role in Ashley's AIT program, advising that he spends between 20 to 30 hours each week at the facility with 8-10 hours per week directly with Ashley. Additionally, Greg Madson, the facility administrator, has been fully involved with the development and monitoring of Ashley's program. Discussion ensued with concern

expressed on the past practices of some off-site preceptors who provided little or no interaction with their AITs. Bartel reminded that it was not merely the issue of face-to-face interaction that had prompted Board action but also the total absence of an administrator within the facility, thus leaving the AIT to run the facility. The Board noted there is nothing within existing regulations to prevent a family member serving as the preceptor in an AIT program. Elias reported that Gary Wart was her preceptor and recalled that he conducted a structured and detail oriented program.

Action: The Board agreed that Gary Wart may serve as Ashley Wart's preceptor.

Adjournment

No further business being introduced, the meeting adjourned at 2:05 p.m. The next quarterly meeting is scheduled for Wednesday, July 11, 2007, at 8:30 a.m. in room 445 of the Portland State Office Building.

Respectfully Submitted:

Janet Bartel, Executive Director