



Oregon Health Licensing Agency (OHLA)
Nursing Home Administrators Board



9:00 am Wednesday, October 14, 2009
700 Summer Street NE, Suite 320
Salem, Oregon

MINUTES

A regular meeting for the Board of Examiners of Nursing Home Administrators was held at the Oregon Health Licensing Agency (OHLA), Rhoades Conference room, 700 Summer Street NE, Salem, Oregon on October 14, 2009. The following items were considered and actions taken.

MEMBERS PRESENT

Kathleen Elias, Chair
Anita Schacher
George Gerding
Dr. Ronald Gilson
Michael Weatherby
Faraz Ahmed

MEMBERS ABSENT

Larry Davy, Vice-Chair
Arlene Gardner
Lynn Howe

GUESTS PRESENT

None

STAFF PRESENT

Randy Everitt, Director
Kraig Bohot, Public Information Officer
Tim Molloy, Regulatory Operations Manager
Sylvie McMillan, Business Services Manager
Larry Peck, Licensing Manager
Samie Patnode, Policy Analyst
Sinnamon Harris, Board Specialist
Amanda Perkins, Board Specialist
Mike Simpson, Quality and Statistical Analyst
Janet Bartel, Investigator

Call to Order

Kathleen Elias, Chairperson, called the meeting of the Nursing Home Administrators Board (NHAB) to order at 9:11 am on Wednesday, October 14, 2009, at the Oregon Health Licensing Agency (OHLA), Rhoades Conference Room, 700 Summer Street NE, Salem, Oregon.

Introductions: Randy Everitt, Director and Faraz Ahmed, newly appointed board member

1. Approval of Agenda

MOTION:

Anita Schacher made a motion and Michael Weatherby seconded to approve the agenda for October 14, 2009. The motion passed unanimously.

2. Approval of Minutes

MOTION:

George Gerding made a motion and Faraz Ahmed seconded to approve the meeting minutes for July 8, 2009. The motion passed unanimously.

3. Reports

A. Director's Report

Randy Everitt stated that the agency will be clear and transparent regarding the budget and the board will be involved in those discussions. Everitt introduced, Sylvie McMillan, Business Services Manager, who is new to the agency, and stated that McMillan will be reviewing the NHAB budget and fees along with Mike Simpson, Quality and Statistical Analyst. Everitt stated that the migration of NHAB into the agency's computer system is not quite complete at this time so the reports generated for today's board meeting will be limited.

Everitt stated that the primary focus for the agency is consumer protection and the agency would help facilitate outreach programs for the NHAB.

In closing, Everitt discussed an article published in the Oregonian concerning the Governor's Reset Cabinet, which will develop options for restructuring state government in order to preserve and improve critical services to Oregonians. Everitt stated that the Governor wants to make sure that all the boards in state government are properly aligned and assigned to the right kind of agency or if they are an independent board, should the board remain that way. The Reset Cabinet will most likely issue a report in July of 2010. Everitt promised to keep the board fully informed of any new developments potentially affecting OHLA or the boards and councils the agency oversees.

B. Outreach and Communication

Kraig Bohot, Public Information Officer, showed the board members how to navigate the Department of Consumer and Business Services (DCBS) license directory. This directory quickly allows searching for any Oregon state license, permit, or registration. A link will be provided on the OHLA Web site as soon as the states 150 year celebration has ended at the end of 2009. Bohot also discussed the new "transparency" Web site from the Department of Administrative Services (DAS). The site will provide easy public access to information on state agencies' revenues, expenditures, contracts, staff salaries, etc. Bohot also reminded board members of agency closure dates due to furlough days.

C. Statistical Report

Mike Simpson, Quality and Statistical Analyst, presented the statement of cash flow for the period 7/1/2009 – 8/31/2009 and web site statistics. The board was provided with the report and a copy was placed in board documents for retention. Simpson reiterated the need to consider restructuring the fees due to the cash flow. He remarked that a majority of the board revenue comes at the beginning of the biennium. Simpson and McMillan are in the process of developing fee scenarios to present to the board for consideration.

Simpson stated that because statistical information regarding NHAB was still in the process of migration into the agency's computer system he did not have licensing and inspection statistics, active license trends, graphs of percentages of examinations passed, facility breakdowns by counties, and license age diversity information that he normally would present.

Kathleen Elias wanted to know if funds were available for board members to participate in the National Association of Long term Care Administrator Boards convention. Simpson stated that he would have to see what the Governor has put into place as restrictions on out of state travel for this biennium. It is a possibility in the next biennium that the agency could send a board member to the convention and charge it directly to the NHAB budget.

D. 2009 Annual Performance Report

Simpson explained the OHLA Annual Performance Progress Report (APPR) for Fiscal Year (2008-2009) and the Proposed KPM's for Biennium (2009-2010). The board was provided with the report and a copy was placed in board documents for retention

E. Regulatory Division

Tim Molloy, Regulatory Operations Manager, stated that because Janet Bartel, Investigator, has more experience with the NHAB he would continue to utilize her regarding NHAB investigations and to present the regulatory report. Bartel stated for the reporting period from July 1, 2009 through September 30, 2009 there have been four complaint cases opened with OHLA.

Complaints:

Case 09-5757 was closed because the facility type is outside the jurisdiction of the board. Cases 09-5758 and 09-5797 remain open pending further investigation. Case 09-5787 was closed due to facility self-compliance and not violations found were specific to the administrator.

Compliance:

Cases 09-5789 and 09-5791 licensees were cited for practicing with a lapsed license. Case 09-5790 licensee was cited for practicing without a license.

Bartel remarked about working with the Department of Human Services (DHS) when there are complicated complaint cases. Bartel also stated that now that NHAB was under Oregon Health Licensing umbrella she had the opportunity to be in the field more often checking on licenses.

F. 2009 Legislation
MOTION

Michael Weatherby made a motion with a second by Dr. Ronald Gilson to bypass the legislation report and for each board member to read over the material at their leisure. The motion passed unanimously.

G. Permanent Administrative Rules

The board reviewed the agency's permanent administrative rules addressing requirements for completion of a fingerprint and criminal background check and amendments pertaining to application requirements and procedures for issuing and renewing authorizations to practice. The rules also clarify requirements for acceptable documentation and personal identification of applicants to strengthen applicant licensure qualification criteria.

H. OHLA Model and Changes

Bartel presented a new process for reporting new and issued licenses in a statistical format rather than by name and license number. After board discussion it was decided that a committee would review only those applications that were atypical. The board preferred a format which includes the licensee name/type/method of entry (whether by examination or endorsement).

4. Items for Board Action

A. 2010 Subcommittees
MOTION

Faraz Ahmed made a motion with a second by Michael Weatherby to form the following committees and approve the nominees for each committee :

2010 Sub-Committees	
Legislation/Rules/Practice Standards	George Gerding, Larry Davy, Lynn Howe
Qualification & Examination	Anita Schacher, Faraz Ahmed
Enforcement	Michael Weatherby, Kathleen Elias
Customer Connection	Faraz Ahmed

The motion passed with ayes from Michael Weatherby, Faraz Ahmed, George Gerding, Kathleen Elias, and Anita Schacher. Dr. Ronald Gilson did not vote.

B. Applicant Interview Process Review

Samie Patnode, Policy Analyst, suggested if some of the items that the board is asking the Administrator In Training (AIT) to consider participating in, for example meeting with the pharmacist, are that valuable to becoming a good administrator then the board needs to consider adding in that criteria through the rulemaking process. Then the preceptor could have a check-list that they marked off as the AIT went through their training.

Everitt remarked that the agency would help the NHAB if they wanted to consider an event for the AITs instead of the interviews with an educational presentation prepared by the agency.

Kathleen Elias stated that the AIT interview questions need to be consistent, measurable, and objective.

Bartel asked if the board has the authority to deny an applicant licensure based on the interview. Patnode responded that the board cannot deny a license based on the interview. Patnode also stated that the board can deny a license based on lack of hours, not passing the examination, or other set criteria delineated and set forth in NHAB administrative rules.

Everitt stated that if the board does not tie the interview process with the issuance of a license then the board may conduct the interviews. The issuance of a license needs to remain very clear-cut and objective.

MOTION

Ahmed made a motion to reduce the interviews from two to one interview midway through the AIT process. The motion failed for lack of a second.

Anita Schacher made a motion that the final interview be offered in person or by telephone conference. A second was made by Dr. Ronald Gilson. The motion passed.

The board decided that a statement clearly stating that the answers given at the midway or final interview do not impact the applicant's ability for licensure is necessary. Everitt stated that the agency would help write that statement.

C. Petition Request Process Review

It was decided to send the petition request process to the Qualification & Examination subcommittee for review.

D. License Without Examination Application

MOTION

Michael Weatherby made a motion with a second by George Gerding to deny an applicant's application for licensure without examination. Weatherby stated that the applicant did not meet the qualifications. The motion passed with Michael Weatherby, Faraz Ahmed, George Gerding, Kathleen Elias, and Anita Schacher voting aye. Dr. Ronald Gilson did not vote.

E. 2010 Board Meeting Dates

MOTION

Michael Weatherby made a motion with a second by Faraz Ahmed to accept the proposed 2010 meeting dates of January 20, April 21, July 14, and October 13, 2010. The board will continue to meet at 700 Summer St NE, Suite 320, Salem, Oregon in the Rhoades Conference Room @ 9 a.m. The motion passed unanimously.

5. Petitions

Bartel asked if the board agreed that agency staff had the power to waive CNA training for an applicant who had been a CNA for six years and provided proof. The board concurred.

6. Interviews Final and Midway

Midway interviews were conducted for the following applicants:

Erin Cornell, Rose Villa, Inc.
Caitlin Hinch, Mennonite Village
Molly Jones, Marquis Care at Wilsonville
Victor Odiakosa, Village Health Care

Final interviews were conducted for the following applicants:

Bonnie Bohm, Trinity Mission Health & Rehab of Portland
Jack Sanofsky, Evergreen Milton-Freewater Health & Rehab
Kelsey Schmidt, Friendsview Manor
Dennis Veeder, Gateway Care & Retirement Center

7. Public Comment/Other Board Business

Sinnamon Harris, Board Specialist, offered an article from the Oregonian regarding how Medicare cuts impact the care at nursing homes.

8. Executive Session

No executive session was held.

The board adjourned at 3:28 p.m.

Prepared by: Sinnamon Harris, Board Specialist