



Oregon Health Licensing Agency (OHLA)
Nursing Home Administrators Board



9:00 am Monday, April 21, 2010
700 Summer Street NE, Suite 320
Salem, Oregon

MINUTES

MEMBERS PRESENT

Kathleen Elias, Chair
Anita Schacher
Dr. Ronald Gilson
Mike Weatherby
Arlene Gardner
Lynn Howe
Nicolle King Deering

STAFF PRESENT

Randy Everitt, Director
Kraig Bohot, Public Information Officer
Tim Molloy, Regulatory Operations Manager
Sylvie McMillan, Business Services Manager
Sinnamon Harris, Board Specialist
Cerynthia Murphy, Qualification Analyst
Janet Bartel, Investigator

MEMBERS ABSENT

Larry Davy
Faraz Ahmed

GUESTS PRESENT

None

Call to Order

Kathleen Elias, Chair, called the meeting of the Nursing Home Administrators Board (NHAB) to order at 9:20 am on Monday, April 21, 2010, at the Oregon Health Licensing Agency (OHLA), Rhoades Conference Room, 700 Summer Street NE, Salem, Oregon.

1. Approval of Agenda

MOTION:

Mike Weatherby made a motion and Arlene Gardner seconded to approve the agenda for April 21, 2010. The motion passed unanimously.

2. Approval of Minutes

MOTION:

Mike Weatherby made a motion and Arlene Gardner seconded to approve the meeting minutes or January 20, 2010. The motion passed unanimously.

3. Reports

o Director's Report

Randall Everitt, Director, introduced the new notebook computers that the NHAB are now using for board meetings and spoke about the time and paper savings that the notebooks represented.

o Outreach and Communication

Kraig Bohot, Public Information Officer, presented a draft format for the new "Central Issues" electronic publication which will be sent out to a list-serve and a link will be on the NHAB website on OHLA. The board suggested adding the Seniors and Persons with Physical Disabilities (SPD) and Department of Human Services (DHS) to the list-serve.

Bohot spoke about the preceptor training he had attended and how impressed he was by the high caliber of the preceptors and administrators-in-training (AIT).

o Statistical Report

Sylvie McMillan, Business Services Manager, presented the statistical reports for regulatory activity and website traffic. McMillan explained that current statistical information regarding licensees was not available at this time while the agency was in the process of incorporating information onto the agency's computer system.

o Budget Report

McMillan presented the cumulative revenue and expenditures statement of cash flows for the 7/01/2009 to 2/28/2010 period and the projected cash flow for the 7/01/2009 to 6/30/2011 period. McMillan explained how the standard practice was to hold three months of working capital as a "cushion." She also gave a quick review of what constituted direct and indirect costs to the board.

o Regulatory Operations Division

The Regulatory Operations Division complaint report for the period January 1, 2010 to March 31, 2010, was presented by Janet Bartel, Investigator. There were three complaint cases opened and one complaint case closed during the report period. The board received a summary of the closed case for review and discussion during the board meeting.

o Qualification & Examination Committee Report of 1/21/2010

Cerynthia Murphy, Qualification Analyst, read highlights from the committee report whose purpose was to review and discuss the AIT interview process, training objectives and exception criteria. The committee's recommendations were held for discussion under "Items for Board Action."

4. Items for Board Action

o Enforcement Committee Recommendation

The committee met earlier on April 21, 2010, to discuss and review complaint number 09-5861. The committee remarked that no further action was required by the agency regulation division but the committee felt that some of the items in the survey, conducted by the Department of Human Services, were preventable. Therefore, the committee recommends a letter be sent by the

board to the administrator to encouraging training and continuing education for the Director of Nurses in regards to the OARS and federal regulations.

MOTION:

Kathleen Elias made the motion to send a letter to the administrator, as stated above, with a second by Mike Weatherby. The motion passed unanimously.

o **Recommendation of AIT Final Interviews**

MOTION:

Lynn Howe made a motion to retain the final AIT interviews with a second by Dr. Gilson. The motion passed unanimously.

Everitt informed board members that if an applicant applies for examination and license after the midway interview, the agency will allow the applicant to do so because a second or final interview is not in the rule as a precursor to licensing or examination. Janet Bartel, Inspector, noted the rule states one interview prior to examination.

MOTION:

Dr. Gilson made a motion that it is required to complete a midway and a final interview by all AIT applicants with a second by Mike Weatherby .

Discussion by the board concerning the ability of AITs to take the examination after just one interview ensued. Elias stated that because of the hours required it would be almost impossible for an applicant to take the examination midway through the training.

Dr. Gilson amended his motion to state: to adopt the requirement to complete a midway and a final interview by all AIT applicants before they take the examination as a rule change. Second was reaffirmed by Mike Weatherby. The motion passed unanimously.

Everitt explained to the board that making a motion does not change the rule. The Legislation and Rule Committee would have to meet to start the rule changing process.

o **2010 Sub-Committee Additions**

Board members reviewed the purpose of each committee and found it necessary to add more members to the committees that were formed at the October 14, 2009 board meeting.

MOTION:

Dr. Gilson made a motion with a second by Nicolle King Deering to accept Mike Weatherby and Arlene Gardner on the Legislation/Rules/Practice Standards Committee. The motion passed unanimously.

MOTION:

Dr. Gilson made a motion with a second by Mike Weatherby to accept Nicolle King Deering on the Enforcement Committee. The motion passed unanimously.

MOTION:

Dr. Gilson made a motion with a second by Mike Weatherby to accept Lynn Howe on the Qualification & Examination Committee. The motion passed unanimously.

○ **Recommended Change to Number of Board Meetings**

The committee recommended changing from four full board meetings to two full board meetings and two outreach meetings. The outreach meetings would still have the AIT interviews.

MOTION:

Lynn Howe made a motion with a second by Nicolle King Deering to approve the change to two board meetings and two outreach meetings. Lynn Howe, Nicolle King Deering, Anita Schacher, and Mike Weatherby voted yea, Arlene Gardner and Dr. Ronald Gilson voted nay. The motion passed.

○ **Recommended Eliminating AIT Interviews from the Board Meeting**

The committee recommended holding the AIT interviews after the full board meetings and moving them to the qualification committee. Schacher made the comment that if the interviews are not within the full board meeting then the AIT will not have the exposure to the varied representation of the board.

MOTION:

Lynn Howe made the motion to eliminate the AIT interviews from the full board meeting and move them into the Qualification Committee. A second was made by Dr. Gilson. The motion failed unanimously.

Cerynthia Murphy reminded the board that the two outreach venues are also full board meetings in order to hold the AIT interviews.

○ **Approve Updated Interview Questions for Midway Interviews**

Anita Schacher developed seven questions for the Midway interview but reminded the board that new questions now need to be developed for the Final interviews.

MOTION:

Dr. Gilson made the motion to accept the new Midway interview questions and recommends that the examination committee develop new questions for the Final interview with a second by Arlene Gardner. The motion passed unanimously.

○ **Recommend Training Exception Waivers**

The committee noted the increase in candidates petitioning for hours to be waived and after discussion recommended standardizing the waiver with clear criteria and guidelines as follows:

1. LPN or RN only, to allow for 50% or 127 of the hours to be waived for resident care and quality of life. Verification of LPN or RN experience must have been obtained in the nursing home environment, includes verification of licensure, a resume and three years of experience; three years must be completed within the last five years.
2. Removing the master degree exemption which can replace up to 480 hours of the 960 hours of training.
3. Retaining the waiver of 80 hours for CNA.

MOTION:

Lynn Howe made the motion to refer the above stated recommendation of standardize waivers to the Legislation and Rules Committee with a second by Mike Weatherby. The motion passed unanimously.

o **Recommend Review and Standardize AIT Training Objectives**

The committee acknowledged the need for review of AIT training plans to include standardizing objectives to be implemented by facilities and verification forms from preceptors, in addition to changing the completion of training from recommended to required.

MOTION:

Arlene Gardner made a motion to conduct a complete review of AIT training by the Qualifications Committee and report recommended changes to the full board at the next regularly scheduled board meeting on July 14, 2010 with a second by Lynn Howe. The motion passed unanimously.

5. Public Comment/Other Board Business

No public comment.

Under Other Board Business, Kathleen Elias, Chair, stated that she will be attending the National Association of Long Term Care Administrator Boards (NAB) conference to be held in Portland, Oregon this year starting on June 9-11, 2010 at The Nines. Sinnamon Harris, Board Specialist, presented board interest items: National Emerging Leadership, 6th ICCEC: the Art of Ethics, Advancing Excellence in America's Nursing Homes Campaign, Providence Center for Health Care Ethics, USA Today Article: Analysis: Poor Ratings Persist for 1 in 5 U.S. Nursing Homes, and Long-Term Care (LTC) Advisory committee Meeting Minutes, January 15, 2010. Harris stated the information were on the lapbook computers and could be downloaded onto each of the board members individual flash-drives to be taken home with them for further review.

6. Interviews Final and Midway

Midway interviews were conducted for the following applicants:

Laura Jenkins
Alena Pudilova
Bradley Litle
Catherine Lewis

Final interviews were conducted for the following applicants:

Eric Mineart
Todd Pratt
Amy Stone (by telephone)
Erin Cornell

7. Executives Session

No executive session was held.

The board adjourned at 3:30 pm.