



October 13, 2004 Quarterly Meeting

MINUTES

Convened

The meeting convened at 8:30 a.m. in room 445 of the State Office Building.

Board Members Present

Misti Wittenberg, NHA, Chair; Rob Hays, NHA, Vice Chair; Anita Schacher, NHA; Dolores Hubert, Public Member; Raissa Moore, Public Member; Ronald Gilson, M.D.; Margaret Clark, RN

Members Absent

Jim Bagley, Public Member; George Gerding, R.Ph.

Others Present

Janet Bartel, Executive Officer

Approval of October 13, 2004 Agenda

Action: Dolores Hubert moved to accept the agenda as submitted. Margaret Clark seconded and the motion passed unanimously.

Approval of July 14 & August 24, 2004 Minutes

Action: Margaret Clark moved to accept the July 14 and August 24, 2004 minutes as submitted. Ronald Gilson seconded and the motion passed with Misti Wittenberg abstaining from the August 24, 2004 minutes vote due to her absence at the August 24, 2004 meeting.

Ratification of New Licenses

Action: Margaret Clark moved to ratify the following licenses as issued. Dolores Hubert seconded and the motion passed unanimously.

Licenses Issued From July 1, 2004 To September 26, 2004:

<u>LICENSEE NAME</u>	<u>LIC. NO.</u>	<u>LIC. TYPE</u>	<u>ISSUE DATE</u>
Barry, Robert S.	2355	NHA	9/8/2004
Fraser, Robert J.	2356	NHA	9/9/2004
Moschogianis, Alcyon D.	595	Provisional	8/9/2004
Parry, Kathleen A.	2354	NHA	8/30/2004
Petersen, Ronald W.	2352	NHA	7/20/2004

LICENSEE NAME	LIC. NO.	LIC. TYPE	ISSUE DATE
Randolph , Cheryl L.	2351	NHA	7/19/2004
Streety , Stephanie M.	597	Provisional	9/24/2004
VanZant , Kari A.	2353	NHA	8/25/2004
Wilkes , Robert Paul	2350	NHA	7/1/2004

Executive Session Convened

Public session was closed and executive session convened at 9:15 a.m. to discuss the following:

- Case NHA-17-00
- Complaint NHA-05-04 – NHA Interview

Executive session was temporarily closed at 9:50 a.m. and public session reconvened at 9:51 a.m.

Endorsement Application

Ralph (RJ) Barnes, Provisional – Valley West Health Care Center

Action: Raissa More moved to approve Barnes' endorsement application. Margaret Clark 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:

1. **Shannon Struthers-Smith** – Oregon City Health & Rehab
2. **Marsha Shufin** – Evergreen Windsor Health & Rehab Center
3. **Denise Gould** – Marian Estates
4. **Allison Sansom** – Clatsop Care Center
5. **Brian Hart** – South Hills Rehab Center
6. **Mark Henrikson** – South Hills Rehab Center
7. **Don Wessels** – Siuslaw Care Center

Mid-Way Interviews

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

Ann Happel - Rogue Valley Manor

- Become knowledgeable about the following services:
 - Pharmacy and the consultant pharmacy role
 - Human Resources - hiring procedures, workman's compensation
- Increase financial knowledge, i.e., billing, collections, review of financial forms
- Visit facility(ies) certified for Medicaid
- Visit not-for-profit nursing facility
- Be involved in mock survey or visit another facility to participate in survey process
- Review LTC rules, interpretive guidelines & compare to facility procedures
- Try to spend a night in the facility to gain a better understanding of the residents' perspective

Torsten Hirche – Rogue Valley Manor

- Participate in CNA training class or review training materials for 40 hours and shadow a nurse for 40 hours
- Become knowledgeable about the following services:
 - Rehab - RUGS, etc.
 - Human Resources - evaluations, disciplinary actions, terminations
- Increase knowledge about gerontology
- Increase knowledge about Medicaid process and forms
- Visit facility(ies) certified for Medicaid
- Visit for-profit nursing facility
- Be involved in mock survey or visit another facility to participate in survey process
- Review LTC rules, interpretive guidelines and compare to facility procedures
- 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

Andy Truitt – Green Valley Rehab Health Center

- Participate in CNA training class or review training materials for 40 hours and shadow a nurse for 40 hours
- Become knowledgeable about the following services:
 - Activities - planning, coordinating, volunteer role
 - Dietary
 - Rehab
 - Human Resources - evaluations, disciplinary actions
- Increase knowledge about gerontology
- Increase financial knowledge, i.e., billing, collections, review of financial forms
- Visit not-for-profit nursing facility - try Eugene Good Samaritan Health, Jim Barta, NHA
- Be involved in mock survey or visit another facility to participate in survey process and Plan of Correction
- Review LTC rules, interpretive guidelines and compare to facility procedures
- 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

The board interviewed mid-way candidate Andy Truitt on his activities thus far into the program. During discussion, Truitt indicated that his preceptor was not frequently on site but that an alternate preceptor was generally available to answer questions and provide guidance. The board encouraged Truitt to contact the board office if at any time during his training he felt that his preceptor was not appropriately available to provide the essential guidance and structure required of his program.

Chad Niegel – Marian Estates

- 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
- Become knowledgeable about psychotropic drugs and effect on geriatric population
- Become knowledgeable about the following services:

- Activities
- Social Services
- Pharmacy
- Dietary
- Human Resources
- Medical Records
- Become knowledgeable about role and function of medical director
- Increase knowledge about gerontology
- Visit not-for-profit nursing facility
- Be involved in mock survey or visit another facility to participate in survey process and Plan of Correction
- Review LTC rules, interpretive guidelines and compare to facility procedures
- 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

The board interviewed mid-way candidate Chad Niegel on his activities thus far into his AIT program, which consists of one day per week training in the facility. Niegel elaborated on his assignments and achievements. During discussion, Dolores Hubert expressed her concern with his extended program in that she believed it did not afford him the experience he needs to fully grasp the day-to-day functions of an administrator. Misti Wittenberg questioned Niegel about his current employment and inquired whether there was a possibility that he would increase his AIT hours to half time in the near future. Niegel expressed his satisfaction with his current full-time position, but he was unsure whether it would last due to state budget cuts. During discussion, Hubert expressed her desire that he receive adequate training to allow him to succeed and not fail as an administrator. She emphasized that her concern was for Niegel's benefit. Janet Bartel questioned what the board would accept as the least number of days for an AIT program. Wittenberg responded that it would depend on the candidate's background, but that she would like to see AITs in the facility at least three days per week. She emphasized the importance of continuity in the training program which would allow a candidate to sufficiently assess whether they are suitable for an administrator position. Wittenberg invited Niegel to continue with his goal and indicated that the board would forward a letter to the preceptor expressing concern with the length of his program and encouraging more continuity. She emphasized that the board's goal is to adequately prepare and assure his success as an administrator. During discussion following the interview, the board questioned whether AITs had completed similar programs in the past and asked Bartel if she could identify any. Dr. Gilson expressed his belief that the board should meet with Niegel more than the two interviews typically conducted.

Action: Rob Hays moved that any AIT program consisting of less than half-time (2.5 days per week) be reviewed and approved by the board. Further, he proposed that a paragraph be included in the letter to preceptors indicating that any AIT program consisting of less than half-time will require board approval. Dolores Hubert seconded and the motion passed unanimously. Additionally, the board directed that a letter be forwarded to Niegel's preceptor expressing its concern with his program schedule. During discussion, the board clarified that the review and approval process can occur electronically via email. Rob Hays recommended that the board office purchase a scanner to simplify the process.

Scott DeGrand – Hillsboro Rehab & Specialty Care

- 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
- Become knowledgeable about psychotropic drugs and effect on geriatric population
- Become knowledgeable about the following services:
 - Activities
 - Social Services
 - Pharmacy
 - Rehab
 - Medical Records
- Become knowledgeable about role and function of medical director
- Visit not-for-profit nursing facility
- Be involved in mock survey or visit another facility to participate in survey process
- Review LTC rules, interpretive guidelines and compare to facility procedures
- 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

Sarah Signe Johnson – Marquis Care at Wilsonville

The board briefly discussed Ms. Signe Johnson's cancellation of her midway interview due to the loss of her preceptor. During discussion, Rob Hays recommended that Ms. Signe Johnson enlist the assistance of Marquis cooperate office in locating another preceptor.

Action: The board agreed to suspend Ms. Signe Johnson's AIT program, because it presently fails to satisfy the requirements of OAR 853-010-0060. The board directed Ms. Bartel to notify Signe Johnson of its decision and to advise her that she has up to one year to locate a new preceptor and resume her program.

Reinstatement Application & Interview

Patrick Burke, Provisional – Life Care Center of Coos Bay

The board interviewed Patrick Burke regarding the reinstatement of his expired NHA license. When questioned, Burke provided an update on his professional activities since the expiration of his license. He explained that he was previously employed as the administrator for Life Care Center of Coos Bay for 14-15 years and that he returned to the administrator position at the facility's medical director and owner's request. He reported that patient care has significantly improved since his return and cited examples of the improvements. He elaborated on the importance of meal service in the nursing home environment and alluded to a policy implemented to familiarize facility supervisors and managers with residents' meal preferences. He reported that the survey team had responded favorably to the policy.

Action: Misti Wittenberg moved to waive the state exam requirement and approve Burke's reinstatement application. Rob Hays seconded and the motion passed unanimously.

Old Business – Preceptor Standards

The board discussed the issue of AITs with preceptors who are not located on site. Janet Bartel pointed out that she had recently received a training plan that was signed by a stand-in preceptor and not the preceptor of record. The board expressed concern with those preceptors who are not willing to devote the oversight and direction required of the AIT

program. Misti Wittenberg proposed that a letter be sent to all preceptors notifying them of their responsibility to provide direct oversight and supervision of their AITs.

Action: Raissa Moore moved to forward a letter to all preceptors reminding them of their responsibility to appropriately oversee and direct AITs through the duration of their program. She further moved that a similar letter be forwarded to preceptors' corporate offices identifying the preceptors for their corporation. Dolores Hubert seconded and the motion passed unanimously.

The board directed that this agenda item be carried over to a subsequent meeting for discussion.

New Business – NAB Mid-Year Meeting Authorization to Vote

The board noted that John Hogan was designated to represent the board at the National Association of Boards of Examiners of Long Term Care Administrators Board of Governors mid-year meeting scheduled for November 5, 2004 in Scottsdale, Arizona. Mr. Hogan has fulfilled this duty in the past in the absence of a board member representative. Janet Bartel advised the board that the existing biennial budget constraints would not allow a board representative to attend more than one meeting in this biennium; however, she is requesting additional funds with the 2005-07 biennial budget to allow for attendance at two meetings per biennium. Dolores Hubert expressed her opinion that the request would not likely prove successful given current state financial deficits and the resulting legislative budget environment.

New Business – Legislative Concept: Shared Client Services

Janet Bartel reported that the board is continuing to move ahead with the Shared Client Services legislative concept number 762, which is the assigned number at this point in the process. Bartel indicated that at present, it is difficult to predict whether the legislature will support the concept. She added that the cost to move to Shared Client Services has increased due to adjustments in the predicted amount of interest revenue. She explained that the language of the concept proposes allowing the board to retain the interest earned on its reserves. The resulting interest revenue has been calculated in to offset the higher cost of moving to Shared Client Services. The issue is that the estimated amount of the board's reserves has decreased thereby reducing the anticipated interest revenue earnings. Bartel expressed her frustration with the board's existing accounting services citing this as only one of numerous examples of ambiguous budget accounting reports. During discussion, Bartel reminded the board that moving to a self-reporting continuing education method would allow her sufficient time to perform the cashiering functions in-house thereby eliminating the cashiering charges proposed by Shared Client Services. She emphasized that the initial cost to develop an acceptable cashiering system would be higher than in future biennia; however, she estimated that the cost would be less than Shared Client Service's proposed biennial cashiering charge. She advised the board that it may elect to withdraw from the concept, but warned that it could result in the concept's failure.

Action: The board expressed its continued support of the concept and called for future updates on its progress.

New Business – Office Relocation

Janet Bartel advised the board that the office will remain on the fourth floor and will move down to the area currently occupied by the Board of Pharmacy. At present, the move is scheduled to occur in the latter part of 2005. In response to the board's previously

communicated concern, Bartel advised that she would be allowed to retain a window office. She reminded the board that she is requesting a small space increase; however, the approval of that request is contingent on the amount of available space. When questioned, Bartel indicated that the boards have requested a dedicated conference room space with windows on the fourth floor as opposed to the earlier proposed meeting space located on the first floor. She explained that it is not practical for the boards to meet on the first floor when most do not have additional staff to support their administrative needs during meetings. The resulting line of reasoning is that board meetings should be conducted within close proximity of board offices to allow for sufficient access to agency records and office equipment.

New Business – Performance Measure Modifications

Janet Bartel briefly explained the performance measure process and the methods used for compiling and reporting data. She explained that when determining needed revisions to the existing measures she considered the board's mission, goals and practices and concluded that most of the measures were flawed either in their language or targets. She emphasized that performance measures are linked to the board's budget and should ideally reflect a progressive outcome. She pointed out that several of the measures do not allow for measurable results due to the restrictive language of the measure. During discussion, the board recalled an earlier dialogue on the measure requiring the retraining of preceptors with a history of poor performance. The board clarified its position in that it would not hesitate to address the issue of a preceptor's performance. Regardless, Bartel pointed out that it was not occurring enough to provide any measurable results thereby resulting in a poor reflection on the board's performance in this area. She reminded the board that they had previously approved replacing this particular measure with one that would provide measurable results which was the number of AITs completing more than the required 960 hours in training. She explained that not only would the proposed measure provide results, but it would also allow the board to examine the satisfaction and entry-level competency of those AITs completing more hours than required. Further, the resulting statistics may be used to gauge whether or not the existing program requirements should be adjusted. Bartel recounted a number of other modifications requested, and the board reiterated its prior approval of the proposed performance measure modifications. Bartel expressed her opinion that the proposed modifications were sound in their logic and would likely be approved by the legislature.

Action: During discussion, the board agreed to conduct a future review of the existing survey forms completed by AITs.

New Business – Budget

Janet Bartel reported that the budget process is continuing with the agency request budget submittal at hand. When questioned, Bartel provided the hourly rate for AG counsel/representation and AG support staff services. She explained that the hourly rate for AG support staff is contingent on the level of staff needed to perform the services. She emphasized that whenever possible she performs these functions rather than incurring additional AG support staff costs. Bartel further explained that overall AG costs do not consider the time, energy and resources of the board and its staff, which is considerable in some cases. Bartel provided a \$200,000 projection on revenue receipts for the forthcoming biennial period. She explained that her projection is conservative in that there were a number of fee adjustments approved during the 2001-03 biennial period resulting in a lack of historical data.

New Business – Connection with DHS Database System

Janet Bartel reported that she has been working with DHS staff to provide a connection to their database system to allow for entry of administrator updates and access to related reports. Bartel explained that the cooperative efforts of the board and DHS would eliminate currently duplicated efforts to track administrators' movement within the industry.

New Business – Board Member Vacancies

Janet Bartel reported that Margaret Clark would be resigning from the board due to the expiration of her nursing license, which is a requirement for her position on the board. Clark explained that she has retired from the nursing profession and cannot maintain her nursing license without satisfying the minimum work requirement. The board briefly discussed the July 2005 board vacancies resulting from the anticipated departure of Misti Wittenberg, NHA Member, and Raissa Moore, Public Member. During discussion, Clark expressed her desire to apply for the Public Member vacancy that will occur at the end of Moore's term. Clark indicated that she would continue to attend the public portion of the meetings in anticipation that her application for the Public Member position will be approved. Bartel indicated that she will begin recruitment for the forthcoming vacancies and offered to assist Moore with locating another board or commission to serve on.

Executive Session Reconvened

Public session was closed and executive session reconvened at 3:00 p.m. to discuss the following:

- Executive Officer Annual Performance Review
- Complaint NHA-08-04
- DHS Assessment of Civil Penalty #NF04-002

Executive session was closed at 3:30 p.m. and public session reconvened at 3:31 p.m.

Adjournment

The meeting adjourned at 3:40 p.m. The next quarterly meeting is scheduled for Wednesday, January 12, 2005 at 8:30 a.m. in room 445 of the State Office Building.

Respectfully Submitted:

Janet Bartel, Executive Officer