



WHO: Health Licensing Office
Nursing Home Administrators Board

WHEN: 9 a.m. on Nov. 5, 2015

WHERE: Health Licensing Office
Rhoades Conference Room
700 Summer St NE, Suite 320
Salem, Oregon

What is the purpose of the meeting?

The purpose of the meeting is to conduct board business. PA working lunch may be served for board members and designated staff in attendance. A copy of the agenda is printed with this notice. Please visit <http://www.oregon.gov/OHLA/NHAB/Pages/meetings.aspx> for current meeting information.

May the public attend the meeting?

Members of the public and interested parties are invited to attend all board/council meetings. All audience members are asked to sign in on the attendance roster before the meeting. Public and interested parties' feedback will be heard during that part of the meeting.

May the public attend a teleconference meeting?

Members of the public and interested parties may attend a teleconference board meeting **in person** at the Health Licensing Office at 700 Summer St. NE, Suite 320, Salem, OR. All audience members are asked to sign in on the attendance roster before the meeting. Public and interested parties' feedback will be heard during that part of the meeting.

What if the board/council enters into executive session?

Prior to entering into executive session the board/council chairperson will announce the nature of and the authority for holding executive session, at which time all audience members are asked to leave the room with the exception of news media and designated staff. Executive session would be held according to ORS 192.660.

No final actions or final decisions will be made in executive session. The board/council will return to open session before taking any final action or making any final decisions.

Who do I contact if I have questions or need special accommodations?

The meeting location is accessible to persons with disabilities. A request for accommodations for persons with disabilities should be made at least 48 hours before the meeting. For questions or requests contact a board specialist at (503) 373-2049.

Approval of Agenda



Health Licensing Office
Nursing Home Administrators Board



9 a.m., Nov. 5, 2015
700 Summer St. NE, Suite 320
Salem, Oregon

Call to order

Introductions

1. Items for board action

- ◆ Approval of agenda
- ◆ Approval of minutes from Sept. 25, 2014
- ◆ Approval of 2016 meeting dates

2. Reports

- ◆ Director report
- ◆ Licensing and fiscal statistical reports
- ◆ Regulatory report

3. Public/interested parties' feedback

4. Executive session-Pursuant to ORS 192.660(2)(f) for the purpose of considering information or records exempt from public inspection. (Legal advice)

5. Executive session-Pursuant to ORS 192.660(2)(f) for the purpose of considering information or records exempt from public inspection. (Investigation case(s))

6. Items for board action II

- ◆ Decision on case(s)

7. Other board business

Agenda is subject to change.

For the most up to date information go to www.oregon.gov/OHLA

Approval of Minutes



Health Licensing Office
Nursing Home Administrators Board



Sept. 25, 2014
700 Summer St. NE, Suite 320
Salem, Oregon

MINUTES

MEMBERS PRESENT

Matthew Storm, chair
Nicole Burnham, vice chair
Sean Carey
Arlene Gardner
Jennifer Woolley
Nicolle King Deering, by phone

MEMBERS ABSENT

Misty Lohn

STAFF PRESENT

Holly Mercer, director
Sylvie Donaldson, fiscal services and licensing manager
Bob Bothwell, regulatory operations manager
Anne Thompson, policy analyst
Debby Daniels, qualification specialist
Cerynthia Kingsley, qualification analyst
Janet Bartel, investigator
Nathan Goldberg, investigator

GUESTS PRESENT

None

Call to order

Matthew Storm called the meeting of the Nursing Home Administrators Board to order at 9:08 a.m. Roll was called. Nicole Burnham joined the meeting at 9:11 a.m.

Items for board action

- ◆ Approval of revised agenda – revised to move executive session to review cases while the Board had quorum.

MOTION:

Arlene Gardner made a motion, with a second by Jennifer Woolley, to approve the revised agenda. Motion passed unanimously.

Executive session

- ◆ The Nursing Home Administrators Board entered executive session pursuant to ORS 192.660(2)(f) at 9:10 a.m. for the purpose of considering information or records exempt from public inspection.

Executive session concluded and the board reconvened regular session at 9:34 a.m. No decisions were made and no votes were taken in executive session.

MOTION:

Nicole Burnham made a motion, with a second by Arlene Gardner, to close investigation files 11-6605, 11-6607, 11-6609 and 13-7167 without action. Motion passed unanimously.

Items for board action II

- ◆ Approval of minutes

MOTION:

Nicole Burnham made a motion, with a second by Jennifer Woolley, to approve the minutes for Sept. 19, 2013, and Dec. 10, 2013. Motion passed unanimously.

- ◆ Approval of 2015 meeting dates

Proposed meeting dates Feb. 26, 2015, and Sept. 24, 2015.

MOTION:

Nicole Burnham made a motion, with a second by Nicolle King Deering. Motion passed unanimously.

- ◆ Approval of 2015 chair and vice chair

Director Holly Mercer asked the Board chair – Storm – and vice chair – Burnham – if they would like to retain their positions for 2015. Both said they would like to serve in the positions for another year.

Jennifer Woolley made the motion, with a second by Arlene Gardner, to retain the current chair and vice chair for 2015. The motion passed unanimously.

Before moving to reports, Mercer introduced new board member Sean Carey, who outlined his background to the Board.

Reports

- ◆ **Director report**

Mercer explained that she was asking each of the Health Licensing Office's (HLO's) 12 boards to select two priorities to work on in the next two years. She unveiled the list of priorities chosen by other boards and opened the discussion by asking board members if they would consider as a priority defining their role and the Department of Human Services' role in investigating cases. Mercer said that staff and the public are unsure of how complaints and concerns are handled as HLO oversees nursing home administrators but DHS oversees the facilities where they work and suggested that clarity in that area may be an option for the Board.

Burnham asked about the new exam the Board completed writing last year. Mercer said the exam had been implemented. Burnham mentioned the interview process the Board once used with administrators in training (AIT). She said it was done before the Board came under then-Oregon Health Licensing Agency and it useful in telling AITs areas in which they could improve when they were midway in their training. AITS also had a final interview before they took their exam.

Mercer said that if the Board feels that trainees are not being readied for the profession, then the Board should put the focus on the supervisors and put any values they feel strongly about in administrative rules. Interviews are not the same for every trainee, and equal treatment is critical if the Board has to defend denying a license to an applicant in a contested case hearing. Mercer said that applicants need to know

what is expected of them.

Sylvie Donaldson, licensing and fiscal services manager, said the Board lacks statutory authority to require AITS to interview with the Board. Donaldson said the Board controls the training program and that the AIT packet had been revamped to address the Board's training concerns with the supervisors. Donaldson said that if the applicant meets the qualifiers for licensure, HLO has to give them a license.

Storm said AIT protocol is being discussed at the national level. Mercer asked if the Board would like to look at the AIT process as a priority.

Mercer asked if the Board would like to explore case clarification. Regulatory Manager Bob Bothwell said the DHS reports that HLO receives can be up to a year old and resolved. Bothwell said he would like the Board's guidance on how HLO should handle these reports. Mercer said she would reach out to DHS to see if there's an internal way to improve communication regarding cases.

(Nicolle King Deering left the meeting at 10 a.m.)

Donaldson mentioned reciprocity as a possible priority. She said rules could be opened and update reciprocity qualifications to include the updated Oregon laws and rules exam.

Storm said licensing reciprocity between states is another issue being discussed at the national level. People are moving to another state and having to start from scratch, he said.

Donaldson said Oregon has reciprocity from state to state with no exams. She said the problem is that someone coming from another state does not know Oregon's laws and rules. She said the statutes have changed and the Board is allowed to require an exam for reciprocity if they change the administrative rules.

Storm said there is an initiative at the national level to have assisted living facility managers licensed under NHAB or another umbrella and held to standards. Oregon doesn't license assisted living/residential care facility administrators.

Donaldson said there are national certification and exams. It would take a statutory change to allow Oregon to have different types of licenses. Mercer added that the driver would have to be advocacy groups.

After more discussion, the Board settled on:

1. Research other states' credentialing for assisted living/residential care administrators. Bring the summary to the Board and see if NHAB has a role to play in this.
2. Research National Association of Long Term Care Administrator Boards on AIT programs – conduct an environment scan of the national level. Compare it to Oregon's current AIT program.

Continuing with her director's report, Mercer explained the Early Discussion and Resolution initiative that applies to nursing home facilities. The initiative came out of legislation to improve medical liability – an effort to mediate cases prior to going into a tort claim.

Mercer reviewed:

- The continuing education FAQ the Office created.
- The changes that led to the Office using a more streamlined investigative process.
- The transition to the Oregon Health Authority.
- The policy change on travel to conferences. She said that conference fees and meals would still be covered, but that airfare would be paid by the board member.

◆ **Licensing and fiscal statistical reports**

Sylvie Donaldson, fiscal services and licensing manager, gave an overview on the number and diversity of license holders and trainees as well as the Board's current and projected revenue for this biennium.

◆ **Policy report**

Anne Thompson, policy analyst, gave an overview of the rules regarding equivalent military training and expedited licensing for military spouses and domestic partners. The rules became permanent on Sept. 17.

◆ **Regulatory report**

Bob Bothwell, regulatory operations manager, outlined the complaints received, investigations open and those that have been closed so far in this biennium.

Public comment

None.

Other board business

Storm said he would like to attend the next national conference in October in San Francisco. The Board agreed he should go.

Mercer also discussed the makeup of the Board. Having nine members, three of whom are public members, make it challenging to keep the roster full. She asked about the role of a pharmacist on the Board. The Board agreed that it was important to keep a pharmacist on the Board, but perhaps the physician's spot could be altered to include anyone licensed under the medical board or board of nursing or a public member position could be converted into an ombudsman role. But any of these ideas would require a statutory change.

Mercer said she would speak to Oregon Health Authority and see what would be involved with these board-membership changes.

(Nicolle King Deering rejoined the meeting at about 11 a.m.)

The meeting adjourned at 11:22 a.m.

Minutes prepared by: Anne Thompson, policy analyst

2016 Meeting Dates



HEALTH LICENSING OFFICE

Kate Brown, Governor

Oregon
Health
Authority

700 Summer St NE, Suite 320

Salem, OR 97301-1287

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<http://www.oregon.gov/OHLA/Pages/index.aspx>

2016 meeting dates

BACKGROUND AND DISCUSSION

The Nursing Home Administrators Board (Board) meets twice a year.

ISSUE

The Board must approve 2016 meeting times and dates. The Health Licensing Office proposes:

- 9:30 a.m. Thursday, Feb. 25
- 9:30 a.m. Thursday, Sept. 15

BOARD ACTION

The Board approves 2016 meeting times and dates:

Director's Report

Licensing and Fiscal Statistical Reports

Health Licensing Office

Nursing Home Administrators Board

Licensing Division Statistics as of **June 30, 2015** *

2013 - 2015 Biennium

Quarter	New Administrators In Training	Provisional Licenses Issued	Permanent Licenses Issued	Temporary Licenses Issued	Renewals Processed
1st	8		11		144
2nd	6		7		70
3rd	3		4		77
4th	1		11		90
5th	5		13		87
6th	2		8		69
7th	5		4		65
8th	2		5		98
Total	32	0	63	0	700

* Note that the licensing and exam tables reflect activities through June 30, 2015 only since they are based on the 2013-15 biennium, and the remaining charts and graphs in this report are more current, including nine more weeks of activity on through September 8th. Licensing and exam activities for the July timeframe forward will be included in the next update to these tables once we shift to the 2015-17 biennium.

Health Licensing Office

Nursing Home Administrators Board

Examination Statistics as of **June 30, 2015** *

2013 - 2015 Biennium

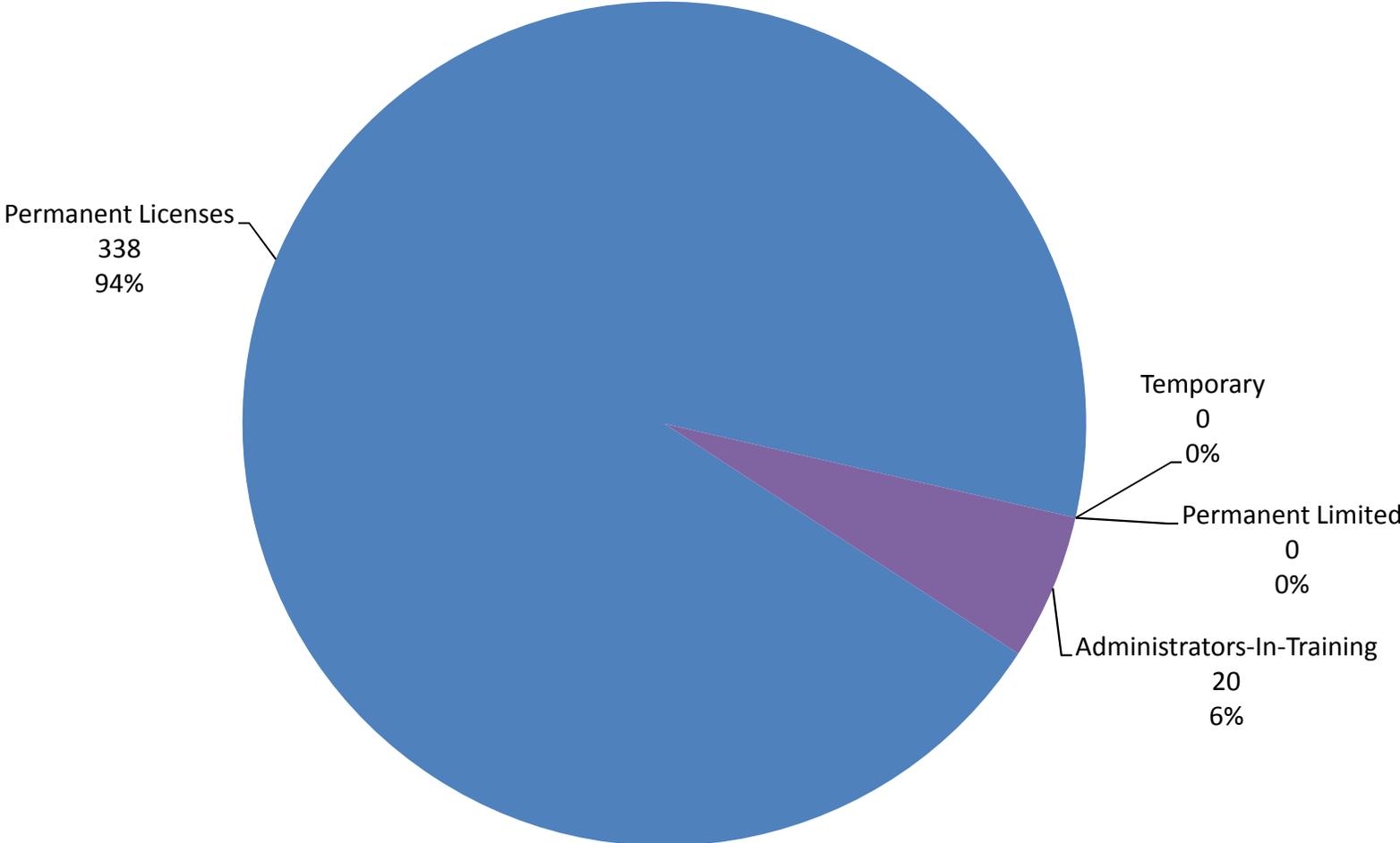
Quarter	National Examination			State Examination		
	Passed	Failed	% Passed	Passed	Failed	% Passed
1st	3	0	100%	3	1	75%
2nd	5	1	83%	6	6	50%
3rd	1	6	14%	5	2	71%
4th	7	4	64%	5	1	83%
5th	5	1	83%	3	1	75%
6th	3	1	75%	3	2	60%
7th	1	1	50%	2	0	100%
8th	2	2	50%	1	0	100%
Total	27	16	63%	28	13	68%

* See note below licensing statistics table for details.

Health Licensing Office

Nursing Home Administrators Board

License Volume as of September 8, 2015



Total Volume: 358

HEALTH LICENSING OFFICE Fund 7830 - NURSING HOME ADMINISTRATORS STATEMENT OF CASH FLOW FOR THE PERIOD 07/01/13 - 06/30/15	
CURRENT	
13-15' Beginning Cash Balance	\$ 102,172.69
Revenues	\$ 118,968.02
Expenditures	\$ 73,193.00
Less: Accrued Expenditures	\$ -
Less: Total Expenditures	\$ (73,193.00)
Subtotal: Resources Available	\$ 147,947.71
Change in (Current Assets)/Liabilities	\$ -
Ending Cash Balance (Actual)	\$ 147,947.71
Indirect Charges are calculated using the following rates: <small>*Based on Licensee Volume as of May 20, 2013</small>	
Shared Assessment %	0.60%
Examination %	0.60%
Small Board Qualification %	7.11%
Inspection %	0.00%

HEALTH LICENSING OFFICE Fund 7830 - NURSING HOME ADMINISTRATORS STATEMENT OF CASH FLOW FOR THE PERIOD 07/01/13- 06/30/15	
PROJECTED	
13-15' Beginning Cash Balance	\$ 102,172.69
Revenues	\$ 118,968.02
Expenditures	\$ 73,193.00
Less: Accrued Expenditures	\$ -
Less: Total Expenditures	\$ (73,193.00)
Subtotal: Resources Available	\$ 147,947.71
Change in (Current Assets)/Liabilities	\$ -
Ending Cash Balance (Projection)	\$ 147,947.71
Indirect Charges are calculated using the following rates: <small>*Based on Licensee Volume as of May 20, 2013</small>	
Shared Assessment %	0.60%
Examination %	0.60%
Small Board Qualification %	7.11%
Inspection %	0.00%

Regulatory Report

Health Licensing Office



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Web: www.oregon.gov/oha/hlo
E-mail: hlo.info@state.or.us

Nursing Home Administrators Board

September 24, 2015

2011 – 2013 Biennium

Between July 1, 2011 and June 30, 2013, 25 complaints were received by the Office. Total open 0. Total closed 25.

ANONYMOUS	CLIENTS	OTHER
0	0	25

2013 – 2015 Biennium

Between July 1, 2013 and June 30, 2015, 23 complaints were received by the Office. Total open 12. Total closed 11.

ANONYMOUS	CLIENTS	OTHER
0	0	23

2015 – 2017 Biennium

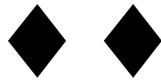
Between July 1, 2015 and August 31, 2015, 3 complaints were received by the Office. Total open 0. Total closed 3.

ANONYMOUS	CLIENTS	OTHER
0	0	3

Other: Licensees
General Public
Internal
Mandatory Reporter

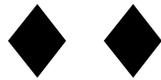
Public/Interested Parties' Feedback

Executive Session



ORS 192.660(2)(f) for the purpose of considering
information or records exempt from public inspection.

Executive Session



ORS 192.660(2)(f) for the purpose of considering
information or records exempt from public inspection.

Item for Board Action

Investigation (cases)

Other Board Business

