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Website only



Tennessee Board of Nursing Home Administrators Newsletter

Volume 1, Issue 1

Fall 2015

Division of Health Licensure and Regulation ♦ Health Related Boards ♦ 665 Mainstream Drive, 2nd Floor, Nashville, TN 37243

♦ Web: tn.gov/health ♦ Phone: (615) 741-3807 or 1-800-778-4123 ♦

Fax: (615) 253-8764 ♦ Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except State and Federal holidays)

The mission of the Tennessee Department of Health is to:

Protect, Promote, and Improve the health and prosperity of people in Tennessee.

ACCESSING THE BOARD'S WEBSITE

- In address bar type: <http://tn.gov/health>
- Click on link titled: "Health Professionals"
- Choose: Health Related Boards,
- Click on link for: "Nursing Home Administrators"

RESOURCES AND USEFUL LINKS:

- [Tennessee Board of Nursing Home Administrators](#)
- [Licensure and Education Information](#)
- [Complaints, Disciplinary Actions and Peer Assistance](#)
- [Applications, Publications and Information](#)
- [Statutes, Rules and Policies](#)
- [National Association of Long Term Care Administrator Boards \(NAB\)](#)

There are many resources on the Board of Nursing Home Administrators website, including the rules, statutes, applications, and policy statements. License renewal and licensure verification may also be utilized on this website. The Department recently updated its web appearance with a redesigned looked and user-friendly navigation. We are excited about the new website for the Board as this is a valuable resource. We encourage you use it often.



INSIDE THIS ISSUE

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ABOUT THE BOARD OF NURSING HOME ADMINISTRATORS



The Board of Nursing Home Administrators was created in 1970 by an act of the State Legislature. Its mission is to safeguard the health, safety, and welfare of Tennesseans by requiring those who practice nursing home administration within this state be qualified. The Board interprets the laws, rules, and regulations to determine the appropriate standards of practice in an effort to ensure the highest degree of professional conduct. The Board is

authorized to issue licenses to qualified candidates who have completed appropriate education and successfully completed required examinations. The Board is responsible for the investigation of alleged violations of the Practice Act and rules and is responsible for the discipline of licensees who are found guilty of such violations.

The administrative staff of the Division of Health Related Boards supports the Board by issuing licenses to those who meet the requirements of the law and rules.

Renewal of License

Licensees are responsible for renewing their licenses on time and keeping the Board apprised of changes affecting location and name as this facilitates timely notification from the administrative office. Renewal notices are mailed from the Board's administrative office forty-five (45) days prior to the expiration of the license to the current address on record. Licenses can be renewed on-line sixty (60) days prior to expiration at <https://apps.tn.gov/hlrs/>. It is a violation of the law and of the Board's rules to practice on an expired license.

Contacting the Administrative Office:

Tennessee Board of Nursing Home Administrators
665 Mainstream Drive, 2nd Floor
Nashville, TN 37243
Phone: (615) 741-3807 Local or (800) 778-4123 Nationwide
Fax: (615) 253-8724

Administrative Staff

Michael Sobowale
Board Director

Mary V. Webb
Board Administrator

Lakita Taylor
Board Manager

COMPLAINTS, DISCIPLINARY ACTIONS & PEER ASSISTANCE

Complaints

If you believe a practitioner's performance or behavior is not acceptable, you may file a complaint through Health Related Boards, Office of Investigations. For information on filing a complaint, please visit:

<http://tn.gov/health/article/NHA-complaints>.

You may contact the Complaint Division of the Department of Health at 1-800-852-2187 to request a complaint form or download one here:

<http://tn.gov/assets/entities/health/attachments/PH-3466.pdf>.

The form must be completed in its entirety. All materials received in connection with the complaint will become property of the Department of Health and cannot be returned. Please return the complaint to:

Office of Investigations
665 Mainstream Drive, 2nd Floor, Suite 201
Nashville, TN 37243

Disciplinary Actions

A listing of monthly disciplinary actions taken by the Board of Nursing Home Administrators can be found here: <http://tn.gov/health/article/boards-disciplinary-actions#dars>.

BOARD POLICY STATEMENTS

The Board of Nursing Home Administrators has adopted policies related to the issuance of licenses. For more information, please review each policy by clicking the link:

- [Continuing Education Violations](#)
- [Renewal of Licensees Called to Active Military Duty](#)
- [Lapsed License](#)
- [Policy Statement Regarding Criminal Convictions](#)
- [Statute Change for Release of Medical Records](#)

LEGISLATIVE UPDATES

Public Chapter 154

This act allows the Commissioner of Health or his designee to have electronic access to medical records to facilitate investigations when responding to an immediate threat to public health. Today the Commissioner of Health or his designee already has this authority but must go to the facility to review the medical records. This took effect on April 16, 2015.

Public Chapter 94

This act defines "abuse" and "neglect" for purposes of placing a person on the registry of persons who have abused, neglected or misappropriated the property of vulnerable individuals specifically within the statutes that govern the Dept. of Health. It does not impact the definitions within the statutes that govern the Dept. of Intellectual and Developmental Disabilities nor the Dept. of Human Services. It also increases the time within which placement on the registry may be appealed from 30 to 60 days. For rulemaking purposes, this bill became effective on April 10, 2015. All other provisions became effective on July 1, 2015.

Public Chapter 153

As enacted, this authorizes the board for licensing healthcare facilities and the departments of mental health and substance abuse services, human services, and intellectual and developmental disabilities to amend licensure rules to be consistent with the federal home-based and community-based settings final rule, but it prohibits the use of emergency rulemaking to promulgate such rules.

Public Chapter 502

This act allows the Joint Government Operations Committee (the legislative committee that reviews all rules) to stay a rule up to 75 days instead of 60 days. Present law authorizes the Joint Government Operations Committee to consider the following factors when reviewing rules: authority, clarity, consistency, justification, necessity and reference. This act adds arbitrariness and capriciousness as two new considerations.

[Click on the public chapter titles to view legislative descriptions in their entirety.](#)

Continued on page 5...

MEETINGS OF THE BOARD

The Board has scheduled meetings throughout the year for purposes of conducting administrative business concerning ratifying licenses, promulgating rules, disciplinary matters, etc. The eight (8) members of the Board are appointed by the Governor and serve three (3) year terms. A quorum of five (5) members is required to conduct business. The meetings are open to the public. The Tennessee Open Meetings Act passed by the General Assembly in 1974 requires that meetings of state, city and county government bodies be open to the public and that any such governmental body give adequate notice of such meeting. Open meeting notices can also be accessed at <http://tn.gov/health/calendar/nursing-home-administrators>.

BOARD MEMBER COMPOSITION

Harold Walker, Chair
Nursing Home Representative
Sparta, TN

Kathryn Wilhoit, RN, PhD, Vice-Chair
Hospital Administrator
Johnson City, TN

Craig Laman
Nursing Home Representative
Alamo, TN

Stephen J. D'Amico, MD
Physician
Franklin, TN

Russell O. Caughron
Nursing Home Administrator
Smyrna, TN

Juanita Honeycutt
Nursing Home Representative
New Tazewell, TN

Florence Weierbach, RN, MPH, PhD
Registered Nurse
Jonesborough, TN

Barbara B. Trautman
Consumer Member
Germantown, TN

Vincent Davis, Ex Officio
Health Care Facilities
Tennessee Department of Health

BOARD MEETING SCHEDULE FOR 2015 & 2016

- ▶ August 10, 2015 – 9:00 AM CST
- ▶ November 2, 2015 – 9:00 AM CST
- ▶ March 7, 2016 – 9:00 AM CST
- ▶ June 6, 2016 – 9:00 AM CST
- ▶ November 7, 2016 – 9:00 AM CST

Unless otherwise noted, all meetings will be held at the following location:

665 Mainstream Drive
Iris Conference Room, Ground Floor
Nashville, TN 37243

LIVE-STREAM MEETINGS

As of January 2015, public meetings are live-streamed and viewable via the internet. Links to view a meeting can be accessed by visiting the department's "Calendar of Events" at: <http://tn.gov/health/calendar>. Archived meetings may also be accessed and viewed from the Department of Health website at: <https://web.nowuseit.tn.gov/Mediasite/Catalog/Full/98fe21d561e9489487745f0c7da678b221>.



NATIONAL CONFERENCES

National Association of Long Term Care Administrator Boards (NAB)

Naples, FL
November 11-13, 2015

26th NIC National Conference – National Investment Center for Seniors Housing & Care

Washington, DC
September 14-16, 2016

AHCA/NCAL Convention & Expo – American Health Care Association/National Center for Assisted Living

Nashville, TN
October 16-19, 2016

IMPORTANT REMINDERS

Electronic Notifications Opt-In

Licensees who prefer to receive notifications by electronic means instead of by regular United States mail from the Department of Health should request to “opt-in” from the portal on the Board’s website at: <https://apps.tn.gov/hirs/>. Licensees may also submit a written request to the Board’s Administrative Office.

Please note that once you choose to opt-in to receive electronic notifications, ALL notices from the Health Department, including license renewal notices, will be sent by electronic mail. License renewal notification will be sent from the Board’s Administrative Office forty-five (45) days prior to the expiration of the license to the current e-mail address on record with Tennessee Department of Health. Also, you will be required to notify the Administrative Office should there be any changes to your email address.

Updating Your Practitioner Profile

Pursuant to Tennessee Health Care Consumer Right – to-Know Act, 1998, T.C.A. §63-51-101, et seq., licensed nursing home administrators have a continuing duty and the responsibility to notify the Department of Health of any changes or updates to information submitted on the mandatory practitioner’s profile questionnaire within thirty (30) days of the occurrence of such event. Changes include any change of address. A copy of the questionnaire can be found at: <http://health.state.tn.us/downloads/PH-3585.pdf>.

To check the accuracy of your profile, please visit: <https://apps.health.tn.gov/Licensure/>.

Changes may be submitted on the form to the Board’s Administrative Office at:

**Tennessee Department of Health
Office of Health Related Boards
Board of Nursing Home Administrators
665 Mainstream Drive, 2nd Floor
Nashville, TN 37243**

LEGISLATIVE UPDATES CONT’D:

Public Chapter 376

This creates the “Tennessee Right to Try Act.” It authorizes eligible patients to utilize investigational drugs, biological products or devices that have completed phase 1 of a clinical trial, but has not yet been approved for general use by the FDA. The clinical trial must be documented by the National Institutes of Health. An eligible patient is:

- someone with an advanced illness that is attested to by the patient’s treating physician and confirmed by a second physician
- has considered all other FDA-approved treatment options
- has received a recommendation from the patient’s physician for an investigational drug, biological product, or device
- has given written, informed consent for the use of an investigational drug, biological product, or device
- has documentation from such physician that the patient meets all the aforementioned requirements.

All expenses related to the use of investigational treatment will be borne by the patient. Manufacturers are authorized to make investigational products available to patients with or without compensation. This bill specifically prohibits Medicare or any licensing board from taking any adverse action against a licensee based solely on a recommendation for treatment with an investigational product and holds manufacturers and providers harmless if operating in good faith. This act became effective on July 1, 2015.

Public Chapter 268

This act makes disclosures of protected healthcare information permissible in medical malpractice lawsuits and became effective on April 24, 2015.

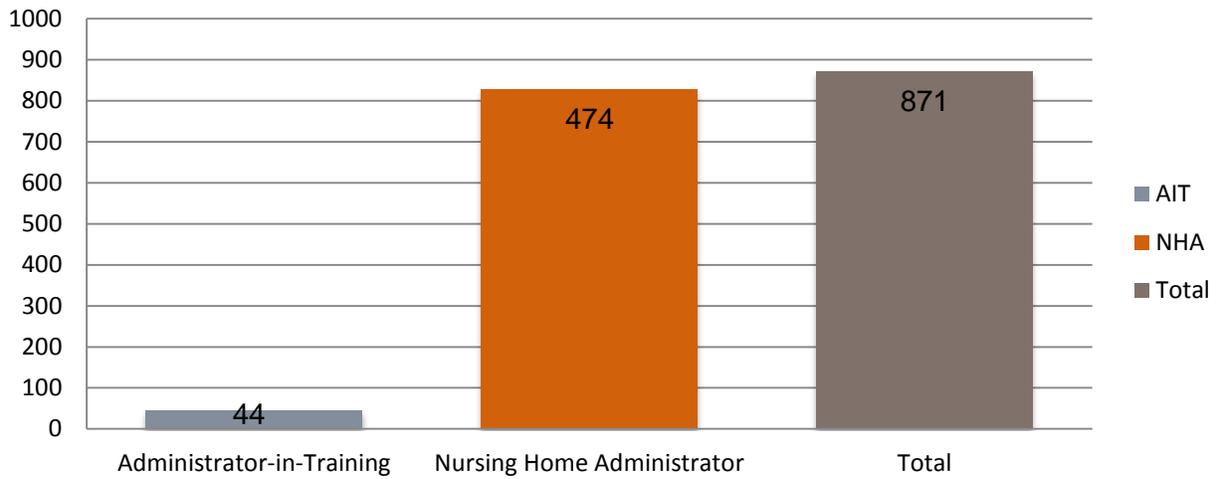
Public Chapter 411

This act requires any healthcare facility providing care with regards to dementia with Lewy bodies and frontotemporal dementia to provide written disclosure of the form of care, treatment, and activities provided to individuals receiving such care.

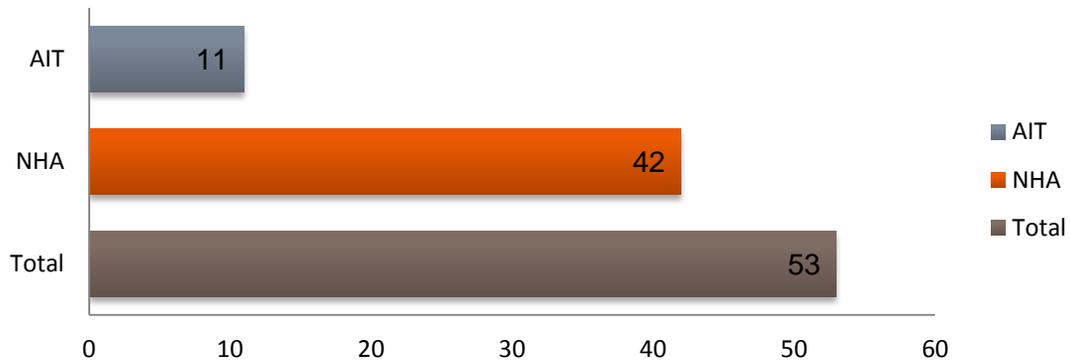
Click on the public chapter titles to view legislative descriptions in their entirety.

STATISTICAL DATA

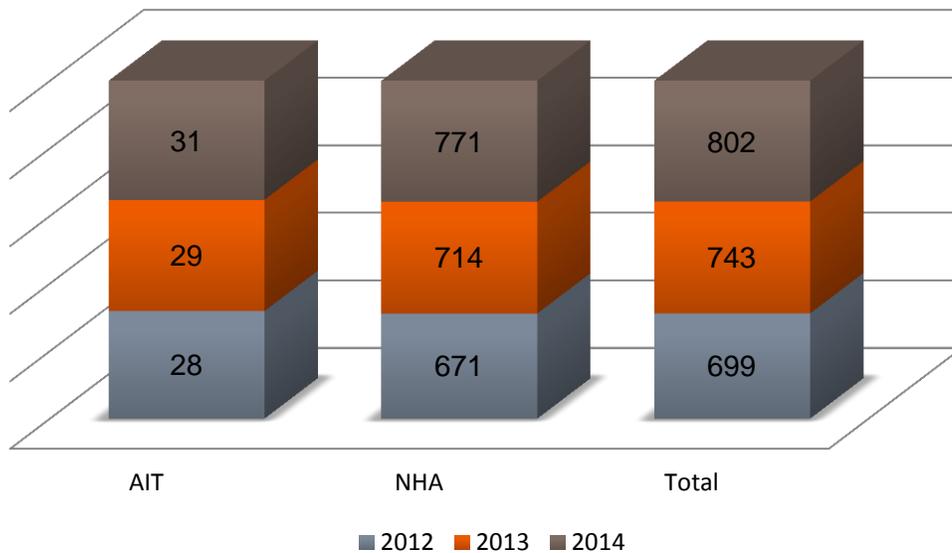
Total Number of Licenses as of 10/2/15



Applications Received from 1/1/15 to 10/2/15



Number of Licenses by Profession and Year



QUESTIONS AND ANSWERS

Q: I have moved and/or changed my place of employment. How do I update my address with the Board?

A: Changes in address must be submitted in writing to the Board's administrative office within 30 days. Please include your name, profession, license number, old address and new address. Please also specify if the change is to your mailing or practice address.

Q: How do I report a name change and/or request an updated license?

A: Changes in name must be submitted in writing to the Board's administrative office, along with documentation supporting the change (i.e. marriage certificate, divorce decree). Please include your name, profession and license number. If you wish to receive a duplicate copy of your license, reflecting the updated name, you must specify this in your request and include a check or money order in the amount of \$50.00 for each license type (i.e. Wallet/Renewal size or Wall size).

Q: I am applying for a license in another state and need primary source verification. How do I obtain this?

A: Requests for license verification must be submitted in writing to the Board's administrative office. Please include your name, profession, license number and address which the verification must be sent.

Q: Can I renew my license online?

A: Certainly! License renewals may be processed up to sixty (60) days prior to the license expiration date. Please visit <https://apps.tn.gov/hlrs/> and choose "Go Now" under Professional License.



Q: My license has expired. How do I reinstate my license?

A: Reinstatement of a license that has expired may be accomplished upon meeting the following conditions: (a) At the discretion of the Board, either appear before it or submit a notarized statement setting forth the cause for failure to renew; and, (b) Payment of all past due renewal fees and state regulatory fees. (c) Payment of the Late Renewal Fee provided in Rule 1020-01-.02(1)(d); (d) Compliance with the continuing education requirements of Rule 1020-01-.12.

Please view the rules at <http://share.tn.gov/sos/rules/1020/1020-01.20130313.pdf> for complete instructions regarding reinstatement.

Q: Am I required to do continuing education to maintain my license?

A: Pursuant to Rule 1020-01-.12(1)(a): Each licensee is required to complete eighteen (18) clock hours of Board-approved continuing education each calendar year.

(b) For new licensees, submitting proof of successful completion of the NAB licensure examination shall be considered proof of sufficient preparatory education to constitute continuing education clock hour credit for the length of time already transpired in the calendar year in which the applicant is approved.

Q: I am no longer practicing as an administrator. How do I retire my license?

A: To retire your license, please complete the Affidavit of Retirement form, have it notarized and forward it to the administrative office. The form may be downloaded from the Board's website at: <http://tn.gov/assets/entities/health/attachments/PH-3460.pdf>. Please inquire with the Board office regarding requirements to reinstate a retired license.