

**BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS
MINUTES**

DATE: August 2, 2021

TIME: 9:00 a.m. Central Time

LOCATION: Office of Health Related Boards
Iris Room
665 Mainstream Drive
Nashville, TN 37243

MEMBERS PRESENT: Lakecia Thomas, Board Chair
Sally Pitt, Interim Director of Health Care Facilities
David Keeling, NHA
Dr. Victor Legner
Dr. Bethany Rhoten, RN

MEMBERS(S) ABSENT: Cynthia Wheeler, NHA
Nyda Bays, NHA, Board Secretary
Dr. Jano Janoyan, Physician

STAFF PRESENT: Kimberly Wallace, Unit 3 Director
Lacey N. Wilkerson, Board Administrator
Kyontze Hughes-Toombs, Deputy General Counsel

Call to Order

Ms. Thomas called the meeting to order at 9:02am CST. Ms. Wallace conducted a roll call. With a quorum being present, the Board proceeded to conduct business.

Call for Public Comment

Ms. Wallace made an announcement that public comments would be heard in this meeting and interested individuals should sign the registry. She noted that the Board may only take action on items that were published on the agenda. The Board may request to add an item to a future meeting agenda regarding any new topic introduced by way of a public comment. Public comments may also be submitted in writing to the TN Board of Nursing Home Administrators, 665 Mainstream Drive, Nashville, TN 37243, or sent via email to Unit3HRB.Health@tn.gov.

Conflict of Interest Statement

Ms. Hughes-Toombs, Deputy General Counsel, reviewed the Conflict of Interest Statement and Open Meetings Act statement with the Board.

Minutes

A motion was made by Mr. Keeling, seconded by Dr. Legner, to approve the Minutes of the June 7, 2021, Board Meeting as written. There was no discussion on the motion. The motion carried unanimously.

Office of Investigations

Courtney Lily, from the Office of Investigations, presented the investigative and disciplinary report as follows: The office is not currently monitoring any practitioners. There were five (5) new complaints received in 2021; one (1) for action in another state, one (1) for criminal charges, two (2) for unprofessional conduct and (1) for practice beyond scope. In 2021 there have been zero (0) closed cases and currently there are twenty (20) open cases.

Reports and/or request from the Division of Health Licensure and Regulations

Ms. Wallace notified the Board that the financial reports are pending the close of the fiscal year. The reports are anticipated to be available for the November 1, 2021, Board Meeting.

Legislation

There were no legislative reports for the Board to review at this meeting.

Administrator's Report

Ms. Wilkerson reported that there are 785 active nursing home administrators as of July 22, 2021. She also provided an account of Board licensure activities from May 24, 2021 through July 21, 2021, as follows:

- New Applications received - 14
- New Licenses issued - 18
- Reinstatements issued - 2
- Number of Paper Renewals - 19
- Number of Renewals in VO - 44
- Number of Licensees who Retired - 1
- Failed to Renew/Expired Applications - 2

Ms. Wilkerson advised the Board that approximately 70% of all renewals received during this time were completed online.

The remaining 2021 meeting date is scheduled for November 1, and the 2022 meeting dates will be reviewed at that time.

Ms. Wallace brought it to the Board's attention that the Board of Nursing Home Administrators is slated for their Sunset Hearing this fiscal year. This is a regular part of the lifecycle for all Health Related Boards and will consist of a review and hearing regarding the operations of the Board and determinations are made for the continuance of the Board. The Sunset hearing is currently scheduled for Wednesday, October 20, 2021, beginning at 9:00am CST and will be held before the Government Operations Committee. The Hearing will be held downtown Nashville in the Cordell Hull Building. The current Board Chair, Ms. Thomas, and Board Attorney, Ms. Hughes-Toombs, along with other executive representatives of the Office of Health Related Boards will be present at the hearing to represent the Board and answer any questions the committee may have. A summary of that hearing will be presented at the next Board Meeting.

Reports from Office of General Counsel

Ms. Hughes-Toombs, reported that there are currently no open cases under review. Ms. Hughes-Toombs also advised the Board that the pending rule changes for a temporary license are still under review.

Agreed Citations

Kendrick, Henry - Mr. Henry Kendrick, Nursing Home Administrator License #1964 failed to maintain sufficient continuing education credits in violation of T.C.A. 63-16-107 and Rule 1020-01-.12. He was deficient 6.5 credit hours for calendar year 2018 as discovered during the CE Audit process. He has been issued an Agreed Citation in this matter. Mr. Kendrick has acknowledged and understands that by signing the Agreed Citation, paying a civil penalty in the amount of \$100.00, and providing proof of completion of the required number of continuing education credits, that he waives the right to a hearing as described in the Agreed Citation. Mr. Kendrick has signed the Agreed Citation and returned it for review by the Board. Dr. Legner made a motion to approve the Agreed Citation for Henry Kendrick as written, with a second made by Mr. Keeling. There was no discussion on the motion. The motion passed unanimously.

Applicant Interviews/File Reviews

AIT Applicants

Crawford, Kimberly - The applicant was present at the meeting. During discussion with the applicant regarding qualifications, it was noted that a transcript showing that a degree had been conferred was not received for her file. The applicant stated she had been awarded an Associate Degree. In addition, the preceptor listed on her application, Mr. Charles Moore, has not yet

received Board approval. Dr. Legner made a motion to approve the application for a 6-month/1,040 hour AIT program contingent upon receipt of transcripts showing the degree was conferred and approval of the preceptor, Mr. Charles Moore. Mr. Keeling seconded. There was no discussion on the motion. The motion passed unanimously.

Nance, Renita - The applicant was present at the meeting. After a discussion and review of the applicant file, Mr. Keeling made a motion to approve the application for a 6-month/1,040 hour AIT program contingent upon the approval of the preceptor, Mr. Charles Moore. Dr. Legner seconded. There was no discussion on the motion. The motion passed unanimously.

White, Jenna - The applicant was present at the meeting. After a discussion and review of the applicant file, Ms. Thomas made a motion to approve the application for a 6-month/1,040 hour AIT program. Mr. Keeling seconded. There was no discussion on the motion. The motion passed unanimously.

Reciprocity Applicants

Davis, Clinton Scott - The applicant was not present at the meeting. After a discussion and review of the applicant file, Ms. Thomas made a motion to approve the reciprocity application. Dr. Legner seconded. There was no discussion on the motion. The motion passed unanimously.

Dodd, Sarah - The applicant was present at the meeting. After a discussion and review of the applicant file, Dr. Legner made a motion to approve the reciprocity application contingent upon completion of a 6-month/1,040 hour AIT program. Dr. Rhoten seconded. There was no discussion on the motion. The motion passed unanimously.

Jackson-Paul, Charlotte - The applicant was not present at this meeting. After review of the applicant file, Mr. Keeling made a motion to approve a 6-month/1,040 hour AIT program. Dr. Legner seconded. There was no discussion on the motion. The motion passed unanimously.

Liggins, Keshia - The applicant was not present at this meeting. After review of the applicant file, Dr. Rhoten made a motion to approve the reciprocity application. Mr. Keeling seconded. Discussion ensued on the motion regarding Ms. Liggins' having followed the rules for applying. The motion passed unanimously.

Purvis, Heather - The applicant was present at the meeting. After a discussion and review of the applicant file, Dr. Legner made a motion to approve the reciprocity application contingent upon the completion of a 6-month/1,040 hour AIT program. Ms. Thomas seconded. There was no discussion on the motion. The motion passed unanimously.

Townsend, Elizabeth - The applicant was present by phone. After a discussion and review of the applicant file, Dr. Legner made a motion to approve the reciprocity application. Dr. Rhoten seconded. There was no discussion on the motion. The motion passed unanimously.

Valentino, Kristie - The applicant was present at the meeting. After review of the applicant file, Ms. Thomas made a motion to approve the reciprocity application. Dr. Legner seconded. There was no discussion on the motion. The motion passed unanimously.

NAB Applicant

Lee, Caleb - The applicant was present at the meeting. After a discussion and review of the applicant file in which the applicant stated he should have applied for the AIT program, Dr. Legner made a motion to approve a 6-month/1,040 hour AIT program once the applicant has secured a preceptor. Ms. Thomas seconded. There was no discussion on the motion. The motion passed unanimously.

Windham, Todd - The applicant was not present at the meeting. After a discussion and review of the applicant file, Dr. Legner made a motion to table the discussion until the applicant provides in writing an additional AIT program request or remediation plan in accordance with the Board's policy, and he should be requested to appear the November 1, 2021 meeting. Ms. Thomas seconded. There was no discussion on the motion. The motion passed unanimously.

Lakecia Thomas called for a break at 11:05am. The meeting was called back to order at 11:23am.

Other Applicant Requests

Coker, Taylor – Applicant was present by phone to request an extension to his AIT program that was originally approved at the November 2, 2020, meeting. There is a note on Mr. Coker's Progress Report #1 that his AIT program was placed on hold on 1/18/2021 so that Mr. Coker could temporarily assume the Director of Nursing role. There was no letter for pre-approval for this delay requested by Mr. Coker's preceptor and submitted to the Board in this regard. Mr. Coker recently submitted a letter stating that his AIT program had been put on hold until May 3, 2021 and saying that he could complete the outstanding hours by the date of the November 2021 Board Meeting. Mr. Coker's Preceptor, Brenda Day, has also recently submitted a letter. Both letters were submitted after the period specified for the AIT program to have been on hold.

Mr. Coker stated the preceptor misunderstood the hours of requirements for the AIT. Mr. Coker confirmed he has completed 526 hours per the documents Ms. Day provided. He has continued working and applying hours, pending the Board's decision on the request. He states he can complete the remaining hours by October 16th for the Board to review for approval at the November 2nd meeting.

Dr. Rhoten asked about the requirement of pausing an application and pre-approval considerations. Mr. Coker states he believed Ms. Day had submitted a letter requesting the pause of the AIT program to the Administrative Office, but the Administrative Office has no record of receiving a letter in this regard.

Dr. Rhoten was concerned about not receiving a pre-approval request to pause the AIT program in January, and the July 13th letter from the preceptor states he "completed" the AIT program and

that raises concern about the preceptor's understanding of the AIT program.

Dr. Legner inquired of Mr. Coker as to why the Board was not formally notified with a request in writing from Mr. Coker and/or his preceptor for pre-approval of a hold being placed on his AIT program by the Preceptor. Discussion was also held as to why so few hours were completed during the time prior to the hold being placed on his program. The documentation that has been submitted for Mr. Coker indicates that between November 2, 2020, and July 9, 2021, a period of 8 months, Mr. Coker completed 526 hours in training at the Fort Sanders Traditional Care Unit in Knoxville.

Dr. Legner concurred with the concern that the preceptor letter states she believes the AIT program is complete when all hours and time have not yet been completed, and the letter from the preceptor does not meet the needs of a letter requesting a pause and later reconvening of the AIT program. No letter was submitted by the preceptor asking to extend the program, rather, the preceptor letter states Mr. Coker has completed the AIT program and is now being recommended to sit for the exam.

After discussing the extension request with the applicant, Mr. Keeling made a motion to table the AIT program extension request pending the receipt of a written preceptor action plan and in-person appearance by the preceptor and Mr. Coker to explain the action plan to the Board for Mr. Coker. Seconded by Dr. Rhoten. Discussion on the motion ensued: Dr. Legner stressed the need for an accurate representation of the hours that have been completed, noting that no hours between the date of this meeting and the November meeting can count towards the AIT program. The motion passed unanimously.

English, John – The applicant was not present at the meeting. Mr. English was initially approved by the Board to begin a 6-month, 1,040 hour AIT program on March 4, 2019. Rule 1020-01-.10(1) states that applicants must attempt to successfully complete the NAB examination within one year from when the Board approval to take the examination was granted. That one-year period begins with the approval to start the AIT program, therefore, Mr. English's approval period for taking the NAB Exam expired on March 4, 2020.

Mr. English has submitted a request to the Board asking for an extension of his file to allow him to take the NAB Exam under this application, as upon completion of his AIT program, he did not take the exam prior to the expiration date due to the reasons cited in his request letter. After review of the applicant file, Dr. Legner made a motion to allow an additional 6 months to complete the NAB Exam. Dr. Rhoten seconded. There was no discussion on the motion. The motion passed unanimously.

Ratification of Initial Determinations

A motion was made by Ms. Thomas, seconded by Mr. Keeling, to approve the ratification list for AIT to Full Licensure, Reciprocity, Reinstatement, Preceptor Certification, and Closed files as presented for the time period of May 24, 2021 – July 21, 2021. There was no discussion on the motion. The motion passed unanimously.

AIT to Full License

Brown Daniel J
Graves Michelle L.
Hunt Janet Montague
Smith Shawn Christopher Mr
Stewart Rebecca Leeann

Reciprocity

Cheatham Deborah
Fye Tamara Sue
Henning Tammy Ann
Holm Kurt Douglas
Hook Julie Ann
Monyei Abigail
Perez Craig
Simelton Tijuana Ms
Simmons Tabitha Leshette Ms.
Smith Leslie Nicole Ms
Stofer Robert Paul Jr
Uhrick Madeline Brooke
Smith Jr Jack Henry
Reinstatement
Anderson Donald B. JR.
Castillo Sherri

Exam

None

Preceptor

Chambers Lori
Green Adrienne
Holland Benjamin
Ketterman Patricia
McCann Lauren

Closed Files

Atkins Sarah Katherine
Jene Suzanne L
Craft Michael Keith

Taskforce/Committee

No were taskforce or committee reports for the Board to review in this meeting.

Rulemaking, Amendments and Policies

Ms. Hughes-Toombs advised the Board that the pending rule changes for a temporary license are still under review.

Correspondence

No were correspondence items for the Board to review in this meeting.

Conference Reports

The FARB Regulatory Law Seminar will be held in Nashville, TN from September 30, 2021 – October 3, 2021. Dr. Legner made a motion to approve the board’s advisory attorney, Ms. Hughes-Toombs to attend. Dr. Rhoten seconded. There was no discussion on the motion. The motion passed unanimously.

The NAB Annual Meeting will be held in Monterey, CA from October 20-22, 2021. Ms. Thomas volunteered to attend and serve as the voting delegate. Mr. Keeling volunteered to attend and serve as the alternate voting delegate. Dr. Legner made a motion to approve both parties to attend. Dr. Rhoten seconded. There was no discussion on the motion. The motion passed unanimously.

New/Old Business

There were no new or old business items for the Board to review in this meeting.

Call for Public Comment

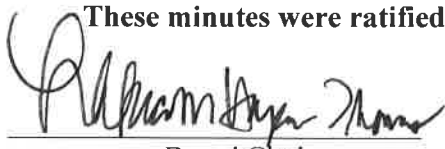
Ms. Wallace made a final announcement that public comments would be heard in this meeting and interested individuals should sign the registry. She noted that the Board may only take action on items that were published on the agenda. The Board may request to add an item to a future meeting agenda regarding any new topic introduced by way of a public comment. Public comments may also be submitted in writing to the TN Board of Nursing Home Administrators, 665 Mainstream Drive, Nashville, TN 37243, or sent via email to Unit3HRB.Health@tn.gov.

No public comments were offered at this time.

Adjournment

There being no further business, a motion was made by Mr. Keeling, and seconded by Dr. Legner, to adjourn the meeting at 12:15pm CST. There was no discussion on the motion. The motion passed unanimously.

These minutes were ratified by the Board at the November 1, 2021 meeting



Board Chair

11/1/21

Date