

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

DATE: November 1, 2021

TIME: 9:00 a.m. Central Time

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

MEMBERS PRESENT: Lakecia Thomas, Board Chair
Sarah Harvey, Director of Health Care Facilities
David Keeling, NHA
Dr. Victor Legner, Board Member
Nyda Bays, NHA, Board Secretary
Dr. Bethany Rhoten, RN

MEMBERS(S) ABSENT: Dr. Jano Janoyan, Physician

STAFF PRESENT: Kimberly Wallace, Unit 3 Director
Danielle DeShane, Board Administrator
Kyontze Hughes-Toombs, Deputy Director
Matthew Gibbs, Deputy General Counsel

Call to Order

Ms. Thomas called the meeting to order at 9:04am 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 Director, 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. Rhoten, to approve the Minutes of the August 2, 2021, Board Meeting as written. There was no discussion on the motion.

The motion was rescinded by Ms. Thomas to make an adjustment to Dr. Legner’s title to his current title of Board Member instead of Vice Chair. Dr. Rhoten seconded. The motion passed unanimously.

Office of Investigations

Ms. Elizabeth Danler, Disciplinary Coordinator with the Office of Investigations, presented the following:

New Complaints Opened	8
Total Closed Complaints	15
Currently Open	8
Currently Being Monitored	1

Newly Opened Complaints By Allegation

Action in Another State	1
Unprofessional Conduct	4
Lapsed License	1
Criminal Conviction	1
Practice Beyond Scope	1

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

Mr. Matthew McSpadden presented the 2021 fiscal report for July 1, 2020- June 30, 2021 highlighting the following:

Total Expenditures: \$56,559.33
Board Fee Revenue: \$88,300.00
Current Year Net: \$31,740.67
Cumulative Carryover: \$255,589.79

Mr. McSpadden reminded the Board of the fee reduction from the June 7, 2021 Meeting, and anticipates we’ll see the reflection after the official rule change is enforced.

Legislation

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

Administrator's Report

Ms. DeShane reported that there are 787 active nursing home administrators as of October 18, 2021. She also provided an account of Board licensure activities from July 21 through October 18, 2021, as follows:

- New AIT Applications received - 12
- New Licenses issued - 17
- Reinstatements issued - 4
- Number of Paper Renewals - 21
- Number of Renewals in VO - 56
- Number of Licensees who Retired - 6
- Failed to Renew/Expired Applications - 13

Ms. DeShane advised the Board that approximately 73% of all renewals received during this time were completed online.

The 2022 dates are scheduled for as follows:
March 7, June 6, August 1, and November 7, 2022.

Ms. Wallace also alerted the board about the Sunset Hearing that took place on October 18, 2021, where the Board received a positive recommendation for continuance for an additional 5 years.

Reports from Office of General Counsel

Ms. Hughes-Toombs reported that there are currently three (3) open cases under review. Ms. Hughes-Toombs also advised the Board that the Board conducted a rulemaking hearing on March 2, 2020 allowing temporary licensure under Tenn. Code Ann. 63-16-104(b) and these rules have been sent to the Attorney General's Office.

Applicant Interviews/File Reviews

AIT Applicants

Brown, Shelia: Applicant was not present for this meeting. Mr. Keeling made a motion with a second from Dr. Rhoten to approve the applicant for a standard 6-month/1,040-hour AIT program. There was no discussion on the motion. The motion passed unanimously.

Crandall, Ashley: Applicant was not present for the meeting. Applicant's requested preceptor currently has one individual in the AIT Program with another one also seeking Mr. Moore as their preceptor. Dr. Legner made a motion to approve the applicant for a 6-month/1,040-hour AIT program with a certified preceptor with less than 3 individuals in the AIT Program. Dr. Rhoten seconded. There was no discussion on the motion. Motion passed unanimously.

Felts, Sheldon: Applicant was present for the board meeting. Dr. Rhoten has requested supporting documents for how the applicant will continue his current position while completing his AIT Program and made a motion to table the decision for the next meeting. Ms. Thomas seconded. There was no discussion on the motion. The motion passed unanimously.

A break was called for technological issues. Was called back to order at 9:52 CST.

Grisham, Julie: Applicant was present for the board meeting. Ms. Thomas made a motion to approve for a 6-month/1,040-hour AIT program. Dr. Legner seconded. There was no discussion on the motion. The motion passed unanimously.

McDougal, James: Applicant was present for the meeting. Dr. Legner made a motion to approve for a 6-month/1,040-hour AIT program. Ms. Thomas seconded. There was no discussion on the motion. The motion passed unanimously.

Moore, Andrew: Applicant was available by phone for the meeting. Ms. Wallace made a clarifying comment that no hours can be counted toward the AIT Program until the program has been approved by the Board. Mr. Keeling made a motion to approve the applicant for a 6-month/1,040-hour AIT program. Ms. Thomas seconded. There was no discussion on the motion. The motion passed unanimously.

Pate, Kimberly: Applicant was present at the meeting. Dr. Legner made a motion to approve a 6-month/1,040-hour AIT program. Ms. Thomas seconded. There was no discussion on the motion. The motion passed unanimously.

Slusher, Stephanie: Applicant was present at the meeting. Mr. Keeling made a motion to approve a 6-month/1,040-hour AIT program. Ms. Thomas seconded. There was no discussion on the motion. The motion passed unanimously.

Tester, Stephanie: The applicant was not present at the meeting. Dr. Legner made a motion to table the decision until the next meeting where her presence is required along with a request for additional information regarding the plan for her current role is a Director of Nursing. Dr. Rhoten seconded. There was no discussion on the motion. The motion passed unanimously.

Whorley, Major: Applicant was not present at the meeting. Ms. Thomas made a motion to approve applicant for a 6-month/1,040-hour AIT program. Dr. Legner seconded. There was no discussion on the motion. The motion passed unanimously.

Crawford, Kimberly: Applicant was not present at the meeting. Application was originally reviewed at the August 2, 2021 Board Meeting and was approved contingent upon receipt of the transcripts showing an Associate Degree had been conferred, which were not received, rather, the documentation submitted to the Administrative Office noted that the applicant had completed a non-credit continuing education course, so the file was returned to the Board for a follow-up review. Ms. Thomas made a motion to deny the AIT application due to not providing the

documentation sufficient to meet the education requirement. Dr. Legner seconded. There was no discussion on the motion. The motion passed unanimously.

Reciprocity Applicants

Casey, Scottie: The applicant was not present for the meeting. Dr. Legner made a motion to table the application for the next board meeting and request additional information regarding his experience as a traveling administrator. Mr. Keeling seconded. There was no discussion on the motion. The motion passed unanimously.

Fortner, Melissa: Applicant was not present for the meeting. Dr. Legner made a motion to table the decision to the next Board Meeting, requesting the applicant to be present to answer questions and provide clarification of her AIT Program previously completed. Mr. Keeling seconded. There was no discussion on the motion. The motion passed unanimously.

Fuqua, John: Applicant was present at the meeting. Dr. Legner made a motion to approve contingent upon completion of a 6-month/1,040-hour AIT program. Ms. Thomas seconded. There was no discussion on the motion. The motion passed unanimously.

Johnson, Anna: Applicant was not present at the meeting. Dr. Legner made the motion to approve contingent upon completion of a 6-month/1,040-hour AIT. Dr. Rhoten seconded. There was no discussion on the motion. The motion passed unanimously.

Joseph, Jithin: Applicant was present at the meeting. Dr. Legner made a motion to approve the application for reciprocity. Dr. Rhoten seconded. There was no discussion on the motion. The motion passed unanimously.

LeVieux, Amanda: Applicant was not present at the meeting. Ms. Thomas made a motion to approve the application for reciprocity and Mr. Keeling seconded. There was no discussion on the motion. The motion passed unanimously.

Marsh-Lykins, Lori: Applicant was not present at the meeting. Dr. Legner made a motion to approve the application for reciprocity and Ms. Thomas seconded. There was no discussion on the motion. The motion passed unanimously.

Powell, Angela: Applicant was available by phone for the meeting. Ms. Thomas made a motion to approve the application for reciprocity in Tennessee contingent upon completion of a completed new application disclosing all other licenses. Mr. Keeling seconded. There was no discussion on the motion. The motion passed unanimously.

Soldevilla, Jennifer: Applicant was available by phone for the meeting. Mr. Keeling recused himself from the decision of the application. Dr. Legner made a motion to approve the application for reciprocity. Dr. Rhoten seconded. There was no discussion on the motion. The motion passed unanimously.

Williams, Carnail: The applicant was not present for the meeting. Dr. Rhoten made a motion to table the application, that was later withdrawn. Dr. Legner made a motion to approve the application for reciprocity contingent upon completing a 6-month/1,040-hour AIT program. Ms. Thomas seconded. There was no discussion on the motion. The motion passed unanimously.

NAB Applicant

There were no NAB exam applications to review at this time.

Ms. Thomas called for a break at 11:52. The meeting was called back to order at 12:02 CST.

Other Applicant Requests

Moore, Charles: Mr. Moore is a preceptor who had submitted a request to potentially serve as preceptor for 3 individuals in the AIT program, should the AIT application for Kimberly Crawford have been approved. Seeing that Kimberly Crawford's application for the AIT program was not approved, there was no action for the Board to take on this request, per the guidance of Ms. Hughes-Toombs.

Coker, Taylor: Applicant was present at the meeting in follow-up to his previous board review at the last meeting. He was present with his preceptor Ms. Brenda Day. Dr. Legner made a motion to approve a 6-month extension for the AIT Program to run for 6 months beginning 11/01/2021 under new preceptor Patti Ketterman contingent upon receipt of an amended plan to reach the full hours 1,040 hours as required. Dr. Rhoten seconded. There was no discussion on the motion. The motion passed unanimously.

Chesley, Colin: Licensee was not present at the meeting. Individual was audited for continuing education and is looking to seek approval of his teaching experience for his audit. Dr. Rhoten noted that there is a clear distinction between obtaining your own professional CEU's and instructing courses for other to attend. Ms. Thomas made a motion to deny the waiver request/extension request for the continuing education requirement for his 2019/2020 audit based on Rule 1020-01-.12, requiring Mr. Chesley be subject to the normal requirements of the audit. Dr. Legner seconded the motion. There was no discussion on the motion. The motion passed unanimously.

Windham, Todd: Applicant was not present at the Meeting. Individual submitted an application to take the NAB exam, and the Board tabled his decision at the August 3, 2021 Board Meeting requiring a remediation plan before a third attempt of the exam. Dr. Legner made a motion to deny the application based upon not meeting Rule 1020-01-.07(2) as the applicant has not submitted the required documentation to retake the exam. Ms. Thomas 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 Ms. Bays, to approve the ratification list for AIT to Full Licensure, Reciprocity, Reinstatement, Preceptor Certification, and Closed files as presented for the time period July 21, 2021 – October 18, 2021. There was no discussion on the motion. The motion passed unanimously.

A revote was called as Mr. Keeling needed to recuse himself from the vote. Ms. Thomas made a new motion to approve the ratification list as written. Ms. Bays seconded. The motion passed unanimously.

AIT to Full License

Caldwell Deniece Powell
Linville Amy Jo
Reciprocity
Davis Clinton Scott
Gillihan Sherry Marie
Granger Paul
Hambright Vincent
Hill Deeanna Lashae
Liggins Kesha D
Paul Keith Mr.
Reynolds Stephen Dale
Sonnier Leland Todd
Townsend Elizabeth Noel
Valentino Kristie Jo
Whitley Mary Virginia
Reinstatement
Fleming Steven E.
Lewton Jodi A.
Powers Joy B.
Tackett Thomas Terry

Exam

Preceptor

Ussery Robert Marshall
Morris Latessa Eva Marie
Carver Dillion Chase
Keeling David Lawton
Moore Jr Charles Edward
Williams Tyler Robert
Martin Paul W

Closed Files

Groves Chris
Purvis Heather Michelle

Taskforce/Committee Reports

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

Rulemaking, Amendments and Policies

There were no items for review in this meeting.

Correspondence

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

Conference Reports

The FARB Regulatory Law Seminar is scheduled to take place January 27th-29th, 2022 in Fort Worth, TX and will also offer a virtual option to attend the meeting.

Ms. Thomas made a motion to approve Ms. Wallace attend virtually. Dr. Rhoten seconded. There was no discussion on the motion. The motion passed unanimously.

Dr. Legner made motion to send board attorney to the meeting in person/virtual. Mr. Keeling 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.

Election of Officers

Dr. Legner made a motion for Ms. Thomas to remain Board Chair. Mr. Keeling seconded. There was no discussion on the motion. Motion passed unanimously.

Dr. Legner made a motion for Ms. Bays to remain Board Secretary. Ms. Thomas seconded. There was no discussion on the motion. Motion passed unanimously.

Ms. Rhoten made a motion to approve Dr. Legner as Board Vice Chair. Mr. Keeling seconded. There was no discussion on the motion. The motion passed unanimously.

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 Ms. Thomas, and seconded by Dr. Legner, to adjourn the meeting at 1:16pm CST. There was no discussion on the motion. The motion passed unanimously.

These minutes were ratified by the Board at the March 7, 2022 meeting.


Board Chair


Date