

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

DATE: March 7, 2022

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

STAFF PRESENT: Timothy Peters, Board Attorney
Danielle DeShane, Board Administrator
Kyontze Hughes-Toombs, Deputy Director of General Counsel
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. Thomas 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.

Minutes

A motion was made by Mr. Keeling, seconded by Ms. Bays, to approve the Minutes of the November 1, 2021, Board Meeting as written. There was no discussion on the motion. The motion passed unanimously.

Office of Investigations

Ms. Jamie Byerly, Disciplinary Coordinator with the Office of Investigations, presented the following for calendar year 2022 thus far:

New Complaints Opened	7
Total Closed Complaints	7
Currently Open	11

Newly Opened Complaints By Allegation

Patient/Residency Care Deficiency	1
Unprofessional Conduct	6

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

Mr. Matthew McSpadden presented the 2021 fiscal report for July 1, 2021-December 31, 2021 highlighting the following:

Total Expenditures: \$33,508.48
Board Fee Revenue: \$45,295
Current Year Net: \$11,786.52
Cumulative Carryover: \$267,048.79

Legislation

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

Administrator's Report

Ms. DeShane reported that there are 774 active nursing home administrators as of February 18, 2022. She also provided an account of Board licensure activities from October 19, 2021 through February 14, 2022, as follows:

- New Licenses issued - 10
- Reinstatements issued - 2
- Number of Paper Renewals - 32
- Number of Renewals in VO - 82
- Number of Licensees who Retired - 5
- Failed to Renew/Expired Licenses - 19

Ms. DeShane advised the Board that approximately 72% of all renewals received during this time were completed online.

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

Ms. Hughes-Toombs reminded licensees that the Commissioner's Temporary Policy on continuing education expired on 12/31/2021. With the expiration of the policy, all licensees are required to obtain all continuing education in accordance with the Board's published Rules for online versus in-person course formats. All Nursing Home Administrators with an active Tennessee license are required to complete eighteen (18) hours of continuing education per year, preceptors must complete twenty-seven (27), with a maximum of twelve (12) hours online and a minimum of six (6) in person.

Reports from Office of General Counsel

Mr. Peters reported that there are currently three (3) open cases under review. Mr. Peters also advised the Board that the Committee conducted a rulemaking hearing on February 28, 2022 allowing temporary licensure under Tenn. Code Ann. 63-16-104(b) and came back with positive recommendations. This Rule change will be in effect March 15, 2022.

Applicant Interviews/File Reviews

AIT Applicants

Bailey, Jenna: Applicant was available by phone for this meeting. Dr. Legner made a motion with a second from Dr. Rhoten to approve the applicant for a standard 6 month/1040-hour AIT program. There was no further discussion. The motion passed unanimously.

Brown, Rashad: Applicant was not present for the meeting. Ms. Thomas made a motion to approve the AIT with a second by Dr. Legner. There was no further discussion. The motion passed unanimously.

Caldwell, Andrew: Applicant was present for the board meeting. Mr. Keeling made a motion to approve the applicant for a standard 6 month/1040-hour AIT Program with a second by Dr. Rhoten. There was no further discussion. The motion passed unanimously.

Croom, Rita: Applicant was present for the board meeting. Ms. Thomas made a motion to approve the applicant for an AIT Program. Dr. Legner seconded the motion. The motion passed unanimously.

There was further discussion by Dr. Rhoten and Ms. Thomas regarding the Rules outlining the specific requirements for a limited AIT program. Based on the applicant's experience, a second motion was made for a limited 3 month/400-hour AIT program by Dr. Legner. A second was made by Mr. Keeling. The motion was not unanimous, but the majority was in favor, so it passed.

Garland, Wesley: Applicant was present for the meeting. Dr. Rhoten made a motion to approve for a 6 month/1040-hour AIT program. Ms. Thomas seconded. With no further discussion, the motion passed unanimously.

Lynch, Yelonda: Applicant was present at the meeting. Mr. Keeling made a motion to approve the applicant for a 6 month/1040-hour AIT program. Ms. Bays seconded. There was no further discussion. The motion passed unanimously.

Rimer, J'aime: Applicant was present at the meeting. Dr. Legner was recused from the review of this candidate due to a reporting connection between the Bethany Center facility and Vanderbilt where Dr. Legner works. The Board still had a quorum present. Ms. Thomas made a motion to approve a 6 month/1040-hour AIT program. Dr. Rhoten seconded. There was no further discussion. The motion passed unanimously.

Williams, Deja: Applicant was present at the meeting. Dr. Legner made a motion to approve a 6 month/1040-hour AIT program. Ms. Bays seconded. With no further discussion, the motion passed unanimously.

Yates, Kami: Applicant was present at the meeting. Dr. Rhoten made a motion to approve applicant for a 6 month/1040-hour AIT program. Ms. Thomas seconded. The motion passed unanimously.

Felts, Sheldon: Mr. Felts was not present. He sent an email to the Administrative Office just prior to the meeting requesting his file be withdrawn. There was no further action to be taken by the Board for this file.

Tester, Stephanie: The applicant was present at the meeting. This applicant file was tabled from the previous Board Meeting due to uncertainty over whether she'd be staying in her current position. The applicant submitted a new plan for completion of an AIT program. Ms. Thomas made a motion to approve for the 6 month/1040-hour AIT program. Dr. Legner seconded. There was no further discussion. The motion passed unanimously.

Reciprocity Applicants

Bentzinger, Reed: The applicant was present for the meeting. Dr. Legner made a motion to approve the applicant for reciprocity based on experience and education. Mr. Keeling seconded. With no further discussion, the motion passed unanimously.

Casteel, Christopher: As previously requested, a phone call was placed out to the applicant, but without an answer, the Board decided to move forward. Mr. Keeling made a motion to approve the applicant for reciprocity based on the applicant's credentials and other state AIT program completion. There was no further discussion. The motion passed unanimously.

Ward, Greg: Applicant was present at the meeting. Ms. Thomas made a motion to approve for reciprocity. Ms. Bays seconded. There was no further discussion from the Board. The motion passed unanimously.

Casey, Scottie: Applicant was available by phone at the meeting. The application was tabled at the November 1, 2021, Board Meeting as the Board requested some clarification of the dates worked as a traveling administrator. With this additional information, Mr. Keeling made a motion to approve the applicant for reciprocity. Dr. Rhoten seconded. There was no further discussion. The motion passed unanimously.

Fortner, Melissa: Applicant was present at the meeting. The application was tabled at the November 1, 2021 Board Meeting as it was unclear whether the applicant had completed an AIT Program. It was discovered after the meeting, a document from New Mexico's Licensing Board was inadvertently missed, which would have qualified the applicant for reciprocity. The applicant was administratively approved thereafter and today is presented to the Board for their final decision. Dr. Rhoten made a motion to approve the applicant for reciprocity. Dr. Legner seconded. With no further discussion, the motion passed unanimously.

Williams, Carnail: Applicant was present at the meeting with an attorney. The application was approved at the November 1, 2021 Board Meeting contingent upon completing a 6 month/1040-hour AIT Program based on the applicant's experience combined with no documentation of completing an AIT Program. The applicant submitted a letter requesting to speak to the Board, and with his attorney, presented documentation of completing an other-state AIT Program and the preceptor joined the meeting by phone to confirm. Dr. Rhoten made a motion to approve the applicant for reciprocity and Ms. Thomas seconded. There was no further discussion. The motion passed unanimously.

NAB Applicants

Dorse, Lorenzo: Applicant was present for the meeting to present his remediation plan in the areas he was deficient on the NHA portion of the NAB exam. Individual is seeking approval of this remediation plan which will be completed before he can retake the exam. Dr. Legner made a motion to approve the plan as presented with a second from Ms. Thomas. There was no further discussion. The motion passed unanimously.

Other Applicant Requests

Matchim, Christopher: Individual was present at the meeting. Mr. Matchim has a Tennessee Nursing Home Administrator license that expired in 2016 and has not been actively practicing in another state since that time. He reached out to the administrative office inquiring about the process to reinstate his Tennessee license.

In accordance with Rule 1020-01-.11(5), he was informed he would be required to retake both portions of the NAB exam as well as the state jurisprudence exam before reinstatement of his license could be considered. Ms. Hughes-Toombs reminded the Board that due to not having an

open application, a decision could not be made and the Board would just be providing guidance to the individual.

The Board advised the individual that due to the Rules, a full reinstatement application must be submitted and within good order with the administrative office at least ten (10) business days prior to the next board meeting. At that the Board would then review the reinstatement application and make any approval to retake the NAB exam.

Windham, Todd: This applicant's file was originally reviewed at both the 8/2/2021 and 11/1/2021 Board Meetings. The individual was applying to retake the NAB exam, but had multiple failed attempts, which requires a remediation plan or additional AIT program to be approved and completed before he would be eligible to retake the exam. After receiving no response, the Board voted to deny the file at the 11/1/2021 meeting. While follow-up was being conducted, it was discovered within accordance with Rule 1020-01-.10(b)5 that the Board only had the option to close the file, not deny it.

Dr. Legner made a motion to rescind his denial with a second by Ms. Thomas. The motion passed unanimously. Dr. Legner made a second motion to close the file with a second from Ms. Thomas. With no further discussion, this motion passed unanimously.

Ratification

A motion was made by Mr. Keeling, seconded by Ms. Thomas, to approve the ratification list for AIT to Full Licensure, Reciprocity, Reinstatement, Preceptor Certification, and Closed files as presented for the time period October 19, 2021, through February 14, 2022. There was no further discussion. 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

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

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

Rulemaking, Amendments and Policies

Temporary Administrator Rule Change: Ms. Hughes-Toombs presented the new temporary administrator license pathway that will be added to the Rules on March 15, 2022. The administrative office had requested the Board to interpret the new Rule for the licensing process. Health Care Association's Counsel, Chris Perry stepped forward to provide some additional guidance for the reasoning behind the temporary administrator's license and concerns from the Nursing Home Administrator Board's side.

Dr. Rhoten made a motion to clarify the parameters to be as presented that the NHA rule for a temp license will be consistent with the HCF Rule for a temp administrator 1200-08-06-.04(d)1 1., 2., & 3. And the 6-month criteria for the temp license will also be applicable. Dr. Legner seconded the motion. There was no further discussion. The motion passed unanimously.

Clarification of AIT Program Hours: Ms. Hughes-Toombs presented that the 1040-hours that the Board implemented for AIT Program hours is not specifically stated in the Rules, as it only states six (6) months. therefore we need a policy in place for the 6 month/1040-hour AIT Program. Ms. Thomas made a motion for the required hours of a 6-month AIT program to be recognized as 1,040 hours. Ms. Bays seconded. Motion passed unanimously. Ms. Thomas made a motion to approve the policy as written for a 1.040-hour AIT Program. Dr. Rhoten seconded. With no further discussion, the motion passed unanimously.

Correspondence

Evans, Brian: An autism training request was submitted to the Administrative Office to be sent to the Board for review. The individual was requesting nurses and any nursing staff receiving additional autism training. While reviewing, Dr. Rhoten spoke on the extensive training nurses receive for caring with individuals with autism, and her concern for some of the requests in the letter submitted for appropriateness in the nurse's role. Ms. Harvey also mentioned the tools that are for providers when working with individuals with intellectual disabilities and with autism specifically.

Conference Reports

NAB Annual Meeting, Chicago, IL June 8-10, 2022: Ms. Thomas made a motion to approve two (2) Board Members, one (1) member of the administrative staff and the Board attorney to attend the conference. Mr. Keeling seconded the motion. There was no further discussion. 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

There were no public comments offered.

Adjournment

There being no further business, a motion was made by Ms. Thomas, and seconded by Dr. Legner, to adjourn the meeting at 11:28am CST. There was no discussion on the motion. The motion passed unanimously.

These minutes were ratified by the Board at the June 6, 2022 meeting.



Board Chair



Date