

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

DATE: June 3, 2019

TIME: 9:00 a.m. Central Time

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

MEMBERS PRESENT: Juanita Honeycutt, NHA, Board Chair  
Lakecia Harper, NHA  
Cynthia Wheeler, NHA  
Nyda Bays, NHA  
Marilyn Key, NHA

MEMBERS(S) ABSENT: Florence Weierbach, PhD., Vice Chair  
Vincent Davis, Director, Health Care Facilities  
Barbara Trautman, Consumer Member  
Jano Janoyan, Physician

STAFF PRESENT: Michael Sobowale, Unit Director  
Mary V. Webb, Board Manager  
Lacey N. Wilkerson, Board Administrator  
Caroline Tippens, Assistant General Counsel

GUESTS: Thelma Vinson  
Juanita Dufour  
Linda Estes, THCA  
Donna Kelley  
Lisa Hartzog  
Zabian Sanders  
John Long  
Alexis Maytorena  
Jeff White  
Marcia Mann  
Cheryl Imperato  
Jusin Mann

## **1. Call to Order**

Lacey Wilkerson conducted a roll call. With a quorum being present, Ms. Honeycutt called the meeting to order at 9:04 A.M.

## **2. Minutes**

A motion was made by Lakecia Harper, seconded by Cynthia Wheeler, to approve the minutes of the March 4, 2019, board meeting as written. The motion carried.

## **3. Office of General Counsel Report**

### **A. Legal Report**

Caroline Tippens, Assistant General Counsel, presented the Office of General Counsel report. Ms. Tippens reported no open cases and no rules in process. Ms. Tippens discussed the task force meeting held between BENHA and HCF. Topic discussed during this meeting was the temporary licensing for nursing home administrators applying by reciprocity. The minutes from the taskforce were reviewed by board meetings as well as licensure rules for other medical boards that issue a temporary license. Ms. Tippens explained that this new rule would allow for Nursing Home Administrators that hold a current license in another state may apply for a temporary license to practice in the State of Tennessee for up-to 6 months while their application is being processed and board reviewed. Cynthia Wheeler made a motion to move forward with creating a rule for temporary licensure as written with amendment for facilities applying for a temporary waiver, Nyda Bays seconded. The motion carried.

## **4. Office of Investigations**

Lori Leonard, disciplinary coordinator for all non-nursing boards, presented the investigative and disciplinary report as follows: The office is currently monitoring one (1) practitioner; this individual has not paid her penalties, therefore her license is currently revoked in collection status. There were eight (8) new complaints received so far in 2019; all eight (8) for unprofessional conduct. So far in 2019, complaints closed is ten (10), six (6) were closed with no action, one (1) was closed with a letter of concern, and three (3) were closed with a letter of warning. Currently there are three (3) open complaints that are pending investigation or review.

## **5. Reports and/or request from the Division of Health Licensure and Regulations**

There was no new information to report.

## **6. Applicant Interviews/File Reviews**

### **A. AIT Applicants**

1. Zabian Sanders- Mr. Sanders appeared before the board to ask for a waiver from the AIT program due to experience. After applicant interview and board discussion, Lakecia Harper made a motion to approve consultant's recommendation of a reduced AIT program of 400 hours to focus on nursing, dietary, housekeeping, and maintenance with the time restriction amendment of 3 months, Nyda Bays seconded. The motion carried.
2. Junita Dufour- Ms. Dufour appeared before to board to ask for a waiver from the AIT program due to completing internship during her degree. Marilyn Key made a motion to approve to sit for NAB exam, Cynthia Wheeler seconded. The motion carried.
3. Sonya Large- Ms. Large's file is before the board for approval to begin the AIT program. A motion was made by Cynthia Wheeler to approve application, Lakecia Harper seconded. The motion carried.
4. Donna Kelley- Ms. Kelley appeared before the board for approval to begin the AIT program. A motion was made by Cynthia Wheeler to approve, Lakecia Harper seconded. The motion carried.
5. Lisa Hartzog- Ms. Hartzog appeared before the board for approval to begin the AIT program. A motion was made by Cynthia Wheeler to approve, Nyda Bays seconded. The motion carried.
6. Kristian Carr- Ms. Carr's file was presented before the board for approval to begin the AIT program. A motion was made by Cynthia Wheeler to approve, Lakecia Harper seconded. The motion carried.

### **B. Reciprocity Applicants**

1. Jeffrey White- Mr. White appeared before the board to seek licensure by reciprocity. After applicant interview and board review, Cynthia Wheeler made a motion to approve, Marilyn Key seconded. The motion carried.
2. Diane Brown- Ms. Brown's file was presented to the board to seek licensure by reciprocity. After board review, Lakecia Harper made a motion to approve, Cynthia Wheeler seconded. The motion carried.
3. Deborah Vege- Ms. Vege's file was presented to the board to seek licensure by reciprocity. After board review, Lakecia Harper made a motion to approve, Cynthia Wheeler seconded. The motion carried.

4. Alexandria Russell- Ms. Russell file was presented to the board to seek licensure by reciprocity. After board review, Lakecia Harper made a motion to approve, Cynthia Wheeler seconded. The motion carried.
5. Kalyn Barton- Ms. Brown's file was presented to the board to seek licensure by reciprocity. After board review, Cynthia Wheeler made a motion to approve, Nyda Bays seconded. The motion carried.

C. NAB Applicant

1. Tyler Colbaugh- Mr. Colbaugh's file was presented to the board for approval to sit for the NAB based on completed internship. Marilyn Key made a motion to approve, Cynthia Wheeler seconded. The motion carried.
2. Thelma Vinson- Ms. Vinson appeared before the board for approval to sit for the NAB based on experience. After applicant interview and board discussion, a motion was made by Lakecia Harper made a motion for a reduced AIT program of 400 hours to be completed in 3 months with a focus on Nursing, Nyda Bays seconded. The motion carried.

D. Other Applicant Requests

There were no other Applicant requests.

**7. Ratification of Initial Determinations**

A motion was made by Mr. Harper, seconded by Ms. Wheeler, to approve the newly licensed for the time period of February 15, 2019- May 15, 2019: The motion carried.

**AIT to Full License**

Lee Amy Natasha  
Stafford Heather N

**Reciprocity**

Boyer Judith Weber  
Crickard Kevin Brent  
Guthmiller Trevor Troy  
Petcher Perian Burnette  
Stott John

## **Reinstatement**

Butler Rebecca Jean  
Dibernardo Bruce E.  
Hawkins Heidi Elisabeth  
Pierce Sidney B  
Shelby Devin Macshane  
Stockdale Dan  
Ward Rachel Smith

## **8. Administrator's Report**

Ms. Wilkerson reported that there are 784 active nursing home administrators as of May 15, 2019. She also provided an account of board licensure activities from February 15, 2019 – May 15, 2019 as follows:

- New Applications received-14
- New licenses issued-7
- Reinstatements issued-7
- Number of paper renewals-20
- Number of renewals in VO - 67
- Number of licensees who retired-2
- Failed to renew/Expired Applications-10

Ms. Wilkerson advised board that approximately 77% of all renewals received during this time frame were done online.

## **9. Discussion from attendees regarding attended conferences**

No conference attendees

## **10. Correspondence**

There was no correspondence.

## **11. Action regarding legislation**

Patrick Powell and Sarah Warner, representatives of Legislative Affairs presented updates on everything that was passed in the last legislative session.

Public Chapter 61: Entities responsible for AED (Automatic External Defibrillator) programs are is immune from civil liability for personal injury that was not willful or wanton misconduct. Rule passed March 28, 2019.

Chapter 124: Opioid Legislation

This legislation allows access to CSMD (Controlled Substance Monitoring Database) to practitioners under review by a quality improvement committee and to the committee when provided my medical providers. This also requires all pharmacy dispensing software vendors operating in the state to update their systems to allow for partial prescriptions to be filled. Opioid limits have been changed from 20 day supplies to 30 day.

Chapter 144: Preventing youth Access to vapor and tobacco products

This prohibits the use of vapor products in the same manner as tobacco products with the exception of nursing home facilities.

Chapter 195: Expedited license

Military and military spouses can now be issued expedited licenses without showing proof of active employment. All application documents must be submitted.

Chapter 229: Bartering

This allows health care professionals to accept goods and services as payment in direct exchange for health care services not covered by insurance.

Chapter 243: Accommodations for exams

This act requires that any required state issued exam with the exception of federal exams must provide appropriate accommodations per ADA rules.

Chapter 245: Nursing Title

This act prohibits any health professional that is not licensed by the Tennessee Board of Nursing from using the term nurse.

Chapter 324: Nursing Home Bed limits

This act allows any existing licensed nursing homes to move 62 beds into a new separate facility if certain criteria.

Chapter 423: Nursing Home Fee

This act extends the nursing home assessment fee through June 30, 2020.

Chapter 447: Law enforcement

This act permits Law enforcement agencies to subpoena records or documents pertaining to an ongoing case from Department of Health prior to formal charges being filed against the provider.

Chapter 474: Elderly and vulnerable protection act

This act adds definitions of abuse, sexual exploitation, financial exploitation, and neglect. Convictions for these offenses are required to be reported to the abuse registry, also fine have increased for the aggregative abuse of a vulnerable or elderly adult.

Mr. Powell informed the board of a large number of insurance legislation that passed that could potentially affect facilities.

**12. Rulemaking, amendments and policies**

No new rules or amendments

**13. New/Old Business**

A. Ms. Tippens presented changes to state jurisprudence exam allowing it to be up to date with current rules and statutes. Ms. Tippens replaced four (4) out of date questions from the TennCare rules with four (4) questions derived from the federal rules for Nursing Home Administrations.

B. Presentation was made by CE Broker on the benefits of requiring licensed administrators to register completed continuing education certificates through their company. After discussion with CE Broker representative and board discussion, Nyda Bays made a motion for a 5 year trial period to begin January 1, 2020, Lakecia Harper seconded. The motion carried.

C. FARB: 2019 Regulatory Law Seminar St. Louis, MO October 3-6, 2019  
Caroline Tippens will attend if no conflict with other board meetings.  
Lakecia Harper made a motion to approve, Nyda Bays seconded. The motion carried.

An amendment to attendees for the upcoming THCA/TNCAL conference to include Juanita Honeycutt was requested. Lakecia Harper made a motion to approve, Nyda Bays seconded. The motion carried.

**14. Adjournment**

There being no further business, a motion was made by Lakecia Harper, and seconded by Nyda Bays, to adjourn the meeting at 11: 35 A.M. The motion carried.

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Juanita Honeycutt, NHA, Chair

\_\_\_\_\_  
Date

**These minutes were ratified by the Board at the August 5, 2019 meeting**