

UNAPPROVED MINUTES
VIRGINIA BOARD OF LONG TERM CARE ADMINISTRATORS
MEETING MINUTES

The Virginia Board of Long Term Care Administrators convened for a board meeting on Tuesday, June 24, 2014 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #4, Henrico, Virginia.

The following members were present:

Tom Orsini, NHA, Chair
Karen Stanfield, NHA, Vice-Chair
John Randolph Scott, NHA, ALFA
Doug Nevitt, ALFA
Marj Pantone, ALFA
Derrick Kendall, NHA
Warren Koontz, MD, Citizen Member
Shervonne Banks, Citizen Member

The following member was absent for the meeting:

Amanda Gannon, NHA

DHP staff present for all or part of the meeting included:

Lisa R. Hahn, Executive Director
David Brown, DC, Agency Director
Elaine Yeatts, Senior Policy Analyst
Missy Currier, Deputy Executive Director

Quorum:

With 8 members present a quorum was established.

Guests Present:

Beverly Soble, VHCA
Dana Parsons, VANHA

CALLED TO ORDER

Mr. Orsini called the Board meeting to order at 10:40 a.m. and welcomed the new members to the board and asked that everyone introduce themselves.

PUBLIC COMMENT PERIOD

Although there was no public comment; Board member Shervonne Banks apologized to the members for not being able to attend the April meeting but explained it was because of circumstances beyond her control.

ACCEPTANCE OF MINUTES

Upon a motion by Karen Stanfield and properly seconded by Doug Nevitt, the board accepted the following minutes:

Board Meeting – April 24, 2014
Board Meeting – September 24, 2013
Public Hearing – December 10, 2013

The motion passed unanimously.

Mr. Orsini reported that 2 informal conferences were held on December 10, 2013 and that the minutes were posted on the LTC website and Regulatory Townhall.

EXECUTIVE DIRECTOR'S REPORT – Lisa R. Hahn

Ms. Hahn also gave welcome to the newest members to the board; Dr. Warren Koontz who was a previous Executive Director for the Board of Medicine; Marj Pantone who serves in the ALFA position; Shervonne Banks, who serves as a Citizen Member; and Derrick Kendall who serves in the NHA position.

Budget

The cash balance as of June 30, 2013 was \$(344,393); the revenue to date for FY14 was \$380,545; the direct and allocated expenditures were \$365,461; the ending cash balance as of April 30, 2014 was \$(329,310).

Discipline Statistics

Ms. Hahn reported there are currently 27 open cases; 13 cases in Investigations, 10 cases in the probable cause level, 0 cases in APD, 2 in the informal stage and 2 at the formal stage. Ms. Hahn stated that 19 Orders were currently being monitored for compliance.

Historical Data

Ms. Hahn shared the following case information with the board:

Cases received between January 1, 2009 - 2014:

- 212 ALFA Cases (42 average)

- 140 NHA Cases (28 average)
- Average 70 combined cases per year

Cases received in Jan 2013 – Dec. 2013

- 54 total received
- Tier One efforts and increased professionalism

Case Statistics for CY13

9 Total Informal Conferences Held:

- 7 - ALFA Hearings
- 2 - NHA Hearings
- 4 cases were closed with no violation at IFC
- 5 - Orders with Terms were issued
- 1 revocation and 1 suspensions of licensure in 2013
- 2 revocations and 4 suspensions of licensure in 2012

Ms. Hahn explained to the new board members that the case load decrease was mostly attributed to the upfront work between the board and the enforcement division. The other factor that has contributed to the decrease in cases is a “leveling off” that is seen after a few years of regulating a new profession through the establishment of higher standards. Ms. Hahn concluded that she hopes for the trend to continue in the right direction.

Virginia Performs – Third Quarter 2014

Ms. Hahn reported the clearance rate was 100%. During this quarter we received 7 cases and closed 6. The age of our pending case load over 250 days was at 5%; the percent of cases closed within 250 business days was 60%. Ms. Hahn reported that customer satisfaction rating achieved for the third quarter FY14 was 88.9%. She explained that the percentage is based on recent licensees that actually fill out the survey and return to us and that she had not had a chance to review the comments yet. Ms. Hahn concluded that the customer satisfactions rating for FY13 was 100%.

Licensee Statistics

Ms. Hahn reported the numbers of current licensees in the State of Virginia are as follows:

- NHA: 842 Administrators; 67 AIT’s; 233 Preceptors
- ALF: 614 Administrators; 88 AIT’s; 4 “Acting AIT’s”, 182 Preceptors

Board Business

- Renewals were completed March 31st; random audits have been conducted and staff are processing.
- We added a request in renewals for the “voluntary preceptor” list and received additional names.
- Fee Increase approved by Governor – Elaine will go into detail in her report.

Board Communications

Ms. Hahn requested that the board members notify staff in the event they are going to be out of town for an extended period of time so that information that may need a quick response is sent to a member who is available and can respond.

Mr. Orsini concluded by asking the board members to be sure to check their emails and to be sensitive to the time constraints the staff may be under.

New Board Member Orientation

Ms. Hahn announced that DHP will be hosting another new board member orientation on September 5th and encouraged all the new members to mark their calendars to attend. She expressed how important it is for the members to obtain the training and understand what their roles are as board members.

Share Point

Ms. Hahn shared new software that her boards are piloting for the Agency called “SharePoint”. She explained that it is software that will allow board members to have portal access to certain secure information such as case files, board agenda’s, etc., and that each member must complete a security training before they can begin to use the software. She concluded that the IFC Committee members were already registered and testing the system.

Board Presentations

Ms. Hahn shared that she conducted a presentation in Newport News for VALA in April and was pleased to see everyone there. She added that everyone was very excited to hear about the NAB and the Super Credential they have been working on.

NAB Business

Ms. Hahn reported on her current work with NAB

- She is a Co-Chair of the NAB & ACHCA Workgroup Development Committee. The goal of the Committee is to develop a Model AIT Program and a Model AIT Preceptor Development Curriculum that will hopefully meet preceptor training requirements in multiple states
- Served as the Chair of SG&RIC for the last four years

- Elected as Treasurer for NAB during Annual meeting in June and will hold this position for two years. She will be attending the financial training in Chicago at the end of the week

NAB Professional Practice Analysis

Karen Stanfield and Ms. Hahn updated the Board on the Professional Practice Analysis:

- Past 2 years updating the JTA for both NHA's and ALF's as well as providing a framework for HCBS
- Identifying common knowledge, skills and tasks across the continuum of care and employing them as a basis for a new comprehensive license. (Survey over 8,000)
- The Final Report was presented to the Board of Governors in June.

Board Meeting Calendar

Ms. Hahn asked the board members to reserve the following dates on their calendars:

- **September 9th and December 16th**

NEW BUSINESS

Report of Regulatory Actions – Elaine Yeatts

Ms. Yeatts referred the members to the report included in the agenda packages.

Adoption of Final Amendments for a Fee Increase

Ms. Yeatts reviewed the updated financial position and provided background to assist them with the information they will need to make a decision on proposed fee increases. Ms. Yeatts also reported that the board received no public comment on the proposed regulation.

Ms. Yeatts explained the methodology for the fee increases by offering different options. She explained the difference in the options was a matter of timing and anticipation of the need for another fee increase.

Upon a motion by Dr. Koontz and properly seconded by Karen Stanfield, the board voted to adopt the final amendments for a fee increase with a one-time shortfall assessment. The motion passed unanimously.

The Board also recommended that once the regulations are final that a letter should be sent to our licensees explaining the one-time shortfall assessment.

Adoption of Fast Track Action – Data Bank Report - (Attachment #1)

Upon a motion by Derrick Kendall and properly seconded by Doug Nevitt, the board voted to adopt a Fast Track Action in **18VAC95-20-230. Application package** to require a U.S. Department of Health and Human Services Data Bank (NPDB) report with applications.

The motion carried unanimously.

ADJOURNMENT

Mr. Orsini adjourned the meeting at 12:03 p.m.

Thomas J. Orsini, NHA, Chair

Lisa R. Hahn, Executive Director

Date

Date

ATTACHMENT #1

Project 4080 - none

BOARD OF LONG-TERM CARE ADMINISTRATORS

Data bank report

18VAC95-20-230. Application package.

A. An application for licensure shall be submitted after the applicant completes the qualifications for licensure.

B. An individual seeking licensure as a nursing home administrator or registration as a preceptor shall submit:

1. A completed application as provided by the board;
2. Additional documentation as may be required by the board to determine eligibility of the applicant;

3. The applicable fee; ~~and~~

4. An attestation that he has read and understands and will remain current with the applicable Virginia laws and regulations relating to the administration of nursing homes; and

5. A current report from the U. S. Department of Health and Human Services Data Bank (NPDB).

C. With the exception of school transcripts, examination scores, the NPDB report, and verifications from other state boards, all parts of the application package shall be submitted at the same time. An incomplete package shall be retained by the board for one year, after which time the application shall be destroyed and a new application and fee shall be required.

18VAC95-30-130. Application package.

A. An application for licensure shall be submitted after the applicant completes the qualifications for licensure.

B. An individual seeking licensure as an assisted living facility administrator or registration as a preceptor shall submit:

1. A completed application as provided by the board;

2. Additional documentation as may be required by the board to determine eligibility of the applicant;

3. The applicable fee; ~~and~~

4. An attestation that he has read and understands and will remain current with the applicable Virginia laws and the regulations relating to assisted living facilities; and

5. A current report from the U. S. Department of Health and Human Services Data Bank (NPDB).

C. With the exception of school transcripts, examination scores, the NPDB report, and verifications from other state boards, all parts of the application package shall be submitted at the same time. An incomplete package shall be retained by the board for one year, after which time the application shall be destroyed and a new application and fee shall be required.