

## APPROVED

### VIRGINIA BOARD of LONG-TERM CARE ADMINISTRATORS PUBLIC HEARING MINUTES

Tuesday, September 12, 2006

Department of Health Professions  
6603 West Broad Street  
Richmond, Virginia 23230-1712  
Conference Room 2

**CALL TO ORDER:** A Public Hearing on proposed regulations governing the practice of Assisted Living Administrators was called to order at 9:05 a.m.

**PRESIDING:** Ted LeNeave, NHA, Chair

**MEMBERS PRESENT:** Mary L. Blunt, N.H.A.  
Kathleen R. Fletcher, RN  
Andrea L. Fricke, A.L.F.A.

**STAFF PRESENT:** Sandra K. Reen, Executive Director  
Sandra Whitley Ryals, Chief Deputy Director  
Elaine Yeatts, Senior Policy Analyst  
Cheri Emma-Leigh, Operations Manager

**COURT REPORTER:** Stayce D. Lawson, Crane-Snead & Associates, Inc.

**QUORUM:** Not Required

**PUBLIC COMMENT:** **Diana Ponterio** stated she agreed with efforts to improve and ensure consistency in the quality of care offered, but feels that the proposed regulations will not accomplish that. Her concerns are that the proposed regulations are so stringent, that if current administrators are not grandfathered in, there will be a risk of losing a significant part of the experience, practical knowledge and wisdom of current administrators. She proposes that the current Certification Program accepted by the Department of Social Services (DSS) be enhanced and other providers of this training program be developed so that it is offered frequently throughout the state and that all current administrators be grandfathered in.

**Kay T. France** stated she is the Executive Director of Morningside in Newport News, and she is concerned that there is currently no BA degree program which has a 320 hour internship in assisted living. She would propose that current administrators be grandfathered in, as there will be no one to hire from when a current administrator resigns. She asked the Board when an administrator is out of the building, does the back-up person have to meet the requirements of the regulations. She further stated that she does not want to see the quality of care and management hindered by the strict curriculum and hours needed to meet the new regulations.

**Chris Cummings** stated he is concerned that it will be difficult for administrators to take 1,000 hours in an administrator-in-training program, that the requirement is exorbitant and that there is currently a 93% turnover annually in care givers. He suggested that there should be an increase in the training approved by DSS and that DSS be strengthened by having more inspectors.

**Carolyn Ohle** stated she represents Innisfree, a home that is unlike any other, as it is on a 550 acre working farm with ten (10) homes. The residents are people between ages of 20 and 40 with mental disabilities, and the home is staffed with volunteers who live on site 24 hours a day. She feels that the proposed regulations would place a hardship on this type of home and asked the Board to realize that a one size approach does not fit all.

**Irvin Land** asked the Board to consider authorizing an impact study on the 600 licensed assisted living facilities in Virginia to determine how many will no longer be able to operate under these regulations. He stated that the DSS should be enhanced as previously stated by Mr. Cummings, and that Maryland requires their Administrators to go through an 80 hour program. He recommends the Board provide a non-college option for licensure and use his program with any needed enhancements.

**Carter Harrison**, Alzheimer's Association, stated that families want assurances that aren't currently in place when placing a loved one in an assisted living facility. He stated the proposed regulations will allow the Board to hold administrators accountable.

**Roy Bryant** stated he is a home owner in Richmond and works with VAHA and independent home owners for minorities and people of color. He feels there is a conflict of interest in that the Chairman of the Task Force is now the Chairman of the Board. He is concerned that small homes will go out of business because they will not be able to afford to pay an administrator \$55,000 a year and a lot of the elderly and mentally ill residents will end up in the street.

**Linwood Russell** stated the intent of the law was not to put anyone out of business, and he is here to represent the poor. He further stated that the residents have the right to say where they want to live, and he is concerned that the courses do not teach everyday tasks of taking care of the poor.

**Irvin Land** stated he wanted to make additional comments and that he

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believes in licensure oversight, in a non-college avenue, and that administrators will not be able to afford to pay for thirty (30) college credit hours of education.

**ADJOURNMENT**

With all business concluded, the Public Hearing was adjourned at 9:45 a.m.

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Ted LeNeave, N.H.A., Chair

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Sandra K. Reen, Executive Director

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Date

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Date