
Call to Order – Kimberly Brathwaite, ALFA, Vice Chair

- Welcome and Introductions
- Mission of the Board
- Emergency Egress Instructions

Approval of Minutes (p. 4-22)

- Board Meeting – June 24, 2025
- Formal Administrative Hearing – June 24, 2025

Ordering and Approval of Agenda

Public Comment

The Board will receive public comment at this time. To allow ample time for the Board to conduct its business, a maximum of 20 minutes will be allocated for public comment. The Board will not receive comment on any pending regulation process for which a public comment period has closed or any pending or closed complaint or disciplinary matter.

Board Member Recognition

Agency Report – Arne W. Owens, Director, Department of Health Professions

Staff Reports

- Executive Director's Report - **Corie E. Tillman Wolf, JD, Executive Director**
- Discipline Report – **Annette Kelley, MS, CSAC, Deputy Executive Director**
- Licensing Report – **Sarah Georgen, Board Administrator**

Board Counsel Report – Sara Blose, Senior Assistant Attorney General

Legislative and Regulatory Reports (p. 24-28)

- Legislative Report; Review of Potential Agency Legislative Requests – **Erin Barrett, Director of Legislative and Regulatory Affairs**
- Report on Status of Regulatory Actions - **Matt Novak, Policy and Economic Analyst**

Board Actions – Erin Barrett, Matt Novak, Corie Tillman Wolf

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- Waiver of Application and Fee for Registration as ALF Preceptor for Active, Registered NHA Preceptors, 18VAC95-30-180(B)(4) (p. 30-32)
 - Delegation of Probable Cause Review and Recommendations to Board's Expert Discipline Case Reviewers (p. 33)
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Presentations

- National Examinations for Long Term Care Administrators – **Michelle Grachek, M.Ed, CAE, President & CEO, National Association of Long Term Care Administrator Boards (NAB)**
 - LeadingAge Virginia Webinar Series – **Dana Parsons, Vice President & Legislative Counsel, LeadingAge Virginia**
 - Overview of Long-Term Care Ombudsman Program – **Joani Latimer, State Long-Term Care Ombudsman**
 - Residential Care/Assisted Living Exam Preparation Course – **Jennifer Yañez Pryor, MA, MS, ALFA, Gerontology Graduate Program Director and Joint Program Director, Assisted Living Administration Concentration, Virginia Commonwealth University**
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Elections

Next Meeting – December 2, 2025

Business Meeting Adjournment

This information is in **DRAFT** form and is subject to change. The official agenda and packet will be approved by the public body at the meeting and will be available to the public pursuant to the Code of Virginia.

Approval of Minutes

June 24, 2025

The Virginia Board of Long-Term Care Administrators convened for a full board meeting on Tuesday, June 24, 2025, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #1, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Lisa Kirby, NHA, Chair
Lynn Campbell, LPN, Citizen Member
Felita Creekmore, ALFA
Charles Gaskins, DDS, Citizen Member
Latonya Hughes, PhD, RN, NHA
Jasmine Montgomery, NHA

BOARD MEMBERS NOT PRESENT:

Kimberly Brathwaite, ALFA, Vice-Chair
Pamela Dukes, MBA, Citizen Member
Dennis Pregent, ALFA, NHA

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

Erin Barrett, Director of Legislative and Regulatory Affairs
Sarah Georgen, Licensing and Operations Supervisor
Barbara Hodgdon, PhD, Deputy Director, Healthcare Workforce Data Center
Annette Kelley, MS, CSAC, Deputy Executive Director
Arne W. Owens, Agency Director
Matt Novak, Policy and Economic Analyst
M. Brent Saunders, Senior Assistant Attorney General, Board Counsel
Yetty Shobo, PhD, Director, Healthcare Workforce Data Center
Corie E. Tillman Wolf, JD, Executive Director
Joi Yancey, Administrative Support Specialist

OTHER GUESTS PRESENT

Kristie Annis, ALFA, Commonwealth Senior Living
Bryan Bee, Avery Point, Erickson Senior Living
Chloe Burke, ALFA, Commonwealth Senior Living
Reuben Canty, ALFA, Commonwealth Senior Living
Julia Cook, LeadingAge Virginia
Clive Dixon, ALFA, Commonwealth Senior Living
Amber Foster, ALFA, Commonwealth Senior Living
Geoff Garner, Virginia Department of Health
Judy Hackler, Virginia Assisted Living Association
Fannie Halton, ALFA, Paragon Assisted Living

Michelle Hamilton, Commonwealth Senior Living
Mildred Harrison
Val Hornsby, Virginia Department of Health
Dana Parsons, LeadingAge Virginia
April Payne, MBA, NHA, Virginia Health Care Association/Virginia Center for Assisted Living
Luke Peterson, ALFA, Commonwealth Senior Living
Jennifer Yanez Pryor, Virginia Commonwealth University
Kassie Schroth, McGuireWoods Consulting
Paula Taylor, ALFA, Commonwealth Senior Living
Daniela Veney, ALF Administrator-in-Training, Commonwealth Senior Living
Andrea Rena Williams, ALFA, Commonwealth Senior Living

CALL TO ORDER

Ms. Kirby called the meeting to order at 9:05 a.m. and asked the Board members and staff to introduce themselves.

With four board members present at the meeting, a quorum was not yet established in order for the Board to conduct business.

Ms. Kirby read the mission of the Board, which is also the mission of the Department of Health Professions.

Ms. Kirby reminded the Board members and audience about microphones, computer agenda materials, and breaks.

Ms. Tillman Wolf then read the emergency egress instructions.

As a quorum was not present, Ms. Kirby proceeded with the first presentations on the agenda.

PRESENTATIONS

Virginia Nursing Home Administrator and Assisted Living Facility Administrator Workforce: 2025 and Report on Administrator-in-Training Preceptor Survey Data, – Yetty Shobo, PhD, Director, and Barbara Hodgdon, PhD, Deputy Director, Healthcare Workforce Data Center

Dr. Hodgdon and Dr. Shobo summarized the findings from the 2025 Workforce Reports for Nursing Home Administrators and Assisted Living Facility Administrators and answered questions from the Board.

Dr. Hughes arrived at 9:32 a.m., and a quorum was established.

Dr. Hodgdon provided a report on the Administrator-in-Training and Preceptor Survey Data.

Dr. Shobo and Dr. Hodgdon answered questions from the Board.

Upon a **MOTION** by Ms. Campbell and properly seconded by Dr. Gaskins, the Board voted to accept the 2025 Workforce Reports for Nursing Home Administrators and Assisted Living Facility Administrators, and the Administrator-in-Training Preceptor Survey as presented. The motion carried unanimously (5-0).

With no further questions, they concluded their reports.

APPROVAL OF MINUTES

Ms. Kirby opened the floor to any edits or corrections regarding the draft minutes for a Board meeting and Regulatory Advisory Panel Meeting held on March 11, 2025. The minutes were approved as presented.

ORDERING OF THE AGENDA

Ms. Kirby opened the floor to any additional items to add to the agenda.

Upon a **MOTION** by Ms. Campbell properly seconded by Ms. Montgomery, the Board voted to accept the agenda as amended. The motion passed unanimously (5-0).

PUBLIC COMMENT

There was written public comment (Attachment A) from Juan Tuason, Paragon Assisted Living.

Daniela Veney, Commonwealth Senior Living, provided public comment. She stated that she failed both the RCAL and CORE examinations despite having paid for the practice tests and study guide available. She said that she felt defeated and frustrated and that the practice test did not feel equivalent to the actual examination. She stated that she has been a nurse since 2019 and was forced to step down from her role as Acting AIT because she did not pass the examination. She thanked the Board for their consideration.

Paula Taylor, Commonwealth Senior Living, provided public comment. She stated that she became an administrator in 2007 and that the regulations changed in 2009. She reported that she felt it was her duty to help others grow and develop for licensure and noted the challenges she faced as a preceptor since becoming licensed in 2009. She stated that they believe that current Administrators-in-Training (AITs) are tested on regulations that are not related to assisted living. She stated she strongly believes that the CORE portion of the examination should be based solely on assisted living regulations. She asked the Board to consider not testing outside the scope of assisted living practice.

Clive Dixon, Commonwealth Senior Living, provided public comment. He stated that he has been an administrator in North Carolina since 2020. He stated that he utilized Virginia's temporary authorization to practice to practice for 90 days. He noted that the application process was extensive, and he had failed both examinations. He stated he felt pressure during the examinations due to the 90-day provision to work in Virginia. He noted that an extension to work was provided, and he had passed the examination for RCAL on the second attempt and the CORE examination on the 4th attempt. He stated the CORE exam included nursing home content. He raised concerns related to the significant cost of becoming licensed. He thanked the Board for their consideration.

Kristie Annis, Commonwealth Senior Living, provided public comment. She stated that she became licensed in 2018 and became a Preceptor in 2021. She said that she was aware of changes in the examination related to the CORE portion. She stated that it was not appropriate for ALF AITs to test on nursing home standards and that ALF AITs do not have experience in nursing home settings. She noted that the exam should focus on operations and care for assisted living and asked the Board to consider proposing changes to the examination.

Luke Peterson, Commonwealth Senior Living, provided public comment. He thanked the Board for removing the limit on taking the examination for accessibility. He reported that each failed attempt took a toll on him, which was stressful and strained his relationships. He stated that the study materials did not match the content of the exam attempts. He noted that the exam was heavily focused on nursing home-related content. He said that he passed the examination, but the emotional toll was damaging. He expressed his support for an improved examination process.

Amber Foster, Commonwealth Senior Living, provided public comment. She stated she was licensed in 2014. She said that there is a limited pool of candidates planning to enter the long-term care field. She noted that Commonwealth Senior Living was attempting to be proactive in training and exam preparation. She stated that at the time she took the exam, it had only covered the information about assisted living facilities, and now applicants must take both portions of the exam. She stated that numerous candidates were struggling to pass the exam due to questions related to nursing home licensure. She said that there was a clear distinction between assisted living and nursing home regulations and requested that the Board consider revising the exam.

Reuben Canty, Commonwealth Senior Living, provided public comment. He stated that the AITs that he has supported have demonstrated the ability to lead effectively in the assisted living community. He noted that the Domains of Practice required by NAB do not match the examination stating that the average is four attempts. He stated that there were no correlations to the materials presented on the test. He said that he had passed the examination in 2016 on the first try. He believes that the exam robs the candidates of the opportunity to practice in Virginia. He stated that many candidates were observed to practice safely and be successful but need a test that matches the assisted living practice.

Chloe Burke, Commonwealth Senior Living, provided public comment. She stated that she has been licensed since 2016 and supports the high-quality information to qualify for licensure. She said that the examination presents a financial burden, and the context of the exam does not align with the regulations and scope of practice. She noted that the misalignment for those with effective AITs has been impacted, with one individual seeking licensure in another state, which is a concerning trend that could lead to the loss of licensees to neighboring states. She asked the Board to consider alternate pathways for candidates.

Mildred Harrison provided public comment. She stated that she became an administrator in North Carolina in 2012 and applied for licensure in Virginia by endorsement. She noted that the process has challenges related to confirming work experience, as an original signed letter of employment is required. She had to track down her supervisor and could not verify her work experience, and her employer refused to verify it. She stated that this process was burdensome. She said that once she was able to take the exam, the practice examination was different from the actual exam stating that the test questions were not straightforward. She said that she had paid for NAB to reference-check the questions, which was an additional \$455.00, and the NAB study guide was purchased. She stated that the questions were structurally different and that the NAB

materials did not help prepare for the exam. She said that resources were available, but they would require additional funding. She said that if she were tested based on the practice information, she would have passed the exam. She said that she would like to see changes in the endorsement process in Virginia, such as holding a license for a specific period and not needing to take the examination.

Rena Williams, Commonwealth Senior Living, provided public comment. She said that the examination knowledge may be relevant to other jurisdictions but fails to address the expectations in Virginia. She stated that the exam did not meet specific Virginia requirements, and there was a disconnect with the administrators. She said that she was advocating for changes in the RCAL exam and Virginia requirements. She stated that she had 15 years of experience in long-term care services, having precepted multiple AITs to enter the field. However, of her last six individuals, only one passed the examination on the first attempt, while another individual gave up entirely. She said that 4 AITs had passed the examination after multiple attempts. She said that the rules required that must be followed are not part of the licensing exam.

Michelle Hamilton, Commonwealth Senior Living, provided public comment. She stated that the Board started the meeting with the workforce study and that lives touched by the Board are required to serve seniors in the state. She noted that meaningful information was provided by those who had submitted public comments. She stated that she had 35 years of experience in the long-term care community and had arrived in Virginia five years prior. She said that the Virginia process was the most burdensome in her entire career, stating that it was difficult and defeating. She noted that the examination was a barrier to entry as a licensee and that many states have transitioned to state-only examinations. She said that she has met with the Secretary of Health and Human Resources office and implores the Board to change the examination.

Judy Hackler, Virginia Assisted Living Association, provided public comment. She stated that several issues were before the Board, and there was an extreme problem throughout the state and pathway to licensure, specifying that the AIT hours were a significant barrier to licensure and were impacting the level of care for the aging senior population. She mentioned that another concern was the examination, noting that other jurisdictions permit a state exam. She said that if the Board does not look at this as an option, there would be a disservice to the Commonwealth. She also stated that smaller providers were unable to train their staff. She noted that the number of administrators was decreasing while the number of those who needed care was increasing.

Fannie Halton, Paragon Assisted Living, provided public comment. She asked the Board to consider amending the size of ALF training facilities by removing the requirement that it must take place in a facility with a licensed resident capacity of more than 20 residents. She said that she had experience with operational demands and a wide range of functions. She said that under the current regulations, smaller facilities cannot train their employees. She said that nursing homes do not have the same 20-bed requirement, which is an arbitrary minimum and raises doubts about the training program. She thanked the Regulatory Advisory Panel for their work.

Ed Corbeil, Spring Arbor Senior Living, provided public comment. He stated that he has worked with representatives from the Secretary of Health and Human Resources on these specific issues and that change is difficult. He said that he was looking at the approach stringently, considering the possible creation of an assisted living test, stating that it was common sense to make the change. He said that Virginia continues to need leaders in the community to ensure that revenue streams remain stable. He urged the Board to take the matter seriously.

There was no further public comment.

Administrator Prelicensure Courses – April Payne, MBA, NHA, Virginia Health Care Association/Virginia Center for Assisted Living

Ms. Payne provided information to the Board on Administrator Prelicensure Courses for both assisted living and nursing home administrators currently under development by VHCA/VCAL. She described an 80-hour prelicensure course on assisted living with self-directed coursework that provides information on the NAB Domains of Practice and Virginia-specific content. The course is modeled after successful educational programs in other states that have higher exam passage rates. VHCA/VCAL anticipates availability of the course in January 2026 with the hope the Board will consider the hours toward AIT training hours.

Ms. Creekmore arrived at 10:35 a.m.

Ms. Payne answered questions from the Board.

With no further questions, she concluded her report.

AGENCY REPORT – Arne W. Owens, Agency Director

Mr. Owens welcomed the Board Members back to the Perimeter Center and welcomed Dr. Gaskins on his recent appointment to the Board.

Mr. Owens reported on the conclusion of the 2025 General Assembly. He announced the passing of Senate Bill 1363 (2025) regarding the elimination of the Board of Health Professions.

Mr. Owens reported on the recently passed legislation related to the expansion of licensure by endorsement for the Board of Medicine, which is in the process of being implemented.

Mr. Owens provided a brief report related to the preparation of the next biennial budget for the upcoming 2026 General Assembly session. Mr. Owens discussed recent efforts at the agency to review and make recommendations for efficiency measures.

Mr. Owens thanked the public participants for their comments and stated that he was working closely with the Office of the Secretary of Health and Human Services.

With no questions, Mr. Owens concluded his report.

The Board took a break at 10:51 a.m. and reconvened at 10:59 a.m.

STAFF REPORTS

Executive Director's Report – Corie E. Tillman Wolf, JD, Executive Director

Welcome

Ms. Tillman Wolf introduced and welcomed Charles Gaskins, DDS, as a recently appointed Citizen Board Member, to the Board. She also welcomed Joi Yancey, Administrative Support Specialist, and Cecelia Robinson, Senior Licensing Specialist, as new members of Board staff.

Board Updates

Ms. Tillman Wolf provided updates from the Board's previous meeting, to include the completion of the renewal cycle on March 31, 2025. She also reported that the Board's regulatory reduction amendments became effective April 9, 2025, including the implementation of the inactive licensure status. Licensees received an email from the Board regarding the regulatory changes.

Ms. Tillman Wolf stated that the Regulatory Advisory Panel convened on March 11, 2025, to discuss recommendations related to the Assisted Living Facility (ALF) Administrator-in-Training (AIT) program.

Ms. Tillman Wolf stated that the Board staff was taking steps to implement legislation following the completion of the 2025 General Assembly.

NAB Updates

Ms. Tillman Wolf reported that the National Association of Long Term Care Administrator Boards (NAB) Annual Meeting was held on June 11-13, 2025, in Seattle, Washington. Topics of discussion included efforts to update NAB tools and resources, including study guides, the AIT tool kit and manual, preceptor modules, and the career development toolkit, and practice examinations, as well as the adoption of the "Administrator Residency" terminology.

Ms. Tillman Wolf provided an update on the Health Services Executive (HSE) credential offered through NAB, noting that 15 college and university programs are HSE accredited and that 30 states have adopted the HSE credential.

Ms. Tillman Wolf stated that additional topics of discussion included the three "E"s:

- Experience - for AITs and Preceptors, including matching Preceptors and AITs and paid training models;
- Education - encouraging the development of more long-term care-specific education programs as there is not a specific education pathway for long-term care administrators unlike other health professions such as physical therapists;
- Examination - updates to resource lists for examination candidates which would be available on July 1, 2025, as well as the upcoming practice analysis process.

Additional topics included artificial intelligence (AI) in the long-term care setting, and efforts to provide broader support for initiatives to improve support and resources for AITs, Preceptors, and exam candidates.

NAB Updates – Exam

Ms. Tillman Wolf provided data received at the NAB Annual Meeting on the examination passage rates of first-time test-takers versus repeat test-takers. She stated that NAB is reviewing several concerns related to

the national exams, including security concerns about exam questions, addressing repeat exam-takers, and the decline in overall post-COVID pass rates. This phenomenon has also been noted in other professions.

Ms. Tillman Wolf provided a copy of a PowerPoint presentation provided at the NAB Annual Meeting in June 2025. Like other professions, the data shows a difference in pass rates between first-time and repeat test takers. She stated that NAB is investigating the matter further.

Ms. Tillman Wolf reported that NAB was launching its five-year professional practice analysis to collect information on practice areas. She stated that surveys will be sent to practitioners to assist with obtaining the practice information for all lines of service. She said that the data would be used to examine the overall exam structure, including exam blueprints, as well as the information used to construct the exam questions. She encouraged practitioners to respond to the practice analysis surveys to assist in providing information on current assisted living practices.

Ms. Tillman Wolf suggested that the Board invite Michelle Grachek, NAB CEO, to the next Board meeting to discuss the exam in more depth, including its development and the steps NAB has taken to address concerns about the exam.

Ms. Kirby provided additional information on the NAB Examination Committee's process for reviewing examination questions. She said that the exam questions undergo a comprehensive test before being included on the live exam, and then statistics are reviewed to identify potential issues with the question or answer choices. She said that if adjustments are needed, they are made before including the question on future exams.

Ms. Barrett provided additional information on the regulatory efforts and significant cost to the Board of creating a state examination as discussed at previous regulatory and committee meetings. She addressed the concern of shifting away from the national standard.

Ms. Tillman Wolf provided data received yesterday from NAB with comparisons of the Virginia and National passage rates from 2022-2024. She reminded the Board of NAB's decision to remove the limit on exam attempts in July 2024, which opened the opportunity for applicants to take the exam without being limited by a four-time cap. She said that removing that exam limit resulted in a small number of individuals who are taking the test repeatedly, bringing down the overall averages nationally and in Virginia. She noted that some state boards require proof of remedial efforts following multiple attempts at the exam.

Ms. Tillman Wolf noted for comparison purposes that, of the assisted living facility administrators licensed between July 1, 2024, and May 15, 2025, 67% were licensed after one attempt on both the RCAL and CORE exams; an additional 12.8% were licensed after a second attempt on either the CORE or RCAL, meaning that 4 in 5 or 80% are licensed with a max of two attempts on the exams. The remaining 1 in 5 applicants is taking the exam more frequently, bringing down the overall pass rates.

Ms. Tillman Wolf stated that the Regulatory Advisory Panel discussed ways to better assist AITs in preparing for licensure, including the efforts toward creating prelicensure courses discussed earlier by April Payne from VHCA/VCAL, efforts from LeadingAge Virginia to develop webinars for AITs and Preceptors that will be presented to the Board at its September meeting, and VALA's development of a resource list.

2025 Board Meeting Schedule

Ms. Tillman Wolf reminded Board members of the 2025 Board meeting schedule.

- September 24, 2025
- December 2, 2025

She asked the Board Members to notify her of any dates to avoid for the upcoming 2026 calendar year.

Notes and Reminders

Ms. Tillman Wolf provided reminders to the Board Members regarding quorum requirements and changes to contact information. She thanked members for their dedication and service to the Board.

With no questions, Ms. Tillman Wolf concluded her report.

Discipline Report – Annette Kelley, MS, CSAC, Deputy Executive Director

As of May 31, 2025, Ms. Kelley reported the following disciplinary statistics:

- 105 Patient Care Cases
 - 3 at Informal
 - 1 at Formal
 - 28 at Enforcement
 - 70 at Probable Cause
 - 3 at Administrative Proceedings Division
- 32 Non-Patient Care Cases
 - 1 at Informal
 - 0 at Formal
 - 15 at Enforcement
 - 16 at Probable Cause
 - 0 at Administrative Proceedings Division
- 3 Compliance Cases

Ms. Kelley reported the following Total Cases Received and Closed:

- | | |
|-------------------|-------------------|
| • Q3 2022 – 19/20 | • Q2 2024 – 26/22 |
| • Q4 2022 – 19/17 | • Q3 2024 – 26/36 |
| • Q1 2023 – 23/39 | • Q4 2024 – 27/30 |
| • Q2 2023 – 14/22 | • Q1 2025 – 21/16 |
| • Q3 2023 – 18/23 | • Q2 2025 – 26/16 |
| • Q4 2023 – 23/18 | • Q3 2025 – 34/30 |
| • Q1 2024 – 24/14 | |

Ms. Kelley noted an increase in the number of cases that have been received recently by the Board. Ms. Kelley will provide updated statistics on the sources of complaints at the next meeting.

With no questions, Ms. Kelley concluded her report.

Licensure Report – Sarah Georgen, Licensing and Operations Supervisor

Ms. Georgen presented licensure statistics that included the following information:

Current License Count – ALFA and NHA

ALFA	Q3 – 2025	NHA	Q3 – 2025
ALFA	677	NHA	1,003
ALF AIT	109	NHA AIT	88
Preceptor	221	Preceptor	228
Total ALFA	1,007	Total NHA	1,319

Ms. Georgen reviewed the trends of licensure counts since Q1 – 2020.

License Renewal Notifications

Ms. Georgen provided information regarding the 2025 licensure renewal, including notifications to licensees, percentage of renewals, and the follow-up of renewal requirements and the random audit.

With no questions, Ms. Georgen concluded her report.

BOARD COUNSEL REPORT – M. Brent Saunders, Senior Assistant Attorney General

Mr. Saunders provided an update on a court case involving the Board.

COMMITTEE AND BOARD MEMBER REPORTS

NAB Annual Meeting Report

Ms. Kirby provided a report on the National Association of Long Term Care Administrator Boards (NAB) Annual Meeting that occurred on June 10-13, 2025. Regarding the examinations, she reported on a recent update to the source lists for all exam types, discussions on whether jurisdictions limit exam attempts outside of the NAB requirements, and concerns related to exam security violations. She further reported on the NAB Foundation’s support of a program from LeadingAge Virginia, the expansion of acceptance of the Health Services Executive (HSE) credential to additional jurisdictions, the annual survey to all jurisdictions related to home and community-based services, and the update of NAB terminology from “Administrator-in-Training” to “Administrator Residency.”

With no questions, Ms. Kirby concluded her report.

LEGISLATIVE AND REGULATORY REPORT

2025 General Assembly Report

Ms. Barrett provided an overview of legislation passed during and an explanation of the process following the 2025 General Assembly. She provided a brief update of the upcoming 2026 General Assembly and stated that additional information would be provided at the September board meeting.

Report on Status of Regulations

Mr. Novak provided an update on the status of pending regulatory actions.

With no questions, Mr. Novak concluded his report.

BOARD ACTION

Consideration of a Notice of Intended Regulatory Action (NOIRA) to Conduct a Periodic Review of Regulations (Chapters 18VAC95-15, 18VAC95-20, 18VAC95-30)

Mr. Novak provided information on the purpose of and process for conducting periodic reviews of board regulations and noted that the Board's regulations are due for the four-year review.

Upon a **MOTION** by Ms. Campbell, properly seconded by Dr. Hughes, the Board voted to issue a Notice of Intended Regulatory Action for 18VAC95-15, 18VAC95-20, and 18VAC95-30. The motion passed unanimously (6-0).

Finalization of Periodic Review of Regulations (Chapter 18VAC95-11)

Mr. Novak provided information on the steps needed to finalize a pending periodic review of the Board's Regulations for Public Participation, 18VAC95-11-10 et seq.

Upon a **MOTION** by Dr. Gaskins, properly seconded by Ms. Campbell, the Board voted to retain 18VAC95-11-10 et seq. without changes. The motion passed unanimously (6-0).

Review and Discussion of Recommendations from Regulatory Advisory Panel on Administrators-in-Training

Consideration of Amendments to Regulations Related to Preceptors (Chapters 18VAC95-20, 18VAC95-30)

Mr. Novak and Ms. Tillman Wolf provided information to the Board on the recommendations made by the Regulatory Advisory Panel (RAP) regarding amendments to clarify and to expand current regulations regarding preceptors. Board members reviewed and discussed a draft of proposed amendments. (Attachment B)

Upon a **MOTION** by Ms. Campbell, properly seconded by Dr. Hughes, the Board voted to amend 18VAC95-20 and 18VAC95-30 by fast-track action as amended. The motion passed unanimously (6-0).

Consideration of Amendments to Regulations Related to Size of Training Facility for Assisted Living Facility Administrators-in-Training (Chapter 18VAC95-30)

Mr. Novak and Ms. Tillman Wolf provided information to the Board regarding possible amendments to 18VAC95-30-170(B)(4) discussed by the RAP, noting that the RAP had not reached a consensus on this issue, but deferred further consideration to the Board. Board members discussed the opportunity for the Board to further consider this topic and public comment received during the periodic review.

Upon a **MOTION** by Ms. Campbell, properly seconded by Dr. Hughes, the Board voted to roll the consideration of amendments related to 18VAC95-30-170 (B)(4) into the periodic review. The motion passed unanimously (6-0).

Ms. Tillman Wolf provided an overview of the regulatory and non-regulatory recommendations of the Regulatory Advisory Panel meeting held on March 11, 2025, related to Preceptors, training facilities, the national examination for Residential Care/Assisted Living, and ongoing training for new administrator licensees. The recommendations are included as an attachment to the RAP meeting minutes. Ms. Tillman Wolf stated that recommendations related to the preceptor registration application will be discussed at the Board's meeting in September.

Consideration of Petition for Rulemaking and Public Comments (Simmons)

Mr. Novak provided an overview of the Petition for Rulemaking and related public comments received by the Board.

Upon a **MOTION** by Dr. Hughes, properly seconded by Ms. Campbell, the Board voted to take no action on the petition and roll the issue into the periodic review of the Board's regulations. The motion passed unanimously (6-0).

NEXT MEETING

The next scheduled meeting date is September 24, 2025.

ADJOURNMENT

With all business concluded, the meeting adjourned at 12:10 p.m.

Corie Tillman Wolf, J.D., Executive Director

Date



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Suite 200
McLean, VA 22101
571.378.0295

Corie E. Tillman Wolf, J.D., Executive Director
Dept. of Health Professionals
Virginia Board of Long-Term Care Administrators
Perimeter Center
9960 Mayland Drive
Richmond, VA 23233-1463

Re: Proposed Change to Code Section 18VAC95-30-170(B)(4)

Dear Ms. Wolf:

I'm writing to you today in support of the recommended changes the Board of Long-Term Care Administrators (Board) will consider regarding the bed number requirements of training facilities for those seeking licensure through the Assisted Living Facility (ALF) Administrator-in-Training program.

About Paragon Living

Paragon Assisted Living is a residential assisted living owner/operator with three locations in Northern Virginia. At Paragon Assisted Living, our focus is to create a living environment for our seniors that fosters purpose and joy. When it comes to that care, we work to attract and retain a strong team of experienced, skilled, and compassionate caregivers who share our passion and mission. This familiarity and personal touch ultimately help to build a true sense of community and deliver a higher overall quality of life for our residents. Our Administrator is a key aspect of our team and day-to-day operations.

ALF Administrator-in-Training Program

Current Board regulations require that the in-person training requirement for ALF Administrators be completed in a facility with no less than 20 residents¹. However, in Virginia, facilities with less than 20 beds make up over 25% of Assisted Living Facilities.² The current requirement greatly limits the choices and opportunities for Administrators-in-Training.

Additionally, as an owner/operator of small facilities, the minimum bed requirement hinders our ability to hire as we don't have the option to provide training hours, preventing the easier transition from in-training to full-time. In some cases, ALFs like ours end up having to pay competitors to train our employee.

Paragon Assisted Living recently opened a new facility in Arlington that is already near capacity. Limited availability of ALF Administrators is a real concern when evaluating our ability to expand in Virginia. Both small and large assisted living facilities are needed to meet the anticipated needs of the growing aging population in the Commonwealth. Unnecessary barriers to entry should be eliminated to help facilitate the licensure of qualified ALF Administrators.

¹ 18VAC95-30-170(B)(4)

² [Minimizing Barriers to Licensure - Securing the Future of ALFAs 2024-09.pdf](#)



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By comparison, nursing homes do not require this same 20-bed minimum for their administrator training program ³ The arbitrary minimum for ALF Administrator training raises serious doubts about its actual impact on improving training outcomes.

Support Small Facilities

Paragon Living supports the Board acting to remove the facility size requirement, lessening the barrier of entry for ALF Administrators and ensuring smaller facilities like ours are given a fair opportunity when hiring for these positions.

Thank you for your consideration of these important matters.

A handwritten signature in black ink, appearing to read "Juan Tuason", written in a cursive style.

Juan Tuason
President
Paragon Assisted Living

³ 18VAC95-20-330

Project 8353 - Fast-Track**Board of Long-Term Care Administrators****Reduction of requirements for preceptors****18VAC95-20-340. Supervision of trainees.**

A. Training shall be under the supervision of a preceptor who is registered or recognized by a licensing board.

B. A preceptor may supervise no more than ~~two~~ three AIT's at any one time.

C. A preceptor shall:

1. Provide direct instruction, planning, and evaluation in the training facility;
2. Shall be routinely present with the trainee for on-site supervision in the training facility as appropriate to the experience and training of the AIT and the needs of the residents in the facility; and
3. Shall continually evaluate the development and experience of the AIT to determine specific areas in the Domains of Practice that need to be addressed.

18VAC95-20-380. Qualifications of preceptors.

A. To be registered by the board as a preceptor, a person shall:

1. Hold a current, unrestricted Virginia nursing home administrator license ~~and be employed full time as an administrator of record in a training facility for a minimum of two of the past three years immediately prior to registration;~~

2. Have at least two years in practice as an administrator of record in the past four years immediately prior to registration, and either:

a. Be employed full time in or be under contract or written agreement with the facility where training occurs; or

b. Be a regional administrator with on-site supervisory responsibilities for a training facility;

~~2. 3.~~ Provide evidence that he has completed the online preceptor training course offered by NAB; and

~~3. 4.~~ Meet the application requirements in 18VAC95-20-230.

B. To renew registration as a preceptor, a person shall:

1. Hold a current, unrestricted Virginia nursing home administrator license and be employed by or have an agreement with a training facility for a preceptorship; and

2. Meet the renewal requirements of 18VAC95-20-170.

18VAC95-30-180. Preceptors.

A. Training in an ALF AIT program shall be under the supervision of a preceptor who is registered or recognized by Virginia or a similar licensing board in another jurisdiction.

B. To be registered by the board as a preceptor, a person shall:

1. Hold a current, unrestricted Virginia assisted living facility administrator or nursing home administrator license;

~~2. Be employed full time as an administrator in a training facility for a minimum of two of the past four years immediately prior to registration or be a regional administrator with on-site supervisory responsibilities for a training facility;~~ Have at least two years in practice as an administrator of record in the past four years immediately prior to registration, and either:

a. Be employed full time in or be under contract or written agreement with the facility where training occurs; or

b. Be a regional administrator with on-site supervisory responsibilities for a training facility;

3. Provide evidence that he has completed the online preceptor training course offered by NAB; and

4. Submit an application and fee as prescribed in 18VAC95-30-40. The board may waive such application and fee for a person who is already approved as a preceptor for nursing home licensure.

C. A preceptor shall:

1. Provide direct instruction, planning, and evaluation;

2. Be routinely present for on-site supervision of the trainee in the training facility as appropriate to the experience and training of the ALF AIT and the needs of the residents in the facility; and

3. Continually evaluate the development and experience of the trainee to determine specific areas needed for concentration.

D. A preceptor may supervise no more than ~~two~~ three trainees at any one time.

E. A preceptor for a person who is serving as an acting administrator while in an ALF AIT program shall be present in the training facility for face-to-face instruction and review of the trainee's performance for a minimum of four hours per week.

F. To renew registration as a preceptor, a person shall:

1. Hold a current, unrestricted Virginia assisted living facility or nursing home license and be employed by or have a written agreement with a training facility for a preceptorship; and

2. Meet the renewal requirements of 18VAC95-30-60.

Unapproved
VIRGINIA BOARD OF LONG-TERM CARE ADMINISTRATORS
FORMAL ADMINISTRATIVE HEARING
MINUTES

Tuesday, June 24, 2025

Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233

CALL TO ORDER: The formal hearing of the Board was called to order at 12:46 p.m.

MEMBERS PRESENT: Lisa Kirby, NHA
Jasmine Montgomery, NHA
Charles Gaskins, DDS, Citizen Member
Lynn Campbell, LPN, Citizen Member
LaTonya Hughes, PhD, RN, NHA
Felita Creekmore, LPN, ALFA

BOARD COUNSEL: Brent Saunders, Senior Assistant Attorney General

DHP STAFF PRESENT: Corie Tillman Wolf, Executive Director
Annette Kelley, Deputy Executive Director
Florence Venable, Discipline Operations Manager

COURT REPORTER: Annette Imbriaco, CTR, Juan Otega Court Reporters

PARTIES ON BEHALF OF COMMONWEALTH: Emily Tatum, Senior Adjudication Specialist,
Administrative Proceedings Division

COMMONWEALTH'S WITNESS: Diana Marsh, Investigator
Cara Hailey, RN
Jeanette Groomes
Paul Wade

RESPONDENT'S WITNESS: Shondel Samuels, NHA
Latasha Brown, DON

MATTER:

Shondel O. Samuels, NHA
License #: 1701-003078
Case Numbers: 226237

**ESTABLISHMENT OF A
QUORUM:**

With six (6) members present, a quorum was established.

DISCUSSION:

Ms. Samuels appeared before the Board in accordance with the Board's notice dated May 22, 2025. Ms. Samuels was not represented by counsel.

The Board received evidence and sworn testimony from witnesses called by the parties regarding the allegations in the Notice.

The Board heard arguments on behalf of the parties.

CLOSED SESSION:

Upon a motion by Ms. Montgomery and duly seconded by Ms. Campbell, the Board voted to convene a closed meeting, pursuant to §2.2-3711.A (27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Shondel Samuels.

Additionally, Ms. Montgomery moved that Mr. Saunders, Ms. Tillman Wolf, Ms. Kelley and Ms. Venable attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code of Virginia, the Board reconvened in open session.

DECISION:

Upon a motion by Ms. Montgomery, and duly seconded by Ms. Campbell the Board voted to issue an order to place Ms. Samuels on **Probation for not less than 24 months with terms.**

VOTE:

The motion carried.

The vote was unanimous (6-0)

ADJOURNMENT:

The Board adjourned at 7:12 p.m.

For the Board:

Corie Tillman Wolf, JD, Executive Director

Date

Legislative and Regulatory Reports

Agenda Item: Review of potential legislative requests of the agency regarding fees and finances

Included in your agenda package:

- Draft legislation amending the Callahan Act to allow fee actions to be implemented by exempt regulatory action, to allow the Department to request general funds for discrete costs, and to allow recovery of costs related to investigation and disciplinary proceedings.

Staff notes: This is a draft legislative proposal only. This proposal was developed jointly with the Department of Professional and Occupational Regulation (DPOR), which is also governed by the Callahan Act. The Director of the agency determines which legislative proposals are submitted to the Governor's office. The Governor's office, in turn, determines which legislative proposals the agency may pursue. After approval from the Governor's office, the agency can begin locating patrons for bills.

Action needed:

- None. For review only.

§ 54.1-113. Regulatory boards to adjust fees; certain transfer of moneys collected on behalf of health regulatory boards prohibited.

~~A. Following the close of any biennium, when the account for any regulatory board within the Department of Professional and Occupational Regulation maintained under § 54.1-308 shows that unspent and unencumbered revenue exceeds \$100,000 or 20 percent of the total expenses allocated to the regulatory board for the past biennium, whichever is greater, the regulatory board shall (i) distribute all such excess revenue to current regulants and (ii) reduce the fees levied by it for certification, licensure, registration, or permit and renewal thereof so that the fees are sufficient but not excessive to cover expenses.~~

~~B. Following the close of any biennium~~ Annually, when the account for any regulatory board within the Department of Health Professions maintained under § 54.1-2505 or the Department of Professional and Occupational Regulation maintained under § 54.1-308 shows expenses allocated to it for the past ~~biennium~~ year to be more than ~~10 percent greater or less than~~ moneys collected on behalf of the regulatory board, it ~~shall~~ may revise the fees levied by it for certification, licensure, registration, or permit and renewal thereof so that the fees are sufficient but not excessive to cover expenses. Any regulatory board within the Department of Health Professions maintained under § 54.1-2505 or the Department of Professional and Occupational Regulation maintained under § 54.1-308 shall not issue an exempt regulatory action for a one-time fee decrease unless an annual review of accounts for that regulatory board for two consecutive years demonstrates a cash balance greater than or equal to the board's annual expenditures.

C. Nongeneral funds generated by fees collected on behalf of the health regulatory boards and accounted for and deposited into a special fund by the Director of the Department of Health Professions shall be held exclusively to cover the expenses of the health regulatory boards, the Health Practitioners' Monitoring Program, and the Department and Board of Health Professions and shall not be transferred to any agency other than the Department of Health Professions, except as provided in §§ 54.1-3011.1 and 54.1-3011.2.

D. In order to appropriately maintain operating funds, the regulatory boards of the Department of Health Professions or the Department of Professional and Occupational Regulation may amend regulations to increase or decrease fees as needed and demonstrated by the regulatory board. Such regulations shall be exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq.), except to any extent that they may be specifically made subject to §§ 2.2-4030 and 2.2-4031; regulations shall, however, comply with § 2.2-4103 of the Virginia Register Act (§ 2.2-4100 et seq.). Any regulatory board amending fees pursuant to this section shall conduct a public hearing prior to making such amendments. Thirty days prior to conducting such hearing, the regulatory boards shall give written notice by mail or electronic means of the date, time, and place of the hearing to the public and publish notice of its intention to amend fees in the Virginia Register of Regulations. The public notice shall identify the fee increase to be considered by the regulatory board with reasonable specificity and shall include evidence demonstrating the need

for a fee increase. During the public hearing, interested parties shall be given reasonable opportunity to be heard prior to final adoption of any regulatory amendments regarding fees.

E. The Department of Health Professions and the Department of Professional and Occupational Regulation may, at the discretion of the General Assembly, receive monies from the general fund to address defined expenditures of the agency.

§ 54.1-202.1 Recovery of disciplinary and monitoring costs

A regulatory board may recover from any person licensed, registered, or certified or issued a multistate licensure privilege by any regulatory board against whom the regulatory board issued a finding of a violation of law or regulation reasonable administrative costs associated with investigation, disciplinary proceedings, monitoring, and confirming compliance with any terms and conditions imposed as set forth in an order which includes the finding of a violation of law or regulation. All administrative costs recovered pursuant to this section shall be paid by the person or entity licensed, registered, or certified or issued a multistate licensure privilege to the regulatory board. Such administrative costs shall be deposited into the account of the regulatory board and shall not constitute a fine or penalty.

§ 54.1-2401.1. Recovery of disciplinary and monitoring costs.

A health regulatory board may recover from any person licensed, registered, permitted, or certified or issued a multistate licensure privilege by any health regulatory board against whom the health regulatory board issued a finding of a violation of law or regulation reasonable administrative costs associated with investigation, disciplinary proceedings, monitoring, and confirming compliance with any terms and conditions imposed as set forth in an order which includes the finding of a violation of law or regulation. All administrative costs recovered pursuant to this section shall be paid by the person or entity licensed, registered, permitted, or certified or issued a multistate licensure privilege to the health regulatory board. Such administrative costs shall be deposited into the account of the health regulatory board and shall not constitute a fine or penalty.

2. That § 54.1-2708.2 of the Code of Virginia is repealed.

Board of Long-Term Care Administrators
Regulatory Actions
As of September 4, 2025

In the Governor's Office

None.

In the Secretary's Office

VAC	Stage	Subject Matter	Submitted from agency	Time in current location	Notes
18VAC95-15	NOIRA	Periodic review and implementation of resulting amendments to 18VAC95-15	7/10/2025	50 days	Announcement and implementation of periodic review for chapter 15
18VAC95-20	NOIRA	Periodic review and implementation of resulting amendments to 18VAC95-20	7/7/2025	55 days	Announcement and implementation of periodic review for chapter 20
18VAC95-30	NOIRA	Periodic review and implementation of resulting amendments to 18VAC95-30	7/11/2025	50 days	Announcement and implementation of periodic review for chapter 30

At DPB or OAG

VAC	Stage	Subject Matter	Submitted from agency	Time in current location	Notes
18VAC95-20	Fast-Track	Reduction of requirements for preceptors	7/3/2025	OAG; 63 days	Implements preceptor recommendations from RAP

Recently effective/awaiting publication

None.

Board Actions

Agenda Item: Waiver of Application and Fee for Registration as ALF Preceptor for Active, Registered NHA Preceptors, 18VAC95-30-180(B)(4)

Background:

The Board's Regulatory Advisory Panel for Assisted Living Facility Administrators-in-Training (RAP) discussed a number of actions to streamline the registration process for preceptors and to clarify existing requirements related to NHA Preceptors and who precept in or wish to precept in the assisted living setting. The RAP recommended that the Board consider the waiver of the application and fee requirement for the separate registration of ALF Preceptors who are already actively registered as NHA Preceptors, as permitted by 18VAC95-30-180(B)(4).

Attachment:

18VAC95-30-180 - Board's Regulations Governing the Practice of Assisted Living Facility Administrators

Action Needed:

Motion to waive the application and fee requirement for registration as an ALF Preceptor for active, registered NHA preceptors pursuant to 18VAC95-20-180(B)(4)

Part IV. Administrator-in-Training Program

18VAC95-30-180. Preceptors.

A. Training in an ALF AIT program shall be under the supervision of a preceptor who is registered or recognized by Virginia or a similar licensing board in another jurisdiction.

B. To be registered by the board as a preceptor, a person shall:

1. Hold a current, unrestricted Virginia assisted living facility administrator or nursing home administrator license;
2. Be employed full time as an administrator in a training facility for a minimum of two of the past four years immediately prior to registration or be a regional administrator with on-site supervisory responsibilities for a training facility;
3. Provide evidence that he has completed the online preceptor training course offered by NAB; and
4. Submit an application and fee as prescribed in 18VAC95-30-40. The board may waive such application and fee for a person who is already approved as a preceptor for nursing home licensure.

C. A preceptor shall:

1. Provide direct instruction, planning, and evaluation;
2. Be routinely present for on-site supervision of the trainee in the training facility as appropriate to the experience and training of the ALF AIT and the needs of the residents in the facility; and
3. Continually evaluate the development and experience of the trainee to determine specific areas needed for concentration.

D. A preceptor may supervise no more than two trainees at any one time.

E. A preceptor for a person who is serving as an acting administrator while in an ALF AIT program shall be present in the training facility for face-to-face instruction and review of the trainee's performance for a minimum of four hours per week.

F. To renew registration as a preceptor, a person shall:

1. Hold a current, unrestricted Virginia assisted living facility or nursing home license and be employed by or have a written agreement with a training facility for a preceptorship; and
2. Meet the renewal requirements of 18VAC95-30-60.

Statutory Authority

§§54.1-2400 and 54.1-3102 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 6, eff. January 2, 2008; amended, Virginia Register Volume 24, Issue 23, eff. September 4, 2008; Volume 31, Issue 3, eff. November 20, 2014; Volume 32, Issue 3, eff. November 4, 2015; Volume 35, Issue 12, eff. March 6, 2019; Volume 39, Issue 7, eff. December 21, 2022.

Agenda Item: Delegation of Probable Cause Review and Recommendations to Board's Expert Discipline Case Reviewers

Background:

Probable cause determinations for disciplinary cases are made by Board members, in consultation with Board staff. (Board Bylaws, Article VII.6.) Members of the Special Conference Committee and the Board Chair may provide guidance on the disposition of disciplinary cases. (Board Bylaws, Article V.3.c., Article VII.5. and 7.)

Due to the volume of discipline cases currently under review, the growing number of cases received by the Board, and time limitations encountered by board members in processing cases, Board staff have initiated steps to secure and to fund case review assistance by licensed, expert case reviewers.

Note: Amendments to the Board's current Bylaws will be reviewed by the Board's Legislative/Regulatory Committee with recommendations to the full Board for consideration at a later date.

Action Under Consideration:

Delegation of authority to the Executive Director to assign the determination of probable cause to the Board's contracted expert case reviewers, who may consult with Board staff and make recommendations to the Board Chair or to the Special Conference Committee regarding case disposition, to include recommendations regarding the issuance of an advisory letter, offer of a confidential consent agreement or prehearing consent order, scheduling of an informal conference, request for additional information, or closure of the case.

Action Needed:

MOTION to delegate authority to the Executive Director to assign the determination of probable cause to the Board's contracted expert case reviewers, who may consult with Board staff and make recommendations to the Board Chair or to the Special Conference Committee regarding case disposition.