

**APPROVED MINUTES
VIRGINIA BOARD OF LONG-TERM CARE ADMINISTRATORS
MEETING MINUTES**

The Virginia Board of Long-Term Care Administrators convened for a Board meeting on Thursday October 5, 2017, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #4, Henrico, Virginia 23233.

BOARD MEMBERS PRESENT

Derrick Kendall, NHA, Chair
Martha H. Hunt, ALFA, Vice-Chair
Karen Hopkins Stanfield, NHA
Marj Pantone, ALFA
Basil Acey, Citizen Member
Mitchell P. Davis, NHA
Doug Nevitt, ALFA
Mary B. Brydon, Citizen Member

BOARD MEMBERS ABSENT

Shervonne Banks, Citizen Member

STAFF PRESENT FOR ALL OR PART OF MEETING

Corie Tillman Wolf, Executive Director
Lynne Helmick, Deputy Executive Director
Lisa Hahn, Agency Deputy Director
Elaine Yeatts, Senior Policy Analyst
Heather Wright, Program Manager, LTCA Board
Candace Carey, Discipline Assistant
Erin Barrett, Assistant Attorney General, Board Counsel
Elizabeth Carter, Executive Director, Healthcare Workforce Data Center

GUESTS PRESENT

Matt Mansell, VHCA
Dana Parsons, LeadingAge
Judy Hackler, VALA

CALLED TO ORDER

Derrick Kendall, NHA, Chair, called the Board meeting to order at 9:32 a.m.

Board members and staff introduced themselves. With 8 Board members present, a quorum was established.

Mr. Kendall stated the following before the first order of business:

- 1) He reminded the members to speak into the microphones.
- 2) Computers were provided to the Board members for the purpose of the meeting only and have no connection to the internet. The material that they are able to review on the computer is the same material that has been made available to the public.
- 3) During breaks, members of the audience are asked to refrain from approaching or discussing Board-related business with members of the Board.

Ms. Tillman Wolf then read the emergency egress instructions.

PUBLIC HEARING

The Board convened a public hearing related to the proposed changes to the Regulations Governing the Practice of Nursing Home Administrators and the Regulations Governing the Practice of Assisted Living Facility Administrators at 9:35 a.m. There were no comments presented. The public hearing was adjourned at 9:37 a.m.

ACCEPTANCE OF MINUTES

Upon a motion by Martha Hunt and properly seconded by Marj Pantone, the Board voted to accept the following meeting minutes as written:

- Board Meeting – June 13, 2017
- Formal Hearings – June 13, 2017

The motion passed unanimously.

ORDERING OF AGENDA

Upon a motion by Karen Stanfield, and properly seconded by Doug Nevitt, the Board voted to accept the Agenda with the following changes:

- Lisa Hahn will give the Agency Report.
- Elaine Yeatts will give her report after the public comment period.

PUBLIC COMMENT PERIOD

There was no public comment provided.

LEGISLATIVE AND REGULATORY REPORT – Elaine Yeatts

Ms. Yeatts reported that DHP submitted 11 proposals for the Governor's legislative package and 7 were accepted. Ms. Yeatts stated that the public comment period is open for the regulations under periodic review. The Board will be in a position to adopt the final regulations at the next Board meeting.

Ms. Yeatts reviewed a possible change in the Board's Bylaws which would delegate to the Executive Director the authority to approve requests for disclosure of investigative information pursuant to Virginia Code §54.1-2400.2 (D) and (F). Upon a motion by Marj Pantone and duly seconded by Martha Hunt, the Board approved the change to the Bylaws as presented. (Attachment A)

WORKFORCE DATA CENTER REPORT – Dr. Elizabeth Carter, Executive Director, Healthcare Workforce Data Center

Dr. Carter explained to the Board a needed correction to the pie chart on page 7 of the survey report for Nursing Home Administrators. Dr. Carter then provided the following highlights of the Workforce Data Center's survey reports for Nursing Home Administrators and Assisted Living Facility Administrators:

Nursing Home Administrators

- 26% of the licensees have Master's degrees in health administration.
- Job turnover is high.
- For those licensees under 40 years old, more males than females are entering the workforce.
- Since the last survey in 2013, the median income for administrators increased to \$100-110k from \$70k.
- More licensees are now working in for-profit facilities.
- There was a decrease in the percentage of licensees planning to retire within 5 years from 31% in 2013 to 27% in 2016.

Assisted Living Facility Administrators

- The full-time equivalence (FTE) rate dropped.
- The diversity index has increased.
- There was a significant drop in the number of licensed administrators employed in the profession; now 87% are currently employed as administrators.
- More people are working over 60 hours a week- an increase from 8% to 10%.
- More licensees are now in for-profit facilities.

Dr. Carter suggested that the Board add a question about educational debt to the next survey. Upon a motion by Marj Pantone, duly seconded by Mary Brydon, the Board voted to add the educational debt question to the next survey.

Mr. Kendall suggested there needs to be some clarification in the survey in what constitutes primary and secondary work locations. He suggested the Board discuss this at the next meeting to come to a consensus on what these definitions mean for survey purposes.

Upon a motion by Karen Stanfield, duly seconded by Doug Nevitt, the Board accepted the reports as presented and with the correction noted by Dr. Carter.

EXECUTIVE DIRECTOR'S REPORT- Corie Tillman Wolf, Executive Director

Corie Tillman Wolf, Executive Director, began her report with the introduction of a new staff member, Candace Carey, Discipline Assistant.

The Expenditure and Revenue report is as follows:

- Cash Balance as of June 30, 2016 (\$ 45,267)
- FY 17 Revenue \$564,060
- Less direct and In-Direct Expenses \$549,402
- Cash Balance as of June 30, 2017 (\$ 30,609)

It is projected there will be a negative balance into FY 18, however, it is recommended that no action be taken regarding license fees at this time.

Ms. Tillman Wolf provided the following updates from the National Association of Long-Term Care Administrator Boards (NAB):

- VCU’s ALFA Program was fully accredited for 5 years at the Annual Meeting held on June 15-17, 2017 in Salt Lake City, UT.
- The Mid-Year Meeting will be on November 8-10, 2017 in Savannah, GA.
- On July 5, 2017, NAB started the transition to new exam structure and new candidate management system (Clarus). The new exam structure includes a core exam with individual line of service exams.

Component	Time Limit	Fee
Combo: CORE + NHA	3 hours	\$425
Combo: CORE + RC/AL	3 hours	\$400
Combo: CORE + HCBS	3 hours	\$400
CORE Only	2 hours	\$300
NHA LOS	1 hour	\$175
RC/AL LOS	1 hour	\$175
HCBS LOS	1 hour	\$175

- The impact of the new exam structure on pass/fail rates is to be determined. A new Exam Candidate Handbook and a new Study Guide are available through NAB. As of now, transition “kinks” have been largely resolved.

The new system has resulted in benefits for Board in processing exam information:

- Timely transmission of official scores;
 - Streamlined eligibility and accommodations process; and
 - Before an applicant can pay for registration, the applicant must watch a video and provide attestation regarding confidentiality of exam materials.
- NABVerify was launched in September 2017. It is a continuing education and Health Services Executive (HSE) Credential registry.
 - It provides a free online CE tracking system for both NAB-NCERS approved and non-approved CE courses.
 - Information can be released to Boards for audit purposes.
 - It can track requirements for multiple states.
 - The NABVerify User Guide was launched in September 2017
 - Health Services Executive (HSE) is a broad-based qualification for administrators based upon education, experience, and examination. The applicant for this credential

will need to submit their university transcript, NPDB databank report, and all exam scores to NAB.

Ms. Tillman Wolf then provided the Licensure Report:

- Ms. Tillman Wolf reported the numbers of current licensees are as follows:

ALFA's	613
AIT's	108
Acting AIT	5
Total ALFA	726
Preceptors	208
NHA's	901
AIT's	78
Total NHA	979
Preceptors	226

NHA & ALFA combined 1,705

- Ms. Tillman Wolf provided the licensee count, comparing FY16 and FY17:

License	FY16 End Count	FY17 End Count	Difference
NHA	864	875	+ 1.3%
NHA AIT	81	74	- 8.6%
NHA Preceptor	227	218	- 4.0%
ALFA	602	592	- 1.7%
ALFA AIT	115	105	- 8.7%
ALFA Acting AIT	0	4	--
ALFA Preceptor	198	197	- 0.5%

- Ms. Tillman Wolf confirmed that including the preceptor numbers does create a double counting within the combined total ALFAs and NHA's, however the combined total number represents the total number of licenses that exist under each category.
- Customer Satisfaction Survey Results - Ms. Tillman Wolf provided the following information on Customer Satisfaction surveys:
 - 100% satisfaction for the following quarters
 - Q1 2015; Q2 2015; Q3 2015;
 - Q1 2016; Q2 2016; Q4 2016;
 - Q1 2017; Q2 2017; Q4 2017
 - 96.3% for Q4 2015

- No Results for Q3 2016; Q3 2017
- Agency Average for is Q4 2017 = 90.1%

Ms. Tillman Wolf provided reminders to Board members about contact information, per diem rates, and the upcoming meeting calendar:

- December 19, 2017
- March 15, 2018
- June 28, 2018
- September 12, 2018
- December 13, 2018

Ms. Tillman Wolf thanked the Board for all their hard work and concluded her report.

Mr. Kendall left the meeting at 10:30 a.m. and Ms. Hunt, Vice-Chair, assumed the role of meeting chair for the rest of the meeting.

AGENCY DIRECTOR'S REPORT- Lisa Hahn, Agency Deputy Director

Ms. Hahn reported on:

- The agency's acquisition of additional space on the first floor of the building and the movement of some offices to the space, including Customer Service.
- The agency's request to revise data reported as key performance measures for Virginia Performs to allow DHP to not include the number of days that a case is in a continuance status in the age of the case. This was approved by the Department of Planning and Budget.
- The agency's development of training videos for Board Members regarding probable cause, Sanctioning Reference Points, conflict of interest, and Board Chair training.
- The agency's efforts to lead workgroups for the Secretary of Health and Human Resources on electronic prescribing of opioids and an opioid curriculum for schools for health professionals.
- The agency's addition to its website of an electronic method to file complaints.

DISCIPLINE REPORT – Lynne H. Helmick, Deputy Executive Director

Lynne Helmick, Deputy Executive Director, reported on the current number of open cases, discipline statistics, and Key Performance Measures.

- 74 open cases
 - 4 at APD
 - 1 Formal (to be heard today)
 - 1 Informal
 - 29 in Investigation
 - 38 in Probable Cause
 - 7 Compliance cases
- Virginia Performs - Q4 2017:

- The Clearance Rate was 93%. We received 14 cases and closed 13 cases.
 - The Pending Caseload over 250 days was at 13%.
 - The Cases closed within 250 days is 60%. 6 of the 13 cases closed were within 250 days.
-
- For Q4 2017, for all cases received by the Board (patient care and non-patient care), the Board received 18 cases and closed 20 cases; closed 55% of all cases within 250 days (agency average 86.7%); and averaged 395 days to close a case (agency average 194.1).

Ms. Helmick provided a summary of the categories of cases processed by the Board in FY16 and the first three quarters of FY17.

With no further questions, Ms. Helmick concluded her report.

NEW BUSINESS

Election of officers:

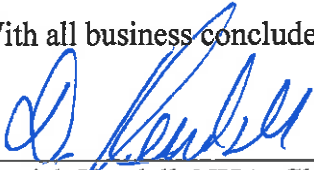
- Upon a motion by Doug Nevitt, duly seconded by Mitch Davis, the Board elected Derrick Kendall to a second term as Chair.
- Upon a motion by Mary Brydon, duly seconded by Karen Stanfield, the Board elected Martha Hunt to a second term as Vice-Chair.

NEXT MEETING

The next Board meeting is scheduled for December 19, 2017.

ADJOURNMENT

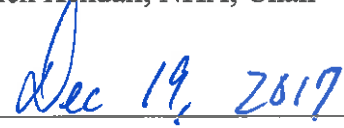
With all business concluded, the meeting was adjourned at 11:05 a.m.



Derrick Kendall, NHA, Chair



Corie Tillman Wolf, Executive Director



Date



Date

ATTACHMENT A

Guidance Document: 95-8

Revised: ~~September 20, 2016~~ October 5, 2017

VIRGINIA BOARD OF LONG-TERM CARE ADMINISTRATORS

BYLAWS

Article I. Officers Election, Terms of Office, Vacancies

1. Officers

The officers of the Virginia Board of Long-Term Care Administrators (Board) shall be a Chair and a Vice-Chair.

2. Election.

The organizational year for the Board shall run from July 1st through June 30th. At the last regularly scheduled meeting of the organizational year, the Board shall elect from its members a Chair and a Vice-Chair.

3. Terms of Office.

The terms of office of the Chair and Vice-Chair shall be for one year. An officer may be re-elected in that same position for a second consecutive term. Nominations for office shall be selected by open ballot, and election shall require a majority of the members present.

4. Vacancies.

A vacancy occurring in any office shall be filled by a special election at the next meeting of the Board.

Article II. Duties of Officers

1. Chair.

The Chair shall preside at all meetings and conduct all business according to the Administrative Process Act and Robert's Rules; shall appoint all committees except where specifically provided by law; shall appoint agency subordinates; shall sign certificates and documents authorized to be signed by the Chair; and, may serve as an ex-officio member of committees.

2. Vice- Chair.

The Vice-Chair shall perform all duties of the Chair in the absence of the Chair.

Article III. Duties of Members

1. Qualifications.

After appointment by the Governor, each member of the Board shall forthwith take the oath of office to qualify for service as provided by law.

2. Attendance at meetings.

Members of the Board shall attend all regular and special meetings of the full Board, meetings of committees to which they are assigned and all hearings conducted by the Board at which their attendance is requested by the Executive Director, unless prevented by illness or other unavoidable cause. In the case of an unavoidable absence of any member from any meeting, the Chair may reassign the duties of such absent member.

Article IV. Meeting

1. Number.

The Board shall schedule at least three regular meetings in each year, with the right to change the date or cancel any board meeting with the exception that a minimum of one board meeting will take place annually. The Chair shall call meetings at any time to conduct the business of the Board and shall convene conference calls when needed to act on summary suspensions and settlement offers. Additional meetings shall be called by the Chair upon the written request of any two members of the Board.

2. Quorum.

Five members of the Board, including one who is not a licensed nursing home administrator or assisted living facility administrator, shall constitute a quorum.

3. Voting.

All matters shall be determined by a majority vote of the members present.

Article V. Committees

1. Standing Committees.

As part of their responsibility to the Board, members appointed to a committee shall faithfully perform the duties assigned to the committee. The standing committees of the Board shall be the following:

Legislative and Regulatory Committee

Credentials Committee

Special Conference Committees

2. Ad Hoc Committees.

The Chair may appoint an Ad Hoc Committee of two or more members of the Board to address a topic not assigned to a standing committee.

3. Committee Duties.

a) Legislative/Regulatory Committee.

The Legislative/Regulatory Committee shall consist of two or more members, appointed by the Chair. This Committee shall consider matters bearing upon state and federal regulations and legislation and make recommendations to the Board regarding policy matters. The Committee shall conduct a periodic review of the laws and regulations. Proposed changes in State laws, or in the

Regulations of the Board, shall be distributed to all Board members prior to scheduled meetings of the Board.

b) Credentials Committee.

The Credentials Committee shall consist of two or more members appointed by the Chair and shall review all non-routine applications for licensure to determine if the applicant satisfies the requirements established by the Board. The committee shall review requests for extensions of time to earn continuing education and may grant such requests for good cause on a one-time basis. The Committee shall not be required to meet collectively to complete initial reviews. The committee chair shall provide guidance to staff on the action to be taken as a result of the initial review.

c) Special Conference Committees.

Special Conference Committees shall consist of two or more members appointed by the Chair and shall review investigation reports to determine if there is probable cause to conclude that a violation of law or regulation has occurred, hold informal fact-finding conferences and direct the disposition of disciplinary cases. The Committee shall not be required to meet collectively to complete the initial review. The committee chair shall provide guidance to staff on the action to be taken as a result of the probable cause review.

Article VI. Executive Director

1. Designation.

The Administrative Officer of the Board shall be designated the Executive Director of the Board.

2. Duties.

The Executive Director shall:

- a) Supervise the operation of the Board office and be responsible for the conduct the staff and the assignment of cases to agency subordinates,
- b) Carry out the policies and services established by the Board,
- c) Provide and disburse all forms as required by law to include, but not be limited to, new and renewal application forms.
- d) Keep accurate record of all applications for licensure, maintain a file of all applications and notify each applicant regarding the actions of the Board in response to their application. Prepare and deliver licenses to all successful applicants. Keep and maintain a current record of all licenses issued by the Board.
- e) Notify all members of the Board of regular and special meetings of the Board. Notify all Committee members of regular and special meetings of Committees. Keep true and accurate minutes of all meetings and distribute such minutes to the Board members prior to the next meeting.
- f) Issue all notices and orders, render all reports, keep all records and notify all individuals as required by these Bylaws or law. Affix and attach the seal of the Board to such documents, papers, records, certificates and other instruments as may be directed by law.
- g) Keep accurate records of all disciplinary proceedings. Receive and certify all exhibits presented. Certify a complete record of all documents whenever and wherever required by law.
- h) Present the biennial budget with any revisions to the Board for approval.

Article VII: General Delegation of Authority

1. The Board delegates to Board staff the authority to issue and renew licenses, registrations and certificates where minimum qualifications have been met.
2. The Board delegates to the Executive Director the authority to reinstate licenses, registrations and certificates when the reinstatement is due to the lapse of the license, registration or certificate and not due to previous Board disciplinary action unless specified in the Board order.
3. The Board delegates to Board staff the authority to develop and approve any and all forms used in the daily operations of the Board business, to include, but not limited to, licensure applications, renewal forms and documents.
4. The Board delegates to the Executive Director the authority to sign as entered any Order or Board-approved Consent Order resulting from the disciplinary process.
5. The Board delegates to the Executive Director, who may consult with a special conference committee member, the authority to provide guidance to the agency's Enforcement Division in situations wherein a complaint is of questionable jurisdiction and an investigation may not be necessary, and the authority to approve requests for disclosure of investigative information pursuant to Virginia Code § 54.1-2400.2(D) and (F).
6. The Board delegates to the Executive Director, who shall consult with a member of a special conference member, the authority to review information regarding alleged violations of law or regulations and determine whether probable cause exists to proceed with possible disciplinary action.
7. The Board delegates to the Chair, the authority to represent the Board in instances where Board "consultation" or "review" may be requested where a vote of the Board is not required and a meeting is not feasible.
8. The Board delegates to the Executive Director the selection of the agency subordinate who is deemed appropriately qualified to conduct a proceeding based on the qualifications of the subordinate and the type of case being convened.
9. The Board delegates to the Executive Director, the authority to approve applications with criminal convictions in accordance with Guidance Document 95-12.

Article VIII. Amendments

A board member or the Executive Director may propose amendments to these Bylaws by presenting the amendment in writing to all Board members prior to any scheduled meeting of the Board.