

UNAPPROVED

**Virginia Board of Long-Term Care Administrators
TASK FORCE ON LICENSING ASSISTED LIVING ADMINISTRATORS
Meeting Minutes**

Monday, December 12, 2005

**Department of Health Professions
6603 West Broad Street
Richmond, Virginia 23230-1712
Conference Room 3**

CALL TO ORDER: The meeting was called to order at 9:39 a.m.

PRESIDING: Ted A. LeNeave, N.H.A. – Chair, Board of Long-Term Care Administrators (BLTCA)

MEMBERS PRESENT: David McHarg – VA Assisted Living Association
John Plichta – VA Association of Community Services Boards
Martha H. Hunt - BLTCA
Randy Scott – VA Association of Non-Profit Homes for the Aging
Edward Owen – VA Health Care Association
Roy Bryant substituting for Jeffrey Hairston – VA Adult Home Association
Lynne Williams substituting for Carolynne Stevens – Dept. of Social Services
Karen Love - Consumer Consortium on Assisted Living
Bertha Simmons, N.H.A. - BLTCA

STAFF PRESENT: Sandra K. Reen, Executive Director
Elaine Yeatts, Sr. Policy Analyst
LaFonda Parham, Administrative Assistant

Emily Wingfield, Assistant Attorney General

QUORUM: A quorum was established with ten members present or represented by a substitute.

PUBLIC COMMENT: **Irvin Land-** commented that assisted living administrators are different from nursing home administrators. Mr. Land supports having a college based option and a non-college based options. He is concerned that if the education requirements are too stringent, it will be hard to find qualified administrators. Mr. Land asked the Task Force to consider the costs of college as well as the long term affects on supply and provide a non-college based option.

Mr. Carter Harrison- offered his support to the regulations as drafted. He commented that the requirements proposed for college based education should be the minimum standard.

MINUTES: On a properly seconded motion by Mr. Plichta, the minutes of the November 21, 2005 meeting were approved.

CONSIDERATION OF PUBLIC COMMENT: Ms. Yeatts distributed the comments received then facilitated a review of each item addressed in the comments as follows.

Term “health care related field” - The recommendation to use the term “health care administration” instead of “health care related field” was discussed. Ms. Reen explained the difficulty caused by using a specific degree type in licensing nursing home administrators and the Board’s decision to look at a variety of degrees and specify the required content areas for college coursework. The commenter, Ms. Love, withdrew the recommendation.

Experience Requirement – The recommendation to reduce the experience required for current administrators from “two of the last three years” to “one of the past two years.” The consensus was to keep the current language.

Requirements for Initial Licensure – The recommendation to clarify the difference between 18 VAC 95-30-90.B numbers 3. and 4 was considered. Ms. Yeatts suggested adding the term “unrelated to health care” to number 4. A motion by Ms. Love to amend the language as suggested passed.

Preceptors - It was noted that preceptors are required for the practical experience in college programs which is not addressed in 18VAC95-30-170 (A). Mr. Plichta moved that the phrase “or an internship” be added. The motion carried.

Examination Requirements – The question was raised about the lack of reference to a national exam in 18VAC95-30-100. The intent to require a national exam was reaffirmed and a motion by Mr. Plichta was adopted to amend the section to read: To be licensed under subsection B of 18VAC95-30-90, an applicant shall provide evidence of passing grades on examinations acceptable to the board to include: 1. A national credentialing examination for administrators of assisted living facilities; and 2. a jurisprudence examination on the laws and regulations governing the practice of an assisted living facility administrator in Virginia.

Incorrect Reference – It was noted that the provision in 18 VAC 95-30-90 on current administrators only references residential level assisted living administrators by referring to 22 VAC 40-71-60 and recommended that the correct reference would be 22 VAC 40-71-630. A motion by Mr. Owen to add “and 22 VAC 40-71-360” was adopted.

Non-College Based Option - Mr. LeNeave reported that he spoke with Randy Lindner, the executive director of NAB, to get clarification of what NAB approval of an education program in assisted living signified. Mr. Lindner advised that NAB program approval does not address preparation for initial licensure. He said that NAB approval means that the course is acceptable for a certain number of continuing education hours. Mr. LeNeave suggested that using a continuing education program for licensure qualification is not responsive to the concerns that drove the legislation requiring licensure. The availability of college courses and course content areas were discussed.

**LICENSED NURSING
HOME
ADMINISTRATORS:**

Mr. Scott asked if a licensed nursing home administrator could be given an assisted living facility administrator license if the licensee chooses to work in an assisted living facility. Discussion followed about the similarities and differences for qualifying for the licenses. A motion to allow licensed nursing home administrators to be dually licensed as assisted living administrator failed. The importance of having qualifying practical experience in an assisted living facility was discussed. A motion to allow the holder of a valid Virginia nursing home administrator license to qualify for an assisted living facility administrator license after passing the National Exam and having a minimum of 1 year of experience in an assisted living facility. The motion was amended to require just the jurisprudence exam.

The amended motion failed.

Mr. Scott suggested adding a provision in the regulations to state that a licensed nursing home administrator may administer an assisted living facility. Ms. Yeatts explained that the Code provision does not need to be in regulations but that a new section could be added to reference the statutory provision. A motion by Mr. Scott to add a new section, 18 VAC 95-30-50, to include the Code provision § 54.1-3102.B was passed.

OTHER BUSINESS:

Mr. Owen questioned if there was adequate time in the regulatory

process for the jurisprudence examination to be in place. Ms. Reen advised that she felt the timelines established in the statute did provide adequate time.

Ms. Yeatts stated that she will send out the revised draft for review by the Task Force. She requested that anyone get back to her on any needed edits. She reported that the proposed regulations will be considered by the Board on January 10, 2006 and once the Board adopts the proposal there will be a 60 day comment period. She invited the members to attend the Board meeting.

FUTURE MEETINGS:

Ms. Yeatts thanked the Task Force for their work. She advised that the Board might request that they meet one more time to assist in addressing the public comment received. She said if their further assistance was needed it would not be until the Spring or Summer of 2006.

ADJOURNMENT:

Mr. LeNeave adjourned the meeting at 12:44 p.m.

Ted LeNeave, NHA, Chair

Sandra K. Reen, Executive Director

Date

Date