

APPROVED
VIRGINIA BOARD OF LONG-TERM CARE ADMINISTRATORS
FORMAL HEARING
MEETING MINUTES

TIME AND PLACE: The Formal Hearing of the Virginia Board of Long-Term Care Administrators was called to order at 1:07 P.M. on December 6, 2010, in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

MEMBERS PRESENT:

Mary Smith, NHA, Chair
Kathy Fletcher, MSN
Tom Orsini, NHA

Randy Scott, NHA, ALFA
Martha Hunt, ALFA

MEMBERS ABSENT:

Ted LeNeave, NHA
Bertha Simmons, NHA, ALFA

Gracie Bowers, Citizen Member

DHP STAFF PRESENT:

Lisa R. Hahn, Executive Director
Lynne Helmick, Deputy Executive Director
Kathy Truesdale, Discipline Operations Manager
David Kazzie, Adjudication Specialist

MEMBERS FROM THE ATTORNEY GENERAL'S OFFICE PRESENT:

Amy Marschean, Senior Assistant Attorney General, Board Counsel

**ESTABLISHMENT OF
A QUORUM:**

With five members of the Board present, a quorum was established.

FORMAL HEARING:

Timothy R. Cooke, NHA
License # 1701-002354
Case Number: 133347 & 134345

Mr. Cooke appeared and was not represented by counsel.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. Marschean was legal counsel for the Board. Lynn R. Taylor, ECR, recorded the proceedings.

Rachel Shaw, Senior Investigator, Department of Health Professions; Michelle Wright, Licensing Inspector for the Department of Social Services testified via telephone.

CLOSED MEETING: Ms. Fletcher moved that the Board of Long-Term Care Administrators convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:06 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Cooke. Additionally, Ms. Fletcher moved that Ms. Hahn, Ms. Truesdale, Ms. Marschean, and Ms. Helmick attend the closed meeting because their presence in the closed meeting is deemed necessary and will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 2:27 P.M.

Ms. Fletcher moved that the Board of Long-Term Care Administrators certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION: The Board of Long-Term Care Administrators revokes the Nursing Home Administrator license of Timothy R. Cooke.

Mr. Scott moved that the Board of Long-Term Care Administrators accept the findings of fact and conclusions of law as presented by Ms. Marschean and added a thirteenth allegation, that the Board did not find Mr. Cooke’s explanations to the allegations credible and felt he abdicated his responsibility to staff and endangered residents.

The motion was seconded by Ms. Hunt and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the decision of this formal hearing panel.

Mary Smith, NHA, Chair

Lisa R. Hahn, Executive Director

Date

Date