

APPROVED

**VIRGINIA BOARD OF LONG –TERM CARE ADMINISTRATORS
TASK FORCE FOR ASSISTED LIVING ADMINISTRATORS
PUBLIC HEARING
MINUTES**

The Virginia Board of Long-Term Care Administrators Task Force for Assisted Living Administrators convened for a Public Hearing on Monday, June 4, 2007 at the Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room #1, Richmond, Virginia.

The following Task Force members were present:

Ted A. LeNeave, NHA	David McHarg
Martha H. Hunt	Randy Scott
Mable Jones	Mary Smith, NHA
Deborah Lloyd	Beverley Soble
Karen Love	

The following members were absent:

Carolynne Stevens	John T. Plichta
Jeffrey Hairston	Edward Owen
Bertha Simmons, NHA	

DHP staff present for all or part of the meeting included:

Lisa R. Hahn, Executive Director
Sandra Whitley Ryals, Director
Emily O. Wingfield, Chief Deputy Director
Elaine Yeatts, Senior Policy Analyst
Rashaun K. Minor, Discipline Operations Manager

Representative from the Office of the Attorney General was present for the meeting:

Amy Marschean, Senior Assistant Attorney General

Guests present in attendance:

Jason Rachel, Virginia Commonwealth University
Cynthia Bahs, Langround Visions, Inc.
Dianne Denny, Brookdale-Southerland Place

CALLED TO ORDER

Mr. LeNeave, Chair, called the public hearing to order at 10:15 a.m.

PUBLIC COMMENT PERIOD

Mr. LeNeave called the first commentor for public comment.

Andrew Carle, Director of Certificate Program in Assisted Living/Senior Housing Administration at George Mason University addressed the Task Force regarding the education and exam requirements. Mr. Carle stated that in 2001 George Mason offered its 15 credit hour Assisted Living program to graduate and undergraduate students seeking entry into the field of Assisted Living. Mr. Carle commented that in the current final regulations his students would not be eligible for licensure because the requirements in the regulations mirror the Nursing Home Administrator and not an Assisted Living Administrator. Mr. Carle stated that program offers an 18 credit hour course for those students with no experience in the field. Mr. Carle asked the Task Force, to automatically accept students that completed the George Mason certificate program as eligible for licensure.

Mr. Carle addressed the Task Force regarding his concerns on the required two exams for licensure. Mr. Carle stated that the national exam was created by Nursing Home Administrators and follows the domains of practice of Nursing Home Administrators. Mr. Carle stated that only one exam should be required and that exam should be the state exam. Mr. Carle asked the Task Force not to require the national exam and only test applicants on the state regulations. Mr. Carle stated that George Mason could assist the board in developing the state exam for a cost.

Tanner Smith, with the Virginia Assisted Living Association (VALA) addressed the Task Force. Ms. Smith read and submitted her comments to the Task Force, **attachment A**. Ms. Smith included with her comments VALA's Recommendations for Licensure as Assisted Living Facility Administrator Practicum and Experience matrix. Ms. Smith ended her comments by thanking the Task Force for allowing her to express VALA's views and concerns.

Paul J. Williams, Director of Public Policy, with Assisted Living Federation of America (ALFA) addressed the Task Force. Mr. Williams read and submitted his comments **attachment B**.

Randy Lindner, Executive Director, with the National Association of Boards of Examiners of Long Term Care Administrators (NAB) addressed the Task Force. Mr. Lindner stated he will clarify some misinterpretations regarding the examination. Mr. Lindner stated that a state examination is an important component in measuring an Assisted Living Administrator's entry level competency. He further stated it is equally important that administrators sit for a knowledge based competency examination. Mr. Linder stated there are optional ways to achieve both at a minimal cost. The Task Force may choose to have applicant sign an affidavit attesting they have read understood the regulations as part of the application process. Mr. Linder read and submitted his comments **attachment C**.

Heather Keena, Executive Director, with Sunrise Senior Living, addressed the Task Force. Ms. Keena stated she is not in favor of a national exam. Ms. Keena stated we are regulated by the state not nationally and in lieu of the national exam have reciprocity. Ms. Keena also added that the required amount of Administrator-In-Training (AIT) hours are excessive and would create a financial burden and the AIT hours should be more heavily weighed than education. Ms. Keena read and submitted her comments **attachment D**.

Carter Harrison, Advocate, represents the Alzheimer's Association, addressed the Task Force from a resident perspective. Mr. Harrison stated that they were deeply disappointed that the Governor's Office rejected the final regulations, countless people made valuable input in support of the regulations. Mr. Harrison stated that they support the original regulations and regarding the national examination offered by NAB was the way to go and the state examination may not be necessary considering the regulations are constantly changing. Regarding the AIT program, Mr. Harrison supports 640 hours with 30 semester hours in any subject and a credit of 160 hours with prior experience. Mr. Harrison closed his comments by stating they do not support any alterations in the education requirements. Comments submitted **attachment E**.

Ed Allen, Administrator, with the Masonic Home, addressed the Task Force. Mr. Allen commented to decrease the education requirement and give more consideration to experience.

Diana Ponterio, with Five Star Quality Care, addressed the Task Force. Ms. Ponterio stated that Five Star Quality Care operates 10 facilities in Virginia and assisted living was designed to be an alternative choice. Ms. Ponterio stated she agrees with licensure and examination, in the form of a state exam. Ms. Ponterio stated that experience needs to count because most ALF like to promote within the facility. Ms. Ponterio also commented that the AIT hours should be reduced.

Laurie Sawyer, Regional Director of Operations for Central North Carolina and Virginia for Brookdale Senior Living. Ms. Sawyer stated that Brookdale Senior Living does not oppose to licensure requirements for Assisted Living Administrators; however, the proposed licensing requirements model the Nursing Home Administrators regulations and in many ways do not meet the needs of the assisted living industry. Ms. Sawyer read and submitted her comments, **attachment F**.

Gary Lesich, LPN, Administrator, with Riverdale in Charlottesville, Virginia, addressed the Task Force. Mr. Lesich stated that under the current final regulations Licensed Practical Nurses (LPN) are not included in the pool for potential applicants and therefore he would not have a job. Mr. Lesich stated he has been very beneficial and valuable at his facility and has a great deal of experience in the field.

Angie Stead, Administrator, Pinewood Inn in Norfolk, Virginia, addressed the Task Force. Ms. Stead stated she has earned her B.S. in Human Service Counseling and has

worked as Administrator for 23 months and under the current regulations she does not qualify for licensure. Ms. Stead commented that the board needs to recognize and take into consideration, the background and experience of the administrator, as well as the education level.

Kaye Albin, Executive Director, Churchland House in Portsmouth, Virginia, addressed the Task Force. Ms. Albin stated she has extensive experience caring for the elderly and has a passion and love for this field. Ms. Albin stated a college degree could not have given her the experience she has learned in the field. Ms. Albin commented that the Task Force focus on a state examination and weigh heavy on experience in their decision making.

Lisa Davis, Executive Director, with Kings Grant Commonwealth, addressed the Task Force. Ms. Davis stated she has been administrator for 15 months and has 14 years of experience in long term care. Ms. Davis commented that experience is very important. Ms. Davis asked the Task Force not to exclusively focus on education and to allow for hands on training and classroom experience to count towards licensure and she supports one exam, the state exam. Ms. Davis further commented that the recommended AIT hours are too excessive to meet.

Richard Brewer, President of Commonwealth Assisted Living, addressed the Task Force. Mr. Brewer is also a volunteer board member of the Virginia Assisted Living Association and the president of Commonwealth Assisted Living which operates 8 facilities with a capacity of almost 500 beds. Mr. Brewer stated that JABA is in the top five of providers in Virginia and listed in the top 50 in the United States of providers for the elderly. Mr. Brewer commented that as the regulations currently read he would not qualify to be an Administrator. Mr. Brewer stated licensure is important but believes the Task Force digresses on what makes a good manager. Mr. Brewer stated that hands-on work experience in the field is very valuable to the success of the industry.

Annie Feller, Executive Director, with Summit Square Retirement Community in Waynesboro, Virginia, addressed the Task Force. Ms. Feller stated she has 13 years as an Assisted Living Administrator and as a Nursing Home Administrator. Ms. Feller stated that they were very disappointed that the Governor sent the regulations back to the Board; the regulations had input from all parties that were affected and stakeholders, equal representation was provided. Ms. Feller stated this was not a national issue we need to raise bar on the type of care we are providing to our elderly population. Ms. Feller stated if the Task Force must choose one exam they'd prefer the Task Force to choose the national exam offered by NAB. Ms. Feller stated it is important to have compassion in this field, but it is not enough to establish competency. Ms. Feller further commented that the Task Force retain the original educational requirements in the final regulations.

Irvin Land, Vice President, with Commonwealth Assisted Living, addressed the Task Force. Mr. Land stated that Assisted Living Facilities (ALF) are not Nursing Homes and that one out of three ALFs are independently owned/operated and have fewer than 19 beds.

Mr. Land stated an AIT is not going to work in smaller facilities and could cause a shortage in the field. Mr. Land stated that the Department of Social Services (DSS) approved a 125 hour Educational Program in Assisted Living Administration and of the current Administrators in the field approximately over half have taken and passed this course. Mr. Land stated currently he is the only person teaching this course. Mr. Land commented that the current requirements are too stringent. Mr. Land provided a copy of the course outline and his view on other state requirements, **attachment G**.

Dana Parsons, with the Virginia Association of Nonprofit Homes for the Aging (VANHA), addressed the Task Force. Ms. Parsons commented that they supported the final draft of the Assisted Living Administrators regulations and was discouraged when the Governor did not approve the regulations. Ms. Parsons commented that they would support limited amendments to the final regulations; support one exam, the national exam for initial licensure, education requirements remain the same, and a slight reduction in the AIT hours. Ms. Parsons commented they do not support an experience only pathway.

Roy Bryant, owner/operator of assisted living facility addressed the Task Force. Mr. Bryant asked that the Task Force consider minorities and the poor in their decision making for minimum competency for Assisted Living Administrators and to remember that assisted living facilities are a social model and not a medical model for taking care of the elderly.

Mr. LeNeave thanked the public for their attendance, comments, and participation in the regulatory process with no further comments from the public the hearing was adjourned at 12:09 p.m.

Ted A. LeNeave, NHA, Chair

Lisa R. Hahn, Executive Director

Date

Date