

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

THIS AGENDA CONSTITUTES NOTICE OF THE REGULARLY SCHEDULED MEETING OF THE
BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS
IN COMPLIANCE WITH THE OPEN MEETING LAW, M.G.L. c. 30A, § 20

Thursday, April 17, 2014
10:00 a.m.

239 Causeway Street ~ 4th Floor ~ Room 417A
Boston, Massachusetts 02114

Agenda

Time	Item #	Item	Exhibits	Staff Contact
10:00 a.m.	I.	Call to Order Determination of Quorum		
	II.	Approval of Agenda	Draft Agenda	
	III.	Approval of Minutes of Regularly Scheduled Meeting A. January 16, 2014 Board Meeting	Draft Minutes	
	IV.	Adjudicatory Session None	None	
	V.	M.G.L. c. 112, § 65C Session	Closed Session	
	VI.	Executive Session (Roll call vote) None	None	

	VII.	Administrator in Training A. <u>Request for Administrator in Training Approval</u> 1. <u>Perreault, Ryan</u> Facility: Sarah S. Brayton Skilled Nursing Center-Fall River Preceptor: Linea McQuay, NH3054 2. <u>Finnegan, Corey</u> Facility: Odd Fellows Home of MA Preceptor: James Tracy, NH1651	Applications and related documents	
	VII.	B. <u>Request for Administrator in Training Credit</u> 1. <u>Valletti, Tracy</u> Facility: Essex Park Health Care Center-Beverly Preceptor: Frank Silvia, NH2446 3. <u>Baker, Nicholas</u> Facility: Charlwell House Skilled and Rehabilitation Center – Norwood Preceptor: Jason Preuss, NH5109 4. <u>Limaj, Idriz</u> Facility: Recuperative Services Unit @ Hebrew Rehab Center Preceptor: Mary Moscato, NH2737 5. <u>Agran Mindy</u> Facility: Bethany Health Care Center Preceptor: Sister Jacquelyn McCarthy, NH2258	Applications and related documents	
		C. <u>Request for Administrator in Training Change of Preceptor</u> 1. <u>Morales, Shawn</u> Facility: Life Care Center – Plymouth Current Preceptor: David Carboneau, NH1923 Proposed New Preceptor: Kate O’ Connor, NH2071 2. <u>Septimus, Shmuel</u> Facility: Braemoor Rehab & Nursing Center- Brockton Current Preceptor: Jeff Martin, NH2895 Proposed New Preceptor: David Carboneau, NH1923 3. <u>Margulies, Andrea</u> Facility: Chelsea Jewish Nursing Home Current Preceptor: Edward Hermann, NH3375 Proposed Preceptor: Phil Sher, NH1576	Applications and related documents	

	VIII.	<p>D. <u>Administrator in Training Mid-Point Review</u></p> <ol style="list-style-type: none"> 1. <u>Margulies, Andrea</u> Facility: Chelsea Jewish Nursing Home Preceptor: Edward Hermann, NH3375 2. <u>Aylward, Barbara</u> Facility: Marist Hill Nursing & Rehab Center – Waltham Preceptor: Carolyn Fenn, NH3177 3. <u>Barry, Lorraine</u> Facility: St. Patrick’s Manor – Framingham Preceptor: Sister Maureen McDonough, NH2379 4. <u>Septimus, Shmuel</u> Facility: Braemoor Rehab & Nursing Center- Brockton Preceptor: Jeff Martin, NH2895 5. <u>Churchill, Linda</u> Facility: D’Youville Senior Care Preceptor: Andrea Rathbone, NH3221 	Applications and related documents	
	VII.	<p>E. <u>Administrator in Training Final/Completion Review</u></p> <ol style="list-style-type: none"> 1. <u>Morales, Shawn</u> Facility: Life Care Center – Plymouth Current Preceptor: David Carboneau, NH1923 Proposed New Preceptor: Kate O’ Connor, NH2071 2. <u>Frias, Joseph</u> Facility: Somerset Ridge Center – Genesis Health Care-Somerset Preceptor: Jeffrey Govoni, NH3256 3. <u>Cronin, Nury</u> Facility: Pleasant Bay Nursing & Rehab Center-Brewster Preceptor: Renee Looker, NH5002 4. <u>Toot, Gregory</u> Facility: Hebrew Rehabilitation Center – Boston Preceptor: Mary Moscato, NH2737 	Applications and related documents	

	VII.	<p>5. <u>Gust, Stephen</u> Facility: Mary Immaculate Nursing / Restorative Center Preceptor: Stewart Goff, NH2928</p> <p>6. <u>Burkart, Bradley</u> Facility: Sherrill House Preceptor: Patrick Stapleton, NH2836</p> <p>7. <u>MacBrien, Natalie</u> Facility: The Meadows – Edgewood Retirement Community Preceptor: Marlene Rotering, NH3044</p> <p>8. <u>Johanson, Erin</u> Facility: Woburn Nursing Center Preceptor: Cheryl Evangelista, NH3530</p> <p>9. <u>Thimot, Kevin</u> Facility: Videll Healthcare – Springside Care and Rehab Preceptor: Christina Pringle, NH3551</p>	Applications and related documents	
	IX.	<p>Review of Application for Initial Licensure A. <u>Ajegba, Judith</u>-Represented self as a Nursing Home Administrator on Resume Prior to licensure in MA</p>	Summary, Statement, and Resumes	
	X.	<p>Review of Applications for Licensure by Reciprocity A. <u>Murphy, Sharon</u> Licensed in CT (Issued 10/11/85) (Expires 03/31/16)</p>	Reciprocity Application and supporting documents	
	XI.	<p>Review of Applications for License Reactivation (within 3 years of license expiration) A. <u>Memmolio, Robert</u> <u>NH5019</u> <u>Expired: (06/30/2013)</u> B. <u>Goff, Stewart</u> <u>NH2928</u> <u>Expired: (06/30/2013)</u></p>	Reactivation Applications and supporting documents	
	XII.	<p>Review of Applications for License Reactivation (more than 3 years since license expiration) None</p>		
	XIII.	<p>Triage A. <u>TRG-5169</u> <u>Crowley, Jeffrey</u> <u>NH5174</u> B. <u>TRG-5536</u> <u>Silvia, Frank</u> <u>NH2446</u></p>	Triage file and supporting documents	
	XIV.	<p>Staff Assignments A. <u>SA-INV-5309</u> <u>Morreale Jessica</u> <u>Pending</u> B. <u>SA-INV-2891</u> <u>Goncalves, Diane</u> <u>NH2394</u></p>	Investigation report and supporting documents	PB/IH

	XV.	Docketed Complaints None	None	
	XVI.	Continuing Education <u>Requests for CEU Approval</u> A. “OBRA/PASARR 2014 Training” Requested by: Karen Vautour, PhD, LICSW B. “Principles of Leadership Series” Requested by: Emily Simora, RNBS, NH3531 C. “NAMENDA XR and the treatment of moderate to severe dementia of the Alzheimer’s type” Requested by: Susan Caldwell, NH2573 and Joanne Roque, NH3468	Request for CEU documents	
	XVII.	Requests for Deemed Status A. <u>Organization</u> : Z.S. Consulting Group, Inc-Braintree Request by Sean Dore	Documents related to requests for CEU	
	XVIII.	Other Business/Announcements A. Review of sample letter and form for Random CEU Audit B. Policy 12-01 Delegation of Authority to Executive, Mary Phillips C. <u>Overview</u> : Conflict of Interest Law D. <u>Overview</u> : Sessions of Open Meeting Law	Letter and form Draft Policy 12-01 Conflict of Interest, Hand-out	MP/IH VB VB VB
	XIX.	Flex Session 1. Topics for the next Agenda		
2:00 p.m.	XX.	Adjournment		

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

BOARD MEETING

Thursday, April 17, 2014

239 Causeway Street - 4th floor, Room 417A/B
Boston, MA 02114

MINUTES

Board Members

Present:

Nancy Lordan, Nursing Home Administrator 3, Chair
William Graves, Nursing Home Administrator 1, Vice-Chair
Roxanne Webster, Registered Nurse, Secretary
Mary McKenna, Executive Office of Elder Affairs
Janet Cutter, Executive Office of Public Welfare
Sherman Lohnes, Department of Public Health
James Divver, Nursing Home Administrator 4
Michael Baldassarre, Nursing Home Administrator 2
Patrick J Stapleton, Nursing Home Administrator 5 (Non-Proprietary
Nursing Home)

Board Member

Not Present:

Denise Dabney, Ph.D., Public Member

Staff Present:

Mary Phillips, Executive Director, Multi-Boards, DHPL
Ichelle Herbu, Assistant Executive Director, Multi-Boards, DHPL
Anson Chu, Office Support Specialist, Multi-Boards, DHPL
Vita Berg, Chief Board Counsel, Office of the General Counsel, DHPL
David Murphy, Board Counsel, Office of the General Counsel, DPH
Marjorie Campbell, Investigator, Supervisor, Office of Public
Protection, DHPL
Philip Beattie, Board Investigator, Office of Public Protection, DHPL

Guests:

Jessica Morreale
Stephen Morreale
Attorney James Rooney
State Representative James O’Dea
Kelly Love

I. Call to Order – Determination of Quorum

A quorum of the Board was present. Ms. Lordan, Board Chair, called the meeting to order at 10:08 a.m.

II. Approval of Agenda

Board members reviewed the meeting Agenda.

ACTION: Mr. Divver made a motion to approve the Agenda as presented; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Ms. Webster informed the Board that one of the Licensee's preceptor information is incorrect. Mr. Graves made a motion to approve the Agenda as amended; Ms. McKenna seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Document: April 17, 2014 Regularly Scheduled Board Meeting Agenda.

III. Approval of Minutes

A. Minutes of the Regularly Scheduled Board Meeting: January 16, 2014

The Board reviewed the January 16, 2014 Regularly Scheduled Board Meeting Minutes.

DISCUSSION: None

ACTION: Mr. Divver made a motion to approve the Minutes as presented; Mr. Baldassarre seconded the motion. Mr. Graves abstained from voting as he was not present at the January 16, 2014 meeting. Motion passed with Board members present and voting in favor unanimously.

Documents: January 16, 2014 Regularly Scheduled Board Meeting Minutes

IV. Adjudicatory Session (closed session)

None

V. M.G.L. c. 112, § 65C Session (closed session)

The Board deferred the items in the 65C Session until the next scheduled Board Meeting.

VI. Executive Session (Roll call vote)

None

VII. Administrator in Training

A. Request for Administrator in Training

Ms. Webster made the following recommendations:

1. Perreault, Ryan

Facility: Sarah S. Brayton Skilled Nursing Center-Fall River
receptor: Linea McQuay, NH3054

RECOMMENDATION: Approved

ACTION: Ms. McKenna made a motion to accept the recommendation of Ms. Webster; Mr. Graves seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: Application forms and related documents.

2. Finnegan, Corey
Facility: Odd Fellows Home of MA
Preceptor: James Tracy, NH1651

RECOMMENDATION: Approved

ACTION: Ms. McKenna made a motion to accept the recommendation of Ms. Webster; Mr. Graves seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: Application and related documents.

- B. Request for Administrator in Training with Credit
Ms. Webster made the following recommendations:

1. Valletti, Tracy
Facility: Essex Park Health Care Center-Beverly
Preceptor: Frank Silvia, NH2446

RECOMMENDATION: Approved-with 2 weeks credit

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Ms. Cutter seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents.

2. Baker, Nicholas
Facility: Charlwell House Skilled and Rehabilitation Center – Norwood
Preceptor: Jason Preuss, NH5109

RECOMMENDATION: Approved-with 3 months credit

ACTION: Ms. McKenna made a motion to accept the recommendation of Ms. Webster; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

3. Limaj, Idriz
Facility: Recuperative Services Unit @ Hebrew Rehab Center
Preceptor: Mary Moscato, NH2737

RECOMMENDATION: Approved-with 3 months credit

ACTION: Ms. McKenna made a motion to accept the recommendation of Ms. Webster; Mr. Graves seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

4. Agran Mindy
Facility: Bethany Health Care Center
Preceptor: Sister Jacquelyn McCarthy, NH2258

RECOMMENDATION: Approved-with 2 weeks credit

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

C. Request for Administrator in Training Change of Preceptor

Ms. Webster made the following recommendations:

1. Morales, Shawn
Facility: Life Care Center – Plymouth
Current Preceptor: David Carboneau, NH1923
Proposed New Preceptor: Kate O' Connor, NH2071

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Graves seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

2. Septimus, Shmuel
Facility: Braemoor Rehab & Nursing Center- Brockton
Current Preceptor: Jeffrey Martin, NH2895
Proposed New Preceptor: David Carboneau, NH1923

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Graves seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

3. Margulies, Andrea
Facility: Chelsea Jewish Nursing Home
Current Preceptor: Edward Hermann, NH3375
Proposed New Preceptor: Phillip Sher, NH1576

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Graves seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

- D. Administrator in Training-Mid-Point Review
Ms. Webster made the following recommendations:

1. Margulies, Andrea
Facility: Chelsea Jewish Nursing Home
Preceptor: Edward Hermann, NH3375

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

2. Aylward, Barbara
Facility: Marist Hill Nursing & Rehab Center – Waltham
Preceptor: Carolyn Fenn, NH3177

RECOMMENDATION: Ms. Webster informed the Board that the mid-point report was a few hour short of an actual “midway” of the AIT internship. After discussion, the Board voted for it to be approved.

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Lohnes seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

3. Barry, Lorraine
Facility: St. Patrick’s Manor – Framingham
Preceptor: Sister Maureen McDonough, NH2379

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

4. Septimus, Shmuel

Facility: Braemoor Rehab & Nursing Center- Brockton

Preceptor: Jeffrey Martin, NH2895

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

5. Churchill, Linda

Facility: D'Youville Senior Care

Preceptor: Andrea Rathbone, NH3221

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

E. Administrator in Training-Final Review

Ms. Webster made the following recommendations:

1. Morales, Shawn

Facility: Life Care Center – Plymouth

Current Preceptor: David Carboneau, NH1923

Proposed New Preceptor: Kate O' Connor, NH2071

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Graves seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

2. Frias, Joseph

Facility: Somerset Ridge Center – Genesis Health Care-Somerset
Preceptor: Jeffrey Govoni, NH3256

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Graves seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

3. Cronin, Nury

Facility: Pleasant Bay Nursing & Rehab Center-Brewster
Preceptor: Joshua Zuckerman, NH2784

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Graves seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

4. Toot, Gregory

Facility: Hebrew Rehabilitation Center – Boston
Preceptor: Mary Moscato, NH2737

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Graves seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

5. Gust, Stephen

Facility: Mary Immaculate Nursing / Restorative Center
Preceptor: Stewart Goff, NH2928

RECOMMENDATION: Ms. Webster informed the Board that Mr. Gust's preceptor, Mr. Goff, let his license lapsed during the time of the AIT internship. Mr. Goff is in the process of getting his license reactivated. After discussion, the Board said they should not penalize the AIT applicant for the lapsed of his preceptor's license. Ms. Webster recommends to approve the completion of his AIT.

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

6. Burkart, Bradley

Facility: Sherrill House

Preceptor: Patrick Stapleton, NH2836

[Mr. Stapleton recused himself and stepped out of the room at 10:28 a.m.]

RECOMMENDATION: Approved

ACTION: Mr. Lohnes made a motion to accept the recommendation of Ms. Webster; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

[Mr. Stapleton returned back to the room at 10:29 a.m.]

Documents: AIT Application and related documents

7. MacBrien, Natalie

Facility: The Meadows – Edgewood Retirement Community

Preceptor: Marlene Rotering, NH3044

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

8. Johanson, Erin

Facility: Woburn Nursing Center

Preceptor: Cheryl Evangelista, NH3530

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

9. Thimot, Kevin

Facility: Videll Healthcare – Springside Care and Rehab

Preceptor: Christina Pringle, NH3551

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents

VIII Review of Application for Initial Licensure

A. Ajegba, Judith- Ms. Ajegba represented herself as a Nursing Home Administrator on Resume prior to licensure in MA

DISCUSSION: Ms. Herbu summarized the facts, and informed the Board that the applicant completed her AIT and passed the NAB. She submitted a new application to the Board, because her application form on file was more than a year old. She submitted a resume indicating that she was a Nursing Home Administrator prior to obtaining her license. After being informed by her preceptor that she misrepresented her qualification on her resume, she submitted another resume to the Board indicating that she was an Administrator-in-Training awaiting licensure. After a discussion, the Board determined that additional information was required from her preceptor and the Board wanted to meet with the applicant to clarify the reason she initially identified herself as Nursing Home Administrator.

ACTION: Mr. Divver made a motion that Board staff request for an affidavit from Ms. Ajeba's preceptor clarifying the applicant's duties and responsibilities and identifying the Nursing Home Administrator of record from 2011 to 2012 at the facility; Mr. Graves seconded the motion. Motion passed with Board members present and voting in favor unanimously

Documents: Summary, Statement, and Resume

IX. Review of Applications for Licensure by Reciprocity

Ms. Webster made the following recommendations:

A. Murphy, Sharon

Licensed in CT (Issued 10/11/85) (Expires 03/31/16)

RECOMMENDATION: Approved

ACTION: Mr. Divver made a motion to accept the recommendation of Ms. Webster; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: Application for Licensure by Reciprocity and related documents

X. Review of Applications for License Reactivation (within 3 years of license expiration)

A. Memmo, Robert NH5019 Expired: (06/30/2013)

RECOMMENDATION: Approved

ACTION: Mr. Baldassarre made a motion to accept the recommendation of Ms. Webster; Mr. Divver seconded the motion. Motion passed with Board members present and voting in favor unanimously

Documents: Reactivation Application and related documents

B. Goff, Stewart NH2928 Expired: (06/30/2013)

RECOMMENDATION: Ms. Webster informed the Board that Mr. Goff disclosed practicing under an expired license. After discussion, the Board decided to approve his reactivation application based on Ms. Webster's recommendation and open a Staff Assignment on Mr. Goff.

ACTION: Mr. Baldassarre made a motion to accept the recommendation of Ms. Webster; Mr. Divver seconded the motion. Motion passed with Board members present and voting in favor unanimously

Documents: Reactivation Application and related documents

XI. Review of Applications for Licensure- Reactivation (more than 3 years since license expiration)
None.

XII. Triage

Mr. Stapleton recused himself and left the room at 10:40 a.m.

A. TRG-5169 Crowley, Jeffrey NH5174 (Expires: 06/30/14)

Board members reviewed the Statement of Deficiencies and the follow-up survey completed on or about February 3, 2014 forwarded to the Office of Public Protection ("OPP") from the Department of Health Care Quality ("DHCQ").

DISCUSSION: At its January 16, 2014, the Board deferred Board action on this matter until DHCQ forwards the results of the follow-up survey to OPP. The follow-up survey indicates that the facility achieved substantial compliance. Mr. Sherman inquired whether licensee had any prior complaints filed against his license.

ACTION: Ms. Webster made a motion to defer this matter until information is obtained regarding licensee's complaint history with the Board; Mr. Lohnes seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Mr. Stapleton returned to the room at 10:43 a.m.

The Board resumed discussion of this matter at 12:03 p.m.

Mr. Stapleton recused himself and left the room at 12:03 p.m.

DISCUSSION: Ms. Campbell informed the Board that licensee had no prior complaints against his license with the Board. After discussion, the Board determined that the matter should be closed.

ACTION: Mr. Divver made a motion to close the investigation with no further action required; Ms. Webster seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Mr. Stapleton returned to the room at 12:05 p.m.

Documents: Statements of Deficiencies and related materials

B. TRG-5536 Silvia, Frank NH2446
Board members reviewed the Newspaper article.

DISCUSSION: Ms. Phillips summarized the facts and informed the Board that the newspaper article alleges that licensee while working as the Nursing Home Administrator at a facility in Beverly, urged families to donate money to a re-election campaign. Further, the facility had a sign in the lobby that urged visitors to donate money to the re-election campaign. Board determined that at this time, there was insufficient evidence that Mr. Silvia violated the Board's laws and regulations and the matter should be deferred until the Board received additional information.

ACTION: Mr. Graves made a motion to defer action for three months and during that time staff will follow-up with Office of Campaign and Finance. Ms. McKenna seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: Newspaper article

XIII. Staff Assignments

A. SA-INV-5309 Morreale Jessica Pending

DISCUSSION: Mr. Beattie summarized the facts of the case for the Board. At its November 21, 2013, the Board reviewed Ms. Morreale's application for reciprocity licensure, and it was noted that although Ms. Morreale did not have a MA license, she identified herself on her resume as the Executive Director of Life Care Center in Auburn, MA during or about March to August 2013 and Redstone Rehabilitation and Nursing Center in East Longmeadow, MA during or about "August 2013 to present". The Board determined that additional information was required regarding Ms. Morreale's title, duties and responsibilities while she worked at the above mentioned facilities. During the investigation, Ms. Morreale verbally informed staff that she was working as the assistant administrator at the facilities, and that the term Executive Director meant Administrator. In her written response to the Board via her Attorney, Ms. Morreale informed the Board that at no time did she practice as a Nursing Home Administrator without a license in MA, and during her employment at the facilities, she worked under the MA license of Ms. Catherine O'Conner, Susan Jenney, and Jerry Labelle. Ms. Berg advised the Board of the Boards' statute, Chapter 112, §16 and 17. In response to Board member's questions, during the

meeting, Ms. Morreale stated that she worked for a Rhode Island Company who requested that she worked at the MA facilities pending her MA licensure.

ACTION 1: Mr. Divver made a motion to approve Ms. Morreale's application for reciprocity licensure and issue her a MA license; Ms. Lordan seconded the motion. Motion failed. Board members voting Opposed: Ms. Webster, Mr. Graves, Ms. McKenna, Ms. Cutter, Mr. Lohnes, Mr. Stapleton, and Mr. Baldassarre. Board members voting in Favor Mr. Divver and Ms. Lordan. None Abstained. None Recused.

DISCUSSION: the Board noted that it continues to be unclear if Ms. Morreale's duties and responsibilities were that of a Nursing Home Administrator while she worked at the facilities and if she received the appropriate direction and supervision if she was working under another Nursing Home Administrator's MA license. Board members noted that a facility is required to have a MA licensed Nursing Home Administrator to continuously monitor a facility. Board members noted that Ms. O'Connor was the Regional Vice President and may not have been able to take on the direct responsibility and supervision of Ms. Morreales or the facility as indicated in the Board's statute. Further, companies in the industry may create an environment where an individual may be encouraged to work as a unlicensed Nursing Home Administrator.

ACTION 2: Mr. Baldassarre made a motion to approve Ms. Morreale's application for reciprocity licensure; Mr. Divver seconded the motion. The motion passed. Board members voting in Favor: Mr. Baldassarre, Mr. Divver, Ms. Lordan, Ms. Webster, Mr. Graves, Ms. Janet and Mr. Stapleton. Board members voting Opposed: Ms. McKenna and Mr. Lohnes. None Abstained. None Recused.

Mr. Divver left the room at 11:41 a.m. and returned to the room at 11:42 a.m.

DISCUSSION: Board noted that it continues to be unclear who the Nursing Home Administrator of record was while Ms. Morreale was working at the facilities and if the licensed Nursing Home Administrator had taken direct responsibility and supervision of the facility.

ACTION 3: Mr. Divver made a motion to keep the investigation open against Ms. Morreale's license pending information clarifying the nursing home administrator of record at the facilities and if the nursing home administrators took direct responsibility and supervision of the facility; open a formal investigation against Ms. Catherine O'Conner, Susan Jenney, and Jerry Labelle's license; Mr. Graves seconded the motion. Motion passed with Board members present and voting in favor unanimously

Documents: Investigative report and supporting documents

D. SA-INV-2891 Goncalves, Diane NH2394

DISCUSSION: Mr. Beattie summarized the case and informed the Board that the patient's daughter filed a complaint alleging that while at Wingate at Springfield Rehabilitation and Skilled Nursing Residence, the staff did not answer the call light, and did not follow physicians' orders regarding pain medications and laboratory testing. However, DHCQ

conducted a survey, and determined that the licensee took appropriate action when informed of the issues and the deficiencies had been corrected. The licensee took the necessary action to address the families when she was notified of the issues. The Board determined that no further action is required.

ACTION 2: Mr. Divver made a motion close the formal investigation against Ms. Goncalves; Ms. Lordan seconded the motion. Motion passed with Board members present and voting in favor unanimously

XIV. Docketed Complaints

None

XV. Continuing Education

Ms. McKenna made the following recommendations:

A. Request for CEU Approval

1. *“OBRA/PASARR 2014 Training”*

Requested by: Karen Vautour, PhD, LICSW

RECOMMENDATION: Approve - 3 CEUs

ACTION: Ms. Webster made a motion to accept the recommendation of Ms. McKenna; Mr. Graves seconded the motion. Motion passed with Board member present and voting in favor unanimously

Documents: Requests for CEU Approval and related documents

2. *“Principles of Leadership Series”*

Requested by: Emily Simora, RNBS, NH3531

RECOMMENDATION: Deferred for more information – Need the daily agenda with the time and date.

ACTION: Mr. Graves made a motion to accept the recommendations of Ms. McKenna; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously

Documents: Requests for CEU Approval and related documents

3. *“NAMENDA XR and the treatment of moderate to severe dementia of the Alzheimer’s type”*

Requested by: Susan Caldwell, NH2573 and Joanne Roque, NH3468

RECOMMENDATION: Deferred for more information – need the length of the program and the copy of the certificate.

ACTION: Mr. Graves made a motion to accept the recommendations of Ms. McKenna; Mr. Baldassarre seconded the motion. Motion passed with Board

members present and voting in favor unanimously

Documents: Requests for CEU Approval and related documents

XVI. Requests for Deemed Status

A. Organization: Z.S. Consulting Group, Inc-Braintree, Request by Sean Dore

Mr. Lohnes recused himself and stepped out of the room at 12:10 pm.

DISCUSSION: Ms. Cutter summarized the information received for the Board. Mr. Dore's organization does not have a prior history of presenting courses to others and therefore the organization does not meet the Board's regulations at *245 CMR 2.12 (5)(d)*. Further, Mr. Dore did not provide the course materials for the individual courses, "How to Investigate a Compliant," "The Complaint Interview," "The Ambulance Service Regulations," "The Deposition," and "Autism in Long-Term".

ACTION: Mr. Graves made a motion to deny the organization's application for deemed status; however, inform Mr. Dore that he may request approval for each individual continuing education activity, *see 245 CMR 2.12 (6), Approval of Individual Continuing Education Activities by Board*, by submitting materials that he intends to present to student during the course such as PowerPoint presentation and hand-outs; Mr. Divver seconded the motion. Motion passed with Board members present and voting in favor unanimously

Mr. Lohnes returned to the room at 12:21 p.m.

Documents: Deem status application and related materials

XVII. Other Business/Announcements

A. Review of sample letter and form for Random CEU Audit

DISCUSSION: Ms. Herbu informed the Board that the letter and form distributed is a draft of the letter and form that will be mailed to licensees once reviewed and approved by the Board. Thirty licensees have been randomly selected randomly by the IT department and Board staff will review the minutes to identify licensees with prior issues with CEU requirements.

ACTION: Mr. Graves made a motion to approve the letter and form as presented; Ms. Webster seconded the motion. Motion passed with Board members present and voting in favor unanimously

Documents: Draft of Audit Letter and Form

B. Policy 12-01 Delegation of Authority to Executive Director Mary Phillips|

DISCUSSION: None

ACTION: Deferred until the next scheduled Board meeting.

C. Overview: Conflict of Interest Law

DISCUSSION: Ms. Berg reviewed the Conflict of Interest Law as it pertains to Board members and provided several examples of conflict of interest. If a Board member determines that a conflict of interest exists with an item on the agenda, Board members may contact the State Ethics Commission for advice. Board members should notify Board staff of the issue as soon as possible and; recuse themselves prior to the discussion of the item in the meeting; cannot discuss the item at any time with any Board member; and file a disclosure form with the Governor's Office if a quorum issue arises.

ACTION: None.

Documents: Conflict of Interest Materials

E. Overview: Sessions of Open Meeting Law

DISCUSSION: Ms. Berg reviewed and answered any questions the Open meeting law sessions and M.G.L.Chp.. 112 § 65C session for the Board.

ACTION: None.

Documents: None

XVIII Flex Session

1. Topics for the next Agenda

The Board requested the following items to be added on the agenda for the next scheduled Board meeting:

1. Revising the type of Master's Degree applicable when an applicant is requesting credits towards the AIT program
2. Updates on the CORI check for applications
3. Discussion of the uses of the title Nursing Home Administrator vs. Executive Director

XIX. Adjourn

There being no other business before the Board, Ms. Webster made a motion to adjourn the Board meeting; Ms. Cutter seconded the motion. The motion passed unanimously.

The meeting was adjourned at 12:33 p.m.

The next meeting of the Board of Registration of Nursing Home Administrators will be held on Thursday, May 15, 2014. The Board meeting begins at 10:00 a.m.

Respectfully submitted:

Nancy Lordan, NHA
Chair

Date