

**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**

**Friday, August 18, 2017  
10:00 a.m. to 2:00 p.m.**

**239 Causeway Street ~ 4<sup>th</sup> Floor ~ Room 417A  
Boston, Massachusetts 02114**

**Agenda**

<b>Time</b>	<b>Item #</b>	<b>Item</b>	<b>Exhibits</b>	<b>Staff Contact</b>
10:00 a.m.	<b>I</b>	<b>Call to Order</b> <b>Determination of Quorum</b> <b>Notice of electronic recording</b>		Board Chair
	<b>II</b>	<b>Approval of Agenda</b>	Draft Agenda	Board
	<b>III</b>	<b>Conflict of Interest</b>		Board
	<b>IV</b>	<b>Approval of Minutes of Regularly Scheduled Meeting</b> A. July 21, 2017 Board Meeting	Draft Minutes	Board
	<b>V</b>	<b>Board Inquiries</b> A. Split CEU's for Preceptors Submitted By: Deepa Eberlin (NH5150)	E-mail Inquiry	Board
	<b>VI</b>	<b>Staff Action Policies</b> A. Delegation of Application Processing Approval to Board Staff <ul style="list-style-type: none"> <li>▪ Initial Applications ( AIT)</li> <li>▪ Initial Application (Full License)</li> <li>▪ Initial Application (Reciprocity)</li> <li>▪ Training &amp; Experience Credit Requests: (AIT)</li> <li>▪ Progress Reports (AIT: Midpoint &amp; Completion)</li> <li>▪ Change of Preceptor Requests (AIT)</li> <li>▪ Change of Facility Requests (AIT)</li> <li>▪ Move with Preceptor to New Facility (AIT)</li> <li>▪ CEU Approval (Preceptor)</li> </ul> B. NHA August 2017 Listing for Approval	Draft Policy	MS

	<b>VII</b>	<b>Board Advisory</b> A. Alert: Mandatory Training in Domestic and Sexual Violence	Draft Alert	MS
	<b>VIII</b>	<b>CEU Request: None</b>		
	<b>IX</b>	<b>Open Investigations:</b>  <i>Triage(s):</i> A. Edward Hermann, NH3375 TRG-11124 Attorney: None Facility: Blue Hills and Rehab  B. Kenneth Strong, NH1161 TRG-11185 Attorney: None Facility: Dwyer House  C. Julian Rich, NH1516 TRG-11274 Attorney: None Facility: Dwyer House  D. Denise Okun, NH3414 TRG-11299 Attorney: None Facility: Blue Hills Health & Rehab  <i>Staff Assignment(s):</i> None  <i>Complaint(s):</i> None	Investigative Report	KJ
	<b>X</b>	<b>Flex Session</b> A. Announcements/Discussions B. Topics for the next Agenda		RC

	<b>XI</b>	<p><b>Executive Session (Roll call vote)</b> The Board will meet in Executive Session as authorized pursuant to M.G.L. c.30A, § 21(a)(1) for the purpose of discussing the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual.</p> <ol style="list-style-type: none"> <li>Specifically, the Board will discuss and evaluate the <u>Good Moral Character</u> provision of a pending application.</li> <li>In addition, the Board will discuss and evaluate the reputation, character, physical condition or mental health, rather than professional competence, of licensees relevant to their petitions for license status change.</li> </ol> <p>The Board will not reconvene in open session subsequent to the executive session.</p>	Closed Session	Board Chair
	<b>XII</b>	<b>65C Session (closed session)</b>		
2:00 p.m.	<b>XIII</b>	<b>Adjournment-next Board meeting scheduled for September 15, 2017.</b>		Board

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

BOARD MEETING

Friday, August 18, 2017

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

MINUTES

Board Members

Present:

William Graves, Nursing Home Administrator 1, Chair  
Sherman Lohnes, Department of Public Health, Vice-Chair  
Mary K. Moscato, Hospital Administrator, Secretary  
Roxanne Webster, Registered Nurse, Secretary  
Mary McKenna, Executive Office of Elder Affairs  
Michael Baldassarre, Nursing Home Administrator 2  
Patrick J Stapleton, Nursing Home Administrator 5 (Non-Proprietary  
Nursing Home)  
Mary Ellen Coyne, Office of Long Term Services and Supports at  
MassHealth  
Daniel Gebremedhin, Physician

Board Members

not Present:

Jeannette Sheehan, Public Member 1  
James Divver, Nursing Home Administrator 4  
Nancy Lordan, Nursing Home Administrator 3

Staff Present:

Roberlyne Cherfils, Executive Director, Multi-Boards, BHPL  
Philip Beattie, Deputy Executive Director, Multi-Boards, BHPL  
Mary Strachan, Board Counsel, Office of the General Counsel, DPH  
Anson Chu, Office Support Specialist, Multi-Boards, BHPL  
Kimberly Jones, Board Investigator, BHPL  
Vita Berg, Chief Board Counsel, Office of the General Counsel, DPH

Guests:

Karen Wadlow & Attorney Alfred Gray  
Michael Isabella & Attorney Alice Kokodis  
Samson Girmay  
Steve Calvin

I. Call to Order - Determination of Quorum

A quorum of the Board was present. Mr. Graves, Board Chair, called the meeting to order at 10:00 a.m.

II. Approval of Agenda

Board members reviewed the meeting Agenda.

ACTION: Ms. McKenna made a motion to approve the agenda as presented; Mr. Lohnes seconded the motion; Motion passed with Board members present and voting in favor unanimously

Document: August 18, 2017 Regularly Scheduled Board Meeting Agenda.

III. Conflict of Interest

DISCUSSION: Mr. Graves asked the Board members to review the agenda and disclose if there is any conflict of interest regarding any items on the agenda.

Mr. Baldassarre informed the Board that he needs to recuse on Ms. Baldassarre item.

IV. Approval of Minutes

A. Minutes of the Regularly Scheduled Board Meeting: July 21, 2017

The Board reviewed the July 21, 2017 Regularly Scheduled Board Meeting Minutes.

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

Documents: July 21, 2017 Regularly Scheduled Board Meeting Minutes

V. Board Inquiries

A. Split CEU's for Preceptors

Submitted By: Deepa Eberlin (NH5150)

DISCUSSION: Ms. Cherfils informed the Board that Ms. Eberlin is leaving the facility and another preceptor will be completing the AIT's training. She asked how many CEU will she receive and how many will the other preceptor be awarded The regulations are silent on this.

ACTION: Ms. Webster made a motion to grant Ms. Eberlin 6 CEUs based on the percentage of time that she was the preceptor for the program and 4 CEUs for the new preceptor; Ms. Moscato seconded the motion; Motion passed with Board members present and voting in favor unanimously.

ACTION: Ms. Webster made a motion to request Board staff to draft a policy to reflect these preceptor hours and bring it back to the Board on the next scheduled Board meeting; Mr. Stapleton seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: None

VI. Staff Action Policies

C. Delegation of Application Processing Approval to Board Staff

- Initial Applications ( AIT)
- Initial Application (Full License)
- Initial Application (Reciprocity)
- Training & Experience Credit Requests: (AIT)
- Progress Reports (AIT: Midpoint & Completion)
- Change of Preceptor Requests (AIT)
- Change of Facility Requests (AIT)
- Move with Preceptor to New Facility (AIT)
- CEU Approval (Preceptor)

DISCUSSION: Ms. Cherfils informed the Board that as of today, out of all the Boards in MultiBoard, they are the only Board that still reviews applications during the Board meeting. Ms. Cherfils also distributed the checklist that Board staff uses to determine the eligibility of the applicant. Ms. Webster informed the Board that the only “grey” area and that the Board might want to review together is when applicant requesting for credits for the AIT approval.

ACTION: Ms. Webster made a motion to remove #5 on the policy and adopt the amended policy; Mr. Stapleton seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: None

D. NHA August 2017 Listing for Approval

DISCUSSION: The Board reviewed the list.

ACTION: None

Documents: None

VII. Board Advisory

A. Alert: Mandatory Training in Domestic and Sexual Violence

DISCUSSION: Ms. Berg informed the Board of this mandatory training in domestic and sexual violence alert. Eventually a course will be available in the fall.

ACTION: Ms. Webster made a motion to approve the alert and post it on the website; Ms. Coyne seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigative Report

VIII. CEU Request

None

IX. Open Investigations  
*Triage(s)*

1. Edward Hermann, NH3375  
TRG-11124  
Attorney: None  
Facility: Blue Hills and Rehab

Ms. Jones presented this Staff Assignment case to the Board.

Triage-1124 was opened on March 29, 2017 based on a March 16, 2017 DHCFLC survey that found deficiencies that constituted substandard quality of care. A follow up survey was done and found all deficiencies associated with the March 2017 survey to have been corrected.

DISCUSSION: The Licensee submitted a written response to the Board. The Licensee provided a copy of the New Administrator worksheet. The worksheet reflects that the Licensee did not become the Interim Nursing Administrator until March 13, 2017. He was only the Administrator for three days. He did not address any of the deficiencies found in either survey. On May 4, 2017 a review concluded that all the deficiencies had been corrected.

ACTION: Ms. Webster made a motion to dismiss the Triage case; Mr. Baldassarre seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigative Report

2. Kenneth Strong, NH1161  
TRG-11185  
Attorney: None  
Facility: Dwyer House

Ms. Jones presented this case to the Board.

Triage 11185 was opened on April 10, 2017 based on a March 22, 2017 survey that found deficiencies that constituted substandard quality of care. A follow up review was conducted on May 12, 2017. The May survey found that six deficiencies were not corrected (F225), (F241), (F244), (F281), (F314) and (F520). Another follow-up review was conducted on July 11, 2017. All deficiencies have been corrected.

The Licensee submitted two responses to the Board on April 17, 2017 and April 26, 2017. He states that he began working at the facility in April 3, 2017. The Licensee sent a copy of offer letter of employment. The Licensee questioned why he was being asked to defend himself when the deficiencies occurred prior to his employment. A plan of correction has been submitted and all the deficiencies have been corrected.

DISCUSSION: None

ACTION: Mr. Stapleton made a motion to dismiss the Triage case; Mr. Baldassarre seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigative Report

3. Julian Rich, NH1516  
TRG-11274  
Attorney: None  
Facility: Dwyer House

Ms. Jones presented this case to the Board.

Triage 11274 was opened on April 20, 2017 based on a March 22, 2017 survey that found deficiencies that constituted substandard quality of care. The March survey found 19 deficiencies. A follow up survey was conducted on May 12, 2017. The May survey found that six deficiencies were not corrected (F225) (F241) (F244) (F281) (F314) and (F520). After a follow up review on July 11, 2017. DHCFLC found all deficiencies associated with the March 22, 2017 survey to have been corrected.

DISCUSSION: None

ACTION: Ms. Webster made a motion to open a Staff Assignment and invite the Licensee to the next scheduled Board meeting; Ms. McKenna seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigative Report

4. Denise Okun, NH3414  
TRG-11299  
Attorney: None  
Facility: Blue Hills Health & Rehab

Ms. Jones presented this case to the Board.

Triage-11299 was opened on April, 2017 based on a March 16, 2017 DHCFLC survey that found deficiencies that constituted substandard quality of care. The survey found four deficiencies. A follow up survey was done May 4, 2017 and found all deficiencies associated with the March 2017 survey to have been corrected.

**F164** Personal Privacy/Confidentiality of Records

**F241** Dignity and Respect of Individuality



**F248** Activities Meet Interests/Needs of Each Resident

**F498** Nurse Aide Demonstrate Competency/Care Needs

DISCUSSION: The Licensee did agree that the survey binder which included the resident roster was an error. The MDS coordinator was under the supervision of the Director of Nurses, with a corporate consultant serving in an oversight position. The MDS coordinator worked 40 hours per week. The consultant, at no time, discussed inadequacies of her performance with the Licensee.

ACTION: Ms. McKenna made a motion to open a Staff Assignment and request Ms. Okun to speak with the Board; Mr. Lohnes seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigative Report

***Staff Assignment(s)***

None

***Complaint(s)***

None

X. Flex Session

A. Announcements/Discussions

1- Ms. Chefils informed the Board of the announcement from NAB and distributed the announcement to the Board.

B. Topics for the next Agenda

1- None

XI. Executive Session (Roll call vote)

At 10:35 a.m., Mr. Graves, Board Chair, announced that the Board will meet in Executive Session as authorized pursuant to M.G.L. c.30A, § 21(a)(1) for the purpose of consider the Board will consider approving prior executive session minutes in accordance with M.G.L. ch.30A, § 22(a) for previous executive sessions of the Board.

The Board will not reconvene in open session subsequent to the executive session.

Ms. Webster made a motion to enter the Executive Session; Mr. Lohnes seconded the motion. Motion passed with Board members present and voting in favor: Mr. Graves-yes, Ms. Webster-yes, Ms. McKenna-yes, Mr. Lohnes-yes, Mr. Baldassarre-yes, Mr. Stapleton- yes, Ms. Coyne-yes, Ms. Moscato-yes, Dr. Gebremedhin-yes; Opposed: None; Abstain: None; Recused: None.

The Board adjourned the Executive Session at 11:54 a.m.

XII. 65 Session (closed session)

The Board entered the 65C Session at 11:54 a.m.

XIII. Adjourn

There being no other business before the Board, Ms. Webster made a motion to adjourn the Board meeting; Mr. Baldassarre seconded the motion. Motion passed with Board members present and voting in favor unanimously. The meeting was adjourned at 11:58 a.m.

The next meeting of the Board of Registration of Nursing Home Administrators will be held on Friday, September 15, 2017. The Board meeting begins at 10:00 a.m.

Respectfully submitted:

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William Graves, NHA  
Chair

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Date