

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, February 18, 2022
10:00 a.m.

General Session will be held via WebEx at:
<https://eohhs.webex.com/eohhs/j.php?MTID=m7e318e1e3478fcd1964ca36ada53017c>

Call-In Telephone number: 1-617-315-0704
Meeting Number/Access Code: 2535 248 8015
Meeting Password: 3MQs2CtkuX3

All Votes Must Be Via Roll Call

Agenda

Time	Item #	Item	Exhibits	Staff Contact
10:00 a.m.	I	Call to Order Determination of Quorum Notice of Electronic Recording		Board Chair
	II	Conflict of Interest Approval of Regular Session Agenda	Draft Agenda	Board
	III	Approval of Minutes of Regularly Scheduled Board Meeting A. January 21, 2022 General Session Minutes	Draft Minutes	Board
	IV	Continuing Education Courses A. Abt Associates <u>Substance Use Training- Part I & II-4 hours credit</u>	Application	Board Secretary & ED
	V	Revisions to Staff-Action Policy on Surveys	Revised Policy	ED/Board Counsel
	VI	Experience-Based Credit for AIT Applications	Discussion	Board Chair
	VII	Flex Session A. Announcements B. Topics for the next Agenda	Verbal	ED

Time	Item #	Item	Exhibits	Staff Contact
	VIII	<p>Executive Session (Roll call vote) 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"> 1. Specifically, 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. 2. Finally, the Board will discuss complaints or charges brought against a Licensee or Licensees. <p>The Board will not reconvene in open session subsequent to the closed session(s).</p>	Closed Session	Board Chair
	IX	65C Session: N/A		Board Counsel
	X	Adjudicatory Session: N/A		Board Counsel
2:00 p.m.	XI	Adjournment: Next Board meeting scheduled for March 18, 2022		Board

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS
BOARD MEETING

Friday, February 18, 2022
VIA WebEx

(OPEN SESSION)
MINUTES

Board Members

Present:

Patrick J. Stapleton, N.H.A., Vice-Chair | Nursing Home Administrator 5
Mary K. Moscato, N.H.A., Secretary | Hospital Administrator
Stephen Davis | Department of Public Health
Carolyn Fenn | Executive Office of Elder Affairs
Nancy Lordan, N.H.A. | Nursing Home Administrator 3
Tarah Loy, PhD | Educator
Sister Jacquelyn McCarthy, N.H.A. | Nursing Home Administrator 2
Dr. Madhuri Reddy, M.D. | Physician
Roxanne Webster, R.N. | Registered Nurse

Board Members

Not Present:

William J. Graves, N.H.A, Chair | Nursing Home Administrator 1
Naomi M. Prendergast | N.H.A | Nursing Home Administrator 4
Pavel Terpelets | Office of Long-Term Services and Supports

Staff Present:

Steven Joubert | Executive Director – Multi-Boards, BHPL
Karen Geoghegan | Assistant Executive Director - Multi-Boards, BHPL
Mary Strachan | Board Counsel - Office of the General Counsel, DPH
Lisa Seeley-Murphy | Board Investigator – Multi-Boards, BHPL

I. Call to Order | Determination of Quorum:

Mr. Patrick Stapleton, Board Vice-Chair, called the meeting of the Board of Registration of Nursing Home Administrators to order at 10:07 A.M. and provided verbal notice of recording. A quorum was established with members present via WebEx via roll call as follows: Stephen Davis: present; Carolyn Fenn: present; Nancy Lordan: present; Tarah Loy: present; Sr. Jacquelyn McCarthy: present; Mary K. Moscato: present; Dr. Madhuri Reddy: present; Patrick Stapleton: present; Roxanne Webster: present. Absent: William Graves, Naomi Prendergast, Pavel Terpelets.

II. Conflict of Interest | Approval of Regular Session Agenda

Mr. Stapleton asked members to review the agenda.

DISCUSSION:

Executive Director, Mr. Steven Joubert let the Board know that there was a typo on the agenda and under item IV, the course from Abt Associates was regarding dementia training rather than substance abuse training.

ACTION:

Motion by Ms. Nancy Lordan to approve the agenda as amended, seconded by Ms. Roxanne Webster, and unanimously approved by roll-call vote as follows: Stephen Davis: yes; Carolyn Fenn: yes; Nancy Lordan: yes; Tarah Loy: yes; Sr. Jacquelyn McCarthy: yes; Mary K. Moscato: yes; Dr. Madhuri Reddy: yes; Patrick Stapleton: yes; Roxanne Webster: yes. Absent: William Graves, Naomi Prendergast, Pavel Terpelets. Abstained: None. Recused: None.

Document: February 18, 2022 Draft Agenda

III. Approval of Minutes

A. January 21, 2022

DISCUSSION:

None.

ACTION:

Motion by Ms. Mary Moscato to approve the January 21, 2022, minutes as presented, seconded by Mr. Stephen Davis and unanimously approved by roll-call vote as follows: Stephen Davis: yes; Carolyn Fenn: yes; Nancy Lordan: yes; Tarah Loy: yes; Sr. Jacquelyn McCarthy: yes; Mary K. Moscato: yes; Dr. Madhuri Reddy: yes; Patrick Stapleton: yes; Roxanne Webster: abstain. Absent: William Graves, Naomi Prendergast, Pavel Terpelets. Abstained: Roxanne Webster. Recused: None.

IV. Continuing Education Course

A. Abt Associates

DISCUSSION:

Ms. Moscato explained that she reviewed the course and recommended it for approval of two CE credits.

ACTION:

Motion by Ms. Moscato to approve Abt Associates application, seconded by Dr. Madhuri Reddy and unanimously approved by roll-call vote as follows: Stephen Davis: yes; Carolyn Fenn: yes; Nancy Lordan: yes; Tarah Loy: yes; Sr. Jacquelyn McCarthy: yes; Mary K. Moscato: yes; Dr. Madhuri Reddy: yes; Patrick Stapleton: yes; Roxanne Webster: yes. Absent: William Graves, Naomi Prendergast, Pavel Terpelets. Abstained: None. Recused: None.

V. Experience-Based Credit for AIT Applications

Mr. Joubert explained that the Sub-committee wanted to bring this item to the Board for discussion. Board Counsel, Ms. Mary Strachan explained that there are standard amounts of credit given for Applicants with experience in long-term care, but that none of the current staff was aware of how these were determined. She asked if Board members could recall the thinking behind these decisions.

DISCUSSION:

Ms. Roxanne Webster explained that the Board looked at the amount of time that would be dedicated to the AIT training process based on the position. For example, if an Applicant had been an Activities Director, the Board looked at how much time was dedicated to that department in a six-month AIT program. She elaborated that smaller departments were granted a week's credit while larger departments were granted two week's credit. Ms. Lordan agreed and explained that the most credit was granted to Applicants who had experience as a Director of Nursing, given that they have the most knowledge regarding policies and procedures and can even act as the Acting Administrator in some cases.

Mr. Stapleton interjected that he would like to have a related discussion on Directors of Nursing who apply for their Nursing Home Administrator license. He opined that they are very qualified candidates for the NHA role and would like to see the pathway become easier. Ms. Lordan disagreed and noted that it is a very different role and felt that a month's credit was sufficient. Ms. Carolyn Fenn felt that the Board should be able to have discretion in certain cases. She stated that personally, she would look differently at a candidate who has been a Director of Nursing for one year versus five years. Ms. Webster agreed that there many variables and levels of experience and preferred for the Board to review each candidate on a case-by-case basis.

Ms. Strachan explained that the Board had a few options and that they were not limited to changing the regulation. She stated that they could develop a policy that included discretion for individual evaluation. Dr. Tarah Loy recommended creating a rubric for evaluating candidates based on their experience. Sr. Jacquelyn McCarthy agreed that Directors of Nursing can make great candidates for NHAs, but that it needs to be evaluated on a case-by-case basis. Ms. Moscato noted that the Board wants to grow their base of strong NHAs in Massachusetts and recognized that the AIT program can be a barrier for some candidates. She explained that the Board needed to balance that with state regulations and policies in order to be fair and equitable.

Ms. Lordan explained that the Nursing Home industry has changed and is ultimately very complex and recommended that candidates could use more time in their training, rather than less. Dr. Loy explained that the subcommittee's intention was to encourage individuals who had been in the field for quite some time and had worked their way up. She explained that anecdotally, she is familiar with people who are not able to take on an

unpaid AIT internship. Ms. Lordan and Ms. Webster stated that most corporations will pay AITs while they are working/studying. In the interest of time, Mr. Stapleton asked if the Board could return to this discussion later. This would also give Mr. William Graves the opportunity to participate in the discussion since he had been the one to bring up this matter.

ACTION:

None.

VI. Revisions to Staff-Action Policy on Surveys

Ms. Strachan explained that the Board has a policy titled “Board Staff Disposition of Selected Allegations” which was included in their packet. Board staff is asking the Board to amend it again to cover a situation where a NHA started their employment after the survey that included deficient practice.

DISCUSSION:

None.

ACTION:

Motion to accept the revision to the policy by Ms. Fenn, seconded by Dr. Reddy and unanimously approved by roll-call vote as follows: Stephen Davis: yes; Carolyn Fenn: yes; Nancy Lordan: yes; Tarah Loy: yes; Sr. Jacquelyn McCarthy: yes; Mary K. Moscato: yes; Dr. Madhuri Reddy: yes; Patrick Stapleton: yes; Roxanne Webster: yes. Absent: William Graves, Naomi Prendergast, Pavel Terpelets. Abstained: None. Recused: None.

VII. Flex Session

A. Announcements:

None.

B. Topics for Next Session:

None.

VIII. M. G. L. c. 30A, §21 Executive Session:

Motion by Ms. Lordan to move into Executive Session at 10:38 A.M., seconded by Dr. Reddy and unanimously approved by roll call vote as follows: Stephen Davis: yes; Carolyn Fenn: yes; Nancy Lordan: yes; Tarah Loy: yes; Sr. Jacquelyn McCarthy: yes; Mary K. Moscato: yes; Dr. Madhuri Reddy: yes; Patrick Stapleton: yes; Roxanne Webster: yes. Absent: William Graves, Naomi Prendergast, Pavel Terpelets. Abstained: None. Recused: None.

IX. Adjournment:

The Board did not reconvene in Open Session following Executive Session.

The next meeting of the Board of Registration of Nursing Home Administrators is scheduled for Friday, March 18, 2022, at 10:00 A.M. via WebEx.

Respectfully submitted:

The Board of Registration of Nursing Home Administrators