

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

250 Washington Street

Boston, MA 02108

Friday, March 21, 2025

VIA Zoom Meetings

10:00 AM

GENERAL SESSION BOARD MEETING MINUTES

(OPEN SESSION)

Board Members

Present:

Mr. Patrick J. Stapleton, N.H.A | Board Chair
Ms. Kahoney Anderson, N.H.A | Nursing Home Administrator 1
Mr. Stephen Davis | Department of Public Health
Ms. Carolyn Fenn | Executive Office of Elder Affairs
Mr. James Lomastro, Ph. D | Educator
Ms. Naomi M. Prendergast | N.H.A | Nursing Home Administrator 4
Mr. Pavel Terpelets | Office of Long-Term Services and Supports
Dr. Malvika Varma, MD | Physician

Board Members

Not Present:

Sister Jacquelyn McCarthy, N.H.A. | Nursing Home Administrator 2

Staff Present:

Mr. James Lavery | Director, Bureau of Health Professions Licensure, DPH
Ms. Kayla Mikalauskis | Acting Executive Director, Multi-Boards 2
Ms. Tracy Tam | Acting Executive Director, Multi-Boards 1
Ms. Alexandra Datalo | Project Coordinator, Multi-Boards
Ms. Judith Bromley | Board Counsel, DPH

I. Call to Order | Determination of Quorum:

At 10:04 AM Mr. James Lavery, Director, Bureau of Health Professions Licensure, Department of Public Health, welcomed the board members and stated the Department of Public Health is excited to officially welcome Ms. Kayla Mikalauskis as the new Acting Executive Director of Multi-Boards 2. Mr. Lavery stated Ms. Mikalauskis will be overseeing the Board of Registration of Nursing Home Administrators, the Board of Registration in Naturopathy and the Board of Registration of Perfusionists. Mr. Lavery and the board members congratulated Ms. Mikalauskis.

Mr. James Lavery left the meeting at 10:04 AM

Mr. Patrick Stapleton, Board Chair called the meeting to order and requested that Ms. Kayla Mikalauskis facilitate today's board meeting. Ms. Mikalauskis agreed and reminded the board members the meeting is being recorded and asked for a roll call vote to determine quorum.

Roll call as follows: Ms. Kahoney Anderson: Present; Mr. Stephen Davis: Present; Ms. Carolyn Fenn: Present; Mr. James Lomastro: Present; Ms. Naomi Prendergast: Present; Mr. Patrick Stapleton: Present; Mr. Pavel Terpelets: Present; Dr. Malvika Varma: Present.

Absent: Sister Jacquelyn McCarthy.

II. Approval of General Session Agenda

DISCUSSION:

Ms. Mikalauskis asked board members to review the March 21, 2025, General Session Agenda and make a motion to approve when ready. Board members were asked to disclose any recusals with the agenda. No recusals were noted.

ACTION:

Mr. James Lomastro made a motion to approve the General Session Agenda, seconded by Ms. Naomi Prendergast. The vote was carried unanimously by roll call as follows: Ms. Kahoney Anderson: yes; Mr. Stephen Davis: yes; Ms. Carolyn Fenn: yes; Mr. James Lomastro: yes; Ms. Naomi Prendergast: yes; Mr. Patrick Stapleton: yes; Mr. Pavel Terpelets: yes; Dr. Malvika Varma: yes.
Absent: Sister Jacquelyn McCarthy.

Document: March 21, 2025, General Session Agenda

III. Approval of General Session Minutes

DISCUSSION:

Ms. Mikalauskis asked board members to review the January 17, 2025, General Session Minutes and make a motion to approve when ready. Board members were asked to disclose any amendments with the minutes. No amendments were noted.

ACTION:

Mr. Patrick Stapleton made a motion to approve the January 17, 2025, General Session Minutes, seconded by Mr. James Lomastro. The vote was carried unanimously by roll call as follows: Ms. Kahoney Anderson: yes; Mr. Stephen Davis: yes; Ms. Carolyn Fenn: yes; Mr. James Lomastro: yes; Ms. Naomi Prendergast: yes; Mr. Patrick Stapleton: yes; Mr. Pavel Terpelets: yes; Dr. Malvika Varma: yes.
Absent: Sister Jacquelyn McCarthy.

Document: January 17, 2025, General Session Minutes

IV. Administrator-in-Training

A. Patrick Orciani, Application Number: NHTNE10000114

DISCUSSION:

Ms. Anderson reviewed the application and stated the applicant meets the criteria of the 40-hour time-waiver, however there is an area of concern which the board members may want to discuss. Ms. Anderson stated the applicant's Preceptor is a regional Administrator and this could run the risk of the applicant not having appropriate supervision due to possibility of the Preceptor's limited presence at the facility.

Mr. Lomastro asked if the facility is Regal Care? Ms. Anderson confirmed the facility is Regal Care. Mr. Lomastro stated his concerns with Regal Care's previous deficiencies and current investigation under the Federal and State Attorney General.

Mr. Stapleton asked for clarification of the board's purview when approving an Administrator-in-Training time-waiver and asked if it is within the board's purview to take into consider the facility in which the program is being conducted and if a Regional Administrator serving as a Preceptor should be considered? Ms. Mikalauski stated the board is to approve an Administrator-in-Training time-waiver, using only the information the applicant provided. Ms. Mikalauski stated it is not within the board's purview to consider the facility when considering if a time-waiver should be approved. Ms. Mikalauski stated Regional Administrators are permitted to perform the role of Preceptor and the Administrator's license should be visible on the facility's wall, and this serves as Acting Administrator of the facility, when the Administrator is not in the building.

Mr. Lomastro asked for clarification if there is statute in the licensure about a Preceptor's Good Moral Character? Ms. Mikalauski confirmed to be an Administrator-in-Training Preceptor, the Administrator mustn't have previous disciplinary history with the board and when approving an Administrator-in-Training application, the Preceptor is reviewed and not the facility.

Ms. Fenn stated her concern with a Preceptor being a Regional Administrator and the lack of supervision for the Administrator-in-Training due to the Preceptor only being present at the facility weekly. Ms. Fenn stated she understands the responsibility held by an Administrator's license posted to a facility wall, however she is concerned with the lack of supervision and guidance the Administrator-in-Training will receive.

ACTION:

Ms. Carolyn Fenn made a motion to approve the Administrator-in-Training 40-hour waiver, seconded by Mr. Patrick Stapleton. The vote was carried by roll call as follows: Ms. Kahoney Anderson: yes; Mr. Stephen Davis: yes; Ms. Carolyn Fenn: yes; Mr. James Lomastro: abstain; Ms. Naomi Prendergast: yes; Mr. Patrick Stapleton: yes; Mr. Pavel Terpelets: yes; Dr. Malvika Varma: yes.
Absent: Sister Jacquelyn McCarthy.

B. Kristy Ford, Application Number: NHTNE10000129

DISCUSSION:

Ms. Anderson reviewed the application and stated the applicant met the criteria for an Administrator-in-Training time-waiver. Ms. Anderson defers to the board to discuss the 480-hour exception that the applicant is requesting.

Ms. Prendergast stated the most the board has approved, was 80-hours for extensive experience in the field and typically it is 40-hours waived.

Ms. Fenn asked for clarification on the areas in which the applicant feels she is exempt from? Ms. Anderson stated the applicant has been an Occupational Therapist for 12-years in a long-term care facility and she also worked in admissions. Ms. Anderson stated the applicant feels she has extensive clinical experience in the field and is requesting that her Administrator-in-Training program focus more on financial requirements and other quality measures.

ACTION:

Ms. Naomi Prendergast made a motion to approve the Administrator-in-Training 80-hour waiver, seconded by Ms. Carolyn Fenn. The vote was carried unanimously by roll call as follows: Ms. Kahoney Anderson: yes; Mr. Stephen Davis: yes; Ms. Carolyn Fenn: yes, Mr. James Lomastro: yes; Ms. Naomi Prendergast: yes; Mr. Patrick Stapleton: yes; Mr. Pavel Terpelets: yes; Dr. Malvika Varma: yes.
Absent: Sister Jacquelyn McCarthy.

VI. Flex Session

A. Potential to return to in-person meetings and Remote Participation

DISCUSSION:

Ms. Mikalauski stated the remote and hybrid board meeting allowance tacked on to the Open Meeting Law in 2020, is set to expire on March 31, 2025, unless extended or made permanent by Massachusetts Legislature. Ms. Mikalauski stated she will inform the board on April 1, 2025, with the outcome and reminded the board members that should this legislation not be passed, the April 18, 2025, board meeting will be held in person at 250 Washington Street, Boston, MA 02108.

B. Other Topics

DISCUSSION:

Ms. Fenn requested the board make a motion to acknowledge and honor the recent passing of fellow board member Mr. James Divver.

ACTION:

Ms. Carolyn Fenn made a motion to acknowledge Mr. James Divver as a colleague of great esteem and to recognize the time he dedicated to the board and for his performance in the

potions he has held throughout his career. Ms. Fenn stated Mr. Divver will be missed by the Board of Registration of Nursing Home Administrators and the nursing home healthcare industry in Massachusetts. The motion was seconded by Mr. Patrick Stapleton. The vote was carried unanimously by roll call as follows: Ms. Kahoney Anderson: yes; Mr. Stephen Davis: yes; Ms. Carolyn Fenn: yes; Mr. James Lomastro: yes; Ms. Naomi Prendergast: yes; Mr. Patrick Stapleton: yes; Mr. Pavel Terpelets: yes; Dr. Malvika Varma: yes. Absent: Sister Jacquelyn McCarthy.

VII. Executive Session

DISCUSSION:

Ms. Mikalauski stated “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. 1. Specifically, the board will meet in executive session to approve prior executive session minutes, staff assignments, complaints and decide whether to close cases presented or discipline licensees. The board will not reconvene in open session subsequent to the closed session.” Ms. Mikalauski asked for a motion to move into the Executive Session meeting.

ACTION:

Ms. Naomi Prendergast made a motion to move into the Executive Session Meeting, seconded by Mr. Patrick Stapleton. The vote was carried unanimously by roll call as follows: Ms. Kahoney Anderson: yes; Mr. Stephen Davis: yes; Ms. Carolyn Fenn: yes; Mr. James Lomastro: yes; Ms. Naomi Prendergast: yes; Mr. Patrick Stapleton: yes; Mr. Pavel Terpelets: yes; Dr. Malvika Varma: yes. Absent: Sister Jacquelyn McCarthy.

VIII. Adjournment

ACTION:

Ms. Naomi Prendergast made a motion to adjourn General Session Meeting, seconded by Mr. Patrick Stapleton. The vote was carried unanimously by roll call as follows: Ms. Kahoney Anderson: yes; Mr. Stephen Davis: yes; Ms. Carolyn Fenn: yes; Mr. James Lomastro: yes; Ms. Naomi Prendergast: yes; Mr. Patrick Stapleton: yes; Mr. Pavel Terpelets: yes; Dr. Malvika Varma: yes. Absent: Sister Jacquelyn McCarthy.

The next meeting of the Board of Registration of Nursing Home Administrators is scheduled for Friday, April 18, 2025, at 10:00 AM via Zoom Meetings.

Let the records show the meeting adjourned at 10:21 AM

Respectfully submitted by:

The Board of Registration of Nursing Home Administrators