

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, December 16, 2016

10:00 a.m. to 2:00 p.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 Notice of electronic recording		Board Chair
	II	Approval of Agenda	Draft Agenda	Board
	III	Conflict of Interest A. Disclosure Forms	Forms	VB
	IV	Approval of Minutes of Regularly Scheduled Meeting A. November 18, 2016 Board Meeting	Draft Minutes	Board
	V	Speaker Commissioner Monica Bharel, MD, MPH		

	VI	Administrator in Training A. <u>Request for Administrator in Training Approval</u> 1. <u>Rebecca Benoit</u> <u>Facility:</u> Life Care Center of Plymouth <u>Preceptor:</u> John Bonfardici, NH1922 B. <u>Request for Administrator in Training Credit</u> 1. <u>Kathleen Stewart</u> <u>Facility:</u> Poet’s Seat Healthcare Center <u>Preceptor:</u> Michele Carney, NH2463 2. <u>Augustine Aiguosatile</u> <u>Facility:</u> Williamansett Center East <u>Preceptor:</u> Mary Uschmann, NH933 3. <u>Merry Dalahmeh</u> <u>Facility:</u> Kindred Nursing & Rehabilitation – Braintree <u>Preceptor:</u> George Ferencik, NH192 4. <u>Rajat Sheth</u> <u>Facility:</u> Brush Hill Health Care Center <u>Preceptor:</u> Brian Freedman, NH2864	Applications and related documents	Board Member
	VII	Administrator in Training C. <u>Request for Administrator in Training Change of Preceptor</u> None D. <u>Administrator in Training Mid-Point Review</u> None E. <u>Administrator in Training Completion Review</u> 1. <u>Robert Montgomery</u> <u>Facility:</u> Marlborough Hills Rehabilitation & Health Care Center <u>Preceptor:</u> Jerry Shaffer, NH3457 2. <u>Melissa Esteves</u> <u>Facility:</u> Worcester Health Center <u>Preceptor:</u> Greg Leger, NH3518	Applications and related documents	Board Member
	VIII	Review of Applications for Licensure by Reciprocity 1. <u>Terri S. Golec</u> (CT) 2. <u>Robert Bustretsky</u> (CA)	Applications and related documents	Board Member

	IX	CEU Request None	Letter & Supporting Materials	Board
	X	Open Investigations <i>Triage(s)</i> A. TRG-10249: Susana G. Macary, NH5255 <i>Staff Assignment(s)</i> None <i>Complaint(s)</i> None	Investigative Report	PB
	XI	Flex Session A. Topics for the next Agenda		Board
	XII	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. 1. Specifically, the Board will discuss and evaluate the <u>Good Moral Character</u> provision of a pending application. 2. 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. The Board will not reconvene in open session subsequent to the executive session.	Closed Session	
2:00 p.m.	XIII	Adjournment-next Board meeting scheduled for January 20, 2017		Board

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

BOARD MEETING

Friday, December 16, 2016

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

Boston, MA 02114

MINUTES

Board Members Present: William Graves, Nursing Home Administrator 1, Vice-Chair
Roxanne Webster, Registered Nurse, Secretary
Sherman Lohnes, Department of Public Health
Mary McKenna, Executive Office of Elder Affairs
Patrick J Stapleton, Nursing Home Administrator 5 (Non-Proprietary Nursing Home)
Jeannette Sheehan, Public Member 1
Mary K. Moscato, Hospital Administrator
Daniel Gebremedhin, Physician

Board Members not Present: Nancy Lordan, Nursing Home Administrator 3, Chair
James Divver, Nursing Home Administrator 4
Michael Baldassarre, Nursing Home Administrator 2
MaryEllen Coyne, Office of Long Term Services and Supports at MassHealth
Aaron Tobey, Public Member 2

Staff Present: Philip Beattie, Deputy Executive Director, Multi-Boards, BHPL
Vita Berg, Chief Board Counsel, Office of the General Counsel, DPH
Anson Chu, Office Support Specialist, Multi-Boards, BHPL
Clifford V. Pascarella II, JD, Board Investigator, BHPL
James Lavery, Bureau Director, DPH

Staff Not Present: Roberlyne Cherfils, Executive Director, Multi-Boards, BHPL
Mary Strachan, Board Counsel, Office of the General Counsel, DPH

Guests: Commissioner Monica Bharel (left at 11:04 a.m.)

- I. Call to Order - Determination of Quorum
A quorum of the Board was present. Mr. Graves, Board Vice-Chair, called the meeting to order at 10:07 a.m.
- II. Approval of Agenda
Board members reviewed the meeting Agenda.

Mr. Graves informed the Board that Item VI, B4, Rajat Sheth will be deferred.

ACTION: Ms. Webster made a motion to approve the agenda as amended; Mr. Stapleton seconded the motion; Motion passed with Board members present and voting in favor unanimously: Mr. Graves-yes, Ms. Webster –yes, Mr. Lohnes-yes, Ms. McKenna-yes, Mr. Stapleton– yes, Ms. Sheehan-yes, Ms. Moscato-yes, Dr. Gebremedhin-yes; Opposed: None; Abstain: None; Recused: None.

Document: December 16, 2016 Regularly Scheduled Board Meeting Agenda.

III. Conflict of Interest

DISCUSSION: Ms. Berg asked the Board to review the agenda and disclose if there is any conflict of interest regarding the items on the agenda. Ms. Berg also discussed with the Board regarding conflict of interest with past members who sat on the Board. A blank form and a sample form (for former employee) were distributed to the Board members. Ms. Berg mentioned there will be a presentation at a future meeting regarding this topic. Mr. Lohnes wants to confirm that if a Board member will be recusing, then that individual does not have to file the form and Ms. Berg agrees.

No member noted any conflict with the agenda items.

IV. Approval of Minutes

A. Minutes of the Regularly Scheduled Board Meeting: November 18, 2016

The Board reviewed the November 18, 2016 Regularly Scheduled Board Meeting Minutes.

ACTION: Mr. Lohnes made a motion to approve the minutes as presented; Ms. Webster seconded the motion; Motion passed with Board members present and voting in favor: Mr. Graves-yes, Ms. Webster –yes, Mr. Lohnes-yes, Ms. McKenna-yes, Mr. Stapleton– yes, Ms. Sheehan-yes, Ms. Moscato-yes, Dr. Gebremedhin-yes; Opposed: None; Abstain: None; Recused: None.

Documents: November 18, 2016 Regularly Scheduled Board Meeting Minutes

V. Speaker

Commissioner Monica Bharel, MD, MPH

Commissioner Bharel appeared before the Board and spoke on behalf of the Department sharing her ideas, visions, expectations, etc. After a self-introduction, Commissioner Bharel asked each Board member to introduce themselves, their goals and concerns if any.

VI. Administrator in Training

F. Request for Administrator in Training Approval

Mr. Graves made the following recommendations:

1. Rebecca Benoit

Facility: Life Care Center of Plymouth

Preceptor: John Bonfardici, NH1922

RECOMMENDATION: Approve pending of the information regarding her HR position at the same facility. The information required is a letter stating she will not be working as the capacity of her position while conducting the AIT program at the same time.

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

Documents: AIT Application and related documents.

G. Request for Administrator in Training Credit

Mr. Graves made the following recommendations:

1. Kathleen Stewart

Facility: Poet's Seat Healthcare Center

Preceptor: Michele Carney, NH2463

RECOMMENDATION: Approve – 3 month

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

Documents: AIT Application and related documents.

2. Augustine Aiguosatile

Facility: Williamansett Center East

Preceptor: Mary Uschmann, NH933

RECOMMENDATION: Approve – 3 month

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

Documents: AIT Application and related documents.

3. Merry Dalahmeh

Facility: Kindred Nursing & Rehabilitation – Braintree

Preceptor: George Ferencik, NH192

RECOMMENDATION: Approve – 1 month

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

Documents: AIT Application and related documents.

4. Rajat Sheth

Facility: Brush Hill Health Care Center

Preceptor: Brian Freedman, NH2864

RECOMMENDATION: Deferred

ACTION: None

Documents: AIT Application and related documents.

VII. Administrator in Training

H. Request for Administrator in Training Change of Preceptor

None

I. Administrator in Training Mid-Point Review

None

J. Administrator in Training-Final Completion Review

Ms. Webster made the following recommendations:

1. Robert Montgomery

Facility: Marlborough Hills Rehabilitation & Health Care Center

Preceptor: Jerry Shaffer, NH3457

RECOMMENDATION: Approve

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

Documents: AIT Application and related documents

2. Melissa Esteves

Facility: Worcester Health Center

Preceptor: Greg Leger, NH3518

RECOMMENDATION: Approve

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

Documents: AIT Application and related documents

VIII. Review of Applications for Licensure by Reciprocity
Ms. McKenna made the following recommendations:

1. Terri S. Golec (Licensed in: CT)

RECOMMENDATION: Approve

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

Ms. Webster made the following recommendations:

2. Robert Bustretsky (Licensed in: CA)

RECOMMENDATION: Approve

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

IX. CEU Request
None

X. Open Investigations
Triage(s)

B. TRG-10249: Susana G. Macary, NH5255

On October 6, 2016, the Board received information from Division of Health Care Facility Licensure and Certification ("DHCFLC") that a Life Safety Code (LSC) survey completed on September 1, 2016 found Wakefield Center (the "Facility") was not in substantial compliance with federal regulations applicable to long-term care facilities. A follow-up survey on October 5, 2016 found that the deficiencies still remained at the Facility. The deficiencies violated the following tag:

K 144, NFPA 101 Life Safety Code Standard- Generators inspected weekly and exercised under load for 30 minutes per month and shall be in accordance with NFPA 99 and NFPA 110. Based on record review and confirmed with staff, the Facility failed to ensure that the Facility's two (2) generators are run monthly under a load condition for the required 30-minutes.

On September 1, 2016, a review of the generator log book revealed that the typical monthly ampere readings were documented as an average of 70 Amps for the 100 kW generator and an average of 30 Amps for the 55 kW on each of the three legs. This is (approximately 20% for each generator) less than the 30% required.

A review of the vendors load bank testing conducted on September 8, 2016 revealed that the 55 kW generator was load tested to 150 Amps which is 78% of plate rating and meets the

requirements specified by NFPA 110. However, the 100 kW generators was load tested to 139 Amps which is 40% of rating which does not meet the requirements.

A second load bank test was performed on October 13, 2016, which showed the generator was in compliance. On October 21, 2016, DHCFLC sent a letter to the licensee indicating that a second follow-up desk audit was completed on October 20, 2016 found all deficiencies have been corrected. Copies of both surveys and all DHCFLC correspondence are attached to this report.

DISCUSSION: Mr. Pascarella informed the Board that the generator was not in compliance regarding the K144 tag. The Licensee states that was a question of discrepancy that the 100 kW generator was identified by Kraft Poweras 100 kVA which is 80 kW, and the surveyor identified it as 100 kW which is a 125 kVA unit. Mr. Pascarella recommends dismissing the triage case. Mr. Graves asked if the facility realized the discrepancy or from the survey team. Mr. Pascarella responded saying they were using a vendor to caliber and they test it at higher voltage than what the generator as the ratio is different.

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

Documents: Investigative Report

Staff Assignment(s)

None

Complaint(s)

None

XI. Flex Session

None

XII. Executive Session (Roll call vote)

At 11:06 a.m., Mr. Graves, Board Vice-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.

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

The Board adjourned the Executive Session at 12:05 p.m.

XIII. Adjourn

There being no other business before the Board, Ms. Webster made a motion to adjourn the

Board meeting; Mr. Lohnes seconded the motion. Motion passed with Board members present and voting in favor unanimously. The meeting was adjourned at 12:05 p.m.

The next meeting of the Board of Registration of Nursing Home Administrators will be held on Friday, January 20, 2017. The Board meeting begins at 10:00 a.m.

Respectfully submitted:

Nancy Lordan, NHA
Chair

Date