

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 21, 2020  
10:00 a.m. to 2:00 p.m.

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

Agenda

Time	Item #	Item	Exhibits	Staff Contact
10:00 a.m.	I	<b>Call to Order</b> <b>Determination of Quorum</b> <b>Notice of Electronic Recording</b>		Chair
	II	<b>Conflict of Interest</b> <b>Approval of Executive Session Agenda</b>	Draft Agenda	Board
	III	<b>Approval of Minutes of Regularly Scheduled Meeting</b> <i>A. January 17, 2020 Board Meeting</i>	Draft Minutes	Board
	IV	<b>Evaluation of Out-of-State AIT for Additional Credits:</b> <i>A. Nicholas F. Lausier; NHT14500048</i>	Application	Board
	V	<b>Licensing Applications</b> <i>A. AIT with Credits (Work Experience)</i> <i>1. Application No. 964210 Harry Quick</i> <i>2. Application No. 964303 Senada Bergeron</i>	Draft Policy	KG

<b>Time</b>	<b>Item #</b>	<b>Item</b>	<b>Exhibits</b>	<b>Staff Contact</b>
	<b>VI</b>	<p><b>Open Investigations:</b>  <i>Triage(s):</i> N/A  <i>Staff Assignment(s):</i> N/A</p> <p><b>Complaint(s):</b>  A. NHA-2018-004: Thomas, Anne M.;  NH5241  Facility: N/A  Attorney: N/A  COI</p>	Investigative Report	LSM
	<b>VII</b>	<p><b>Flex Session</b>  A. Announcements/Discussions  1-Staffing Updates  B. Topics for the next Agenda</p>	Verbal	RC
	<b>VIII</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>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.</li> <li>2. Finally, the Board will discuss complaints or charges brought against a Licensee or Licensees.</li> </ol> <p>The Board will not reconvene in open session subsequent to the closed session(s).</p>	Closed Session	Board Chair
	<b>IX</b>	<b>65C Session: N/A</b>		Board Counsel
	<b>X</b>	<b>Adjudicatory Session: N/A</b>		Board Counsel

Time	Item #	Item	Exhibits	Staff Contact
2:00 p.m.	XI	Adjournment-next Board meeting scheduled for March 20, 2020.		Board

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS  
BOARD MEETING  
Friday, February 21, 2020

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

REGULAR SESSION  
(OPEN SESSION)

MINUTES

Board Members

Present:

William J. Graves, N.H.A., Chair | Nursing Home Administrator 1  
Sherman Lohnes, Vice-Chair | Department of Public Health  
Mary K. Moscato, N.H.A., Secretary | Hospital Administrator  
Mary McKenna | Executive Office of Elder Affairs  
Pavel Terpelets | Office of Long Term Services and Supports  
Sister Jacquelyn McCarthy, N.H.A. | Nursing Home Administrator 2  
Roxanne Webster, R.N. | Registered Nurse  
Patrick J Stapleton, N.H.A. | Nursing Home Administrator 5 (Non-Proprietary Nursing Home)  
Naomi M. Prendergast, N.H.A. | Nursing Home Administrator 4  
Nancy Lordan, N.H.A. | Nursing Home Administrator 3  
Daniel Gebremedhin, M.D. | Physician

Staff Present:

Roberlyne Cherfils, M.P.A. | 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 - BHPL  
Walens Noel | Office Support Staff (Temp) - Multi-Boards, BHPL

Guests:

Members of the public

I. Call to Order | Determination of Quorum | Notice of Electronic Recording  
Board Chair William Graves called to order the regular session meeting of the Board of Registration of Nursing Home Administrators (hereinafter BORNHA or the Board) at 10:01 a.m., requesting that Board members present state their name for the record. A quorum of the Board was determined. Mr. Graves reminded those present that the meeting was being recorded.

II. Conflict of Interest | Approval of the Agenda  
Mr. Graves asked the Board members to disclose any conflicts of interest with the present meeting agenda, with none being brought forth.

DISCUSSION:

Board Counsel asked Board members to submit any signed Appearance of Bias forms in anticipation of a discussion of an investigation concerning a Board member at a future meeting. Several Board members submitted signed forms.

ACTION:

Mr. Graves asked for a motion to approve the February 21, 2020 Agenda. Mr. Lohnes motioned to approve the agenda, Ms. Moscato seconded the motion. The motion was passed unanimously by Board members present

Document: February 21, 2020 Draft Agenda – BORNHA Regular Session Meeting

III. Approval of Minutes of Regularly Scheduled Meeting  
Board members reviewed the January 17, 2020 Draft Minutes of the Regular Session Meeting for approval.

DISCUSSION:

NONE.

ACTION:

Ms. Moscato made a motion to approve the January 17th, 2020 minutes of the BORNHA Regular Session Meeting. Ms. McKenna seconded the motion. The motion was passed unanimously by Board members present

Document: January 17, 2020 Draft Minutes – BORNHA Regular Session Meeting

IV. Evaluation of Out-of-State AIT for Additional Credits  
A. Nicholas F. Lausier; NHT14500048

DISCUSSION:

Board Counsel, Mary Strachan presented the matter to the Board and reminded the Board members that they reviewed this Applicant's A.I.T. application during the November 2019 board meeting. At that time, Mr. Lausier asked for "credit" for the time (670 hours)

he spent training as an A.I.T. in a New Hampshire facility under a New Hampshire-licensed preceptor. Mr. Lausier began another A.I.T. at a Massachusetts facility (Poet's Seat) in October, but he didn't obtain Board approval prior to beginning his program. During the November meeting the Board gave him credit for 1 week, but it was unclear to staff what the credit was for. Board members clarified that no credit was given for the A.I.T. in New Hampshire. The 1 week credit was based on his work experience after review of his resume. Further, the Board will not give credit to the A.I.T. hours in Massachusetts prior to Board approval of his A.I.T. in November 2019.

Ms. Strachan reviewed the AIT training regulations. Ms. McKenna noted that the fact that the Applicant did not check the Board's regulations before beginning his training does not bode well for him.

Ms. Strachan noted that after he received written notice of the Board's vote in November he asked if he could appeal the decision. Board members reiterated their previous vote. The applicant's preceptor has submitted a report showing 692 as of today. Ms. Webster suggested that this report can be the three month A.I.T. progress report. His preceptor will have to submit a final report as is usual and then the Applicant may apply to sit for the licensing exam.

ACTION:

Ms. McKenna made a motion to approve a 1040 hour A.I.T. with 40 hours (1 week) credit for his work experience. Ms. Webster seconded the motion. The motion passed unanimously.

Document: Nicholas F. Lausier Application

Move to item 6 on the agenda as Licensee is present

V. Complaints

A. NHA-2018-004: Thomas, Anne M.; NH5241

Facility: N/A

Attorney: N/A

COI

DISCUSSION:

The Licensee was present at the meeting. Ms. Strachan explained to Ms. Thomas the purpose of the meetings. Ms. Seely-Murphy reviewed her investigation and gave a verbal summary of her report. The guidelines. Ms. Thomas apologized to the Board for making this error. She had a social worker license in New York and was working on her Master's Degree when she relocated to Massachusetts. She began to get supervision from a licensed social worker but she had not yet applied for a MA social worker license. Consequently, the MA Board of Licensed Social Workers disciplined her MA social worker license. She has been working in an executive director

position in a nursing home (a position that does not require a NHA license) but she has a current MA NHA license. Board Counsel explained that the Board is not required to take disciplinary action in this circumstance. The Board may take reciprocal discipline based on the other MA Board's action if they feel such discipline is warranted.

ACTION:

Ms. Webster made the motion to dismiss the Complaint as conduct does not warrant discipline. Mr. Stapleton seconded the motion. The motion to dismiss was unanimously approved by the board.

Document: Investigative Report

VI. Licensing Applications

Board Member M. Moscato reviewed the following reapplications and made recommendations to the other Board members.

A. AIT with Credits (Work Experience)

1. Application No. 964210 Harry Quick

Based on her review of the Applicant file, Ms. Moscato recommended that the Board award 40 hours (1 week) credit; has 23 years of experience as a Resident Life Director (Activities).

DISCUSSION:

Ms. Webster asked if Resident Directors is the same as Activities Director. Ms. Moscato said it appears to be the same and just a name change after reviewing the Applicant's resume.

ACTION:

Motion by Nancy Lordan seconded by P. Stapleton and unanimously voted to award the Applicant a 1 week credit towards his A.I.T.

2. Application No. 964303 Senada Bergeron

Ms. Moscato reviewed this Applicant's resume and noted that she was D.O.N. in a facility; therefore, Ms. Moscato recommends that the Board award her 1 week credit towards her A.I.T.

DISCUSSION:

Ms. Webster noted that the Board typically awards a Director 1 month of credit. The problem that she anticipates is how she can separate her normal, full time employment as the facility D.O.N. from her required A.I.T. hours. The hours must be separate and on top of her usual 40 hour work week. Given this, the facility and

preceptor must clarify in writing how they will accomplish this before she starts her A.I.T.

ACTION:

Ms. Lordan made a motion to approve a 1 month work experience credit towards the Applicant's A.I.T provided that the facility provides clarification as to hours, seconded by Ms. Webster , and unanimously approved by all members present.

VII. Flex Session

A. Announcements/Discussions: Ms. Cherfils introduced the new Board Member; Mr. Terpelets is replacing Mary Ellen Heine.

1. Staffing Updates

Ms. Cherfils announce to the Board that this will be her last NHA Board meeting as she is moving to another position outside of BHPL. Ms. Cherfils also introduced new staff Walens Noel announcing that Board Member will be receiving communication emails from Walens.

B. Topics for the next Agenda

VIII. Executive Session:

At 10:35, Mr. Stapleton made a motion to go into Executive Session; Ms. Webster seconded the motion. All members voted unanimously to enter into Executive Session.

IX. Adjournment: at 10:35 am general session Meeting was adjourned

The next meeting of the Board of Registration of Nursing Home Administrators is scheduled for **Friday, March 20, 2020.**

Respectfully submitted:

Board of Registration of Nursing Home Administrators

