

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, January 17, 2020
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		Chair
	II	Conflict of Interest Approval of General Session Agenda	Draft Agenda	Board
	III	Approval of Minutes of Regularly Scheduled Meeting A. December 20, 2019 Board Meeting Minutes	Draft Minutes	Board
	IV	Probation Monitoring A. Violation of Probation 1. NHA-2018-007: A. Steiner	Probation Report	KF
	V	Education Approval A. <u>Region 3 Health & Medical Coordinating Coalition</u> <i>Course: Preparing for a Public Health Emergency with Regional Partners</i> <i>A discussion based workshop</i> <i>Request: 4 CEUs</i>	Hardcopy Submission	Board

Time	Item #	Item	Exhibits	Staff Contact
	VI	Flex Session A. Announcements/Discussions B. Topics for the next Agenda	Verbal	RC
	VII	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. <ol style="list-style-type: none"> 1. Specifically, the Board will discuss and evaluate the necessity of modifying probation conditions for a Licensee. 2. Specifically, the Board will discuss complaints or charges brought against a Licensee or Licensees. 3. Finally, 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. <p>The Board will not reconvene in open session subsequent to the closed session(s).</p>	Closed Session	Board Chair
	VIII	65C Session: N/A		Board Counsel
	IX	Adjudicatory Session: N/A		Board Counsel
2:00 p.m.	X	Adjournment -next Board meeting scheduled for February 21, 2020.		Board

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS
BOARD MEETING

Friday, January 17th, 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 McKenna | Executive Office of Elder Affairs
Mary Ellen Heine | 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
Mary K. Moscato, N.H.A., Secretary | Hospital Administrator
Nancy Lordan, N.H.A. | Nursing Home Administrator 3

Board Members

Not Present:

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
Hindu Nanziri | 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 10:00 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: NONE

ACTION:

Naomi Prendergast, , made a motion to approve the January 17th, 2020 Draft Agenda-BORNHA Regular Session Meeting. Nancy Lordan seconded the motion. The motion was passed unanimously by Board members present.

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

III. Approval of Minutes of Regularly Scheduled Meeting

Board members reviewed the December 20th, 2019 Draft Minutes – BORNHA Regular Session Meeting for approval.

DISCUSSION: NONE.

ACTION:

Naomi Prendergast, made a motion to approve the December 20th, 2019 Draft Agenda-BORNHA Regular Session Meeting. Roxanne Webster seconded the motion. The motion was passed unanimously by Board members present.

Document: December 20, 2019 Draft Minutes – BORNHA Regular Session Meeting

IV. Probation Monitoring

A. Violation of Probation. NHA-2018-007: A. Steiner

B. The Licensee and his attorney were not present for this matter. Board Counsel notified them that this matter would be reviewed by the Board at this meeting and invited them to attend. They declined. Karen Fishman, the Bureau of Health Professions Licensure's Probation Monitor is ill an unable to attend.

Consequently, Board Counsel presented the matter to the Board members.

Board Counsel Mary Strachan explained that Andrew Steiner was the Nursing Home Administrator of the Jewish Nursing of Western Massachusetts in Longmeadow MA, on or about July 31, 2017 through August 15, 2017. On August 23, 2017, DHCFLC performed a complaint survey after receiving an anonymous tip. The survey found the conditions in the facility constituted immediate jeopardy. Immediate jeopardy was based on the fact that NHA Steiner failed to investigate and report instances of patient harm including a patient death. On September 27, 2019, the Licensee entered into a Consent Agreement for Probation with the Board, the terms of which included timely renewal of his NHA license, monitored practice, and continuing education. Mr. Steiner failed to comply with any term of the Agreement and in fact, allowed his Massachusetts NHA license to expire. Ms. Fishman notified the Licensee and his attorney of his non-

compliance with the terms of the Agreement. The Licensee's attorney contacted Board Counsel and asked for a voluntary resolution to the matter instead of a license suspension as the Board is authorized to do under the terms of the Agreement. The Licensee signed a Consent Agreement for Permanent Surrender of his NHA license in which he agrees (1) admit his culpability and (2) to not seek reinstatement of his license in MA.

Board Counsel asked the Board members to ratify the signed Agreement.

DISCUSSION:

Mary McKenna made a motion to accept the recommendation of counsel for revocation of the license. Sherman Lohnes asked for clarification about the options of surrender and revocation of the license. Mary Strachan clarified that legally they have the same effect, as surrender, or suspension, or revocation, in terms of a loss of license for a disciplinary reason.

ACTION:

Mary McKenna, Board member, made a motion to ratify the executed Consent Agreement for Voluntary Surrender. Nancy Lordan seconded the motion. The motion was passed unanimously by Board members present. Sherman Lohnes – Yes; William Graves- Yes; Roxanne Webster – yes; Mary McKenna – Yes; Sister Jacquelyn McCarthy- yes; Mary Ellen Heine – yes; Patrick Stapleton – yes; Naomi M. Prendergast – yes; Abstained: None; Opposed: None; Recused: None; Absent: Nancy Lordan, Mary Moscato; Daniel Gebremedhin.

Documents: – 1.Probation Report of Compliance with Terms of Probation Agreement effective September 27, 2019
2. Executed Consent Agreement for Permanent Voluntary Surrender

V. Education Approval

A. Region 3 Health & Medical Coordinating Coalition

Course: Preparing for a Public Health Emergency with Regional Partners A discussion based workshop. Request: 4 CEUS

Mary Moscato presented the Region 3 Health & Medical Coordinating Coalition

Which submitted a workshop that took place on December 11th regarding emergency preparedness for hazardous materials. Ms. Moscato notes that the course is very comprehensive, had evaluations, and follow up. She recommended that the board approve their request for 4 CEU's.

DISCUSSION: NONE

ACTION: Patrick Stapleton made a motion to approve the request for education approval with 4 CEU's. Roxanne Webster seconded the motion. The motion was passed unanimously by Board members present.

Sherman Lohnes – yes; William Graves- yes; Roxanne Webster – yes; Mary McKenna – yes; Sister Jacquelyn McCarthy- yes; Mary Ellen Heine – yes; Patrick Stapleton – yes; Naomi M. Prendergast – yes; Abstained: None; Opposed: None; Recused: None; Absent: Nancy Lordan, Mary Moscato; Daniel Gebremedhin.

Document: Education Approval-Region-3-Health-Medical-Coordinating Course description.

VI. Flex Session

A. Announcements/Discussions

Ruby Cherfils made an announcement that Board member Mary Ellen Heine was leaving the Board immediately. Ms. Heine has served on the NHA Board for some time as the designee of the Commissioner for Public Welfare. The Commissioner appointed a new designee by the name of Pervel Terpelets, who is the Deputy Director of the Institutional Program over at the Office of Long Term Services and Supports at Mass Health, so I wanted to give her an opportunity to say her farewell to the board and we wanted to thank her for all of her dedicated years of service and we really appreciate it. Mary Ellen Heine stated that it had been a pleasure knowing all the board members and working with them.

DISCUSSION: None

ACTION: None

B. Topics for the next Agenda

DISCUSSION: None

ACTION: None

Document: None

VII. 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.

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ACTION: There being no further business for the Regular Session meeting of the Board of Registration of Nursing Home Administrators, Mary McKenna made the motion to enter into Executive Session meeting. Roxanne Webster seconded the motion. The motion was passed with Board Members present voting in favor: Naomi M. Prendergast – yes; William Graves- yes; Roxanne Webster – yes; Mary McKenna – yes; Sister Jacquelyn McCarthy- yes; Mary Ellen Heine – yes; Patrick Stapleton – yes; Sherman Lohnes – yes; Nancy Lordan – yes; Mary Moscato – yes; Abstained: None; Opposed: None; Recused: None; Absent: Daniel Gebremedhin.

VIII. 65C Session: N/A

IX. Adjudicatory Session: N/A

X. Adjournment:

The next meeting of the Board of Registration of Nursing Home Administrators is scheduled for **Friday, February 21st, 2020.**

Respectfully submitted:

William Graves, Chair

Date

Sherman Lohnes, Vice Chair

Date