

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

Thursday, July 16, 2015
10:00 a.m.

239 Causeway Street ~ 4th Floor ~ Room 417A
Boston, Massachusetts 02114

Agenda

Time	Item #	Item	Exhibits	Staff Contact
10:00 a.m.	I.	Approval of Agenda and notice of electronic recording	Draft Agenda	
	II.	Approval of Minutes of Regularly Scheduled Meeting A. June 18, 2015 Board Meeting	Draft Minutes	
	III.	Administrator in Training A. <u>Request for Administrator in Training Approval</u> 1. <u>Murphy, Ryan</u> Facility: Blueberry Hill Rehabilitation & Healthcare Center-Beverly <u>Preceptor: Richard Augeri, NH2723</u>	Applications and related documents	

		<p>Administrator in Training</p> <p>B. <u>Request for Administrator in Training Credit</u></p> <ol style="list-style-type: none"> 1. <u>Rogers, John</u> <u>Facility:</u> Catholic Memorial Home- Fall River <u>Preceptor:</u> Thomas Healy, NH1293 2. <u>House, Brenna</u> <u>Facility:</u> Essex Park Rehabilitation & Nursing Center- Beverly <u>Preceptor:</u> Scott Dickinson, NH1960 3. <u>Smith, Peter</u> <u>Facility:</u> Braintree Manor Rehabilitation & Nursing Center- Braintree <u>Preceptor:</u> Sami Almadi, NH5206 		
		<p>C. <u>Request for Administrator in Training Change of Preceptor</u> None.</p> <p>D. <u>Administrator in Training Mid-Point Review</u></p> <ol style="list-style-type: none"> 1. <u>Joy, Michael</u> <u>Facility:</u> Hathorne Hill Center-Danvers <u>Preceptor:</u> Jeffery Crowley, NH5174 2. <u>Perun, Ivan</u> <u>Facility:</u> Concord Health Care-Concord <u>Preceptor:</u> Susan Driscoll, NH5056 <p>E. <u>Administrator in Training Completion Review</u></p> <ol style="list-style-type: none"> 1. <u>Perun, Ivan</u> <u>Facility:</u> Concord Health Care-Concord <u>Preceptor:</u> Susan Driscoll, NH5056 	Applications and related documents	
	IV.	<p>Review of Applications for License Reactivation (less than 3 years since license expiration)</p> <p>A. <u>McManus, Patrick</u> <u>NH3106</u> (<u>Expired: 6/30/2013</u>)</p>	Reactivation Applications and related documents	
	V.	<p>Review of Applications for Licensure by Reciprocity</p> <p>A. <u>Brown, Avraham</u> (Licensed in: NJ and PA)</p> <p>B. <u>Talamona, Raymond</u>(Licensed in: CT)</p> <p>C. <u>Miller, Christopher</u> (Licensed in: CT)</p>	Reciprocity Application and related documents	

	VI.	Triage A. <u>TRG-7687</u> <u>Colonial Heights</u> B. <u>Vero Health and Rehabilitation of Mattapan</u>	Statements of Deficiencies Statements Statement	MC MC
	VII.	Staff Assignments A. <u>SA-INV-5761</u> <u>O'Connor Catherine</u> <u>NH2071</u> (Exp: <u>06/30/16</u>) B. <u>SA-INV-5762</u> <u>Jenney, Susan</u> <u>NH5353</u> (Exp: <u>06/30/16</u>) C. <u>SA-INV-5763</u> <u>Labelle, Gerald</u> <u>NH3137</u> (Exp: <u>06/30/16</u>) D. <u>SA-INV-5309</u> <u>Morreale, Jessica</u> <u>NH5383</u> (Exp: <u>06/30/15</u>) E. <u>SA-INV-5099</u> <u>Keane B., Christine</u> <u>NH3550</u> (Exp: <u>06/30/16</u>)	Investigation Report And supporting documents	PB PB PB PB PB
	VIII.	Deemed Status A. Revised Deem Status Application, Letter, and Announcement	Deemed Status documents	MS/IH
	IX.	Proposed Policies A. Licensing Policy 2015-01, Board Policy to Delegate Authority to Individual Members to Perform Select Board Functions B. Staff Action Policy 2015-1, Issuance and Renewal of Licenses	Draft of Proposed Licensing Policy 2015-01 and Staff Action Policy 2015-1	MS MS
	X.	Regulations A. Proposed Model Regulation	Draft of Proposed Model Regulation	MS
	XI.	Board Education A. Board Action	PowerPoint Presentation	MS
	XII.	Other Business/Announcements A. <u>Discussion:</u> Dates of August and September meeting dates	None	MP
	XIII.	Flex Session A. Topics for the next Agenda		

11:30 a.m.	XIV.	<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 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.</p> <p>The Board will not reconvene in open session subsequent to the executive session.</p>	Closed Session	
2:00 p.m.	XV.	Adjournment-next Board meeting scheduled for [Aug. 20, 2015]		

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

BOARD MEETING

Thursday, July 18, 2015

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

MINUTES

Board Members Present: Nancy Lordan, Nursing Home Administrator 3, Chair
William Graves, Nursing Home Administrator 1, Vice-Chair [left at 11:30 a.m.]
Roxanne Webster, Registered Nurse, Secretary
Mary McKenna, Executive Office of Elder Affairs
Sherman Lohnes, Department of Public Health
James Divver, Nursing Home Administrator 4
Michael Baldassarre, Nursing Home Administrator 2
Aaron Tobey, Public Member 2
Patrick J Stapleton, Nursing Home Administrator 5 (Non-Proprietary Nursing Home)
Wayne S Saltsman, MD, PhD, Physician
MaryEllen Coyne, Executive Office of Public Welfare

Board Members not Present: None

Staff Present: Mary Phillips, Executive Director, Multi-Boards, DHPL
Ichelle Herbu, Assistant Executive Director, Multi-Boards, DHPL
Anson Chu, Office Support Specialist, Multi-Boards, DHPL
Mary Strachan, Board Counsel, Office of the General Counsel, DPH
Marjorie Campbell, Investigator, Supervisor, Office of Public Protection, DHPL
Philip Beattie, Board Investigator, Office of Public Protection, DHPL

Guest: None

A quorum of the Board was present. Ms. Lordan, Board Chair, called the meeting to order at 10:07 a.m.

- I. Approval of Agenda and notice of electronic recording
Board members reviewed the meeting Agenda.

ACTION: Mr. Divver made motion to approve the agenda as presented; Dr. Saltsman seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Document: July 16, 2015 Regularly Scheduled Board Meeting Agenda.

II. Approval of Minutes

A. Minutes of the Regularly Scheduled Board Meeting: June 18, 2015

The Board reviewed the June 18, 2015 Regularly Scheduled Board Meeting Minutes.

ACTION: Mr. Divver made a motion to approve the minutes as presented; Dr. Saltsman seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: June 18, 2015 Regularly Scheduled Board Meeting Minutes

III. Administrator in Training

F. Request for Administrator in Training Approval

Ms. Lordan made the following recommendations:

1. Murphy, Ryan

Facility: Blueberry Hill Rehabilitation & Healthcare Center-Beverly

Preceptor: Richard Augeri, NH2723

RECOMMENDATION: Approve

ACTION: Mr. Lohnes made a motion to accept the recommendation; Ms. Webster 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

Ms. Lordan made the following recommendations:

1. Rogers, John

Facility: Catholic Memorial Home- Fall River

Preceptor: Thomas Healy, NH1293

RECOMMENDATION: Approve – 2 weeks credit

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

Documents: AIT Application and related documents.

2. House, Brenna

Facility: Essex Park Rehabilitation & Nursing Center- Beverly

Preceptor: Scott Dickinson, NH1960

RECOMMENDATION: Approve- 2 weeks credit

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

Documents: AIT Application and related documents.

3. Smith, Peter

Facility: Braintree Manor Rehabilitation & Nursing Center-Braintree

Preceptor: Sami Almadi, NH5206

RECOMMENDATION: Approve- 3 month credit

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

Documents: AIT Application and related documents.

H. Request for Administrator in Training Change of Preceptor
None

I. Administrator in Training Mid-Point Review

Ms. Lordan made the following recommendations:

1. Joy, Michael

Facility: Hathorne Hill Center-Danvers

Preceptor: Jeffery Crowley, NH5174

RECOMMENDATION: Approve

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

Documents: AIT Application and related documents.

2. Perun, Ivan

Facility: Concord Health Care-Concord

Preceptor: Susan Driscoll, NH5056

RECOMMENDATION: Approve

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

Documents: AIT Application and related documents.

J. Administrator in Training-Final Completion Review

Ms. Lordan made the following recommendations:

1. Perun, Ivan
Facility: Concord Health Care-Concord
Preceptor: Susan Driscoll, NH5056

RECOMMENDATION: Approve

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

Documents: AIT Application and related documents.

IV. Review of Applications for License Reactivation (less than 3 years since license expiration)

Ms. Webster made the following recommendations:

- A. McManus, Patrick NH3106 (Expired: 6/30/2013)

DISCUSSION: Mr. McManus was working under an expired license.

RECOMMENDATION: Approve and open a complaint against Licensee's license

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

Documents: Reactivation Application and related documents

V. Review of Applications for Licensure by Reciprocity

Ms. Webster made the following recommendations:

- A. Brown, Avraham (Licensed in: NJ and PA)

RECOMMENDATION: Approve

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

Documents: Application for Licensure by Reciprocity and related documents

- B. Talamona, Raymond(Licensed in: CT)

RECOMMENDATION: Approve

ACTION: Mr. Divver made a motion to accept the recommendation; Dr. Saltsman seconded the

motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Application for Licensure by Reciprocity and related documents

C. Miller, Christopher (Licensed in: CT)

RECOMMENDATION: Approve

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

Documents: Application for Licensure by Reciprocity and related documents

[Triage items were deferred to later as Ms. Campbell is not available at the moment]

VI. Triage

VII. A. TRG-7687 Colonial Heights

DISCUSSION: Ms. Campbell presented this triage case to the Board. The facility's alarms were not working properly and the locks for the residents failed, resulting in several resident eloping from the facility. Health Care Quality found the facility to have conditions that constituted Immediate Jeopardy. The Board reviewed the statement of deficiencies. Ms. Campbell stated that this case is still in Triage; therefore, Office of Public Protection has not completed the investigation.

ACTION: Mr. Lohnes made a motion to open a Staff Assignment and invite the current licensed NHA for the facility to a conference; Ms. McKenna seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Statements of Deficiencies Statements

B. Vero Health and Rehabilitation of Mattapan

DISCUSSION: Ms. Campbell presented this triage case to the Board. A letter came in and according to the content, it is possible that the Administrator in Training individual is acting as the Administrator of the facility. According to the statement, it appears that the administrator is overseeing two facilities. The Board discussed the best course of action and decided to investigate the Preceptor/Nursing Home Administrator of the facility.

ACTION: Mr. Graves made a motion to open a Staff Assignment against the Nursing Home Administrator and find out who is providing oversight at the facility and training of AIT; how often the administrator is at the facility; Mr. Baldassarre seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Statements

[Mary Phillips left the room/recuse herself at 10:18 a.m.]

VIII. Staff Assignments

A. SA-INV-5761 O'Connor Catherine NH2071 (Exp: 06/30/16)

B. SA-INV-5762 Jenney, Susan NH5353 (Exp: 06/30/16)

C. SA-INV-5763 Labelle, Gerald NH3137 (Exp: 06/30/16)

D. SA-INV-5309 Morreale, Jessica NH5383 (Exp: 06/30/15)

DISCUSSION for Item A to D: Mr. Beattie presented the cases to the Board. Ms. Morreale came before the Board last year for allegedly practicing without a NHA license. At the time, she was licensed in Rhode Island, and filed an application for Reciprocity process. After reviewing the information obtained in the formal investigation against Ms. Morreale and speaking with Ms. Morreale, the Board voted to open a formal investigation against the above licensees. The Board reviewed the statements from Ms. O'Connor, Ms. Jenney and Mr. Labelle. All three of their statements were consistent. It seems like at no given time that Ms. Morreale was working without a license but instead she misrepresented the information on her resume.

ACTION for Item A to C: Mr. Divver made a motion to close the Staff Assignment against Ms. O'Connor, Ms. Jenney and Mr. Labelle; Mr. Graves seconded the motion; Motion passed with Board members present and voting in favor unanimously.

ACTION for Item D: Mr. Divver made a motion to open a complaint against Ms. Morreale; Mr. Graves seconded the motion; Mr. Divver then rescinds his motion after discussion among the Board.

ACTION 2 for Item D: Mr. Lohnes made a motion to close the Staff Assignment against Ms. Morreale's license with an advisory letter; Dr. Saltsman seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigation Report and supporting documents

E. SA-INV-5099 Keane B., Christine NH3550 (Exp: 06/30/16)

DISCUSSION: Mr. Beattie presented this case to the Board. The facility obtained an Immediate Jeopardy on survey while Ms. Keane was the administrator at the facility. Within approximately two months, patients with a known allergy to certain food items were given the items as part of their meals. No processes were implemented to ensure that residents who were identified as allergic to certain food items did not receive those food items.

ACTION: Mr. Graves made a motion to open a formal complaint against Ms. Keane's license and to invite Ms. Keane to appear before the Board; Mr. Lohnes seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigation Report and supporting documents

[Mary Phillips returned to the room at 10:43 a.m.]

IX. Deem Status

B. Revised Deemed Status Application, Letter, and Announcement

DISCUSSION: Ms. Strachan informed the Board that Board staff reviewed the Deemed status application, letter, and announcement. The language of “Deemed” is unclear and Board staff suggests that the Board changes the status from “Deemed” to “Approved”. The Deemed status document have been revised to include the change. Further, the Board is the only Board within the Division that have such a status for CE providers, and the Board may want to consider eliminating this status in the future when revising the regulations.

[Mr. Graves left the meeting at 11:30 a.m.]

ACTION: Ms. Webster made a motion to change the language from “Deemed” to “Approved” and forward the revised letter and application to the CE providers for the renewal of their status; Dr. Saltsman seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Deemed Status documents

X. Proposed Policies

A. Licensing Policy 2015-01, Board Policy to Delegate Authority to Individual Members to Perform Select Board Functions

DISCUSSION: Ms. Strachan distributed the Licensing Policy to the Board. The Board reviewed the document. Ms. Webster noted that the “General” section does not include Reciprocity application and review of CE sections.

ACTION: Ms. Webster made a motion to adopt policy after revision to include above; Mr. Divver seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Draft of Proposed Licensing Policy 2015-01

B. Staff Action Policy 2015-1, Issuance and Renewal of Licenses

DISCUSSION: Ms. Strachan distributed and reviewed the Staff Action policy to the Board.

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

Documents: Staff Action Policy 2015-1

XI. Regulations

A. Proposed Model Regulation

DISCUSSION: Ms. Strachan distributed the proposed model regulation to the Board. This is for discussion purposes only. The Board will review the draft and discuss at the next scheduled Board Meeting.

[Ms. Webster left the room at 11:39 a.m.]

[Ms. Webster returned to the room at 11:42 a.m.]

ACTION: None

Documents: Draft of Proposed Model Regulation

XII. Board Education
A. Board Action

DISCUSSION: Deferred until the next scheduled Board Meeting.

[Mr. Stapleton left the room at 11:48 a.m.]

[Mr. Stapleton returned to the room at 11:49 a.m.]

ACTION: None

Documents: Slide Presentation

XIII. Other Business / Announcements
A. Dates of August and September meeting dates

DISCUSSION: The Board discussed about the August and September meeting dates. The Board will be meeting in August, and starting September, meetings will be held on Fridays.

ACTION: None

Documents: None

XIV. Flex Session
None

XV. Executive Session (Roll call vote)

At 11:54 a.m., Ms. Lordan 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. Divver made a motion to enter the Executive Session; Mr. Baldassarre seconded the

motion. Motion passed with Board members present and voting in favor: Ms. Lordan-yes, Ms. Webster- yes, Ms. McKenna-yes, Mr. Lohnes-yes, Mr. Divver-yes, Mr. Baldassarre-yes, Mr. Tobey-yes, Mr. Stapleton-yes, Dr. Saltsman-yes, Ms. Coyne-yes; Opposed: None; Abstain: None; Recused: None.

The Board adjourned the Executive Session at 11:55 a.m.

XVI. Adjourn

There being no other business before the Board, Ms. McKenna made a motion to adjourn the Board meeting; Mr. Divver seconded the motion. Motion passed with Board members present and voting in favor unanimously. The meeting was adjourned at 11:55 p.m.

The next meeting of the Board of Registration of Nursing Home Administrators will be held on Thursday, August 20, 2015. The Board meeting begins at 10:00 a.m.

Respectfully submitted:

Nancy Lordan, NHA
Chair

Date