

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, July 19, 2019
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. May 17, 2019 Board Meeting Minutes	Draft Minutes	Board
	IV	NAB Annual Meeting: Conference Update	Presentation	RC
	V	Educational Approval: A. Massachusetts Coalition for the Prevention of Medical Errors Course: A Collaborative Approach to Reducing Readmissions: Harnessing the Patient Voice to Enhance Care Transitions Request: 7.5 Contact Hours	Submission	RC

Time	Item #	Item	Exhibits	Staff Contact
	VI	<p>Licensing Applications:</p> <p>A. AIT with Credits (Education & Work Experience)</p> <ol style="list-style-type: none"> 1. Application No. 936402 Dennis Dineen 2. Application No. 935749 Candace Walker 3. Application No. 931588 Jose Rudy Vargas Jr 4. Application No.936114 Bianka Kellici 5. Application no. 942887 Karen Fumicello 6. Application 942870 Christi Sullivan <p>B. AIT with Credits (Work Experience)</p> <ol style="list-style-type: none"> 1. Application No. 929452 Rodica Anghel 2. Application No. 944792 Ashante Barrows 3. Application No. 937739 Benjamin Marshall 	Applications	Board
	VII	<p>Open Investigations:</p> <p><i>Staff Assignment(s):</i></p> <p>A. SA-INV-14915: Sr. Mary Ludka, (NH2108) Facility: Sisters of the Poor Attorney: N/A COI:</p> <p>B. NHA-2019-005: Bedard, Bruce (NH1633) Facility: West Revere Health Care Attorney: N/A. COI:</p>	Investigative Report	LS
	VIII	<p>Flex Session</p> <p>A. Announcements/Discussions</p> <p>B. Topics for the next Agenda</p>	Verbal	RC

Time	Item #	Item	Exhibits	Staff Contact
	IX	<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 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"> 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
	X	65C Session: N/A		Board Counsel
	XI	Adjudicatory Session: N/A		Board Counsel
2:00 p.m.	XII	Adjournment -next Board meeting scheduled for August 16, 2019.		Board

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS
BOARD MEETING
Friday, May 17, 2019

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

MINUTES

Present: William Graves, NHA, Chair Nursing Home Administrator 1
Mary K. Moscato, Hospital Administrator, Secretary
Sister Jacquelyn McCarthy, Nursing Home Administrator 2
Roxanne Webster, Registered Nurse
Naomi M. Prendergast, Nursing Home Administrator 4
Patrick J Stapleton, Nursing Home Administrator 5 (Non-Proprietary Nursing Home)
Mary Ellen Heine, Office of Long Term Services and Supports at Mass Health
Daniel Gebremedhin, Physician

Not Present: Sherman Lohnes, Department of Public Health, Vice-Chair
Mary McKenna, Executive Office of Elder Affairs
Nancy Lordan, Nursing Home Administrator 3

Staff: Roberlyne Cherfils, Executive Director, Multi-Boards, BHPL
Karen Geoghegan, Assistant Executive Director, Multi-Boards, BHPL
Mary Strachan, Board Counsel, Office of the General Counsel, DPH
Emily Duré, Office Support Staff, Multi-Boards, BHPL
Lisa Seeley-Murphy, Board Investigator, BHPL

I. Call to Order

Board Chair, Mr. Graves, determined that a quorum of the Board was present. The meeting was called to order at 10:03 a.m. by Mr. Graves who informed all present that the meeting was being recorded.

II. Approval of the Agenda

Discussion: NONE

Action: It was determined that there were no conflicts of interest in the agenda. Board member Mr. Stapleton moved to approve the agenda. The motion was seconded by Ms. Heine and passed unanimously.

Document: BORNHA Draft Agenda for May 17, 2019

III. Approval of the Minutes:

Discussion: Ms. Cherfils proposed an edit to the minutes on page 3 of 4, item number 11. Ms. Cherfils stated that the general minutes did not reflect that although Ms. Webster was not present at the beginning of the General Session, she did arrive later. As a result, when Ms. Moscato recused herself, the Board still had quorum. That fact the Ms. Webster was at the meeting is reflected in the Executive session minutes but

Executive Session minutes are not posted on the website. The minutes of the General Session are posted on the website. It's important that the information is noted in the General Session minutes because the public would not understand why the Board took a vote if the public does not know that quorum was maintained.

Action: Mr. Stapleton moved to approve the minutes with that amendment which was seconded by Ms. Heine. The vote passed unanimously.

Document: April 26, 2019 Board Meeting Minutes

IV. Educational Approval:

- A. LeadingAge Massachusetts
Courses: 2019 Annual Conference- What If
Request: 5.5 Continuing Education Credits

Discussion: Ms. Cherfils noted that the conference was open to the public. She said that LeadingAge is requesting 5.5 CEUs. Ms. Cherfils recommended to the Board was that they approve the course for the requested 5.5 CEUs.

Action: Ms. Moscato made a motion to approve the request for credits which Ms. Heine seconded. The motion passed unanimously.

Document: LeadingAge File Submission

V. Open Investigation:

Staff Assignments

- A. SA-INV-14112: Bonfardeci, John
Facility: Life Care Center of Plymouth
Attorney: N/A
COI: N/A
The licensee was present.

Discussion: Ms. Cherfils informed the Board that this individual contacted the Board to notify them that he is awaiting a survey and was not permitted to leave the building to attend the meeting.

Ms. Seeley-Murphy presented the matter to the Board.

On February 23, 2018, the division of Health Care Facility Licensure and Certification notified the Board of a survey completed on February 8, 2018 at the Life Care Center of Plymouth (the "Facility") located at 94 Obery Street Plymouth, MA. The Division cited six (6) deficiencies. The deficiencies cited constituted substandard quality of care. At IIDR review two of the substandard qualities of care tags were deleted, leaving Mr. Bonfardeci not in substantial compliance. The licensee has had a prior discipline in the form of reprimand.

Ms. Webster asked why the matter was brought before the board. Ms. Strachan explained that there is no Staff Action Policy for matters in which the licensee has prior discipline.

Action: Ms. Webster motioned to dismissed and Mr. Stapleton second the motion

Document: Investigative Report

Complaints

A. NHA-2019-004: Bedard, Bruce (NH1633)

Facility: West Revere Health Center

Attorney: N/A

COI:

The Licensee was not present.

Ms. Seeley-Murphy presented this matter to the Board.

Mr. Bedard's license was "Revoked by Default" on March 2, 2019 based on his practice at Everett Nursing Home and the 4 complaints that resulted therefrom.

The DHCFL&C performed a complaint survey at West Revere Health Center on March 26, 2019 and found that Mr. Bedard was the NHA there. The survey found deficiencies as well. Bedard has not responded to the notice of this new complaint. Board Counsel asked Board members to authorize resolution of the complaint for practicing after license revocation by means of a Consent Agreement for an Administrative Fine, under M.G.L.c. 112 §65.

Discussion:

Ms. Cherfils explained to the Board that Mr. Bedard continued to work for twenty-four (24) days after the revocation of his license and that is why this matter was brought back to the board. The Bureau of Healthcare Quality and Safety contacted his employer and Mr. Bedard was terminated immediately.

Ms. Strachan informed the Board that Mr. Bedard initially was cooperating with the Board but has stopped responding to the Board's letters. She explained that since his license has already been revoked, the Board cannot take any further action against his license. Ms. Strachan explained that there are statutes that allow for a fine in this instance. Ms. Strachan asked the Board to authorize a consent agreement for an administrative fine. She explained that if Mr. Bedard does not agree to the consent agreement, the matter will be referred to prosecution. Mr. Graves asked for the dollar amount of the fine. Mary said she would need to determine that amount of the fine with consideration to consistency across all of the Bureau's Boards.

Mr. Graves asked if the conduct occurred at the same facility. This is a second facility. Mr. Graves asked if the licensee was aware that his license was revoked when he was hired by the second facility. According to the form he submitted to DHCFL&C, he was hired by West Revere in May 2017 at which time his license was current.

Action: Motion by Mr.Graves to start the administrative fine process, seconded by Ms. Moscato and all present voted in favor.

Documents: Investigative Report

- VI Flex Session
 - C. Announcements/Discussions
 - D. Topics for the next Agenda

Discussion: None

Document: N/A

- VII Executive Session

There being no more business to discuss in Regular Session, Board Chair, Mr. Graves moved the Board to Executive Session at 10:23 a.m. and asked the Board members to do a roll call vote.

- VIII 65 C Session – N/A

- IX Adjournment

There being no other business before the Board Mr. Stapleton made a motion to adjourn the Board meeting; Ms. Heine seconded the motion. Motion passed with Board members present and voting in favor unanimously. The meeting was adjourned at 11:33 a.m.
The next meeting of the Board of Registration of Nursing Home Administrators will be held on Friday, June 21, 2019. The Board meeting begins at 10:00 a.m.

Respectfully submitted:

Williams Graves, NHA, Chair

Date

Sherman Lohnes, NHA, Vice Chair

Date

Mary Moscato, Secretary

Date