

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, June 16, 2017
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		Board
	IV	Approval of Minutes of Regularly Scheduled Meeting A. May 19, 2016 Board Meeting	Draft Minutes	Board
	V	Presentation: SPOT Update A. Katherine T. Fillo, Ph.D, RN-BC Director of Clinical Quality Improvement Bureau of Health Care Safety & Quality	Presentation	PB
	VI	Board Elections A. Chair B. Secretary	N/A	Board
	VII	NAB Examination: Revised Structure <ul style="list-style-type: none"> • Transition from 150 Item Exam to Two Part Component Exam Model • New Exam Fee Schedule 	NABA Notification Letter	RC

	VIII	<p>Administrator in Training</p> <p>A. <u>Request for Administrator in Training Approval</u></p> <p>1. <u>Kathryn Henault</u> <u>Facility:</u> Hillcrest Commons Nursing and Rehabilitation Center <u>Employer:</u> Berkshire Health Care System <u>Preceptor:</u> Dolores Duncan, NH5319</p> <p>B. <u>Request for Administrator in Training Credit</u></p> <p>1. <u>Tarah I. Loy</u> <u>Facility:</u> St. Camillus Health Center <u>Employer:</u> William Graves <u>Preceptor:</u> William Graves, NH3178</p> <p>2. <u>Michael j. Medeiros</u> <u>Facility:</u> Highlander Nursing Home <u>Employer:</u> Kindred Healthcare <u>Preceptor:</u> Jessica Langlois, NH5306</p> <p>3. <u>Sarah E. Stone</u> <u>Facility:</u> Mont Marie Rehabilitation & Healthcare Center <u>Employer:</u> Marquis Health Services Family <u>Preceptor:</u> David Gontaruk, NH5284</p> <p>4. <u>Danielle Copper</u> <u>Facility:</u> Kindred Transitional Care and Rehabilitation Westborough <u>Employer:</u> Kindred Health Care <u>Preceptor:</u> Pamela Elrod, NH5284</p> <p>C. <u>Request for Administrator in Training Change of Preceptor</u> N/A</p> <p>D. <u>Administrator in Training Mid-Point Review</u></p> <p>1. <u>Corey Beaudette</u> <u>Facility:</u> Webster Manor Rehabilitation & Health Care Center <u>Employer:</u> Athena Health Care System <u>Preceptor:</u> Kevin Diehl, NHA3459</p> <p>2. <u>Nicholas Pappolaro</u> <u>Facility:</u> Masconomet Healthcare Center <u>Employer:</u> Whittier Healthcare <u>Preceptor:</u> Kim Grasso, NHA3521</p>	Applications and related documents	Board
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	VIII	<p>Administrator in Training</p> <p>3. <u>Temitope Shodunke</u> <u>Facility:</u> Wingate at Silver Lake <u>Employer:</u> Scott Shuster <u>Preceptor:</u> Lori Anderson, NH5126</p> <p>E. <u>Administrator in Training Completion Review</u></p> <p>1. <u>Angella Lee</u> <u>Facility:</u> Jewish Healthcare Center, Inc. <u>Employer:</u> Steven Willens <u>Preceptor:</u> Steven Willens, NHA2177</p> <p>2. <u>Kathleen Stewart</u> <u>Facility:</u> Poet’s Seat Health Care Center <u>Employer:</u> Sean Carney <u>Preceptor:</u> Patrick McManus, NHA2463</p>	Applications and related documents	Board
	IX	<p>Review of Applications for Licensure by Reciprocity</p> <p>1. <u>Jason I. Mervin</u> (CT) 2. <u>Abraham Rosenbloom:</u> (CT) 3. <u>Joan Fredella</u> (NJ)</p>	Applications and related documents	Board
	X	CEU Request: None		
	XI	<p>Open Investigations:</p> <p><i>Triage(s):</i> None</p> <p>1. Geoffrey Rauch, NH5022 TRG-9800 Attorney: Alana Anderson Employer: Payson Care Center-Payson, Arizona</p> <p><i>Staff Assignment(s)</i></p> <p>1. Karen Wadlow, NH2952 SA-INV-7874 Attorney: Alfred Gray Employer: Sippican Healthcare Center</p> <p><i>Complaint(s):</i> None</p> <p>1. Kenneth F. Cegelski, NH5195 NHA-2016-003 Attorney: Anthony J. Cichello Employer: Hunt Nursing & Rehabilitation Center</p>	Investigative Report	PB
	XII	<p>Policies: Staff Action Policies</p> <p>A. Case Triage Update B. License Reinstatement Following Board Discipline</p>		

	XIII	Flex Session A. Announcements/Discussions B. Topics for the next Agenda		RC
	XIV	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	Board Chair
2:00 p.m.	XV	Adjournment-next Board meeting scheduled for July 21, 2017.		Board

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

BOARD MEETING

Friday, June 16, 2017

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

MINUTES

Board Members

Present:

Nancy Lordan, Nursing Home Administrator 3, Chair
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
Patrick J Stapleton, Nursing Home Administrator 5 (Non-Proprietary
Nursing Home)
Mary K. Moscato, Hospital Administrator
Daniel Gebremedhin, Physician

Board Members

not Present:

William Graves, Nursing Home Administrator 1, Vice-Chair
MaryEllen Coyne, Office of Long Term Services and Supports at
MassHealth
Jeannette Sheehan, Public Member 1

Staff Present:

Philip Beattie, Deputy Executive Director, Multi-Boards, BHPL
Mary Strachan, Board Counsel, Office of the General Counsel, DPH
Anson Chu, Office Support Specialist, Multi-Boards, BHPL
Katherine Fillo, Director of Clinical Quality Improvement, Bureau of Health
Care Safety and Quality

Staff not Present:

Roberlyne Cherfils, Executive Director, Multi-Boards, BHPL

Guests:

Jonathan Schreck
Kenneth Cegelski and Attorney Anthony Cichello

I. Call to Order - Determination of Quorum

A quorum of the Board was present. Ms. Lordan, Board Chair, called the meeting to order at 10:03 a.m.

II. Approval of Agenda

Board members reviewed the meeting Agenda.

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

Document: June 16, 2017 Regularly Scheduled Board Meeting Agenda.

III. Conflict of Interest

DISCUSSION: Ms. Lordan asked the Board members to review the agenda and disclose if there is any conflict of interest regarding any items on the agenda.

No conflict of interest noted.

IV. Approval of Minutes

A. Minutes of the Regularly Scheduled Board Meeting: May 19, 2017

The Board reviewed the May 19, 2017 Regularly Scheduled Board Meeting Minutes.

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

Documents: May 19, 2017 Regularly Scheduled Board Meeting Minutes

V. Presentation: SPOT Update

B. Katherine T. Fillo, Ph.D, RN-BC
Director of Clinical Quality Improvement
Bureau of Health Care Safety & Quality

DISCUSSION: Ms. Fillo is present before the Board to present and updates on the SPOT project, which is the Supportive Planning and Operations Team. The SPOT project will be around for 3 years and started in 2016. The objective of the SPOT project is to provide skilled nursing facilities identified as having opportunities to improve with quality assurance and performance improvement technical assistance through the use this project. Ms. Fillo also informed the Board of the planned activities for the rest of 2017 such as the three webinars. Ms. Fillo also explained the other three projects: 1) Resident and Family Council Engagement, 2) Infection Control and Antibiotic Resistance Assessments, 3) CMS clostridium difficile Reporting and Reduction Project.

Documents: Presentation

VI. Board Elections

A. Chair

DISCUSSION: Several Board members explained that in the past, they have a small committee for nominations purposes. The Board decided to place Ms. Mary McKenna, Ms. Mary Moscato and Mr. Sherman Lohnes on the Nomination Committee.

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

Documents: None

B. Secretary

DISCUSSION: Several Board members explained that in the past, they have a small committee for nominations purposes. The Board decided to place Ms. Mary McKenna, Ms. Mary Moscato and Mr. Sherman Lohnes on the Nomination Committee.

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

Documents: None

VII. NAB Examination: Revised Structure

Transition from 150 Item Exam to Two Part Component Exam Model
New Exam Fee Schedule

DISCUSSION: Mr. Beattie informed the Board that the NAB examination is currently going through a revision and distributed the new handbook to the Board members that was emailed to us from NAB. Mr. Beattie also distributed a timeline of the new system information to the Board and NAB requested the Board to post it on the website.

ACTION: Mr. Divver made a motion to post the information on our website regarding the new exam timeline; Ms. Webster seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Draft Policy

VIII. Administrator in Training

A. Request for Administrator in Training Approval

Ms. Webster made the following recommendations:

[Mr. Sherman Lohnes recused himself and left the room at 10:30 a.m.]

1. Kathryn Henault

Facility: Hillcrest Commons Nursing and Rehabilitation Center

Employer: Berkshire Health Care System

Preceptor: Dolores Duncan, NH5319

RECOMMENDATION: Approve

ACTION: Mr. Divver 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.

B. Request for Administrator in Training Credit

Ms. Webster made the following recommendations:

1. Tarah I. Loy

Facility: St. Camillus Health Center

Employer: Bill Graves

Preceptor: Bill Graves, NH3178

RECOMMENDATION: Approve – 1 week credit

ACTION: Mr. Divver 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.

[Mr. Sherman Lohnes returned to the room at 10:31 a.m.]

2. Michael j. Medeiros

Facility: Highlander Nursing Home

Employer: Kindred Healthcare

Preceptor: Jessica Langlois, NH5306

RECOMMENDATION: Approve – 1 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.

3. Sarah E. Stone

Facility: Mont Marie Rehabilitation & Healthcare Center

Employer: Marquis Health Services Family

Preceptor: David Gontaruk, NH5284

RECOMMENDATION: Approve – 3 months 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.

4. Danielle Copper

Facility: Kindred Transitional Care and Rehabilitation Westborough

Employer: Kindred Health Care

Preceptor: Pamela Elrod, NH5284

RECOMMENDATION: Approve – no 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.

C. Request for Administrator in Training Change of Preceptor
None

D. Administrator in Training Mid-Point Review
Ms. Webster made the following recommendations:

4. Corey Beaudette
Facility: Webster Manor Rehabilitation & Health Care Center
Employer: Athena Health Care System
Preceptor: Kevin Diehl, NHA3459

RECOMMENDATION: Approve

ACTION: Mr. Divver 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.

5. Nicholas Pappalardo
Facility: Masconomet Healthcare Center
Employer: Whittier Healthcare
Preceptor: Kim Grasso, NHA3521

RECOMMENDATION: Approve

ACTION: Mr. Divver 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.

6. Temitope Shodunke
Facility: Wingate at Silver Lake
Employer: Scott Shuster
Preceptor: Lori Anderson, NH5126

RECOMMENDATION: Approve

ACTION: Mr. Divver 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.

E. Administrator in Training Completion Review

Ms. Webster made the following recommendations:

3. Angella Lee
Facility: Jewish Healthcare Center, Inc.
Employer: Steven Willens
Preceptor: Steven Willens, NHA2177

RECOMMENDATION: Approve

ACTION: Mr. Divver 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.

4. Kathleen Stewart
Facility: Poet's Seat Health Care Center
Employer: Sean Carney
Preceptor: Patrick McManus, NHA2463

RECOMMENDATION: Approve

ACTION: Mr. Divver 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.

IX. Review of Applications for Licensure by Reciprocity

Ms. Webster made the following recommendations:

1. Jason I. Mervin (CT)

RECOMMENDATION: Approve

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: Applications and related documents

2. Abraham Rosenbloom: (CT)

RECOMMENDATION: Approve

ACTION: r. 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: Applications and related documents

3. Joan Fredella (NJ)

RECOMMENDATION: Approve

ACTION: r. 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: Applications and related documents

X. CEU Request

None

XI. Open Investigations

Triage(s)

2. Geoffrey Rauch, NH5022

TRG-9800

Attorney: Alana Anderson

Employer: Payson Care Center-Payson, Arizona

Mr. Beattie presented this Triage case to the Board.

The Division of Health Care Facility Licensure and Certification (“DHCFLC”) completed a survey of Marina Bay Skilled Nursing & Rehabilitation (the “Facility”) on 6/28/16, which found the following fourteen (14) deficiencies that constituted substandard quality of care:

- Right to Prompt Efforts to Resolve Grievances, F166 (page 1)
- Right to Survey Results-Readily Accessible, F 167 (page 5)
- Right to Be Free From Physical Restraints, F 221 (page 6)
- Investigate/Report/Allegations/Individuals, F 225 (page 8)
- Listen/Act on Group Grievance/Recommendation, F 244 (page 12)
- Housekeeping & Maintenance Services, F 253 (page 16)
- Services Provided Meet Professional Standards, F 281 (page 25)
- Free of Accidents/Hazards/Supervision/Devices F 323 (page 28)
- Treatment/Care for Special Needs, F 328 (page 32)

- Free of Medication Error Rates of 5 % or More F 332 (page 34)
- Nutritive Value/Appear, Palatable/Prefer. Temp, F 364 (page 37)
- Food Procure, Store/Prepare/Serve - Sanitary, F 371 (page 38)
- Res Records-Complete/Accurate/Accessible, F 514 (page 40)
- Committee-Members/Meet Quarterly/Plans, F 520 (page 44)

On September 1, 2016, DHCFLC conducted a follow-up review. The Department determined that Marina Bay Skilled Nursing & Rehabilitation Center had corrected all deficiencies associated with the 6/28/2016 survey. “As all deficiencies had been corrected, the Department recommended CMS cease any applicable Civil Monetary Penalties, Denial of Payment for New Admissions, or termination action as of 8/17/2016.”

DISCUSSION: Mr. Lohnes informed the Board that some of the deficiencies are related to the Nursing problems but the others are part of his duties. Mr Lohnes also wants to know if we can just send out an advisory letter to this Licensee. The Board discussed in the past what they do with NHA who corrected the deficiencies on the follow-up survey. Mr. Strachan informed the Board what can be included in the advisory letter.

ACTION: Mr. Divver made a motion to open up a Staff Assignment and send an advisory letter; Mr. Lohnes seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigative Report

Staff Assignment(s)

2. Karen Wadlow, NH2952
SA-INV-7874
Attorney: Alfred Gray
Employer: Sippican Healthcare Center

Mr. Beattie presented this Staff Assignment case to the Board.

On July 13, 2015, the Office of Public Protection (“OPP”), received information that a survey of Country Gardens Health and Rehabilitation Center (the “Facility”) completed by the Division of Health Care Quality (“DHCQ”) on June 18, 2015, that found deficiencies that constitute substandard quality of care.

- Free from abuse/involuntary seclusion; F223 (page 1)
- Investigate/Report allegations; F225 (page 5)
- Develop/Implement Abuse/Neglect; F226 (page 10)
- Dignity and Respect of Individuality; F241 (page 15)
- Nurse Aide Registry Verification; F496 (18)

Licensee indicates that she voluntarily ended her employment at the Facility on July 6, 2015, and currently works at Sippican Health Center in Marion, MA. Licensee then indicates that she has no explanation for why the two instances of abuse that took place other than human nature.

Licensee indicates there were no issues found during the hiring processes for either CNA involved the incidents of abuse cited. However, there was a failure of the Human Resources Department to complete an adequate Nurse Registry verification. Licensee indicates that all staff were re-educated on the policies and procedures for identifying and reporting incidents of abuse, and human resources was re-educated on the importance of completing adequate Nurse Registry verifications for all staff. An audit of all staff Nurse Registry verifications was also conducted to ensure that all were adequately completed.

Licensee indicates that both incidents of abuse were immediately reported and each CNA involved with each individual incident was immediately suspended pending an internal investigation and subsequently terminated at the conclusion of these investigations.

DISCUSSION: Mr. Beattie explains that this Staff Assignment does not fit the Boards' staff action policy because the initial survey found the deficiencies at the Facility to constitute sub-standard quality of care. Mr. Lohnes informed the Board that there were five staff identified that did not report the incident. Ms. McKenna has concerned about the culture of the facility if incidents like this were not reported and this is the duty of the Administrator. Ms. Lordan also agrees with Ms. McKenna that while one staff not reporting is one thing but it's a concern when multiple people are not reporting.

ACTION: Ms. McKenna made a motion to open a complaint and invite Ms. Wadlow in; Ms. Webster seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigative Report

Complaint(s)

2. Kenneth F. Cegelski, NH5195
NHA-2016-003
Attorney: Anthony J. Cichello
Employer: Hunt Nursing & Rehabilitation Center

Mr. Beattie presented this Complaint case to the Board.

DISCUSSION: Mr. Beattie presented a memo to the Board. The Board opened a complaint against the Licensee on August 4, 2016 after receiving the Licensee's Reactivation application which indicated that the Licensee worked as a nursing home administrator in Massachusetts with an expired license from July 1, 2015 through June 20, 2016. Mr. Beattie informed the Board that this complaint meets the criteria for a staff action pursuant based on the Discipline Policy 15-01. The policy will offer a Consent Agreement to the Licensee for a Reprimand.

ACTION: None

Documents: Investigative Report

XII. Policies: Staff Action Policies
C. Case Triage Update

DISCUSSION: Ms. Strachan informed the Board that there was discussion from last month's Board meeting regarding the policy for triage cases. The policy was adopted in November 2016. Ms. Strachan brought this policy back with a revision to clarify the policy so the Board will not be asking Licensee to come to the meeting when they are not the Administrator. Mr. Lohnes proposed to add a 4th item under the purpose of the policy.

ACTION: Mr. Divver made a motion to adopt the policy with the modification revision of adding the 4th item under the purpose paragraph; Ms. Webster seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigative Report

D. License Reinstatement Following Board Discipline

DISCUSSION: Ms. Strachan informed the Board that this policy was adopted on September 2011 and is asking the Board to rescind this policy. This policy is redundancy in terms of what the Board is doing already. All the terms on this policy is listed on the Consent Agreement already as a standard.

ACTION: Mr. Divver made a motion to agree to Board Counsel's recommendation to rescind the policy; Mr. Stapleton seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigative Report

XIII. Flex Session

A. Announcements/Discussions

1- On behalf of the Executive Director, Ms. Strachan wants to inform the Board about unused medications not being sent back.

B. Topics for the next Agenda

1- None

XIV. Executive Session (Roll call vote)

At 11:09 a.m., Ms. Lordan, Board 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. Divver made a motion to enter the Executive Session; Ms. Webster 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. Stapleton-yes, Ms. Moscato-yes, Dr. Gebremedhin-yes; Opposed: None; Abstain: None; Recused: None.

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

XV. Adjourn

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

The next meeting of the Board of Registration of Nursing Home Administrators will be held on Friday, July 21, 2017. The Board meeting begins at 10:00 a.m.

Respectfully submitted:

Nancy Lordan, NHA
Chair

Date