

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, June 18, 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. May 21, 2015 Board Meeting	Draft Minutes	

	III.	Administrator in Training A. <u>Request for Administrator in Training Approval</u> None B. <u>Request for Administrator in Training Credit</u> 1. <u>Murphy, Francis III</u> <u>Facility:</u> The Boston Home-Boston <u>Preceptor:</u> Marva Serotkin, NH2044 2. <u>Jean-Simon, Nancy</u> <u>Facility:</u> Kindred Nursing & Rehabilitation Tower –Hill <u>Preceptor:</u> Michael Gagnon, NH5134 3. <u>Bearse, Brook</u> <u>Facility:</u> Hannah Duston Healthcare Center - Haverhill <u>Preceptor:</u> Christopher Olenio, NH3366 4. <u>O’Sullivan, Christie</u> <u>Facility:</u> Palm Center-Chelmsford <u>Preceptor:</u> Francis McGuire, NH5058 C. <u>Request for Administrator in Training Change of Preceptor</u> 1. <u>Lennon, David</u> <u>Facility:</u> Marina Bay Skilled Nursing & Rehabilitation Center <u>Current Preceptor:</u> Mathew Weinstock, NH2162 <u>Proposed Preceptor:</u> Richard Bane, NH2045 D. <u>Administrator in Training Mid-Point Review</u> None E. <u>Administrator in Training Completion Review</u> 1. <u>Ferrick, Michael</u> <u>Facility:</u> Leonard Florence Center for Living - Chelsea <u>Preceptor:</u> Philip Sher, NH1576	Applications and related documents	
	IV.	Deem Status A. <u>Discussion:</u> Renewal Procedure	None	IH
	V.	Inquiry A. Whether Vibra Nursing and Rehabilitation meets the Board’s facility requirements for an AIT program? B. How many AIT candidate can a preceptor precept at one time?	Email Inquiry None	

	VI.	Triage A. <u>TRG-7473</u> Corey Hill Nursing Home B. <u>Update: TRG-7384</u> Haborview Center for Nursing and Reh	Statement of Deficiencies	MC MC
	VII.	Policy A. Board delegation policy for individual members to review applications, CEUS, etc	Draft Policy	MS
	VIII.	Regulations A. Revision of 245 CMR 2.00 to add 2.20, Domestic Violence and Sexual Violence Training B. Draft of Proposed Revised Regulations	None Regulations with subcommittee recommendations	VB/MS MS
	IX.	Board Education A. Overview of Board Power	Slide Presentation	MS
	XI.	Other Business/Announcements A. Availability for July and August Board meeting B. <u>Report</u> : Case Pending in the Office of Public Protection C. Board Members Vacant Seats	Verbal	MP MP
	XII.	Flex Session A. Topics for the next Agenda		

11:00 am	XIII.	<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 <u>Good Moral Character</u> provision of a pending application. 2. Specifically, 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. 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 executive session.</p>	Closed	
2:00 p.m.	XIV.	Adjournment- next Board meeting scheduled for [July 16, 2015]		

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

BOARD MEETING

Thursday, June 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
Roxanne Webster, Registered Nurse, Secretary
Mary McKenna, Executive Office of Elder Affairs
Janet Cutter, Executive Office of Public Welfare
Sherman Lohnes, Department of Public Health
James Divver, Nursing Home Administrator 4
Patrick J Stapleton, Nursing Home Administrator 5 (Non-Proprietary
Nursing Home)
Wayne S Saltsman, MD, PhD, Physician

Board Members

not Present:

Michael Baldassarre, Nursing Home Administrator 2
Aaron Tobey, Public Member 2

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:

Nancy Jean-Simon
Brian Hurley
Attorney Ellen Janos

A quorum of the Board was present. Ms. Lordan, Board Chair, called the meeting to order at 10:04 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.

II. Approval of Minutes

A. Minutes of the Regularly Scheduled Board Meeting: May 21, 2015

The Board reviewed the May 21, 2015 Regularly Scheduled Board Meeting Minutes.

ACTION: Mr. Graves made a motion to approve the minutes as presented; Ms. McKenna seconded the motion. Motion passed with Board members present and voting in favor: Ms. Lordan-yes, Mr. Graves-yes, Ms. Webster- yes, Ms. McKenna-yes, Ms. Cutter-yes, Mr. Lohnes-yes, Mr. Divver-yes, Mr. Stapleton-yes, Dr. Saltsman-yes; Opposed: None; Abstain: Ms. Webster; Recused: None

Documents: May 21, 2015 Regularly Scheduled Board Meeting Minutes

III. Administrator in Training

F. Request for Administrator in Training Approval

None

G. Request for Administrator in Training Credit

Ms. Lordan made the following recommendations:

1. Murphy, Francis III

Facility: The Boston Home-Boston

Preceptor: Marva Serotkin, NH2044

RECOMMENDATION: Approve – 2 weeks credit

ACTION: Mr. Divver 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. Jean-Simon, Nancy

Facility: Kindred Nursing & Rehabilitation Tower –Hill

Preceptor: Michael Gagnon, NH5134

RECOMMENDATION: Approve-3 month credit

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: AIT Application and related documents.

3. Bearse, Brook

Facility: Hannah Duston Healthcare Center - Haverhill

Preceptor: Christopher Olenio, NH3366

RECOMMENDATION: Approve-no credit

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

Documents: AIT Application and related documents.

4. O'Sullivan, Christie

Facility: Palm Center-Chelmsford

Preceptor: Francis McGuire, NH5058

RECOMMENDATION: Approve – 2 weeks credit

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.

H. Request for Administrator in Training Change of Preceptor

Ms. Webster made the following recommendations:

1. Lennon, David

Facility: Marina Bay Skilled Nursing & Rehabilitation Center

Current Preceptor: Mathew Weinstock, NH2162

Proposed Preceptor: Richard Bane, NH2045

RECOMMENDATION: Approve

ACTION: Ms. McKenna 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.

I. Administrator in Training Mid-Point Review

None

J. Administrator in Training-Final Completion Review

Ms. Webster made the following recommendations:

1. Ferrick, Michael

Facility: Leonard Florence Center for Living - Chelsea

Preceptor: Philip Sher, NH1576

RECOMMENDATION: Approve

ACTION: Mr. Divver 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. Deem Status

A. Discussion: Renewal Procedure

DISCUSSION: Ms. Herbu informed the Board that the deemed status organizations will have to renew their status by the end of the year. Board staff will bring the revised renewal letter and application for the Board to review at the next scheduled Board meeting. The Board is planning to start the renewal process in August.

ACTION: None

Documents: None

V. Inquiry

A. Whether Vibra Nursing and Rehabilitation meets the Board's facility requirements for an AIT program?

DISCUSSION: The Board reviewed the email inquiry and the Board's statutes and regulations. After discussion, the Board decided that based on the Board's statutes and regulations, Vibra Nursing and Rehabilitation does not meet the Board's facility requirement for the AIT program.

ACTION: None

Documents: Email Inquiry

B. How many AIT candidates can a preceptor precept at one time?

DISCUSSION: Ms. Herbu informed the Board that this question has come up before. The Board states a licensed Nursing Home Administrator can only precept one AIT candidate at a time.

ACTION: Ms. Webster made a motion to reaffirm that decision; Ms. McKenna seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: None

VI. Triage

A. TRG-7473 Corey Hill Nursing Home

DISCUSSION: Ms. Campbell presented this triage case to the Board. The incident was reported to Health Care Quality and the facility was found to have conditions that constituted Immediate

Jeopardy. Since then, there was a follow up review on May 21, 2015 and the facility has corrected all of the deficiencies. The Board reviewed the statement of deficiencies and Investigation Report. 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; Mr. Graves seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Statement of Deficiencies

B. Update: TRG-7384 Haborview Center for Nursing and Rehab

DISCUSSION: Ms. Campbell presented this triage case to the Board. This is an update from the last board meeting. The Board requested more information to determine whether a survey was conducted on this facility. Ms. Campbell spoke to an employee at Health Care Quality regarding this and informed the Board that there are no deficiency reports. The Board decided to close the triage case as there is not enough information to go forward and requested a letter be sent to HCQ. The Board also requested the letter to include language such as “The Board has” forwarded this case to Health Care Quality and will follow-up if there are any findings in the future.”

ACTION: Mr. Stapleton made a motion to close the triage case and send the letter; Mr. Graves seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Statement of Deficiencies

VII. Policy

A. Board delegation policy for individual members to review applications, CEUS, etc

DISCUSSION: Deferred until the next scheduled Board meeting.

ACTION: None

Documents: None

VIII. Regulations

C. Revision of 245 CMR 2.00 to add 2.20, Domestic Violence and Sexual Violence Training

DISCUSSION: Ms. Strachan informed the Board that a new statute was passed that requires certain health care providers to take training regarding domestic violence and sexual violence. NHAs are explicitly mentioned in the statute which requires an update to NHA regulations at 245 CMR 2.00. The plan is for all agencies involved (i.e., Board of Medicine, Board of Nursing, PAs, NHA) to adopt the same language in their respective regulations. The language will be presented to the Board as soon as possible.

ACTION: None

Documents: Draft Policy

D. Draft of Proposed Revised Regulations

DISCUSSION: Ms. Strachan reviewed the draft of the revised regulations based on the discussion during the Subcommittee meetings. The Board discussed the newly added/revised regulations. One Board member brought up 2.07 (2)(b) and (4)(b) that the language should change to “full time” instead of “40 hours.” The other Board members agree. The Board requested to add the CEU as a condition to the grounds of discipline section of the regulations.

ACTION: None

Documents: Regulations with subcommittee recommendations

[The Board decided to go into the Executive Session now as there are people waiting for the closed session. After the Executive Session, the Board will discuss the topics under Item X]

IX. Board Education

A. Overview of Board Powers

DISCUSSION: Ms. Strachan gave a presentation to the Board to review Board powers.

ACTION: None

Documents: Slide Presentation

X. Other Business / Announcements

D. Availability for July and August Board meeting

DISCUSSION: The Board discussed their availability in July and August. As of now, Ms. Webster will not be available for the August meeting. The Board also requested for a meeting invite via Outlook for the September meeting.

ACTION: None

Documents: None

E. Report: Case Pending in the Office of Public Protection

DISCUSSION: Ms. Campbell informed the Board that based on the report she generated, there are still several cases pending for the Board to review. Currently there are 15 open Staff Assignments and two are from 2013. OPP will make those two SA cases priority. Other cases include 2 open complaint cases and 1 still in triage. The other two triage cases were reviewed in the meeting today.

ACTION: None

Documents: None

[Dr. Saltsman left the room at 11:28 a.m.]

[Dr. Saltsman returned to the room at 11:34 a.m.]

F. Board Members Vacant Seats

DISCUSSION: Ms. Phillips informed the Board of the vacant seats for the Board. Currently, there is one public member seat and a hospital administrator seat. Ms. Phillips asked the Board to contact her if they know anyone to fill those seats. Ms. Phillips also informed the Board that Ms. Janet Cutter will be resigning from the Board and wishes her best of luck.

ACTION: None.

Documents: None

XI. Flex Session

None

XII. Executive Session (Roll call vote)

At 11:07 a.m., Ms. Lordan announced that the Board will meet in Executive Session 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.

4. Specifically, the Board will discuss and evaluate the Good Moral Character provision of a pending application.
5. Specifically, 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 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, Mr. Graves-yes, Ms. Webster – yes, Ms. McKenna-yes, Ms. Cutter-yes, Mr. Lohnes-yes, Mr. Divver-yes, Mr. Stapleton-yes, Dr. Saltsman-yes; Opposed: None; Abstain: None; Recused: None.

The Board adjourned the Executive Session at 11:39 a.m. and resumed its Regularly Scheduled Board Meeting to discuss Items X, IX, X.

XIII. Adjourn

There being no other business before the Board, Mr. Divver made a motion to adjourn the Board meeting; Ms. McKenna seconded the motion. Motion passed with Board members present and voting in favor unanimously. The meeting was adjourned at 12:05 p.m.

The next meeting of the Board of Registration of Nursing Home Administrators will be held on Thursday, July 16, 2015. The Board meeting begins at 10:00 a.m.

Respectfully submitted:

Nancy Lordan, NHA
Chair

Date