

**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, March 15, 2019  
10:00 a.m. to 2:00 p.m.**

**239 Causeway Street ~ 4<sup>th</sup> Floor ~ Room 417A  
Boston, Massachusetts 02114**

**Agenda**

<b>Time</b>	<b>Item #</b>	<b>Item</b>	<b>Exhibits</b>	<b>Staff Contact</b>
10:00 a.m.	<b>I</b>	<b>Call to Order Determination of Quorum Notice of Electronic Recording</b>		Chair
	<b>II</b>	<b>Conflict of Interest Approval of Executive Session Agenda</b>	Draft Agenda	Board
	<b>III</b>	<b>Approval of Minutes of Regularly Scheduled Meeting</b> A. January 18, 2019 & February 15, 2019 Board Meeting	Draft Minutes	Board
	<b>IV</b>	<b>Educational Approval:</b> A. Massachusetts Guardianship Community Trust & Policy Institute Courses: Guardianship Training Request: 6 Continuing Education Credits	Submission	Board
	<b>V</b>	<b>Licensing Applications:</b> A. AIT with Credits (Education & Work Experience) 1. Application No. 861268 Barbacar Diop  B. AIT with Credits (Work Experience) 1. Application No.929511 Jasside E. Franqui	Application	Board
	<b>VI</b>	<b>Open Investigations: N/A</b>  <i>Triage(s): N/A</i>  <i>Staff Assignment(s): N/A</i>  <i>Complaint(s): N/A</i>	Investigative Report	LS

<b>Time</b>	<b>Item #</b>	<b>Item</b>	<b>Exhibits</b>	<b>Staff Contact</b>
	<b>VII</b>	<b>Flex Session</b> A. Announcements/Discussions B. Topics for the next Agenda	Verbal	RC
	<b>VIII</b>	<b>Executive Session (Roll call vote)</b> 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 closed session(s).	Closed Session	Board Chair
	<b>IX</b>	<b>65C Session: N/A</b>		Board Counsel
	<b>X</b>	<b>Adjudicatory Session: N/A</b>		Board Counsel
2:00 p.m.	<b>XI</b>	<b>Adjournment</b> -next Board meeting scheduled for April 26, 2019.		Board

COMMONWEALTH OF MASSACHUSETTS  
BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

BOARD MEETING  
Friday, February 15, 2019

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

MINUTES

Board Members Present:

William Graves, NHA 1, Chair  
Sherman Lohnes, DPH, Vice-Chair  
Mary K. Moscato, Hospital Administrator, Secretary  
Nancy Lordan, NHA 3  
Roxanne Webster, RN  
Naomi M. Prendergast, NHA 4  
Mary McKenna, Executive Office of Elder Affairs  
Daniel Gebremedhin, Physician  
Patrick J Stapleton, NHA5 (Non-Proprietary Nursing Home)

Board Members Not Present:

Mary Ellen Heine, Office of Long Term Services and Supports at  
MassHealth  
Sr. Jacquelyn McCarthy – NHA 2

Staff Present:

Roberlyne Cherfils, Executive Director, Multi-Boards, BHPL  
Mary Strachan, Board Counsel, Office of the General Counsel, DPH  
Lisa Seeley-Murphy, Board Investigator, BHPL

Staff Not Present:

Guests: Colin O'Leary NH5550

I. Call to Order - Determination of Quorum

A quorum of the Board was present. Mr. Graves, Board Chair, called the meeting to order at 10:35. He also gave the notice of electronic recording.

## Approval of Agenda

DISCUSSION: Ms. Cherfils requested that item III on the Agenda – the approval of Minutes for the January 18, 2019 - minutes was deferred, as they have not been completed.

ACTION: Ms. Prendergast made a motion to approve the agenda as amended. Ms. Moscato seconded the motion. All Board members voted in favor unanimously.

Document: February 15, 2019 Agenda

### II. Conflict of Interest

No conflict of interest was disclosed

### III. Approval of Minutes

Deferred

### IV. Educational Approval

- I. Approved Status Group: Leading Age of Massachusetts  
Course: Team Essentials  
Request: 3 Continuing Education Credits

DISCUSSION: All the requirements were discussed to have been complete.

ACTION: Ms. McKenna made a motion to accept the request. Ms. Prendergast seconded the motion. All Board members present voted in favor unanimously.

Documents: Continuing Education Credits request.

### V. Staff Action Policy

#### A. License Retirement

Discussion: Ms. Strachan reminded the Board that the retirement policy in question was approved and had been adopted by the Board previously and that the Board added a new license status for retirement to the Board's regulations.. She informed the Board that BHPL, as a whole, adopted the retired license status for all Boards. She said that although the policy has been adopted and implemented by the Board, there had been a question of whether or not, the requirement that individuals needs to be fifty years-old or older, was a reasonable requirement. Ms. Strachan asked the Board if they would approve an amended policy which does not include the age requirement.

Action: Ms. Webster made a motion to approve the amended policy without the age requirement. Mr. Lohnes seconded the motion. All Board members present voted in favor unanimously.

VI. Open Investigations

Triage(s): N/A

Staff Assignment(s):

- A. SA-INV-13006: O'Leary, Colin, NH5550  
Facility: Royal of Cotuit  
Attorney: N/A  
COI:

Discussion: Ms. Strachan explained the procedure of the session to both the licensee and the Board. Ms. Seely-Murphy presented the case before the Board. The Board received documentation of a safety survey conducted at the Nursing Home in question and found deficiencies within the facility, including a faulty generator. The licensee responded to the allegations and submitted additional information. All the deficiencies, including the replacement of the generator, had been remediated. The licensee stated that the survey that detected the faulty generator was conducted prior to his arrival to the facility. After this, the licensee stated that a plan of correction was developed. A second survey was conducted during a period of time when the plan of correction had been initiated but was not yet completed.

The Nursing Home then applied for a six month waiver after the second inspection in order to repair the generator. Ms. \_\_\_\_\_ proposed that the Board dismiss the Staff Assignment. When the licensee was asked what he would do differently, he stated that he needed to pay closer attention to the safety of the equipment and conduct necessary checks rather than relying on previous documentation. Ms. Strachan advised the Board of its options.

Action: Mr. \_\_\_\_\_ made a motion to dismiss the staff assignment with an advisory letter. Ms. McKenna seconded the motion. All the Board members present voted in favor unanimously.

VII. Flex Session

A. Announcements/Discussions

- I. Ms. Cherfils informed the Board of the mandatory training required for the upcoming renewal cycle that began being developed in 2015, regarding training on domestic and sexual abuse. The training became available in 2018, necessitating the addition of further questions relating to the training on the GMC portion of the NHA applications.
- II. Ms. Cherfils discussed the use of doodle polls in order to coordinate Board meetings. Ms. Cherfils informed the Board that these doodle polls will be

are sent to the Board members' official state email address. The Board documents will continue to be sent to Board members via the state's file transfer interchange. Ms. Cherfils notified the Board that state emails and Wi-Fi passwords are often reset and some trainings are required.

- III. Ms. Cherfils notified the female members of the Board that the restroom codes have been changed.

B. Topics for the next Agenda  
N/A

I. Executive Session (Roll call vote)

At 10:30 a.m. Mr. Graves, 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.

The Board adjourned the Executive Session at 12:00 p.m.

II. 65C Session  
N/A

III. Adjudicatory Session  
N/A

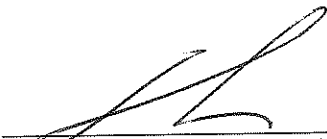
IV. Adjourn

There being no other business before the Board Ms. McKenna made a motion to adjourn the Board meeting; Ms. Moscato seconded the motion. Motion passed with Board members present and voting in favor unanimously. The meeting was adjourned at

The next meeting of the Board of Registration of Nursing Home Administrators will be held on

Friday, March 15, 2019. The Board meeting begins at 10:00 a.m.

Respectfully submitted:

  
\_\_\_\_\_  
William Graves, Board Chair

26 APRIL 2019  
\_\_\_\_\_  
Date