

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, October 16, 2015  
10:00 a.m.

239 Causeway Street ~ 4<sup>th</sup> 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		
	II.	Approval of Agenda	Draft Agenda	
	III.	Approval of Minutes of Regularly Scheduled Meeting A. September 17, 2015 Board Meeting	Draft Minutes	
	IV.	Administrator in Training A. <u>Request for Administrator in Training Approval</u> None  B. <u>Request for Administrator in Training Credit</u> None		

	<p><b>Administrator in Training</b></p> <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> <p>1. <u>Murphy, Ryan</u> <u>Facility:</u> Blueberry Hill Rehabilitation &amp; Healthcare Center - Beverly <u>Preceptor:</u> Richard Augeri, NH2723</p> <p>2. <u>Michaels, Mande</u> <u>Facility:</u> Aberjona Nursing Center – Winchester <u>Preceptor:</u> Stephen Buckley, NH5092</p> <p>3. <u>Mercado, Michelle</u> <u>Facility:</u> Taunton Nursing Home <u>Preceptor:</u> John Brennan, NH2921</p> <p>E. <u>Administrator in Training Completion Review</u> None</p>	Applications and related documents	
	<p><b>V. Review of Applications for Licensure by Reciprocity</b></p> <p>A. <u>Landry, Tonya</u> (Licensed in: RI )</p>	Reciprocity Application and related documents	
	<p><b>VI. Staff Assignments</b></p> <p>A. <u>SA-INV-5255</u>      <u>Bruell M. Joanne</u>      <u>NH3419</u></p> <p>B. <u>SA-INV-7009</u>      <u>Comley, Stephen</u>      <u>NH2606</u></p>	Investigation Report, Statement of deficiencies and supporting documents	PB PB
	<p><b>VII. Requests for Approved Status</b></p> <p>A. Notre Dame Educational Bridge Center (NH-09015-030)</p> <p>B. American College of Health Care Administrators – Massachusetts Chapter (NH-09015-001)</p> <p>C. American Health Resources (NH-09015-017)</p> <p>D. Massachusetts Assisted Living Facilities Association (NH-09015-012)</p> <p>E. Leading Age Massachusetts (NH-0915-006) and Long Term Care Finance Association (NH09015-004)</p> <p>F. St. Patrick’s Manor (NH-2014-001)</p>	Approved Status documentation	

	<b>VIII.</b>	<b>Continuing Education</b> A. <u>Requests for CEU Approval</u> 1. “The 2014 Advanced Sales &Marketing Summit for The Seniors Housing, Assisted Living and Nursing Home Industries” <u>Requested by:</u> Kathleen Salmon-Robinson-NH2659	Documents related to requests for CEU	
	<b>IX.</b>	<b>Regulations</b> A. Proposed Amended Regulations	Draft of Regulations	MS
	<b>X.</b>	<b>Flex Session</b> A. Topics for the next Agenda		
11:00 a.m.	<b>XI.</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 approving prior executive session minutes in accordance with M.G.L. ch.30A, § 22(a) for previous executive sessions of the Board.	Closed Session	
12:00 p.m.	<b>XII.</b>	<b>Adjournment-next Board meeting scheduled for [Nov. 20, 2015]</b>		

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

BOARD MEETING

Friday, October 16, 2015

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

Boston, MA 02114

MINUTES

Board Members Present: William Graves, Nursing Home Administrator 1, Vice-Chair  
Roxanne Webster, Registered Nurse, Secretary  
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)  
Aaron Tobey, Public Member 2  
Wayne S Saltsman, MD, PhD, Physician  
MaryEllen Coyne, Division Long-Executive Office of Public Welfare

Board Members not Present: Nancy Lordan, Nursing Home Administrator 3, Chair  
Mary McKenna, Executive Office of Elder Affairs

Staff Present: 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

Guests: None

I. Call to Order - Determination of Quorum

A quorum of the Board was present. Mr. Graves, Board Vice-Chair, called the meeting to order at 10:04 a.m.

II. Approval of Agenda

Board members reviewed the meeting Agenda.

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

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

III. Approval of Minutes

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

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

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

Documents: September 18, 2015 Regularly Scheduled Board Meeting Minutes

IV. Administrator in Training

F. Request for Administrator in Training Approval

None

G. Request for Administrator in Training Credit

None

H. Request for Administrator in Training Change of Preceptor

None

I. Administrator in Training Mid-Point Review

Ms. Webster made the following recommendations:

1. Murphy, Ryan

Facility: Blueberry Hill Rehabilitation & Healthcare Center - Beverly

Preceptor: Richard Augeri, NH2723

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: AIT Application and related documents.

2. Michaels, Mandee

Facility: Aberjona Nursing Center – Winchester

Preceptor: Stephen Buckley, NH5092

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: AIT Application and related documents.

3. Mercado, Michelle

Facility: Taunton Nursing Home

Preceptor: John Brennan, NH2921

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: AIT Application and related documents.

J. Administrator in Training-Final Completion Review

None

V. Review of Applications for Licensure by Reciprocity

Ms. Webster made the following recommendations:

A. Landry, Tonya (Licensed in: RI )

DISCUSSION: Ms. Webster informed the Board that based on Ms. Landry's resume, she had never worked as an Administrator before. She did meet all requirements for licensure through reciprocity.

RECOMMENDATION: Approve

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

Documents: Application for Licensure by Reciprocity and related documents

VI. Staff Assignments

C. SA-INV-5255      Bruell M. Joanne      NH3419

DISCUSSION: Mr. Beattie presented the Staff Assignment to the Board and gave a brief overview and timeline of this case.

ACTION: Mr. Divver made a motion to close the Staff Assignment as there are no more findings of substandard quality of care; Ms. Webster seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigation Report, Statement of deficiencies and supporting documents

D. SA-INV-7009      Comley, Stephen      NH2606

DISCUSSION: Mr. Beattie presented the Staff Assignment to the Board and gave a brief overview of the case. At a previous meeting, Board members requested that Board staff review past Minutes (back to 2010) in order to determine what type of disciplinary action, if any, the Board had required in past cases, where a licensee practiced with an expired license. Through a review of prior meeting minutes, Board staff found that there are multiple cases of this situation but it was not possible to determine specific facts in each case just by reviewing the minutes. In some cases, the Board voted to “dismiss with a caution” in others, the Board voted to Reprimand a particular Licensee. Consequently, staff could not report with any certainty what prior actions were based upon by reviewing minutes alone. Ms. Strachan informed the Board that this is a good time to consider a policy specific to practice after license expiration to maintain consistency in the future. Board members continue to talk about other consequences for the failure of renewing the licenses such as additional fees. Ms. Strachan will provide a draft policy to Board members at their next meeting.

ACTION: Mr. Divver made a motion to table the discussion and decision until the Board has more information and a chance to review a draft policy; Mr. Stapleton seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigation Report, Statement of deficiencies and supporting documents

VII. Requests for Approved Status

G. Notre Dame Educational Bridge Center, NH-09015-030

DISCUSSION: Deferred until the next scheduled Board meeting because the Board member designated to review such applications was not present

ACTION: None

Documents: Approved Status documents

H. American College of Health Care Administrators – Massachusetts Chapter, NH-09015-001

DISCUSSION: Deferred until the next scheduled Board meeting because the Board member designated to review such applications was not present

ACTION: None

Documents: Approved Status documents

I. American Health Resources, NH-09015-017

DISCUSSION: Deferred until the next scheduled Board meeting because the Board member designated to review such applications was not present

ACTION: None

Documents: Approved Status documents

J. Massachusetts Assisted Living Facilities Association, NH-09015-012

DISCUSSION: Deferred until the next scheduled Board meeting because the Board member designated to review such applications was not present

ACTION: None

Documents: Approved Status documents

K. Leading Age Massachusetts (NH-0915-006) and Long Term Care Finance Association (NH09015-004)

DISCUSSION: Deferred until the next scheduled Board meeting because the Board member designated to review such applications was not present

ACTION: None

Documents: Approved Status documents

L. St. Patrick's Manor (NH-2014-001)

DISCUSSION: Deferred until the next scheduled Board meeting because the Board member designated to review such applications was not present

ACTION: None

Documents: Approved Status documents

VIII. Continuing Education

Mr. Baldassarre made the following recommendations:

B. Requests for CEU Approval

“The 2014 Advanced Sales &Marketing Summit for The Seniors Housing, Assisted Living and Nursing Home Industries”

Requested by: Kathleen Salmon-Robinson-NH2659

RECOMMENDATION: Approved for 10.5 CEU

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

Documents: Documents related to requests for CEU

IX. Regulations  
B. Proposed Amended Regulations

DISCUSSION: Ms. Strachan distributed the proposed model regulation to the Board. This is for discussion purposes only. The Board reviewed the proposed amended regulation for any revision. First, the Board discussed the biannually renewal period for renewing the license as it will help clarify the two year CEU cycle. Under current regulations, NHAs must renew their licenses every year. All other Boards in the Division require license renewal every 2 years. Board members think more licensees will forget to renew their license if this changes. The Board decided to keep the renewal period as is but to change the CEU cycle to annual instead of biannual, and changing to 20 CEU per year.

[Ms. Webster left the room at 11:12]

[Ms. Webster returned to the room at 11:15]

The Board reviewed the newly added paragraph on 4.03 (definition section) and decided to delete sections of it. The Board also changed the language to webinar instead of Self-Study as well as removing the 70% passing score to just passing score.

[Mr. Tobey left the room at 11:20]

[Mr. Tobey returned to the room at 11:23]

Ms. Strachan informed the Board that she added a standard of conduct section to the regulation that she pulled from Uniform Standards of Conduct template developed by the Chief Board Counsel. The Board agreed and added that a Nursing Home Administrator must be in compliance with state and federal law and move that as the first standard of conduct on the list.

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

Documents: Draft of Regulations

X. Flex Session

Ms. Herbu brought up the topic of continuing to have the Board meetings on Friday. Board members are in agreement that this has been working out great for them.

XI. Executive Session (Roll call vote)

At 11:49 a.m., Mr. Graves 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. Lohnes seconded the motion. Motion passed with Board members present and voting in favor: Mr. Graves-yes, Ms. Webster- yes, Mr. Lohnes-yes, Mr. Divver-yes, Mr. Baldassarre-yes, Mr. Stapleton-yes, Mr. Tobey-yes, Dr. Saltsman-yes, Ms. Coyne-yes; Opposed: None; Abstain: None; Recused: None.

The Board adjourned the Executive Session at 11:50 a.m.

XII. Adjudicatory Session  
None

XIII. M.G.L. c. 112, § 65C Session  
None

XIV. Adjourn  
There being no other business before the Board, Mr. Divver made a motion to adjourn the Board meeting; Ms.

Webster seconded the motion. Motion passed with Board members present and voting in favor unanimously. The meeting was adjourned at 11:51 a.m.

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

Respectfully submitted:

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Nancy Lordan, NHA  
Chair

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Date