

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 21, 2016
10:00 a.m. to 2:00 p.m.

239 Causeway Street ~ 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	Board Chair
	III	Approval of Minutes of Regularly Scheduled Meeting A. September 16, 2016 Board Meeting	Draft Minutes	Board Chair

	<p>IV</p>	<p>Administrator in Training</p> <p>A. <u>Request for Administrator in Training Approval</u></p> <ol style="list-style-type: none"> 1. <u>Patrick Wood</u> <u>Facility:</u> Hannah Duston Healthcare Center <u>Preceptor:</u> Christopher Olenio, NH3366 2. <u>Corey Beaudette</u> <u>Facility:</u> Webster Manor Rehabilitation & Health Care Center <u>Preceptor:</u> Kevin Diehl, NH3459 <p>B. <u>Request for Administrator in Training Credit</u></p> <ol style="list-style-type: none"> 1. <u>Kahn Eliezer</u> <u>Facility:</u> Briarwood Rehabilitation & Healthcare Center-Needham <u>Preceptor:</u> Jenny Baldassarre, NH5121 2. <u>Kimberly Archambault</u> <u>Facility:</u> Sterling Village Nursing & Rehabilitation Center <u>Preceptor:</u> Christine Pignatiello, NH2610 3. <u>Stephen Fortin</u> <u>Facility:</u> Southeast Health Center <u>Preceptor:</u> Paula Topjian, NH5244 	<p>Applications and related documents</p>	<p>Board Member</p>
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		<p>Administrator in Training</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>Jacques Cami</u> <u>Facility:</u> Marina Bay Skilled Nursing & Rehabilitation Center <u>Preceptor:</u> Geoffrey Rauch, NH5022</p> <p>2. <u>Robert Montgomery</u> <u>Facility:</u> Marlborough Hills Rehabilitation & Health Center <u>Preceptor:</u> Jerry Shaffer, NH3457</p> <p>E. <u>Administrator in Training Completion Review</u></p> <p>1. <u>Erin Kopecki</u> <u>Facility:</u> Liberty Commons <u>Preceptor:</u> William Bogdanovich, NH2089</p> <p>2. <u>Desiree Piette</u> <u>Facility:</u> Genesis Healthcare – Heritage Hall West <u>Preceptor:</u> Michele Garrity, NH5132</p> <p>3. <u>Francis R. Murphy III</u> <u>Facility:</u> The Boston Home <u>Preceptor:</u> Marva Serotkin, NH2044</p> <p>4. <u>Christine Stewart</u> <u>Facility:</u> Kindred Transitional Care & Rehabilitation - Forestview <u>Preceptor:</u> Michael Gagnon, NH-5134</p>	Applications and related documents	Board Member
	V	<p>Review of Applications for Licensure by Reciprocity</p> <p>A. <u>David Herskowitz</u> (Licensed in: NY)</p> <p>B. <u>Norma B –Mullings</u> (Licensed in: CT)</p>	Applications and related documents	Board Member
	VI	<p>Approved Status Organization</p> <p><i>Review of Application for Approval</i></p> <p>A. <u>St. Patrick’s Manor, Inc.</u> (Initial)</p> <p><i>Inquiry</i></p> <p>A. <u>MA Senior Care Association</u> (Renewal)</p>	Applications and related documents	Board Member

	VII	Open Investigations <i>Staff Assignment(s)</i> A. SA-INV-55396, James Beeler <i>Complaint(s)</i> A. CAS-2015-0841, Patrick McManus	Investigative Report	PB
	VIII	Staff Action Policy A. Proposed Staff Action on Nursing Home Survey Reports TRG 9323, Jeffrey Crowley	Draft Policy & Example	MS & RC
	IX	Flex Session A. Topics for the next Agenda		Board
	X	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	
2:00 p.m.	XI	Adjournment-next Board meeting scheduled for November 18, 2016		

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

BOARD MEETING

Friday, October 21 2016

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
Sherman Lohnes, Department of Public Health
Mary McKenna, Executive Office of Elder Affairs
Michael Baldassarre, Nursing Home Administrator 2
MaryEllen Coyne, Office of Long Term Services and Supports at MassHealth
Patrick J Stapleton, Nursing Home Administrator 5 (Non-Proprietary Nursing Home)
Jeannette Sheehan, Public Member 1
Mary K. Moscato, Hospital Administrator

Board Members not Present: William Graves, Nursing Home Administrator 1, Vice-Chair
James Divver, Nursing Home Administrator 4
Aaron Tobey, Public Member 2

Staff Present: Roberlyne Cherfils, Executive Director, Multi-Boards, DHPL
Philip Beattie, Deputy Executive Director, Multi-Boards, DHPL
Mary Strachan, Board Counsel, Office of the General Counsel, DPH
Anson Chu, Office Support Specialist, Multi-Boards, DHPL
Clifford V. Pascarella II, JD, Board Investigator, DHPL

Guests: Peter Donaty and Attorney Mary McCarty
Alan Bates and Attorney Anthony Cichello
Ryan Baret

- 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.

DISCUSSION: None

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

Document: October 21, 2016 Regularly Scheduled Board Meeting Agenda.

III. Approval of Minutes

A. Minutes of the Regularly Scheduled Board Meeting: September 16, 2016

DISCUSSION: The Board reviewed the September 16, 2016 Regularly Scheduled Board Meeting Minutes.

ACTION: Ms. McKenna made a motion to approve the minutes as presented; Mr. Baldassarre seconded the motion; Motion passed with Board members present and voting in favor: Ms. Lordan-yes, Ms. Webster-yes, Mr. Lohnes-yes, , Ms. McKenna-yes, Mr. Baldassarre-yes, Ms. Coyne-yes, Mr. Stapleton– yes, Ms. Sheehan-yes, Ms. Moscato-yes; Opposed: None; Abstain: None; Recused: None.

Documents: September 16, 2016 Regularly Scheduled Board Meeting Minutes

IV. Administrator in Training

F. Request for Administrator in Training Approval

Ms. Lordan made the following recommendations:

1. Patrick Wood

Facility: Hannah Duston Healthcare Center

Preceptor: Christopher Olenio, NH3366

RECOMMENDATION: Approve

ACTION: Ms. Webster made a motion to accept Ms. Lordan's recommendation to approve the applicant's AIT request; Mr. Lohnes seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents.

2. Corey Beaudette

Facility: Webster Manor Rehabilitation & Health Care Center

Preceptor: Kevin Diehl, NH3459

RECOMMENDATION: Approve

ACTION: Ms. Webster made a motion to accept Ms. Lordan's recommendation to approve the applicant's AIT request; Mr. Lohnes seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents.

G. Request for Administrator in Training Credit

Ms. Lordan made the following recommendations:

1. Eliezer Kahn

Facility: Briarwood Rehabilitation & Healthcare Center- Needham

Preceptor: Jenny Baldassarre, NH5121

RECOMMENDATION: Approve – 2 weeks credit

ACTION: Ms. Webster made a motion to accept Ms. Lordan’s recommendation to approve the applicant’s request; Mr. Lohnes seconded the motion; Motion passed with Board members present and voting in favor: Ms. Lordan-yes, Ms. Webster-yes, Mr. Lohnes-yes, , Ms. McKenna-yes, Ms. Coyne-yes, Mr. Stapleton– yes, Ms. Sheehan-yes, Ms. Moscato-yes; Opposed: None; Abstain: Mr. Baldassarre; Recused: None.

Documents: AIT Application and related documents.

2. Kimberly Archambault

Facility: Sterling Village Nursing & Rehabilitation Center

Preceptor: Christine Pignatiello, NH2610

RECOMMENDATION: Approve – 1 month credit

ACTION2: Ms. Webster made a motion to accept Ms. Lordan’s recommendation to approve the applicant’s request; Mr. Lohnes seconded the motion; Motion passed with Board members present and voting in favor unanimously.

DISCUSSION: Ms. Archambault is still waiting on the results of the CORI and the verification letter of her Real Estate license.

RECOMMENDATION: Approve for 1 month credit, pending receipt of a negative CORI result and the verification letter with no disciplinary action.

ACTION2: Ms. Webster made a motion to accept Ms. Lordan’s recommendation to approve the applicant’s request; Ms. McKenna seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: AIT Application and related documents.

3. Stephen Fortin

Facility: Southeast Health Center

Preceptor: Paula Topjian, NH5244

DISCUSSION: Ms. Lordan informed the Board that Mr. Fortin's AIT approval was reviewed last month. He is now submitting a letter requesting credits based on his MBA degree.

RECOMMENDATION: Approve – 3 months credit

ACTION: Ms. Webster made a motion to accept Ms. Lordan's recommendation; Mr. Lohnes 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
None

I. Administrator in Training Mid-Point Review

Ms. Lordan made the following recommendations:

3. Jacques Cami

Facility: Marina Bay Skilled Nursing & Rehabilitation Center
Preceptor: Geoffrey Rauch, NH5022

RECOMMENDATION: Approve

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

Documents: AIT Application and related documents.

4. Robert Montgomery

Facility: Marlborough Hills Rehabilitation & Health Center
Preceptor: Jerry Shaffer, NH3457

RECOMMENDATION: Approve

ACTION: Ms. Webster made a motion to accept Ms. Lordan's recommendation; Mr. Lohnes 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

Ms. Lordan made the following recommendations:

1. Erin Kopecki

Facility: Liberty Commons
Preceptor: William Bogdanovich, NH2089

RECOMMENDATION: Approve

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

Documents: AIT Application and related documents

2. Desiree Piette
Facility: Genesis Healthcare – Heritage Hall West
Preceptor: Michele Garrity, NH5132

RECOMMENDATION: Approve

ACTION: Ms. Webster made a motion to accept Ms. Lordan's recommendation; Mr. Lohnes seconded the motion; Motion passed with Board members present and voting in favor unanimously. Mr. Baldassarre abstained

Documents: AIT Application and related documents

3. Francis R. Murphy III
Facility: The Boston Home
Preceptor: Marva Serotkin, NH2044

RECOMMENDATION: Approve

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

Documents: AIT Application and related documents

[Ms. Lordan recused herself and stepped out of the room at 10 :07 a.m.]

Ms. Webster made the following recommendation:

4. Christine Stewart
Facility: Kindred Transitional Care & Rehabilitation - Forestview
Preceptor: Michael Gagnon, NH-5134

RECOMMENDATION: Approve

ACTION: Mr. Lohnes made a motion to accept Ms. Webster's recommendation; Ms.

McKenna seconded the motion; Motion passed with Board members present and voting in favor unanimously. Ms. Lordan abstained.

Documents: AIT Application and related documents

[Ms. Lordan returned to the room at 10 :08 a.m.]

V. Review of Applications for Licensure by Reciprocity

Ms. Lordan made the following recommendations:

A. David Herskowitz (Licensed in: NY)

RECOMMENDATION: Approve

ACTION: Ms. Webster made a motion to accept Ms. Lordan's recommendation to approve his application; Ms. McKenna seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Applications and related documents

B. Norma B –Mullings (Licensed in: CT)

RECOMMENDATION: Approve

ACTION: Ms. Webster made a motion to accept Ms. Lordan's recommendation to approve her application; Ms. McKenna seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Applications and related documents

VI. Approved Status Organization

Ms. McKenna made the following recommendations:

Review of Application for Approval

B. St. Patrick's Manor, Inc. (Initial)

RECOMMENDATION: This item was deferred until additional information is received. Specifically, the program must be open to the public as a prerequisite for approval.

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

Documents: Applications and related documents

Inquiry

B. MA Senior Care Association (Renewal)

DISCUSSION: Ms. Cherfils informed the Board of this inquiry regarding their renewal number. The question presented is: will vendors who have already been “Approved” per Board regulations receive a new “Approved Status Number” as they have in the past?

ACTION: Mr. Lohnes made a motion to have Board staff draft a policy regarding Approve Status Organizations; Ms. Webster seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Applications and related documents

VII. Open Investigations

Staff Assignment(s)

A. SA-INV-55396, James Beeler

DISCUSSION: Anonymous letter alleging management’s poor handing of a nurse who was alleged to be working while under the influence of drugs and with diverted needles at Lowell Healthcare Center (the “Facility”). The Complainant provided information supporting his or her allegations. Per the facility incident report, no controlled substances were missing and no nurse was tested for drugs or alcohol.

ACTION: Mr. Stapleton made a motion to close the Staff Assignment due to insufficient evidence of any violation of board regulations, statute of standard of care. ; Mr. Baldassarre seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Investigative Report

B. CAS-2015-0841, Patrick McManus. The Licensee failed to timely renew his NHA license in June 2013. He continued to practice after license expiration until June 2015. He asserts that this was an oversight due to a change in ownership and management of the facility. He further explained that the HR department typically reminds all employees of license renewals and the new company did not provide for that. In December 2015, the Board approved a staff action policy (Discipline Policy 15-01) authorizing Board staff to resolve complaints of unlicensed practice under certain conditions including if the period of unauthorized practice is more than 30 days and less than 1 renewal cycle. Policy attached to complaint. This complaint does not fall within the parameters of the Board’s policy, therefore, staff brought the complaint before the Board members.

DISCUSSION: Board members noted that the lapse in this situation is understandable, however, ultimately the Licensee is responsible for renewing his own license

ACTION: Mr. Lohnes made a motion to offer a Consent Agreement for a Reprimand; Mr. Baldassarre seconded the motion; Motion passed with Board members present and voting in

favor unanimously.

Documents: Investigative Report

VIII. Staff Action Policy

A. Proposed Staff Action on Nursing Home Survey Reports TRG 9323, Jeffrey Crowley

DISCUSSION: Ms. Cherfils presented the Board with this proposed Staff Action policy on Nursing Home Survey Reports. Specifically, Board Counsel drafted a policy that codifies the Board members current practice: they want to personally review and resolve (1) consumer complaints; (2) immediate jeopardy complaints and (3) complaints that reveal substandard quality of care. The Policy authorizes the Board staff to resolve matters wherein survey findings reveal non-immediate threat deficiencies and all deficiencies are clear in a follow up survey. In addition, there can be no prior Board action against the NHA. Ms. Cherfils also gave an example with a triage case number TRG9323. Board members made several edits and revisions to the language of the policy. Specifically, Mr. Lohnes suggested that rather than describing different types of survey, focus instead on survey findings.

ACTION: Mr. Lohnes made a motion to defer action on the policy and bring it back to the next scheduled Board meeting with the revised policy; Ms. Webster seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Draft Policy & Example

IX. Flex Session

A. Topics for the next Agenda

1. Review of the Policy for Staff Action on Nursing Home Surveys with the proposed revisions
2. Review of the Policy for Approved Status Organizations.

X. Executive Session (Roll call vote)

At 10:53 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. Baldassarre made a motion to enter the Executive Session; Ms. McKenna seconded the motion. Motion passed with Board members present and voting in favor: Ms. Lordan-yes, Ms. Webster-yes, Mr. Lohnes-yes, , Ms. McKenna-yes, Mr. Baldassarre-yes, Ms. Coyne-yes, Mr. Stapleton– yes, Ms. Sheehan-yes, Ms. Moscato-yes; Opposed: None; Abstain: None; Recused: None.

The Board adjourned the Executive Session at 12:25 p.m.

XI. Adjourn

There being no other business before the Board, Ms. Webster 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 12:25 p.m.

The next meeting of the Board of Registration of Nursing Home Administrators will be held on Friday, November 18, 2016. The Board meeting begins at 10:00 a.m.

Respectfully submitted:

Nancy Lordan, NHA
Chair

Date