

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, September 18, 2014  
10:00 a.m.

239 Causeway Street ~ 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. August 21, 2014 Board Meeting	Draft Minutes	
	III.	Administrator in Training A. <u>Request for Administrator in Training Approval</u> 1. <u>Renrick, Miciyiaah</u> <u>Facility:</u> Epoch Senior Living Healthcare-Weston <u>Preceptor:</u> Rodney Gonsalves-NH3404  2. <u>Brothers, Micheal</u> <u>Facility:</u> Life Care Centers-Wilbraham <u>Preceptor:</u> Lopata, Dennis-NH3404	Applications and related documents	

	<p><b>IV.</b></p>	<p>A. <u>Request for Administrator in Training Credit</u></p> <p>1. <u>Mendez, Dana</u>  <u>Facility:</u> Alden Court Nursing Care and Rehabilitation Center-Fairhaven  <u>Preceptor:</u> Brad Truini-NH3235</p> <p>B. <u>Request for Administrator in Training Change of Preceptor</u></p> <p>1. <u>Dufresne, Kaethe</u>  <u>Facility:</u> Kimwell Nursing Home-Fall River  <u>Preceptor:</u> Lisa Coppola-NH5066  <u>Proposed New Preceptor:</u> John Fredette- NH5010</p> <p>C. <u>Administrator in Training Mid-Point Review</u></p> <p>1. <u>Dufresne, Kaethe</u>  <u>Facility:</u> Kimwell Nursing Home-Fall River  <u>Preceptor:</u> Lisa Coppola-NH5066</p> <p>D. <u>Administrator in Training Final/Completion Review</u></p> <p>1. <u>Baker, Nicholas</u>  <u>Facility:</u> Chadwell House Skilled Nursing and Rehabilitation Center-Norwood  <u>Preceptor:</u> Jason Preuss- NH5109</p> <p>2. <u>Barton, Elizabeth</u>  <u>Facility:</u> Plymouth Rehabilitation and Health Care Center-Plymouth  <u>Preceptor:</u> Mathew Muratore- NH2402</p>	<p>Application forms and related documents</p>	
	<p><b>V.</b></p>	<p><b>Review of Applications for Initial Licensure</b>  None</p>	<p>None</p>	

	<b>VI.</b>	<b>Review of Applications for Reciprocity Licensure</b> A. <u>Francis, Tony</u> (Licensed in TX, OK, and CT) (Reviewed by Board on 8/21/14-deferred for addition information) B. <u>Billing, Dennis</u> (Licensed CT)	Applicant's Statement  Reciprocity Applications and supporting documents	
	<b>VII.</b>	<b>Review of Applications for License Reactivation (within 3 years of license expiration)</b> A. <u>O'Toole, Maureen</u> NH5211 (Expired: 06/30/2013) (Reviewed by Board on 8/21/14-deferred for additional information)	Reactivation Application form and supporting documents	
	<b>VIII.</b>	<b>Review of Applications for License Reactivation (more than 3 years since license expiration)</b> A. Ziad Baroody NH5125 (Expired 06/30/09) B. William Connell NH1142 (Expired 06/30/04)	Reactivation Application form and supporting documents	
	<b>IX.</b>	<b>Staff Assignments</b> A. SA-INV-2928 Goff, Stewart NH2928 (Expired 06/30/2015)	Investigation Report and Statement	PB/IH
	<b>X.</b>	<b>Docketed Complaints</b> None	None	
	<b>XI.</b>	<b>Continuing Education</b> A. <u>Requests for CEU Approval</u> "Financial Statement" <u>Requested by:</u> Danielle Federico, NH5234  B. <u>Random CEU Audit</u> 1. Jaworski, Ann Marie NH2931 (Reviewed by Board on 8/21/14) 2. Jessup, Mark NH3025	Request for CEU documentations	
	<b>XII.</b>	<b>Requests for Deemed Status</b> None.	None	

	<b>XIII</b>	<b>Polices</b> A. Valor act B. Proposed Policy 14-2: Staff Action to Identify Individual Registration Applications requiring Good Moral Character evaluation.	Draft of Policy Draft of Proposed Policy 14-2	VB DM/VB
	<b>XIV.</b>	<b>Other Business/Announcements</b> A. <u>Revision of Application Question:</u> Minor Violation Limit increase B. <u>Announcement:</u> Board members' state email address C. <u>Follow-up:</u> Interchange Secure File and Email Delivery System for Board Materials D. <u>Subcommittee Report:</u> Revision of Regulations E. <u>Discussion:</u> Removal of Reprimand from a licensee's record	Verbal  Verbal	MP  IH
	<b>XV.</b>	<b>Flex Session</b> A. Topics for the next Agenda		
11:00 a.m.	<b>XVI.</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.  3. Finally, the Board will consider approval of prior executive session minutes in accordance with M.G.L. ch.30A, § 22(f) for sessions held during the August 21, 2014 meetings.  The Board will not reconvene in open session subsequent to the executive session.	Closed Session	

	<b>XVII.</b>	<b>M.G.L. c. 112, § 65C Session</b> None	None	
	<b>XVIII.</b>	<b>Adjudicatory Session</b> None	None	
2:00 p.m.	<b>XIX.</b>	<b>Adjournment</b>		

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF NURSING HOME ADMINISTRATORS

BOARD MEETING

Thursday, September 18, 2014  
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  
Janet Cutter, Executive Office of Public Welfare  
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

Board Members not Present: William Graves, Nursing Home Administrator 1, Vice-Chair

Staff Present: Mary Phillips, Executive Director, Multi-Boards, DHPL  
Ichelle Herbu, Assistant Executive Director, Multi-Boards, DHPL  
Rebecca Ferullo, Office Support Specialist, Multi-Boards, DHPL  
Vita Berg, Chief Board Counsel, Office of the General Counsel, DHPL  
David Murphy, 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

Staff Members not Present: Anson Chu, Office Support Specialist, Multi-Boards, DHPL

Guests: Ira Schoenberger with Attorney Anthony Cichello  
Dennis Billing  
Andrew Green  
Tony Francis

I. Call to Order – Determination of Quorum

A quorum of the Board was present. Ms. Lordan, Board Chair, called the meeting to order at 10:08 a.m.

II. Approval of Agenda

Board members reviewed the meeting Agenda.

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

Document: September 18, 2014 Regularly Scheduled Board Meeting Agenda.

III. Approval of Minutes

A. Minutes of the Regularly Scheduled Board Meeting: August 21, 2014

The Board reviewed the August 21, 2014 Regularly Scheduled Board Meeting Minutes.

DISCUSSION: Mr. Divver noted that he recused himself and was not in the room for Item XI/A.

ACTION: Mr. Divver made a motion to approve the August 21, 2014 minutes as amended; Mr. Stapleton seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: August 21, 2014 Regularly Scheduled Board Meeting Minutes

IV. Administrator in Training

A. Request for Administrator in Training

Ms. Webster made the following recommendations:

1. Renrick, Miciyiaah

Facility: Epoch Senior Living Healthcare-Weston

Preceptor: Rodney Gonsalves-NH3404

RECOMMENDATION: Approve-6 months

ACTION: Mr. Divver made a motion to approve 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. Brothers, Michael

Facility: Life Care Centers-Wilbraham

Preceptor: Lopata, Dennis-NH3404

DISCUSSION: Ms. Webster informed the Board that the applicant's resume indicates that he had been approved for the AIT program. Board members noted that the applicant should be notified that his resume is accurate.

RECOMMENDATION: Approve-6 months

ACTION: Mr. Divver made a motion to approve the recommendation; Mr. Baldassarre 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 with Credit

Ms. Webster made the following recommendations:

1. Mendez, Dana

Facility: Alden Court Nursing Care and Rehabilitation Center-Fairhaven  
Preceptor: Brad Truini-NH3235

RECOMMENDATION: Approve-3 months credit

ACTION: Mr. Divver made a motion to approve the recommendation; Mr. Lohnes 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

Ms. Webster made the following recommendations:

1. Dufresne, Kaethe

Facility: Kimwell Nursing Home-Fall River  
Preceptor: Lisa Coppola-NH5066  
Proposed New Preceptor: John Fredette- NH5010

RECOMMENDATION: approve

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

Documents: AIT Application and related documents.

D. Administrator in Training Mid-Point Review

Ms. Webster made the following recommendations:

1. Dufresne, Kaethe

Facility: Kimwell Nursing Home-Fall River  
Preceptor: Lisa Coppola-NH5066

DISCUSSION: Ms. Dufresne's mid-point outline indicates that she completed 11 weeks of training with Ms. Coppola and will complete 12 weeks of training to complete with John Fredette. Ms. Dufresne has to complete 13 weeks of training for the second part of her AIT.



RECOMMENDATION: Approve mid-point for 11 weeks; needs to complete 13 weeks prior to completion of AIT

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.

E. Administrator in Training-Final/Complaint Review  
Ms. Webster made the following recommendations:

1. Baker, Nicholas  
Facility: Chadwell House Skilled Nursing and Rehabilitation Center-Norwood  
Preceptor: Jason Preuss- NH5109

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. Barton, Elizabeth  
Facility: Plymouth Rehabilitation and Health Care Center-Plymouth  
Preceptor: Mathew Muratore- NH2402

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

V. Review of Application for Initial Licensure  
None

VI. Review of Applications for Licensure by Reciprocity

- A. Tony Francis (Licensed in TX, OK, CT)  
Ms. Webster made the following recommendation:

RECOMMENDATION: Ms. Webster informed the Board that Mr. Francis submitted the additional information as requested by the Board at its August 21, 2014 meeting-

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: Application for Licensure by Reciprocity and related documents

B. Billing, Dennis (Licensed in CT)

Ms. Webster made the following recommendation:

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

VII. Review of Applications for License Reactivation (within 3 years of license expiration)

Ms. Webster made the following recommendations:

A. O'Toole, Maureen      NH5211 (Expired: 06/30/2013)

RECOMMENDATION: Ms. Webster informed the Board that Ms. O'Toole submitted additional information as requested by the Board at its August 21, 2014 meeting-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: Reactivation Application and related documents

VIII. Review of Applications for Licensure- Reactivation (more than 3 years since license expiration)

A. Ziad Baroody                      NH5125 (Expired 06/30/09)

DISCUSSION: Ms. Webster informed the Board that Mr. Ziad was issued an NHA license on August 30, 2007. According to his resume, he has not practiced as an NHA since he obtained his license. He reports not being licensed as an NHA in any other state on his application. His license expired June 30, 2009. Mr. Murphy reviewed the Board's regulations at 245 CMR 2. 13(2) (b), and informed the Board that the Board has the authority to waive any requirements of a regulations.

RECOMMENDATION: defer until Mr. Ziad retake's and passes the NAB exam

ACTION: Mr. Divver made a motion to defer Board action until Mr. Ziad retakes and pass the NAB exam; Mr. Baldassarre seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Reactivation Application and related documents

B. Connell, William                      NH1142 (Expired 06/30/04)

DISCUSSION: Ms. Webster informed the Board that Mr. Connell was issued a license in the State of Washington since 4/9/04 and State of California since 1978. He is in good standing in both. He has provided CEUs as required; his resume indicates he has been working July 1989 consistently; and he currently works as an NHA in the state of Washington. Board members noted his license should be approved and his license issued.

ACTION: Mr. Divver made a motion to approve Mr. Connell's reactivation application and issue his license; Mr. Baldassarre seconded the motion; Motion passed with Board members present and voting in favor unanimously.

Documents: Reactivation Application and related documents

IX. Staff Assignments

A. SA-INV-2928                      Goff, Stewart                      NH2928 (Expired 06/30/2015)

Mr. Bettie informed the Board that the investigation was initiated after the licensee self-reported that he practice on expired on license from July 1, 2013 through March 9, 2014. Upon discovery that his license expired, Mr. Goff stopped practicing as an NHA; he arranged for another NHA to take over as the NHA at his place of employment.

DISCUSSION: None

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

Documents: Investigation report and Statement

X. CEU Approval

A. Requests for CEU Approval

Ms. Cutter made the following recommendations:

1. "Financial Statement"  
Requested by: Danielle Federico, NH5234

RECOMMENDATION: defer Board action until licensee submits the certification of attendance and agenda with time.

ACTION: Mr. Divver made a motion not to approve Ms. Federico's CEUs; Mr. Baldassarre seconded the motion; Motion passed with Board members present and voting in favor unanimously.

B. Random Audits

Ms. Cutter and Ms. McKenna reviewed the CEU files and informed the Board:

1. Jaworski, Ann Marie (NH2931):

At its August meeting, the Board reviewed Ms. Jaworski's CEU documentation and at the time she was missing 17 CEUs. Ms. Jaworski is now in compliance with the Board's CEU requirement.

ACTION: None

Documents: Request for CEUs file and documentations

2. Jessup, Mark(NH3025):

Mr. Jessup did not respond to the Board's request for continuing education documentation and his license expired on 6/30/14.

ACTION: Ms. Webster made a motion for Board staff to check the status of Mr. Jessup's after 90 days of his expiration date to make sure he did not renew online; Ms. Cutter seconded the motion. Motion passed with Board members present and voting in favor unanimously.

Documents: Request for CEU file and documentations

XI. Executive Session (Roll call vote)

At 10:40 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. 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.
6. Finally, the Board will consider approval of prior executive session minutes in accordance with M.G.L. ch.30A, § 22(f) for sessions held during the August 21, 2014 meetings.

The Board will reconvene in open session subsequent to the executive session.

Ms. Lordan made a motion to enter into Executive Session at 10:41 a.m.; Ms. Cutter seconded the motion. Motion passed with Board members present and voting in favor: Ms. Lordan-yes, Mr.

Divver-yes, Ms. Webster-yes, Mr. Stapleton-yes, Mr. Lohnes-yes, Mr. Baldassarre-yes, Ms. McKenna-yes, Ms. Cutter-yes, Mr. Lohnes-yes, Mr. Tobey-yes; Opposed: None; Abstain: None; Recused: None.

The Board adjourned the Executive Session at 11:21 a.m. and resumed its Regularly Scheduled Board Meeting.

## XII. Policies

### A. Valor Act

DISCUSSION: Ms. Berg informed the Board of the implementation of the Valor Act. The purpose in adopting this policy is to facilitate the provisions of the Valor Act of 2012. The Board in adopting this policy authorizes the VAL (employee of the division who serves as a liaison) to facilitate the processing of applications submitted by active duty service members and military spouses. The Board authorizes the VAL:

- i. to direct the issuance of a license card for the current or next registration period to an Active Duty Service Member whose license is in good standing, and to waive any renewal and late fees, if: The license is “current” within the renewal window and the normal “expiration” date falls within the period of active duty, or; the license has “expired” but the “expiration” occurred” during the period of active duty. Further, the Board authorizes the VAL to waive the requirement that the individual complete continuing education requirements, if such requirements are imposed as a condition for license renewal.
- ii. to direct expediting the processing of Military Transfer spouse’s application for initial licensure or for reactivation.

In response to Board members’ questions, Ms. Berg stated that the expiration date for active duty service members would extend to 90 days after returning from active duty. The renewal fees and CEU will be waived; the Board would always be informed if an individual requesting to substitute military experience; the Valor Act applies to serve members who are in the military for a long-time; and the policy is similar to other states.

ACTION: Mr. Divver made a motion to adopt the Valor Act Policy; Mr. Stapleton seconded the motions; Motion passed with Board members present and voting in favor unanimously.

### B. Proposed Policy 14-2: Staff Action to Identify Individual Registration Applications requiring Good Moral Character evaluation

Mr. Murphy informed the Board that the purpose of this policy is to authorize Board staff to screen individual registration applications and identify those requiring evaluation by the full Board to determine if the applicant meets the good moral character requirement for registration. It allows Board staff to review applications for registration and to act on them as follows:

1. Board staff and/or third party application processing agents shall review all applications submitted by an individual for licensure to practice as a physician

assistant to ascertain whether the applicant has disclosed, or Board staff otherwise possesses evidence of, adverse history.

2. Where applicants disclose adverse history of any type, Board staff shall review additional criminal history accessible to the Board as a government licensing agency.
3. Board staff shall identify whether an applicant's adverse history includes any of the following:
  - a. Adverse history involving a criminal proceeding that
    - i. does not involve controlled substances,
    - ii. is no longer pending, and
    - iii. did not result in a conviction;
  - b. Adverse history has been previously reviewed by the full board where the licensee was determining to meet the Good Moral Character requirement.
4. Board staff is authorized to proceed with issuing a registration and/or to instruct third party application processing agents to proceed with the application process in those instances where the adverse history *is limited to* the criteria identified in paragraph 3a and 3b.
5. Board staff shall bring all other applications where the applicant disclosed adverse history to the full board for review.

ACTION: Mr. Baldassarre made a motion to adopt Policy 14-02, Staff Action to Identify Individual Registration Applications requiring Good Moral Character evaluation; Mr. Divver seconded the motion. Motion passed with Board members present and voting in favor unanimously.

### XIII. Announcements/Discussions

#### A. Revision of Application Questions: Minor Violation Limit increase

Ms. Phillips informed the Board that currently, the criminal history question on the NHA applications indicate that an applicant is not required to report minor violations for which a fine of \$100 or less was imposed. However, today, a \$100 fine limit is too low, such as a speeding tickets are usually more than \$100. The Board may want to increasing the limit to \$250. Board noted the language of the question should be revised to make it clearer.

ACTION: Mr. Webster made a motion to increase the limit to \$250 and to revise the language in the future; Mr. Stapleton seconded the motion; Motion passed with Board members present and voting in favor unanimously.

#### B. Announcement: Board members receiving state email for Board business Mr. Berg informed Board members' that all members have a state emails.

- C. Follow-up: Interchange Secure File and Email Delivery
- D. Subcommittee Report: Revision of Regulations: deferred until the next meeting
- E. Discussion: Removal of Reprimand from a licensee's record: deferred until the next meeting

XIV. Adjourn

There being no other business before the Board, Mr. Divver made a motion to adjourn the Board meeting; Mr. Baldassarre seconded the motion. The motion passed unanimously. The meeting was adjourned at 12:00 p.m.

The next meeting of the Board of Registration of Nursing Home Administrators will be held on Thursday, October 16, 2014. The Board meeting begins at 10:00 a.m.

Respectfully submitted:

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Nancy Lordan, NHA  
Chair

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Date