

The Virginia Board of Long-Term Care Administrators convened for a full board meeting on Tuesday, March 12, 2024, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #1, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Jenny Inker, PhD, ALFA, Chair
Lisa Kirby, NHA, Vice-Chair
Kimberly Brathwaite, ALFA
Pamela Dukes, MBA, Citizen Member
Ashley Jackson, NHA, MBA
Ann Williams, EdD, Citizen Member

BOARD MEMBERS NOT PRESENT:

Lynn Campbell, Citizen Member
Latonya Hughes, PhD, RN, NHA

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

Erin Barrett, JD, Director of Legislative and Regulatory Affairs
Sarah Georgen, Licensing and Operations Supervisor
James Jenkins, RN, Agency Chief Deputy Director
Arne W. Owens, Agency Director
Matt Novak, Policy and Economic Analyst
Melanie Pagano, JD, Deputy Executive Director
Sarah Rogers, DPA, Director, Enforcement Division
M. Brent Saunders, Senior Assistant Attorney General, Board Counsel
Corie E. Tillman Wolf, JD, Executive Director
Heather Wright, Senior Licensing Program Coordinator

OTHER GUESTS PRESENT

Ali Faruk
Glynis Boyd Hughes, Virginia Assisted Living Association

CALL TO ORDER

Dr. Inker called the meeting to order at 10:01 a.m. and asked the Board members and staff to introduce themselves.

With five board members present at the meeting, a quorum was established.

Dr. Inker read the mission of the Board, which is also the mission of the Department of Health Professions.

Dr. Inker reminded the Board members and audience about microphones, computer agenda materials, and breaks.

Ms. Dukes arrived at 10:03 a.m. establishing a quorum with six board members.

Ms. Tillman Wolf then read the emergency egress instructions.

APPROVAL OF MINUTES

Dr. Inker opened the floor to any edits or corrections regarding the draft minutes for a Board meeting held on September 29, 2023, and two Assisted Living Administrator-in-Training Resources and Support Workgroup meetings held on September 29, 2023, and December 14, 2023, respectively. Upon a **MOTION** by Ms. Williams properly seconded by Ms. Jackson, the Board voted to approve the minutes as presented. The motion passed unanimously (6-0).

ORDERING OF THE AGENDA

Upon a **MOTION** by Ms. Jackson properly seconded by Ms. Williams, the Board voted to accept the agenda as presented. The motion passed unanimously (6-0).

BOARD MEMBER RECOGNITION

Dr. Inker recognized Mr. Faruk for his service and dedication to the Board of Long-Term Care Administrators from 2019 to 2023. Dr. Inker presented Mr. Faruk with a plaque to recognize his service.

PUBLIC COMMENT

There was no public comment.

AGENCY REPORT – Arne W. Owens, Agency Director

Mr. Owens recognized Long-Term Care Administrator Week from March 11-15, 2024, and thanked the Board Members for their service and contribution to the profession.

Mr. Owens spoke about the successful 2024 General Assembly Session. He stated that the General Assembly is scheduled to return in April 2024 regarding the state budget.

Mr. Owens provided a brief overview of the DHP Business Process Re-engineering initiative. He stated that DHP had hired a vendor to review the licensing process to determine if there are any areas of improvement and to review the efficiency of time to complete an application once received.

Mr. Owens introduced Dr. Rogers as the new Enforcement Director. He also reported that Diane Powers, Director of Communications, would retire effective April 1, 2024. Additionally, Mr. Owens reported that

Lisa Hahn, Chief Operating Officer, would retire effective July 1, 2024. He stated that he anticipates a seamless transition of these positions.

With no questions, Mr. Owens concluded his report.

PRESENTATION

Dr. Rogers provided a presentation and overview of the Enforcement Division and Investigative Process.

STAFF REPORTS

Executive Director's Report – Corie E. Tillman Wolf, JD, Executive Director

Welcome New Board Members

Ms. Tillman Wolf welcomed Ms. Campbell and Dr. Hughes as newly appointed Board Members.

Board Updates

Ms. Tillman Wolf provided updates from the Board's September and December 2023 Administrators-in-Training (AIT) Resources and Support Workgroup. She said that the workgroup was convened with stakeholders to identify resources to better support AITs for licensure preparation.

Ms. Tillman Wolf stated that Board staff held a new board member orientation on December 14, 2023. She noted that Ms. Campbell and Dr. Hughes were in attendance.

Ms. Tillman Wolf reported on the 2023 accomplishments of the Board including the successful transition to an updated website format, the development and implementation of automated bots for licensure correspondence, and the creation and dissemination of AIT and Preceptor information sheets.

Ms. Tillman Wolf reported on the open renewal cycle until March 31, 2024, and announced that a new Workforce Survey question was added regarding occupational burnout. She stated that data regarding this question would be provided at a later meeting date.

Ms. Tillman Wolf announced the 2024 Board initiatives to include continued collaboration with the AIT Workgroup, the Business Process Reengineering recommendations for the licensure process, and the continued efforts to streamline and update applications while focusing on the public-facing information and resources. She also noted that continued efforts will be made to provide additional guidance for those beginning the licensure process.

Ms. Tillman Wolf reminded Board Members of the optional DHP Board Member Training scheduled for March 26, 2024, and encouraged participation.

NAB Updates

Ms. Tillman Wolf reported that the National Association of Long Term Care Administrator Boards (NAB) Mid-Year Meeting was held on October 25-27, 2023, in New Orleans, Louisiana in which she was in attendance. She also reported on the upcoming NAB Annual Meeting scheduled for June 5-7, 2024, in Oklahoma City, Oklahoma. She stated that one Board Member would be funded by NAB as a participant and asked for Board Members to contact her with interest to attend.

With the announcement of Ms. Hahn's retirement from DHP, Ms. Tillman Wolf thanked her for her years of service and contribution to the NAB organization, and as the former Executive Director for the Board.

Ms. Tillman Wolf reported on the NAB Mid-Year Meeting highlights. The Health Services Executive (HSE) credential is now accepted in twenty-seven states with six additional states working towards the implementation of the credential. NAB announced its efforts to change the current terminology for Administrator-in-Training (AIT) programs to "Administrator Residency." Ms. Tillman Wolf reported on a change to NAB leadership as of January 1, 2024.

Ms. Tillman Wolf stated that NAB released information to boards in early February 2024 regarding the launch of a new Linear On-The-Fly Testing (LOFT) system effective July 1, 2023. The LOFT system allows for indefinite shuffling of exam questions, eliminating the need for the previous limit on applicant test taking attempts per year for the CORE, NHA, and RCAL exams.

Lastly, Ms. Tillman Wolf reported on the ongoing work of NAB committees and task forces related to the mobility of administrators and the frequency of meetings.

On The Horizon

Ms. Tillman Wolf stated that more information would be provided at the next meeting regarding the AIT Resources and Support Workgroup, specifically in relation to the resources to support exam candidates and initiatives for pre-licensure course options in the future.

2024 Board Meeting Schedule

Ms. Tillman Wolf reminded Board Members of the remaining 2024 Board meeting dates:

- June 18, 2024
- September 17, 2024
- December 3, 2024

Notes and Reminders

Ms. Tillman Wolf provided reminders to the Board Members regarding participation at Board meetings as it relates to the quorum requirements. She also provided reminders regarding any changes to contact information. She thanked members for their service to the Board.

With no questions, Ms. Tillman Wolf concluded her report.

Discipline Report – Melanie Pagano, JD, Deputy Executive Director

As of January 31, 2024, Ms. Pagano reported the following disciplinary statistics:

- 84 Patient Care Cases
 - 3 at Informal
 - 1 at Formal
 - 20 at Enforcement
 - 58 at Probable Cause
 - 2 at Administrative Proceedings Division

- 26 Non-Patient Care Cases
 - 2 at Informal
 - 0 at Formal
 - 5 at Enforcement
 - 19 at Probable Cause
 - 0 at Administrative Proceedings Division

- 3 at Compliance

Ms. Pagano reported the following Total Cases Received and Closed:

- | | |
|-------------------|-------------------|
| • Q4 2021 – 28/23 | • Q2 2023 – 14/22 |
| • Q1 2022 – 20/19 | • Q3 2023 – 18/23 |
| • Q2 2022 – 26/39 | • Q4 2023 – 23/18 |
| • Q3 2022 – 19/20 | • Q1 2024 – 24/14 |
| • Q4 2022 – 19/17 | • Q2 2024 – 26/22 |
| • Q1 2023 – 23/39 | |

Ms. Pagano appealed for assistance from the Board regarding open probable cause review files. She requested Board Members to contact her with their availability to process and review cases.

Ms. Pagano answered questions about compliance cases and the Administrative Proceedings Division.

With no further questions, Ms. Pagano concluded her report.

Licensure Report – Sarah Georgen, Licensing and Operations Supervisor

Ms. Georgen presented licensure statistics that included the following information:

Current License Count – ALFA and NHA

ALFA	Q2 – 2024	NHA	Q2 – 2024
ALFA	663	NHA	966
ALF AIT	116	NHA AIT	97

Preceptor	216	Preceptor	220
Total ALFA	995	Total NHA	1,283

Ms. Georgen reviewed the trends of licensure counts since Q4 – 2018.

Licensure Renewals – 2023

License	Renewed	Not Renewed	Renewed Percentage
Assisted Living Facility Administrators	546	77	87.64%
Assisted Living Facility Preceptors	182	21	89.66%
Nursing Home Administrators	791	102	88.58%
Nursing Home Preceptors	190	26	89.96%

2024 Renewals

Ms. Georgen provided information on the 2024 renewals, including notification dates of notices to licensees.

Licensing Updates

Ms. Georgen provided updates regarding the automated licensing correspondence bots effective December 2023. She also provided updates to the website formatting effective January 2024.

Ms. Georgen spoke to the Business Process Reengineering process and the expected completion date.

Customer Satisfaction

Ms. Georgen reported on the customer satisfaction statistics and provided comments for Q1 – 2023 to Q2 – 2024.

Call Trends

Ms. Georgen provided a brief report on the call trends from 2019 to 2023. She stated that an average of 3,600 calls are received by the Board each year.

Updates for Expense Reimbursement Vouchers

Ms. Georgen provided information on changes to the IRS Standard Mileage Rate increase effective January 1, 2024. She provided information to the Board Members on using an optional Virginia Department of Accounts Remittance Electronic Data Interchange (REDI) system for pending deposit notifications.

With no questions, Ms. Georgen concluded her report.

BOARD COUNSEL REPORT – M. Brent Saunders, Senior Assistant Attorney General

Mr. Saunders did not have a report to provide.

COMMITTEE AND BOARD MEMBER REPORTS

Assisted Living Facility Administrators-in-Training Resources and Support Workgroup – Jenny Inker, ALFA, Workgroup Chair

Dr. Inker provided an update on the September 29, 2023, and December 14, 2023, meetings of the Assisted Living Facility Administrators-in-Training Resources and Support Workgroup.

LEGISLATION AND REGULATORY ACTIONS

Report on Status of Regulations – Erin Barrett, Director of Legislative and Regulatory Affairs

Ms. Barrett provided an update on pending regulatory actions and the status of bills of interest in the General Assembly.

Ms. Barrett also provided an update on pending regulatory actions.

With no questions, Ms. Barrett concluded her report.

BREAK

The Board took a break at 11:39 a.m. and returned at 11:51 a.m.

NEW BUSINESS

Review of Designation of Documents as Guidance Documents – Erin Barrett, Director of Legislative and Regulatory Affairs

Ms. Barrett provided information related to the review of the Board's guidance documents to determine if they meet the requirements to serve as guidance documents or if they should be labeled as policy documents going forward.

The review these guidance documents will be conducted by the Board at its next Board meeting.

Acting Administrators-in-Training Role – Kimberly Brathwaite, ALFA

Ms. Brathwaite suggested a discussion by the Board regarding Administrators-in-Training (AITs) serving in the capacity of Acting Administrators as it relates to disciplinary cases being reviewed by the Board. She suggested that the Board review the minimum hours of oversight required by the Board's Regulations, as well as review how the Board can support them adequately during this training period. Ms. Tillman Wolf stated that she can provide statistical data at the next meeting to determine whether there are any discernible

patterns regarding allegations, preceptors, and length of AIT training at the time of their transition into an Acting AIT role.

CONSIDERATION OF CONSENT ORDER

Ms. Pagano provided a summary of the proposed Consent Order for case numbers 220234 and 225660.

Upon a **MOTION** by Ms. Kirby, the Board of Long-Term Care Administrators convened in a closed meeting pursuant to Section §2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to consider a settlement proposal in a pending disciplinary action regarding Jeffrey Brandal Price, ALFA.

She moved that Mr. Saunders, Ms. Tillman Wolf, Ms. Pagano, and Ms. Georgen attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its consideration of this topic.

Having certified that the matters discussed in the preceding closed session met the requirements of Section §2.2-3711(A)(27) of the Code of Virginia, upon a motion by Ms. Kirby, properly seconded by Ms. Brathwaite, the Board reconvened in open session.

Upon a **MOTION** by Ms. Kirby, and duly seconded by Dr. Williams, the Board moved to reject the Consent Order with the counteroffer of a Consent Order with the terms as discussed. The motion carried unanimously (6-0).

NEXT MEETING

The next scheduled meeting date is June 18, 2024.

ADDITIONAL COMMENTS

Dr. Inker requested that Board Members participate in the probable cause review of disciplinary cases after the meeting, if able.

ADJOURNMENT

With all business concluded, the meeting adjourned at 12:28 p.m.

Corie Tillman Wolf, J.D., Executive Director

Date