

June 28, 2018

The Virginia Board of Long-Term Care Administrators convened for a board meeting on Thursday, June 28, 2018 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #2, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Derrick Kendall, NHA, Chair
Martha H. Hunt, ALFA, Vice-Chair
Karen Hopkins Stanfield, NHA
Marj Pantone, ALFA
Mitchell P. Davis, NHA
Basil Acey, Citizen Member
Shervonne Banks, Citizen Member
Mary B. Brydon, Citizen Member

BOARD MEMBERS ABSENT

Cary Douglas Nevitt, ALFA

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

Barbara Allison-Bryan, Agency Chief Deputy Director
David E. Brown, D.C., Agency Director
Sarah Georgen, Licensing and Operations Manager
Lisa R. Hahn, Chief Operating Officer
Lynne Helmick, Deputy Executive Director, Discipline
Corie Tillman Wolf, J.D., Executive Director
Elaine Yeatts, Senior Policy Analyst
Heather Wright, Program Manager

BOARD COUNSEL PRESENT:

Erin Barrett, Assistant Attorney General

QUORUM:

With 6 members present at the beginning of the meeting, a quorum was established.

PRESENTERS

Kim Small, VisualResearch, Inc.

CALL TO ORDER

Mr. Kendall called the meeting to order at 10:06 a.m. and asked the Board members and staff to introduce themselves.

Mr. Kendall read the mission of the Board and reminders for the meeting.

Ms. Tillman Wolf read the Emergency Egress Procedures.

APPROVAL OF MINUTES

Upon a **MOTION** by Ms. Stanfield and properly seconded by Ms. Hunt, the December 19, 2017 full Board meeting minutes and the April 24, 2018 Telephone Conference Call minutes were approved with no revisions. All members in favor, none opposed.

ORDERING OF THE AGENDA

Ms. Tillman Wolf requested a change to the agenda for the Board to add possible Board action to the Sanctioning Reference Points.

Upon a **MOTION** by Ms. Stanfield and properly seconded by Ms. Pantone, the agenda was accepted as revised. All members in favor, none opposed.

Mr. Davis arrived at 10:12 a.m. and Ms. Banks arrived at 10:13 a.m.

PUBLIC COMMENT

There was no public comment.

AGENCY DIRECTOR'S REPORT – Dr. David Brown, D.C.

Dr. Brown reported on the personnel changes within the Secretariat of Health and Human Resources. He stated that Daniel Carey, M.D., was appointed Secretary. His two deputies are Gena Boyle Berger and Marvin Figueroa. He introduced Barbara Allison-Bryan, M.D. who had been appointed by Governor Northam to the position of DHP Chief Deputy Director. Dr. Brown stated that Lisa Hahn has been hired as the new DHP Chief Operations Officer.

Dr. Brown stated that Dr. Allison Bryan and Ms. Hahn are part of a team to review the security measures for the building and is anticipating upcoming changes. He announced that DHP had a new logo and Board members would receive updated identification badges in the future.

Dr. Brown spoke about the 2018 General Assembly and provided information on a bill that would allow nurse practitioners with specific training to practice autonomously. He also provided information the medical marijuana bill through the Board of Pharmacy. Lastly, he provided information on legislation to limit regulations and stated that a pilot program has been developed to review the regulatory process

through the Virginia Department of Professional and Occupational Regulation and Virginia Criminal Justice Services.

With no further questions, Dr. Brown concluded his report.

OLD BUSINESS

Ms. Small provided the Board with a presentation of the status of the Sanctioning Reference Points Project and an overview of edits made to the Sanctioning Reference Points worksheets.

Upon a **MOTION** by Ms. Pantone, and properly seconded by Ms. Stanfield, the Board voted to adopt the revised Sanctioning Reference Points manual as Guidance Document 95-3. All members in favor, none opposed.

EXECUTIVE DIRECTOR’S REPORT – Corie Tillman Wolf, J.D.

Ms. Tillman Wolf provided the following report:

Expenditure and Revenue Summary

FY18 Budget

Cash Balance as of June 30, 2017	\$(30,609)
YTD FY18 Revenue	574,790
Less: YTD Direct and In-Direct Expenditures	<u>533,050</u>
Cash Balance as of May 31, 2018	\$ 11,131

NAB Updates

Ms. Tillman Wolf provided a brief review of the National Association of Long Term Care Administrator Boards (NAB) Annual Meeting held from June 6-8, 2018.

NAB Updates – Exam Scores

Exam Scores – Virginia Candidates – July 2017 through June 13, 2018

Exam	# Taken	# Pass	# Fail	Pass/Fail %
CORE	138	116	22	84.1%/15.9%
NHA	78	35	43	44.9%/55.1%
RC/AL	87	63	24	72.4%/27.6%

Overall Pass/Fail Rates – July 1, 2017 through December 31, 2017

Exam	# Taken	Pass %
CORE	1,155	90.4%
NHA	1,220	59.7%
RC/AL	191	75.9%

Ms. Tillman Wolf reported that from the June 13, 2017 Board meeting, the following CY 2016 Stats were available for the RC/AL and NHA Exams:

RC/AL

- Average Pass rate – 60.6%
- Virginia Pass rate – 50.72%
- Other state ranges – 45.65%-84.65%

NHA

- Average Pass rate – 62.96%
- Virginia Pass rate – 57.45%
- Other state ranges – 25%-100%

Ms. Tillman Wolf provided a pass rate comparison chart for review of CY 2016 and FY 2018. Ms. Tillman Wolf and Ms. Hahn also discussed steps being taken to look at the exam pass/fail rates and whether there is any data or factors to correlate to success or failure on the exams.

Ms. Tillman Wolf announced that Ms. Hahn was sworn in as the new Chair of NAB effective June 8, 2018.

Licensure Report

Ms. Tillman Wolf provided the Licensure Report.

Licensee Statistics – Assisted Living Facility Administrators – Current License Count

	December 2017	June 2018	+/-
ALFA's	624	628	+4
AIT's	118	94	-24
Acting AIT	4	4	0
Total	746	726	-20
Preceptors	211	199	-12

Licensee Statistics – Nursing Home Administrators – Current License Count

	December 2017	June 2018	+/-
NHA's	918	877	-41
AIT's	87	77	-10
Total	1,006	954	-52
Preceptors	234	227	-7

Licenses and Registrations issued in 2018:

License Type	Number Issued
ALFA	47
ALFA – AIT	24
ALFA – Acting AIT	6
ALFA – Preceptor	10
NHA	40
NHA – AIT	19
NHA - Preceptor	14

Ms. Tillman Wolf provided the current statistics on licensees and customer satisfaction ratings:

Virginia Performs – Customer Service Satisfaction

- FY17 – 100% overall
- FY18 (1st Qtr.) – 100%
- FY18 (2nd Qtr.) – 100%
- FY18 (3rd Qtr.) – 100%

Heather Wright is the front line for the Long-Term Care Administrators Board and she is extremely knowledgeable and helpful. Laura Mueller is cross trained and able to step in whenever necessary.

Notes

Ms. Tillman Wolf provided reminders to the Board members regarding any updated contact information.

Ms. Tillman Wolf reviewed the 2019 Board meeting schedule with the Board members. With no requests from the Board members to change the dates, she confirmed the following meeting dates for 2019:

- Tuesday, March 12, 2019 at 10:00 a.m. in Board Room 3
- Tuesday, June 18, 2019 at 10:00 a.m. in Board Room 4

- Thursday, September 12, 2019 at 10:00 a.m. in Board Room 2
- Tuesday, December 17, 2019 at 10:00 a.m. in Board Room 4

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

DISCIPLINE REPORT – Lynne Helmick – Deputy Executive Director, Discipline

Ms. Tillman Wolf provided the Discipline Report on behalf of Ms. Helmick. Ms. Tillman Wolf reported there are currently 75 open cases. Additionally, 43 of the cases are in the probable cause stage, 3 are in the Administrative Proceedings Division (APD), 2 is at the informal stage, 1 is at the formal stage and 26 are in investigation stage. There are 8 open compliance cases.

Ms. Tillman Wolf reviewed discipline statistics and Key Performance Measure slides with the Board for Q1 2018:

- The Board’s clearance rate is currently 9%; the Board has received 11 cases and closed 1 case.
- The pending caseload over 250 days is at 20%, which is at the 20% goal.
- The percentage of cases closed within 250 days was at 100%, where the goal is 90%.

Ms. Tillman Wolf reviewed discipline statistics and Key Performance Measure slides with the Board for Q2 2018:

- The Board’s clearance rate is currently 60%; the Board has received 10 cases and closed 6 cases.
- The pending caseload over 250 days is at 29%, which is over the 20% goal.
- The percentage of cases closed within 250 days was at 33%, which is below the goal of 90%.

Ms. Tillman Wolf reviewed data regarding the total numbers of cases received and closed, clearance rates for all cases, and the average days to close a case since the third quarter of FY 2016:

Cases received/closed

Q3 2016	21/27
Q4 2016	19/7
Q1 2017	16/12
Q2 2017	12/11
Q3 2017	9/13
Q4 2017	18/20
Q1 2018	15/5
Q2 2018	24/8
Q3 2018	13/8

Percentage of all cases closed in 250 days

	Q3-2017	Q4-2017	Q1-2018	Q2-2018	Q3-2018
LTCA	69.2%	55%	80%	50%	25%
Agency	81.7%	86.7%	82.2%	86.7%	87.6%

Average days to close a case

	Q3-2017	Q4-2017	Q1-2018	Q2-2018	Q3-2018
LTCA	282.8	395	171.2	350.6	424.1
Agency	222.8	194.1	255.7	186.5	196.4

With no additional questions, Ms. Tillman Wolf concluded the report.

COMMITTEE AND BOARD MEMBER REPORTS

None

BREAK

The Board recessed at 11:41 a.m.

The Board reconvened at 11:50 a.m.

LEGISLATIVE AND REGULATORY ACTIONS – Elaine Yeatts, Senior Policy Analyst

Ms. Yeatts temporarily stepped out of the meeting.

Ms. Tillman Wolf began discussion of agenda items related to the status of the Board’s Guidance Documents. Ms. Tillman Wolf reported that she is in the process of working with the Virginia Department of Health (VDH) and the Department of Social Services (DSS) regarding revisions to the Memorandum of Understanding (MOU) in Guidance Documents 95-1 and 95-10. Ms. Tillman Wolf reported that the Board considered revisions to Guidance Document 95-3, the Sanctioning Reference Points manual, that morning. Ms. Tillman Wolf further reported that VDH and the Office of Licensure and Certification (OLC) has indicated that a revision to the documents in Guidance Document 95-5 is currently in the works.

Ms. Yeatts stated that the periodic review of the Regulations Governing the Practice of Nursing Home Administrators was in its final stage at the Secretary’s Office.

Ms. Yeatts provided the Board will an update to the 2018 General Assembly legislation including home hospice programs and the disposal of drugs, new mid-level licensure through the Board of Social Work, autonomous practice with specific training of Nurse Practitioners, the direct delivery of scheduled VI devices to patients and Nursing Homes through the Board of Pharmacy which should be effective by the end of 2018, and the donation of used medications through a drug donation program from Long Term Care facilities.

Ms. Stanfield left at 12:00 p.m.

BOARD CONSIDERATION OF REVISION, REPEAL, OR READOPTION OF GUIDANCE DOCUMENTS – Elaine Yeatts

Ms. Tillman Wolf and Ms. Barrett provided an overview of Guidance Document 95-6 related to the use of agency subordinates and explained that the Board does not currently use this process.

Upon a motion by Mr. Davis, duly seconded by Ms. Hunt, the Board voted to repeal *Guidance Document 95-6, Process for delegation of informal fact-finding to an agency subordinate* as presented.

Upon a motion by Ms. Pantone, duly seconded by Ms. Brydon, the Board voted to repeal *Guidance Document 95-7, Qualifying for Licensure: Required Content for College Coursework* as presented.

Upon a motion by Ms. Hunt, duly seconded by Ms. Pantone, the Board voted to reaffirm *Guidance Document 95-9, Continuing Competency Hours for Dually-Licensed Administrators* but requested the policy be reworded “At its meeting on October 28, 2008, the Board voted unanimously to allow persons who are dually licensed as nursing home administrators and assisted living facility administrators to count the continuing competency hours for both professions, requiring that only 20 hours be accrued to meet the requirements for renewal” to “Persons that are dually licensed as nursing home administrators and assisted living facility administrators to count the continuing competency hours for both professions, requiring that only 20 hours be accrued to meet the requirements for renewal.”

Upon a motion by Mr. Davis, duly seconded by Ms. Brydon, the Board voted to reaffirm *Guidance Document 95-11, Disposition of Cases Involving Practicing on an Expired License* as presented.

BOARD DISCUSSION – Corie Tillman Wolf

Updates from NAB Annual Meeting – AIT and Preceptor Resources, CE Registry, HSE Credential

Ms. Tillman Wolf announced that NAB has launched its new CE Registry, allowing administrators to track their certificates. She stated that the registry is a voluntary tool for licensees. She requested that the Board consider discussion of whether this tool could be used for audit purposes in the future.

OLD BUSINESS

AIT Reporting Forms Update – Corie Tillman Wolf

Ms. Tillman Wolf requested the Board to review the draft updated forms for AIT Reporting. Mr. Davis requested adding a reminder regarding weekly hours for an Administrators-in-training. Board staff will work on additional revisions to forms and provide them to Board members at the next meeting.

NEXT MEETING

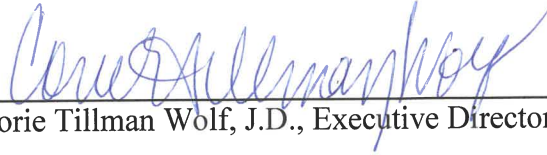
Mr. Kendall announced the next full Board meeting will be held on September 12, 2018.

ADJOURNMENT

With all business concluded, the meeting adjourned at 12:10 p.m.



Derrick Kendall, NHA, Chair



Corie Tillman Wolf, J.D., Executive Director

12/13/18

Date

12/14/18

Date