

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

**DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE
BOARD OF NURSING HOME ADMINISTRATORS**

**MINUTES
GENERAL BUSINESS MEETING**

**St. Petersburg Marriott
12600 Roosevelt Boulevard
St. Petersburg, Fl 33716
(727) 572-7800**

March 16, 2012

16 **CALL TO ORDER:**

17 Ms. Patricia Freeman, Chair, called the meeting to order at 9:03 a.m. Those present for all or part
18 of the meeting included the following:

19
20 **MEMBERS PRESENT:**

21 Patricia Freeman, Chair
22 Robert Rosenthal, Vice-Chair
23 Cathy Bracher, ARNP
24 Jeri Francoeur
25 Keith Myers (arrived at 9:11 a.m.)
26

27 **STAFF PRESENT:**

28 Bruce Deterding, Board Executive Director
29 Sharon Guilford, Program Operations Administrator
30

31 **BOARD COUNSEL:**

32 Lynette Norr, Assistant Attorney General
33 Office of Attorney General
34

35 **PROSECUTING ATTORNEY**

36 Lealand McCharen, Assistant General Counsel
37 Department of Health
38

39 **COURT REPORTER:**

40
41 Dempster Berryhill
42 (813) 229-8225
43

44 **APPROVAL OF MINUTES**

45
46 **November 18, 2011- Full Board Meeting**

47
48 **Ms. Francoeur moved to approve the above minutes. This motion was carried 4/0.**
49

50 **FINAL ORDER ACTIONS**
51

1 **Motions for Final Order by Voluntary Relinquishment of License**

2
3 **Joan Berzner, N.H.A- Case Number 11-06891**
4 **PCP: Freeman/Goodman**

5
6 Ms. Berzner was neither present nor represented by council.

7
8 Mr. Rosenthal acted as chair due to Ms. Freeman's participation on the probable cause panel.

9
10 Mr. McCharen informed the board that the respondent had violated:

- 11 • Section 468.1755(1)(r) F.S
- 12 • Rule 64B10-15.001(2), F.A.C

13
14 Mr. McCharen stated that Ms. Berzner had requested the board to consider the voluntary relinquishment by
15 discipline of the license.

16
17 Discussion ensued.

18
19 **Ms. Bracher moved to accept the voluntary relinquishment by discipline. The motion was seconded and**
20 **carried 3/0.**

21
22 **PROSECUTION REPORT:**

23
24 Mr. McCharen provided an overview of the prosecution report.

25
26 **PETITION FOR VARIANCE/WAIVER:**

27
28 **Greg Hovey, N.H.A- Rule 64B10-15.001, F.A.C- Continuing Education**

29
30 Mr. Hovey was present, sworn, but not represented by counsel.

31
32 Mr. Myers was present and participated in the remaining actions of the board.

33
34 Ms. Freeman stated that Mr. Hovey had filed a Petition for Variance/Waiver of Rule 64B10-15.001, F.A.C.
35 regarding the Continuing Education requirements.

36
37 Discussion ensued.

38
39 **Mr. Myers moved to file a conditional granting of Mr. Hovey's Petition for Variance/Waiver of Rule**
40 **64B10-15.001, F.A.C., contingent upon the submission of the required continuing education hours for**
41 **review within 30 days of the filing of the Final Order. The motion was seconded and carried 5/0.**

42
43 The board asked if Mr. Hovey would waive the statutory deadline requirement to allow the submission of the
44 continuing education hours.

45
46 Dr. Hyer with the University of South Florida appeared at the request of Mr. Deterding and stated that she
47 wants to work with the board to assist in defining rule equivalencies for the statutory licensure educational
48 requirements.

49
50 Discussion ensued.

1 The board thanked Dr. Hyer for her assistance now and going forward.

2
3 **Tameko D. Lovett- Current AIT- Rule 64B10-11.002(2)(b)(1), F.A.C- Examination for licensure**

4
5 Ms. Lovett was present, sworn, but not represented by counsel.

6
7 Ms. Freeman stated that Ms. Lovett had filed a Petition for Variance/Waiver of Rule 64B10-11.002(2)(b)(1),
8 F.A.C. Ms. Lovett does not have the appropriate education to qualify for the 1,000 hours AIT Program.

9
10 Ms. Lovett addressed the board.

11
12 Discussion ensued.

13
14 Ms. Guilford stated that the board will need to take action on the petition or the respondent may withdraw her
15 petition.

16
17 Ms. Freeman stated that the practice act requires a degree in healthcare administration or the completion of
18 the appropriate 60 semester hours in specific healthcare courses. Ms. Lovett was asked if she wanted to
19 withdraw her petition or allow the board to take action.

20
21 Ms. Lovett withdrew her petition.

22
23 **Amy Patrick-Trump- Current AIT- Rule 64B10-11.002, F.A.C- Eligibility for licensure/Rule**
24 **64B10-16.001, F.A.C- General Information**

25
26 Ms. Patrick-Trump was present, sworn, but not represented by counsel.

27
28 Ms. Freeman stated that Ms. Patrick-Trump had filed a Petition for Variance/Waiver of Rule 64B10-11.002,
29 F.A.C. and Rule 64B10-16.001, F.A.C.

30
31 Ms. Patrick-Trump addressed the board.

32
33 Discussion ensued.

34
35 Ms. Freeman stated that the practice act requires a degree in healthcare administration or the completion of
36 the appropriate 60 semester hours in specific healthcare courses. Therefore, Ms. Patrick-Trump may
37 withdraw her petition or to allow the board to take action.

38
39 Ms. Patrick-Trump withdrew her petition.

40
41 **APPLICANTS PRESENTED FOR BOARD REVIEW:**

42
43 **Elsie F. Justilien- Current AIT**

44
45 Ms. Justilien, AIT, and Ms. Joya Marotta, Preceptor, were present, both sworn and Ms. Justilien
46 was represented by counsel.

47
48 Ms. Freeman provided an overview of Ms. Justilien's application indicating that she had found
49 several inconsistencies with the second quarter report. Staff had failed to submit to Ms. Justilien
50 the revised quarterly evaluation and the chair requested Ms. Justilien and her preceptor appear
51 before the board to clear up any misunderstandings.

1
2 Ms. Justilien and Ms. Marotta addressed the board.

3
4 Discussion ensued.

5
6 **Ms. Freeman moved to approve the second quarterly report and to allow Ms. Justilien to**
7 **submit her final quarterly report. The motion was seconded and carried 5/0.**

8
9 **Angel F. Wright – NHA**

10
11 Ms. Wright was present, sworn but was not represented by counsel.

12
13 Ms. Freeman provided an overview of Ms. Wright's application. She indicated that the applicant
14 has provided documentation regarding previous criminal history as well as previous disciplinary
15 history for a CNA and LPN license.

16
17 Discussion ensued.

18
19 **Ms. Freeman moved to require Ms. Wright to appear before the board at the next**
20 **scheduled board meeting to discuss the issues of concern. The motion was seconded and**
21 **carried 5/0.**

22
23 **REACTIVATION OF LICENSE:**

24
25 **Debra Pattinson**

26
27 Ms. Pattinson was present, sworn but was not represented by counsel.

28
29 Discussion ensued.

30
31 **Mr. Myers moved to approve Ms. Pattinson's request to reactivate her license. The motion**
32 **was seconded and carried 5/0.**

33
34 **RATIFICATION OF LICENSURE:**

35
36 **Nursing Home Administrators**

37
38 **Ms. Francoeur moved to approve the ratification list as presented. The motion was**
39 **seconded and carried 5/0.**

40
41 **Examination**

42
43 **Ms. Francoeur moved to approve the ratification list as presented. The motion was**
44 **seconded and carried 5/0.**

45
46 **Administrators in Training**

47
48 **Ms. Francoeur moved to approve the ratification list as presented. The motion was**
49 **seconded and carried 5/0.**

50
51 The board requested the future lists to indicate 1,000 or 2,000 hour program.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

Preceptors

Ms. Francoeur moved to approve the ratification list as presented. The motion was seconded and carried 5/0.

CHAIR/VICE-CHAIR:

Future Agenda Items

- 1. Draft language granting presenters/speakers continuing education credits once per course/biennium.
- 2. Establish guidelines for Monitors reviewing AIT Quarterly reports.
- 3. Staff to prepare a detailed spreadsheet with the Florida NHA education programs and notify the Program Deans to possibly attend the May meeting.

Mr. Rosenthal moved to file a Notice for Rule Development for Rule 64B10-15.001 and 16.001, F.A.C. The motion was seconded and carried 5/0.

The board requested to change the August 3, 2012 board meeting to June 29, 2012. Also they requested to hold a May 25, 2012 general business meeting to discuss rules clarifying the health care degrees related to nursing home administrators.

The board requested staff to contact the Florida colleges and universities to receive information on their nursing home administrator programs being offered.

EXECUTIVE DIRECTORS REPORT:

Solicitation to Publish Information about Awards or Commendations Given to Board Members

Mr. Deterding requested the board members to provide him with any awards or commendations they have received.

COMMITTEE REPORT:

AIT/Preceptor- Patricia Freeman/Keith Myers/Bobby Rosenthal

No report.

Budget- Patricia Freeman

- Expenditures by Function for Period Ending 12/31/2012
- Cash Balance Report for 3 Months Ending 12/31/2012
- Total Expenditures (Direct and Allocated by Board for 2 Months Ending 12/31/2012
- Allocations to Boards by Source Organization and Category for 3 Months Ending 12/31/2012

Informational only.

1
2 **Continuing Education- Cathy Bracher**

- 3
4 • **Approval to award 2 hours of laws and rules to Consultants**

5
6 Informational only.

- 7
8 • **CE Providers and Courses Approved by Committee**

9
10 **Mr. Myers moved to approve the ratification list as presented. The motion was seconded**
11 **and carried 5/0.**

12
13 **Credentials- Pat Freeman**

14
15 No report.

16
17 **Disciplinary Compliance- Jeri Francoeur**

18
19 No report.

20
21 **Examination- Pat Freeman**

- 22
23 • **Florida Candidate Statistics**

24
25 Ms. Freeman stated that this action was taken earlier in the agenda.

26
27 Ms. Freeman requested staff to contact Mr. Michael Curtis with testing to define the NHA
28 Examination, 2011 candidate list.

29
30 **Legislation- Keith Myers**

- 31
32 • **Update on Proposed Legislation**

33
34 Mr. Deterding provided an overview of the 2012 Legislative Session. He addressed HB 737
35 amended the profession's statute adding, "health services administration or an equivalent major".
36 The bill passed both in the house and senate; therefore, is waiting for the governor's signature.

37
38 **Probable Cause- Bobby Rosenthal**

- 39
40 • **Stats**

41
42 Mr. Rosenthal provided an overview of the report.

43
44 **Rules- Cathy Bracher**

45
46 This item was discussed earlier in the meeting.

47
48 **Unlicensed Activity- Jeri Francoeur**

49
50 No report.

- 1
- 2 **NEXT MEETING DATE – August 3rd - Orlando**
- 3
- 4 **ADJOURNMENT**
- 5 The meeting was adjourned on 12:09 p.m.