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**FLORIDA** | Board of Nursing Home Administrators

MINUTES

April 28, 2017

Department of Health

4042 Bald Cypress Way

Tallahassee, FL 32399

Conference Call Meet Me Number: (888) 670-3525

Participant Code: 7342425515



Henry Gerrity, III, NHA  
***Chair***

Scott Lipman, MHSA, NHA  
***Vice-Chair***

Anthony Spivey, DBA  
***Executive Director***

46 The Florida Board of Nursing Home Administrators held a meeting on Friday, July 28, 2017,  
47 commencing at 9:00 a.m. This meeting was held at the Department of Health, 4042 Bald Cypress  
48 Way, Tallahassee, Florida, at meet me number (888) 670-3525, participant code 7342425515, to  
49 which all persons were invited to attend. Participants in this public meeting were aware that these  
50 proceedings were being recorded and that an audio file of the meeting will be posted to the board's  
51 website.  
52

53 **General Board Business started: 9:05 a.m.**  
54

55 **AGENDA**

56 **I. CALL TO ORDER (Roll Call): 9:01 a.m.**

57 The meeting was called to order by Mr. Gerrity, Chair. Gail Curry called the  
58 roll. Those present for all or part of the meeting included the following:  
59

60 **BOARD MEMBERS PRESENT:**

- 61 Henry Gerrity, III, NHA, Chair
- 62 Scott Lipman, MHSA, NHA, Vice-Chair
- 63 Patricia Feeney, RN, BSN, HCRM
- 64 Christine Hankerson, MSN, MS/P, Ph.D., RN
- 65 Michael Helmer, BA

66

67 **BOARD MEMBERS NOT PRESENT:**

- 68 Chantelle Kocik, MBA, NHA (excused absence)
- 69 William Phelan, MS, CAE (excused absence)

70

71 **BOARD COUNSEL:**

- 72 Rachelle Munson, Assistant Attorney General
- 73 Office of the Attorney General

74

75 **BOARD STAFF PRESENT:**

- 76 Anthony Spivey, D.B.A., Executive Director
- 77 Gail Curry, Program Operations Administrator
- 78 Brandi May, Regulatory Supervisor / Consultant
- 79 Frank Grunewald, III, Regulatory Specialist II
- 80 Kellee Crowson, Regulatory Specialist II

81

82 **COURT REPORTER:**

- 83 For the Record
- 84 (850) 222-5491

85

86 Meeting was turned over to Mr. Gerrity, Board Chair.

87

88 **Section I concluded: 9:05 a.m.**

89 **Section II began: 9:05 a.m.**

90 **II. APPROVAL OF MINUTES:**

91  
92 April 28, 2017 (Teleconference)

93  
94 **Board Action:** Motion to accept the minutes as written was made by Mr.  
95 Helmer. Seconded by 6 Mr. Lipman.

96  
97 Vote: 5 yeas / 0 opposed; motion carried.

98  
99 **Section II concluded: 9:06 a.m.**

100 **Section III began: 9:06 a.m.**

101  
102 **III. APPLICANTS PRESENTED FOR BOARD REVIEW:**

103  
104 **James Forristal**

105  
106 Present. Not represented by counsel. Mr. Forristal answered positive for criminal  
107 history. In lieu of the internship, Mr. Forristal took 9 credit hours of coursework  
108 to equal the internship. AHCA had already granted Mr. Forristal an exemption.  
109 Mr. Forristal was approved for the 1,000 hours of internship.

110  
111 **Action:** Motion to accept the application made by Mr. Lipman. Second made by  
112 Dr. Hankerson.

113  
114 Vote: 5 yeas / 0 opposed; motion carried.

115  
116 **Section III concluded: 9:13 a.m.**

117 **Section IV began: 9:14 a.m.**

118  
119 **IV. RATIFICATION:**

120 **Licensure**

121  
122 **Nursing Home Administrators**

123  
124 **Action:** Motion to ratify the issuance of Nursing Home Administrator licenses  
125 numbers 658 - 670, was made by Mr. Gerrity. Seconded by Dr. Hankerson.

126  
127 Vote: 5 yeas / 0 opposed; motion carried.

136 **Nursing Home Administrators (Exam)**

137  
138 **Action:** Motion to approve exam eligibility for file numbers 5412-5667 for the  
139 profession of Nursing Home Administrators was made by Mr. Gerrity.  
140 Seconded by Dr. Hankerson.

141  
142 Vote: 5 yeas / 0 opposed; motion carried.

143  
144 **Administrator-in-Training**

145  
146 **Action:** Motion to approve file numbers 5660, 5664, and 5646 for the 1,000 hour  
147 program made by Mr. Gerrity. Second by Dr. Hankerson.

148  
149 Vote: 5 yeas / 0 opposed; motion carried.

150  
151 **Action:** Motion to approve the 2,000 hour program with the file numbers: 5640,  
152 5658, 5316, 5655, 5647 made by Mr. Gerrity. Second by Dr. Hankerson.

153  
154 Vote: 5 yeas / 0 opposed; motion carried.

155  
156 **Preceptors**

157  
158 **Action:** Motion to approve the following file numbers: NH 3501, NH 4776, NH  
159 4160, NH 4527, NH 4957, NH 5411 made by Mr. Gerrity. Second by Dr.  
160 Hankerson.

161  
162 Vote: 5 yeas / 0 opposed; motion carried.

163 **Section IV concluded: 9:18 a.m.**

164 **Section VI (taken out of order) began: 9:18 a.m.**

165  
166  
167 **V. PROSECUTION REPORT:**

168 Mr. Delia gave the following information:

169  
170 Current Cases: **18**

171 Current Cases over 1 year: **9**

172 Under Legal Review: **6**

173 Recommended for Probable Cause Panel: **3** with at least 2 more pending the  
174 probable cause panel.

175  
176 The board expressed concern about the backlogged cases. Discussion ensued. Mr.  
177 Delia assured the board there were different reasons for the delays in prosecution  
178 however, there would be a probable cause panel within the next couple of months.  
179

180 **Action:** Motion to approve Prosecution Services the ability to continue  
181 prosecuting 1-year and older cases made by Mr. Gerrity. Second by Dr.  
182 Hankerson.

183  
184 Vote: 5 yeas / 0 opposed; motion carried.

185  
186 **Section V concluded: 10:07 a.m.**  
187 **Section VII began: 10:07 a.m.**  
188

189 **VI. BOARD COUNSEL REPORT:**

190  
191 June / July 2017 Rules Report

192  
193 Ms. Munson referenced the Rule 64B10-12.001 becoming effective on May 23,  
194 2017. The Rule 64B10-14.004 and its changes became effective on July 12, 2017.

195  
196 Effective July 1, 2017, the new SERC question regarding Minor Violations was  
197 discussed by Ms. Munson. This question will be asked for every new rule that  
198 changes.

199  
200 Ms. Munson discussed the Annual Regulatory Plan with the board members. Mr.  
201 Gerrity must delegate signature authority to Dr. Spivey for the plan to go ahead.  
202 Ms. Munson needs a document in writing from Mr. Gerrity to Dr. Spivey showing  
203 the delegation of signature authority from the board chair to the executive  
204 director.

205  
206 **Action:** Motion to delegate signature authority from the Mr. Gerrity to Dr. Spivey  
207 made by Mr. Gerrity. Second by Dr. Hankerson.

208  
209 Vote: 5 yeas / 0 opposed; motion carried.

210  
211 Dr. Hankerson moved Mr. Gerrity has the delegation authority to follow-up on the  
212 board counsel's request.

213  
214 **Action:** Motion made from the board counsel to the board chair to delegate  
215 signature authority to the board chair in order to approve the Annual Regulatory  
216 Plan so it can be submitted by October 1, 2017 made by Dr. Hankerson. Second  
217 by Mr. Gerrity.

218  
219 Vote: 5 yeas / 0 opposed; motion carried.

220  
221 **Section VI concluded: 9:28 a.m.**  
222 **Section IX began: 9:28 a.m.**  
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227 **VII. CHAIR/VICE CHAIR REPORT:**  
228

229 Mr. Gerrity reported next week is the Florida Health Conference. There will be a  
230 preceptorship there. Mr. Gerrity is planning to attend. Dr. Spivey updated the  
231 board about current department travel policies. This meeting will be held in  
232 Orlando. Dr. Spivey will follow-up with the board members about travel  
233 reimbursement for attending this conference.  
234

235 **Section VII concluded: 10:09 a.m.**

236 **Section VIII began: 10:10 a.m.**  
237

238 **VIII. EXECUTIVE DIRECTOR'S REPORT:**  
239

240 The Board Chair/Vice-Chair's Meeting will be held in Tallahassee on September  
241 18, 2017.  
242

243 **Section VIII concluded: 10:11 a.m.**

244 **Section X began: 10:11 a.m.**  
245

246 **IX. OLD BUSINESS:**

247 **a. Continuing Education (Hankerson)**  
248

249 Dr. Hankerson discussed an overview of the current requirements of continuing  
250 education required for nursing home administrators. Dr. Hankerson discussed  
251 with the board members that recently The Board of Nursing has added a 2-hour  
252 requirement of continuing education for human trafficking. Discussion ensued.  
253 The total of 40 hours has to be from approved providers by the board but the  
254 method could change. In this way, it is not as restrictive. The goal would be to  
255 obtain the required amount of hours but not in a specific way.  
256

257 **Action:** Motion to open up rule-making for Rule 64B10-15.001 which is the  
258 continuing education for renewal rule in order to make it less restrictive for the  
259 administrators and to be able to obtain CE's by a variety of methods made by Dr.  
260 Hankerson. Second by Mr. Gerrity.  
261

262 Vote: 5 yeas / 0 opposed; motion carried.  
263

264 **Section IX concluded: 9:43 a.m.**

265 **Section V began: 9:43 a.m.**  
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267 **X. NEW BUSINESS:**  
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269 Nothing to report.  
270

271 **Section X concluded: 10:11 a.m.**

272 **Section XI began: 10:11 a.m.**

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**XI. COMMITTEE REPORTS:**

**a. AIT/Preceptor – Kocik/Gerrity/Lipman**

Nothing to report.

**b. Budget – Helmer**

Nothing to report at this time however, there will be a report after September 18<sup>th</sup>.

**c. Continuing Education – Feeney**

Nothing to report.

**d. Credentials – Lipman**

**i. NHA Licensure Requirement Summary**

**e. Disciplinary Compliance – Hankerson**

Nothing to report at this time.

**f. Healthiest Weight – Hankerson**

Nothing to report at this time.

**g. Legislation – Helmer**

Nothing to report.

**h. Probable Cause – C. Kocik and M. Helmer**

There should be a meeting within the next few weeks.

**i. Rules – Feeney**

Nothing to report.

**j. Unlicensed Activity – Feeney**

Nothing to report.

Section XI concluded: 10:13 a.m.  
Section XII began: 10:13 a.m.

**XII. NEXT MEETING DATE: October 20, 2017**

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**XIII. ADJOURNMENT**

Mr. Gerrity adjourned the meeting at **10:13** a.m.