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FLORIDA | Board of Nursing Home Administrators

MINUTES
July 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 **Vote:** 5 yeas / 0 opposed; motion carried.

97
98 **Section II concluded: 9:06 a.m.**

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

100
101 **III. APPLICANTS PRESENTED FOR BOARD REVIEW:**

102
103 **James Forristal**

104
105 Present. Not represented by counsel. Mr. Forristal answered positive for criminal
106 history. In lieu of the internship, Mr. Forristal took 9 credit hours of coursework
107 to equal the internship. AHCA had already granted Mr. Forristal an exemption.
108 Mr. Forristal was approved for the 1,000 hours of internship.

109
110 **Action:** Motion to accept the application made by Mr. Lipman. Second made by
111 Dr. Hankerson.

112 **Vote:** 5 yeas / 0 opposed; motion carried.

113
114 **Section III concluded: 9:13 a.m.**

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

116
117 **IV. RATIFICATION:**

118 **Licensure**

119
120 **Nursing Home Administrators**

121
122 **Action:** Motion to ratify the issuance of Nursing Home Administrator licenses
123 numbers 658 - 670, was made by Mr. Gerrity. Seconded by Dr. Hankerson.

124 **Vote:** 5 yeas / 0 opposed; motion carried.

125
126 **Nursing Home Administrators (Exam)**

127
128 **Action:** Motion to approve exam eligibility for file numbers 5412-5667 for the
129 profession of Nursing Home Administrators was made by Mr. Gerrity.
130 Seconded by Dr. Hankerson.

131 **Vote:** 5 yeas / 0 opposed; motion carried.

132
133 **Administrator-in-Training**

135 **Action:** Motion to approve file numbers 5660, 5664, and 5646 for the 1,000 hour
136 program made by Mr. Gerrity. Second by Dr. Hankerson.
137 **Vote:** 5 yeas / 0 opposed; motion carried.

138
139 **Action:** Motion to approve the 2,000 hour program with the file numbers: 5640,
140 5658, 5316, 5655, 5647 made by Mr. Gerrity. Second by Dr. Hankerson.
141 **Vote:** 5 yeas / 0 opposed; motion carried.

142 **Preceptors**

143
144
145 **Action:** Motion to approve the following file numbers: NH 3501, NH 4776, NH
146 4160, NH 4527, NH 4957, NH 5411 made by Mr. Gerrity. Second by Dr.
147 Hankerson.
148 **Vote:** 5 yeas / 0 opposed; motion carried.

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

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

151 **V. PROSECUTION REPORT:**

152
153
154 Mr. Delia gave the following information:

155
156 Current Cases: **18**

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

158 Under Legal Review: **6**

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

161
162 The board expressed concern about the backlogged cases. Discussion ensued. Mr.
163 Delia assured the board there were different reasons for the delays in prosecution
164 services however, there would be a probable cause panel within the next couple of
165 months.

166
167 **Action:** Motion to approve Prosecution Services the ability to continue
168 prosecuting 1-year and older cases made by Mr. Gerrity. Second by Dr.
169 Hankerson.

170 **Vote:** 5 yeas / 0 opposed; motion carried.

171 **Section V concluded: 10:07 a.m.**

172 **Section VII began: 10:07 a.m.**

173 **VI. BOARD COUNSEL REPORT:**

174
175
176 June / July 2017 Rules Report

177
178
179 Ms. Munson referenced the Rule 64B10-12.0001, F.A.C. (fees) became effective
180 on May 23, 2017. The Rule 64B10-14.004 and its changes became effective on

181 July 12, 2017.

182
183 Effective July 1, 2017, the new SERC question regarding Minor Violations was
184 discussed by Ms. Munson. This question will be asked for every new rule that
185 changes.

186
187 Ms. Munson discussed the Annual Regulatory Plan with the board members. Mr.
188 Gerrity must delegate signature authority to Dr. Spivey for the plan to go ahead.
189 Ms. Munson needs a document in writing from Mr. Gerrity to Dr. Spivey showing
190 the delegation of signature authority from the board chair to the executive
191 director.

192
193 **Action:** Motion to delegate signature authority from the Mr. Gerrity to Dr. Spivey
194 made by Mr. Gerrity. Second by Dr. Hankerson.

195 **Vote:** 5 yeas / 0 opposed; motion carried.

196
197 Dr. Hankerson moved Mr. Gerrity has the delegation authority to follow-up on the
198 board counsel's request.

199
200 **Action:** Motion made from the board counsel to the board chair to delegate
201 signature authority to the board chair in order to approve the Annual Regulatory
202 Plan so it can be submitted by October 1, 2017 made by Dr. Hankerson. Second
203 by Mr. Gerrity.

204 **Vote:** 5 yeas / 0 opposed; motion carried.

205
206 **Section VI concluded: 9:28 a.m.**

207 **Section IX began: 9:28 a.m.**

208
209 **VII. CHAIR/VICE CHAIR REPORT:**

210
211 Mr. Gerrity reported next week is the Florida Health Conference. There will be a
212 preceptorship there. Mr. Gerrity is planning to attend. Dr. Spivey updated the
213 board about current department travel policies. This meeting will be held in
214 Orlando. Dr. Spivey will follow-up with the board members about travel
215 reimbursement for attending this conference.

216
217 **Section VII concluded: 10:09 a.m.**

218 **Section VIII began: 10:10 a.m.**

219
220 **VIII. EXECUTIVE DIRECTOR'S REPORT:**

221
222 The Board Chair/Vice-Chair's Meeting will be held in Tallahassee on September
223 18, 2017.

224
225 **Section VIII concluded: 10:11 a.m.**

226 **Section X began: 10:11 a.m.**

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IX. OLD BUSINESS:

a. Continuing Education (Hankerson)

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

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

Vote: 5 yeas / 0 opposed; motion carried.

Section IX concluded: 9:43 a.m.
Section V began: 9:43 a.m.

X. NEW BUSINESS:

Nothing to report.

Section X concluded: 10:11 a.m.
Section XI began: 10:11 a.m.

XI. COMMITTEE REPORTS:

a. AIT/Preceptor – Kocik/Gerrity/Lipman

Nothing to report.

b. Budget – Helmer

The budget report was on the agenda for review.

Totals for Nursing Home Administrators:
\$82,937.96 - Licensed
\$46,663.92 - Unlicensed
\$129,601.88 - Total

c. Continuing Education – Feeney

Nothing to report.

d. Credentials – Lipman

i. NHA Licensure Requirement Summary

- 277 **e. Disciplinary Compliance – Hankerson**
278
279 **Nothing to report at this time.**
280
281 **f. Healthiest Weight – Hankerson**
282
283 **Nothing to report at this time.**
284
285 **g. Legislation – Helmer**
286
287 **Nothing to report.**
288
289 **h. Probable Cause – C. Kocik and M. Helmer**
290
291 **There should be a meeting within the next few weeks.**
292
293 **i. Rules – Feeney**
294
295 **Nothing to report.**
296
297 **j. Unlicensed Activity – Feeney**
298
299 **Nothing to report.**
300

301 **Section XI concluded: 10:13 a.m.**
302 **Section XII began: 10:13 a.m.**
303

304 **XII. NEXT MEETING DATE:**

305
306 **October 20, 2017**

307
308 **XIII. ADJOURNMENT**

309
310 **Mr. Gerrity adjourned the meeting at 10:13 a.m.**