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FLORIDA | Board of Nursing Home Administrators

MINUTES

October 20, 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, October 20, 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 made aware
50 that these proceedings were being recorded and that an audio file of the meeting will be posted to
51 the board's website.
52

53 **AGENDA**

54 **Section I started at: 9:11 a.m.**
55

56 **I. CALL TO ORDER (Roll Call):**

57 Henry Gerrity, III, NHA, Chair
58 Scott Lipman, MHSA, NHA, Vice-Chair
59 Chantelle Kocik, MBA, NHA
60 Patricia Feeney, RN, BSN, HCRM
61 Christine Hankerson, MSN, MS/P, Ph.D., RN
62 Michael Helmer, BA
63 William Phelan, MS, CAE
64

65 **BOARD STAFF PRESENT:**

66 Anthony Spivey, D.B.A., Executive Director
67 Gail Curry, Program Operations Administrator
68 Brandi May, Regulatory Supervisor
69 Frank Grunewald, III, Regulatory Specialist II
70 Kellee Crowson, Regulatory Specialist II
71

72 **BOARD COUNSEL:**

73 Rachelle Munson, Assistant Attorney General
74 Office of the Attorney General
75

76 **PROSECUTION COUNSEL:**

77 Peter Delia, Assistant General Counsel
78

79 **COURT REPORTER:**

80 For the Record
81 (850) 222-5491
82

83 Meeting was turned over to Mr. Gerrity, Board Chair.
84

85 **Section I ended: 9:12 a.m.**

86 **Section II began: 9:12 a.m.**
87

88 **II. APPROVAL OF MINUTES:**

89
90 a. July 28, 2017 (Teleconference)

91
92 **Action:** Motion to approve the minutes made by Dr. Hankerson. Second by Mr.
93 Helmer.

94
95 **Vote:** 7 yeas / 0 opposed. Motion carried.

96
97 **Section II ended: 9:13 a.m.**
98 **Section III began: 9:13 a.m.**

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

101
102 **a. Love Predelus**

103
104 Present. Not represented by counsel. Dr. Predelus completed the AIT Program without
105 having first submitting an application to be approved by the board. Dr. Predelus stated
106 she was not aware of this requirement. Ms. Predelus stated the preceptor was not aware
107 he needed to submit any documentation. The preceptor Mark Rayner was not on the call.
108 The board discussed there may need to be a website revision or a mass email sent out to
109 all of the preceptors to remind them about obtaining prior approval from the board
110 prior to starting an applicant's preceptorship.

111
112 **Action:** Motion to deny the application made by Mr. Gerrity. Second made by Dr.
113 Hankerson.

114
115 **Vote:** 6 yeas / 1 opposed. Motion carried.

116
117 **b. Kennie R. Rodriguez**

118
119 Present. Not represented by counsel. The applicant answered positive for criminal
120 history.

121
122 **Action:** Motion to approve the application made by Ms. Kocik. Second made by Mr.
123 Gerrity.

124
125 **Vote:** 7 yeas / 0 opposed.

126
127 **Section III ended: 9:31 a.m.**
128 **Section IV began: 9:31 a.m.**

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130 **IV. RATIFICATION:**

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132 **a. Licensure**

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134 **Action:** Motion to ratify the Nursing Home Administrators license numbers 6102-6130.
135 Second made by Dr. Hankerson.

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137 **Vote:** 7 yeas / 0 opposed. Motion carried.

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i. Nursing Home Administrators

Action: Motion ratify file numbers 5525-5718 made by Mr. Gerrity. Second made by Mr. Helmer.

Vote: 7 yeas / 0 opposed. Motion carried.

ii. Nursing Home Administrators (Exam)

Action: Motion to ratify the file numbers 5694-5674 for the 1000 hour program made by Mr. Gerrity. Second made by Dr. Hankerson.

Vote: 7 yeas / 0 opposed. Motion carried.

iii. Administrator-in-Training

Action: Motion to ratify the file numbers 5702-5687 for the 2000 hour program made by Mr. Gerrity. Second made by Dr. Hankerson.

Vote: 7 yeas / 0 opposed. Motion carried.

iv. Preceptors

b. Continuing Education

i. Continuing Education Providers & Courses approved by CE Committee Chair

Action: Motion to approve the providers as presented by Ms. Feeney made by Dr. Hankerson. Second made by Ms. Kocik.

Vote: 7 yeas / 0 opposed. Motion carried.

ii. Continuing Education Providers & Courses approved by Board Staff

Action: Motion to approve the continuing education courses approved by board staff made by Mr. Gerrity. Second made by Dr. Hankerson.

Vote: 7 yeas / 0 opposed. Motion carried.

Section IV ended: 9:36 a.m.
Section V began: 9:36 a.m.

185 **V. PROSECUTION REPORT:**

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Mr. Delia gave the prosecutor’s report.

Open Cases: **13**

Cases 1-year or older: **4**

Dr. Hankerson requested an update at a future board meeting on the one remaining case in the 2015 inventory.

Action: Motion to continue to prosecute cases 1-year and older made by Dr. Hankerson. Second made by Mr. Gerrity.

Vote: 7 yeas / 0 opposed.

Section V ended: 9:40 a.m.

Section VI began: 9:40 a.m.

VI. BOARD COUNSEL REPORT:

a. September 2017 Rules Report

Ms. Munson discussed the adoption of the two rules that had become effective earlier in the year regarding fees and disciplinary guidelines with a range of penalties. The Board has opened for Rule Development 64B10-15.001 at the last meeting. The Rule opening was intended to make continuing education less restrictive.

b. Annual Regulatory Plan 2017-2018

Ms. Munson discussed the Annual Regulatory Plan. The Plan does not restrict any rules from being looked at or proposing changes to. Ms. Munson will follow-up with Dr. Hankerson about this rule.

Section VI ended: 9:47 a.m.

Section VII began: 9:47 a.m.

VII. CHAIR/VICE CHAIR REPORT:

The Chair/Vice-Chair Meeting that had been scheduled for September 18, 2017 was cancelled due to Hurricane Irma. It has been rescheduled for April 23, 2018 and will be held in Tallahassee.

Section VII ended: 9:48 a.m.

Section VIII began: 9:48 a.m.

232 **VIII. EXECUTIVE DIRECTOR'S REPORT:**

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234 The date of the new Chair/Vice-Chair meeting is scheduled tentatively for April 23,
235 2018 to be held in Tallahassee.

236

237 **Section VIII ended: 9:49 a.m.**

238 **Section X began: 9:49 a.m.**

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240 **X. NEW BUSINESS:**

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242 Dr. Spivey spoke about travel justifications. Mr. Lipman discussed issues with some of
243 the NAB exam questions. Dr. Hankerson expressed frustration that travel approval
244 was taking so long when the budget allowed for it. Dr. Hankerson felt this profession
245 needed more networking due to being over such a vulnerable population. Ms. Feeney
246 rejoined the call after being disconnected for approximately 10 minutes. Discussion
247 ensued. Mr. Lipman will be contacting the NAB. Dr. Spivey explained when an exam is
248 being reviewed, only one board member will be permitted to go the actual testing site
249 and review the exam. Mr. Lipman will be attending the NAB Meeting in November. The
250 item to be put on the next agenda is deciding how to assist the NAB with exam questions.

251

252 **Section X ended: 10:10 a.m.**

253 **Section XI began: 10:10 a.m.**

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255 **XI. COMMITTEE REPORTS:**

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

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259 Ms. Kocik suggested sending a mass email to all of the preceptors to attend the next
260 board meeting. Dr. Hankerson agreed to this suggestion to help make preceptors and
261 interns aware of their responsibilities. Dr. Spivey agreed to assist with the mass email to
262 the preceptors. Ms. Munson suggested a written agenda item for the next board meeting
263 just for information only purposes for the 1000 hour and 2000 hour program. The board
264 does not want to set a precedent that proper procedures do not have to be followed.

265

266 **Action:** Motion to rescind the earlier motion involving the applicant Love Predelus that
267 denied her application and move to table the application to the next board meeting made
268 by Ms. Feeney. Second made by Mr. Helmer.

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270 **Vote:** 5 yeas / 2 opposed. Motion carries.

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272 b. Budget – Helmer

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274 Beginning cash 920,075. Expenses of 237,190. The ending cash balance is 682,885. Mr.
275 Helmer received five different budget reports from the department.

276

277 c. Continuing Education – Feeney

278 Nothing to report.

279 d. Credentials – Lipman
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281 Nothing to report.
282 i. NHA Licensure Requirement Summary
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284 e. Disciplinary Compliance – Hankerson
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286 Nothing to report.
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288 f. Healthiest Weight – Hankerson
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290 Nothing to report.
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292 g. Legislation – Helmer
293
294 Mr. Helmer discussed the executive order due by November 14 regarding generators
295 for nursing homes. The hurricane earlier in the year may bring about some legislation
296 for nursing homes this coming year. Dr. Spivey instructed the board members not to
297 discuss any cases that could be in the future. Bill Salem will contact Florida Health
298 and Living Age to attend these meetings.
299
300 h. Probable Cause – Helmer
301
302 Nothing to report.
303
304 i. Rules – Feeney
305
306 Nothing to report.
307
308 j. Unlicensed Activity – Feeney
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310 Nothing to report.
311
312 **Section XI ended: 10:51 a.m.**
313 **Section XII began: 10:51 a.m.**
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315 **XII. NEXT MEETING DATE:** January 26, 2018
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317 **XIII. ADJOURNMENT:**
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319 Meeting adjourned at 10:52 a.m.
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