

FLORIDA | Board of Nursing Home Administrators

MINUTES
January 14, 2020

Florida Department of Health
4042 Bald Cypress Way
Tallahassee, Florida 32399



Henry Gerrity III, NHA, *Chair*
Scott Lipman, MHSA, *Vice-Chair*
Anthony Spivey, DBA, *Executive Director*

The Florida Board of Nursing Home Administrators held a meeting on Tuesday, January 14, 2020, commencing at 9:00 a.m. This meeting was held at the Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida, at meet me number (888) 585-9008, participant code 136-103-141, to which all persons were invited to attend. Participants in this public meeting were made aware that these proceedings were being recorded and that an audio file of the meeting will be posted to the board's website.

AGENDA

Section I began: 9:02 a.m.

1 **I. CALL TO ORDER (Roll Call)**

- 2
3 Henry Gerrity, III, NHA Chair
4 Scott Lipman, MHSA, Vice- Chair
5 Chantelle Kocik, MBA, NHA
6 Patricia Feeney, RN, BSN, CRM
7 Christine Hankerson, MSN, MS/P, Ph.D., RN
8 Michael Helmer, BA

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10 **Board Staff Present:**

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12 Dr. Anthony Spivey, DBA, Executive Director
13 Gail Curry, Program Operations Administrator
14 Carla Raby, Regulatory Supervisor
15 Frank Grunewald, Regulatory Specialist
16 Keri Kilgore, Regulatory Specialist

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18 **Board Counsel:**

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20 Rachelle Munson, Assistant Attorney General

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22 **Prosecution Services:**

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24 Rose Garrison, Assistant General Counsel

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26 **Court Reporter:**

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28 For the Record
29 (850) 222-5491

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31 **Section I ended: 9:04 a.m.**

32 **Section II began: 9:04 a.m.**

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34 **II. APPROVAL OF MINUTES:**

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a. October 25, 2019

Action: Motion to approve the meeting minutes made by Mr. Helmer. Second made by Mr. Gerrity.

Vote: 6 yeas/0 opposed. Motion Carried.

Section II ended: 9:04 a.m.
Section III began: 9:04 a.m.

III. PROSECUTION REPORT

Ms. Garrison provided statistics regarding the prosecutions currently open in the Department.

Total cases: 25
Cases older than one year continued for prosecution: 3

Action: Motion to continue prosecuting cases over one year made by Mr. Gerrity. Second made by Dr. Hankerson.

Vote: 6 yeas/0 opposed. Motion Carried.

Section III ended: 9:06 a.m.
Section IV began: 9:06 a.m.

IV. APPLICATIONS FOR REVIEW:

a. Ian Sahadeo

Present, not represented by counsel.

Action: Motion to approve application for licensure made by Dr. Hankerson. Second made by Mr. Gerrity.

Vote: 6 yeas/0 opposed. Motion Carried.

Section IV ended: 9:10 a.m.
Section V began: 9:10 a.m.

V. RATIFICATION:

a. Licensure

i. Nursing Home Administrators

81 **Action:** Motion to ratify the approval of licensees made by Mr. Gerrity. Second made by Ms.
82 Kocik.

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84 **Vote:** 6 yeas/0 opposed. Motion Carried.

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86 **ii. Administrator-in-Training**

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88 **Action:** Motion to ratify the approval 1,000 hours made by Mr. Gerrity. Second made by Dr.
89 Hankerson.

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91 **Vote:** 6 yeas/0 opposed. Motion Carried.

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93 **Action:** Motion to ratify the approval 2,000 hours made by Mr. Gerrity. Second made by Dr.
94 Hankerson.

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96 **Vote:** 6 yeas/0 opposed. Motion Carried.

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98 **iii. Preceptors**

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100 **Action:** Motion to ratify the approval made by Mr. Gerrity. Seconded made by Dr. Hankerson.

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102 **Vote:** 6 yeas/0 opposed. Motion Carried.

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104 **b. Continuing Education**

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106 **i. CE Providers & Courses approved by Board Staff**

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108 **Action:** Motion to ratify the approval of courses made by Dr. Hankerson. Seconded by
109 Mr. Gerrity.

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111 **Vote:** 6 yeas/0 opposed. Motion Carried.

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113 **ii. CE Providers & Courses approved by CE Committee Chair**

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115 **Action:** Motion to ratify the approval of courses made by Mr. Lipman. Second made by Mr.
116 Gerrity.

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118 **Vote:** 6 yeas/0 opposed. Motion Carried.

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120 **Section V ended: 9:19 a.m.**

121 **Section VI began: 9:19 a.m.**

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123 **VI. BOARD COUNSEL REPORT:**

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125 **i. December Rules Report**

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ii. Governor’s Rulemaking Directive

iii. Section 468.1735

iv. 64B10-11.011

v. 64B10-16.001

Action: Motion to open 64B10-11.011 to made by Mr. Gerrity. Second made by Dr. Hankerson.

Vote: 6 yeas/0 opposed. Motion Carried.

Statement of Estimated Regulatory Costs (SERC) Question were asked by Board Counsel Rachel Munson.

1. Will the proposed Rule amendment have an adverse impact on the small business or be likely to directly or indirectly increase regulatory cost to any industry including Government in excess of \$200,000 in the aggregate in Florida within 1 year of after the implementation of the rule?

Action: Motion that there will be no impact made by Mr. Lipman. Second made by Mr. Gerrity.

Vote: 6 yeas/0 opposed. Motion Carried.

2. Should a violation of this rule or any part of this rule be designated a minor violation?

Action: Motion made by Mr. Lipman to say no. Second made by Mr. Gerrity.

Vote: 6 yeas/0 opposed. Motion Carried.

3. Is it the recommendation of this Board that this rule or intended change to the rule include a Sunset Provision?

Action: Motion made by Mr. Gerrity that it will not have a Sunset rule. Second made by Mr. Lipman.

Vote: 6 yeas/0 opposed. Motion Carried.

64B10-11.002

Tabled until next meeting.

Section VI ended: 9:59 a.m.

Section VII began: 9:59 a.m.

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VII. CHAIR/VICE CHAIR REPORT:

Mr. Gerrity reported that everything is moving smoothly.

Section VII ended: 10:00 a.m.
Section VIII began: 10:00 a.m.

VIII. EXECUTIVE DIRECTOR’S REPORT:

Dr. Spivey advised that applications that were presented to the Board earlier. These new applications are being proposed for the Boards review. These applications will be placed on the website for applicants to use to apply for various items in this profession. Dr. Spivey went on to explain that the new applications are designed to be easier to use by the applicants.

- i. Administrator-In-Training
- ii. Examination/Endorsement Temporary
- iii. Preceptor
- iv. Re-exam
- v. Nursing Home Administrators by Examination

Action: Motion made by Mr. Lipman to approve all new applications. Second made by Mr. Gerrity.

Vote: 6 yeas/0 opposed. Motion Carried.

Statement of Estimated Regulatory Costs (SERC) Question were asked by Board Counsel Rachel Munson. Rules will need to be updated with new revised date.

1. Will the proposed Rule amendment have an adverse impact on the small business or be likely to directly or indirectly increase regulatory cost to any industry including Government in excess of \$200,000 in the aggregate in Florida within 1 year of after the implementation of the rule?

Action: Motion that there will be no impact made by Mr. Gerrity. Second made by Dr. Hankerson.

Vote: 6 yeas/0 opposed. Motion Carried.

2. Should a violation of this rule or any part of this rule be designated a minor violation?

Action: Motion made by Mr. Gerrity to say it will not. Second made by Mr. Lipman.

Vote: 6 yeas/0 opposed. Motion Carried.

3. Is it the recommendation of this Board that this rule or intended change to the rule include a Sunset Provision?

Action: Motion made by Mr. Lipman that it will not have a Sunset rule. Second made by Mr.

219 Gerrity.

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221 **Vote:** 6 yeas/0 opposed. Motion Carried.

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223 vi. Delegation of Authority

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225 **Action:** Motion made by Dr. Hankerson to accept the Delegation of Authority list as presented.

226 Second made by Mr. Lipman.

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228 **Vote:** 6 yeas/0 opposed. Motion Carried.

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230 vii. Election of Officers

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232 **Action:** Motion made by Mr. Lipman to have post remain in place for the following year.

233 Second made by Dr Hankerson.

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235 **Vote:** 6 yeas/0 opposed. Motion Carried.

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237 **Section VIII ended: 10:15 a.m.**

238 **Section IX began: 10:15 p.m.**

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240 **IX. OLD BUSINESS:**

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242 Ms. Feeney discussed the possibility of her no longer serving on the Board.

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244 **Section IX ended: 10:21 a.m.**

245 **Section X began: 10:21 a.m.**

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247 **X. NEW BUSINESS:**

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249 i. State Licensure Exam by NAB

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251 Mr. Lipman requested that the Board office contact NAB and make sure that they are provided

252 with a copy of the current Florida Statutes & Administrative Codes.

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254 **Section X ended: 10:30 a.m.**

255 **Section XI began: 10:30 a.m.**

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257 **XI. COMMITTEE REPORTS**

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

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261 Mr. Gerrity reported that things continue to be ongoing. Mr. Lipman reported that things are

262 ongoing and coming through regularly. Ms. Kocik reported that everything is going well

263 nothing to report.

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b. Budget – Helmer

Nothing to report.

c. Continuing Education – Feeney

Nothing to report.

d. Credentials – Lipman

i. NHA Licensure Requirement Summary

Nothing to report.

e. Disciplinary Compliance – Hankerson

Nothing to report.

f. Healthiest Weight – Hankerson

Dr. Hankerson asked the Board office to check on the link for Healthiest Weight to be added to the NHA site.

g. Legislation – Helmer

Nothing to report.

h. Probable Cause – Kocik

Nothing to report.

i. Rules – Feeney

Nothing to report.

Unlicensed Activity – Feeney

Nothing to report.

Section XI ended: 10:33 a.m.
Section XIII began: 10:33 a.m.

305 **XII. PUBLIC COMMENTS:**

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307 None.

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309 **Section XII ended: 10:33 a.m.**

310 **Section XII began: 10:33 a.m.**

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312 **XIII. NEXT MEETING DATE:**

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314 **April 10, 2020**

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316 **Section XII ended: 10:33 a.m.**

317 **Section XV began: 10:33 a.m.**

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319 **XIV. ADJOURNMENT:**

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321 Mr. Gerrity made a motion to adjourn the meeting. Second made by Mr. Lipman. Meeting
322 adjourned at 10:33 a.m.