

FLORIDA BOARD OF NURSING HOME ADMINISTRATORS

GENERAL BOARD MEETING January 15, 2021 at 9:00 A.M. EST

Call-in # 888-585-9008
Participation Code: 136-103-141



Scott Lipman, MHSA, NHA
Chair

Jon Hennemyre, NHA
Vice Chair

Janet E. Hartman, Interim
Executive Director

**Nursing Home Administrators Meeting Draft Minutes
January 15, 2021**

Participants in these public meetings were made aware that these proceedings are being recorded and that an audio file of the meeting will be posted to the board's website.

Board Members:

Scott Lipman, MHSA, NHA – Vice Chair
Jon Hennemyre, NHA
Christine Hankerson, MSN, MS/P, Ph.D., RN
Philip DeBiasi, Consumer
Kimberly Biegasiewicz, Consumer

Attorneys:

Rachelle Munson, Assistant Attorney General

Board Staff:

Anthony B. Spivey, DrBA - Executive Director
Dontavia Wilson, Program Operations Administrator

Court Reporter:

For the Record – (850) 222-5491

Call to Order

The meeting was called to order by the Executive Director at 9:00 a.m.

Roll Call

Board Members:

Scott Lipman, MHSA, NHA – Vice Chair
Jon Hennemyre, NHA
Christine Hankerson, MSN, MS/P, Ph.D., RN
Philip DeBiasi, Consumer
Kimberly Biegasiewicz, Consumer

Attorneys:

Rachelle Munson, Assistant Attorney General
Kimberly Marshal, Assistant General Counsel
Chad Dunn, Assistant General Counsel

Board Staff:

Anthony B. Spivey, DrBA - Executive Director
Dontavia Wilson, Program Operations Administrator
Frank Grunewald, Regulatory Specialist II
Keri Kilgore, Regulatory Specialist II

Approval of Minutes

October 30, 2020- A motion was made by Dr. Hankerson to approve the minutes. Mr. DeBiasi seconded the motion and it passed unanimously.

Prosecutor's Report

The report was given by Kimberly Marshal. Ms. Marshal asked the Board to allow Prosecution Services to continue to prosecute cases that were a year old or older.

Dr. Hankerson made a motion to allow Prosecution Services to continue to prosecute cases that were a year old or older and to accept the report as is. Dr. Lipman seconded the motion and it passed unanimously.

Petition for Waiver/Variance

Samantha Pierce- Not Present. Discussion ensued. Dr. Hankerson stated she would like to hear from Ms. Pierce. Other Board members agreed. Dr. Hankerson made a motion to table the review of the Petition for Waiver/Variance. Ms. Biegasiewicz seconded the motion and it passed unanimously.

Applications Presented for Review

Tamika Omodara- Present. Ms. Biegasiewicz made a motion to approve the application. Dr. Lipman seconded the motion and it passed unanimously.

Laurena Pinner- Present. Dr. Lipman made a motion to approve the application. Dr. Hankerson seconded the motion and it passed unanimously.

Final Order

Mark Daniels, Case # 2020-12067- Present with Attorneys Christopher M. David and Joshua Salmon. Chad Dunn presented the case. Mr. Daniels' attorneys presented his case. Discussion ensued. Dr. Hankerson made a motion to accept the settlement agreement as presented. The motion was not seconded and failed. Ms. Biegasiewicz made a motion to reject the settlement agreement. Mr. DeBiasi seconded the motion and it passed with Dr. Hankerson in opposition. Discussion ensued. Mr. DeBiasi made a motion to approve the settlement agreement with the amendment that Mr. Daniels be allowed to return to work at this time (all time already served), with \$9000.00 in costs. Dr. Hankerson seconded the motion and it passed unanimously. Mr. David indicated that the terms were acceptable for his client. Mr. Dunn indicated that the terms were acceptable to the Department.

Ratification

Licensure

1. Nursing Home Administrators- A motion was made by Dr. Hankerson to approve the ratification of Nursing Home Administrators license numbers 6633-6659. Ms. Biegasiewicz seconded the motion and it passed unanimously.
2. Administrator-in-Training
 - a. 1,000-hour- A motion was made by Dr. Hankerson to accept ratification of AIT 1,000-hour files listed in the agenda. Dr. Lipman seconded the motion and it passed unanimously.
 - b. 2,000-hour- A motion was made by Dr. Hankerson to accept ratification of AIT 2,000-hour files listed in the agenda. Ms. Biegasiewicz seconded the motion and it passed unanimously.

Continuing Education

NHA Providers Approved by Board Staff- Dr. Lipman made a motion approve the NHA Providers Approved by Board Staff. Dr. Hankerson seconded the motion and it passed unanimously.

NHA Courses Approved by Board Staff- Dr. Lipman made a motion approve the NHA Courses Approved by Board Staff. Dr. Hankerson seconded the motion and it passed unanimously.

Continuing Education

NHA Providers Approved CE Committee Chair- Dr. Hankerson made a motion to approve the providers. Ms. Biegasiewicz seconded the motion and it passed unanimously.

NHA Courses Approved CE Committee Chair- Dr. Hankerson made a motion to approve the courses. Ms. Biegasiewicz seconded the motion and it passed unanimously.

Board Counsel Report

1. December Rules Report- Ms. Munson let the board know that the report was included in the agenda.
2. January Rules Report- Ms. Munson let the board know that the report was included in the agenda. Ms. Munson spoke about the changes to Rules 64B10-13.200 and 64B10-16.001, F.A.C.

Chair/Vice Chair Report

Dr. Lipman indicated that he was inundated with AIT reports.

Executive Director's Report

Dr. Spivey spoke about the need to fill the committee representative positions and probable cause panels vacated by previous Board members.

Old Business

None

New Business

None

Committee Reports

- a. **AIT/Preceptor –Lipman-** He indicated that he was inundated with AIT reports.
- b. **Budget –** Dr. Spivey indicated that the document was included in the agenda.
- c. **Continuing Education – Hankerson-** She has approved some and she continues to get new ones.
- d. **Credentials – Lipman-** Nothing to report.
- e. **Disciplinary Compliance – Hankerson-** Nothing to report.
- f. **Healthiest Weight – Hankerson-** She thanked the Board for the link on the website and encouraged the new Board members to familiarize themselves with it.
- g. **Legislation –** Dr. Lipman indicated that session will start March 3, 2021.
- h. **Probable Cause – Lipman-** Dr. Lipman discussed that the panels were ongoing.
- i. **Rules –** Nothing to report.
- j. **Unlicensed Activity –** Nothing to report.

Board Elections

Dr. Hankerson made a motion to nominate Dr. Lipman as Board Chair. Mr. DeBiasi seconded the motion and it passed unanimously.

Mr. DeBiasi made a motion to nominate Dr. Hankerson as the Vice Chair. Dr. Hankerson turned down the nomination. Dr. Hankerson made a motion to nominate Dr. Hennemyre for Vice Chair. Mr. DeBiasi seconded the motion and it passed unanimously.

The Board discussed filling the vacancies:

AIT- Dr. Hennemyre and Ms. Biegasiewicz indicated
Probable Cause Panel- Dr. Lipman and Ms. Biegasiewicz
Legislation- Mr. DeBiasi
Budget- Mr. DeBiasi
Rules- Mr. DeBiasi
Unlicensed Activity- Mr. DeBiasi

Dr. Spivey indicated that Ms. Pierce was unable to attend today's meeting and asked when the Board wanted to meet to hear her petition. Dr. Hankerson asked that Board Staff send some suggested dates to the Board members. Dr. Lipman asked Dr. Spivey to see if Ms. Pierce was available at this time.

Public Comments

Edwin Shoman asked, "If they were able to get credit for attending the board meeting today?" Discussion ensued. Ms. Munson stated that this would need to be addressed via petition since Rule 64B10-15.001(8), F.A.C., indicates that to earn credit individuals would have to attend one full day at an in-person meeting. Dr. Hankerson asked if there was anyway the Board could provide information to the NHAs about this process. Discussion ensued. Dr. Hankerson made a motion to open up the rule to provide clarification on the rule based on the current method of meeting are being held. Dr. Lipman seconded the motion and it passed unanimously.

Petition for Waiver/Variance

Samantha Pierce- Present. Ms. Pierce waived the noticing requirement so that the Board can hear petition at this time. Ms. Biegasiewicz made a motion to approve the petition. Dr. Hankerson seconded the motion and it passed unanimously.

Dr. Hankerson made a motion to review the AIT application to ensure that it matches the Rule about AITs. Dr. Lipman seconded the motion and it passed unanimously.

Dr. Spivey reported to the Board that he will be retiring at the end of March and that they will probably have a new Executive Director by the next meeting. The Board expressed its gratitude for his service.

Mr. Grunewald asked who would be participating in the preceptor interviews. Dr. Lipman indicated that he will participate in the preceptor interviews.

Next Meeting Date

April 9, 2021

Adjournment

Ms. Biegasiewicz made a motion to adjourn the meeting. Mr. Lipman seconded the motion and it passed unanimously.

Meeting adjourned at 12:14 p.m.