

FLORIDA BOARD OF NURSING HOME ADMINISTRATORS

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

Meet Me #:

888-585-9008

Participation Code:

136-103-141



**Scott Lipman, MHSA, NHA
Chair**

**Jon Hennemyre, NHA
Vice Chair**

**Janet E. Hartman, Interim
Executive Director**

Board Members:

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

Board Staff:

Janet E. Hartman, Interim Executive Director
Dontavia Wilson, Program Operations Administrator

Board Counsel:

Rachelle Munson, Assistant Attorney General

Court Reporter:

For the Record

Participants in this public meeting should be aware that these proceedings are being recorded. An audio file of the meeting will be posted on the Florida Board of Nursing Home Administrators website.

Telephones should be muted upon entering the meeting site to remove background noises. Speakers will be recognized by the Chair and will be requested to unmute at that time. Your assistance with following these instructions will ensure a smooth meeting process.

Call to Order

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

Roll Call

Board Members:

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

Board Staff:

Janet E. Hartman, Interim Executive Director
Dontavia Wilson, Program Operations Administrator

Board Counsel:

Rachelle Munson, Assistant Attorney General

Welcome

Mr. Lipman welcomed all new members of the last meeting in January and thanked everyone for their participation.

Approval of Minutes

January 15, 2021- A motion was made by Dr. Hankerson to approve the minutes with the following corrections: the spelling of Ed Shoman's name and the rule referenced of 64B10-16.001 instead of 64B15.001. 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. Mr. Lipman seconded the motion and it passed unanimously.

Mr. Lipman instructed all administrators on the call that would like to acquire CEU credit for participating on the call to unmute and identify themselves.

Petition for Variance/Waiver

Edwin Shoman, 801/4082- *Present*. Ms. Biegasiewicz made a motion to approve the 3-hour continuing education credit for attending the January board meeting this year. Ms. Hankerson seconded the motion. Motion passed unanimously.

Final Order

Voluntary Relinquishment

Sherry A. Flach- 801/5444 (Case No. 2019-10961) –*Not present*. Elexis Wolis, legal counsel, spoke on behalf of Ms. Flach. Mr. Hennemyre made a motion to accept the voluntary relinquishment. Dr. Hankerson seconded. Motion passed unanimously.

Ratification

A. Licensure

- **Nursing Home Administrators-** Dr. Hankerson made a motion to approve the ratification list of license numbers of 6664-6706. Ms. Biegasiewicz seconded the motion and it passed unanimously.
- **Administrator-In-Training**
 - 1,000-hour program- A motion was made by Dr. Hankerson to accept the file numbers 6348-6377 listed in the agenda. Mr. Lipman seconded the motion and it passed unanimously.
 - 2,000-hour program- A motion was made by Dr. Hankerson to accept the file numbers 6423-6425 listed in the agenda. Ms. Biegasiewicz seconded the motion and it passed unanimously.
 - **Preceptors-** A motion was made by Dr. Hankerson to approve the list of file numbers of 5638-43637. Mr. DeBiasi seconded the motion and it passed unanimously.

- B. **Continuing Education** – A motion was made by Dr. Hankerson to approve the continuing education from the chair for the Quality Surgical Management. Mr. Lipman seconded the motion and it passed unanimously.

Board Counsel Report

March Rules Report

- 64B10-15.001 – Bates 1210- CE rule has been submitted for review for a couple of reasons. Subsection (2)(A) we have allowed for the biennium cycle ending 2020 and the adjustment to the language to allow for continuing education to be approved even if they were not conducted in person. The current rule reads for the renewal period ending Sept 30, 2020 the requirements reference requiring live and in-person to be waived for each licensee with a clear/active license. The licensee may complete the continuing education by means not requiring live or in person attendance.

Ms. Munson ask the board if the Board would like to have the date extended to the biennium of September 30, 2022 and if they would like to extend to other license statuses.

Discussion ensued.

The new language will read: For the period beginning October 1, 2020- December 31, 2021 the requirement reference in the subsection requiring LIVE and in-person attendance is waived for each licensee. The licensee may complete the continuing education by means not requiring live or personal attendance by the January 2022 board meeting the board will re-access.

A motion was made by Mr. Hennemyre to approve the revised language. Dr. Hankerson seconded the motion and it passed unanimously.

A motion was made by Mr. Lipman to approve a sunset provision attached to this rule. Ms. Biegasiewicz seconded the motion and it passed unanimously.

Rule adoption: Subsection (8) granting continuing education 3 credits of attending an in-person board meeting.

Revised language: A licensee may obtain up to 3 contact hours of continuing education credits per biennium by attending an official business meeting of the full board held in-person, by telephone conference, or by video conference. For virtual and telephonic meeting, the licensee shall announce their presence at the beginning of the meeting, remain for the duration of the meeting, and be available for a roll call confirmation at the close of the meeting. For meeting held in person, the licensee shall sign in with board staff before the meeting, remain in continued attendance, and sign out with board staff at the end of the meeting. The board chair or designee will announce the number of continuing education credits earned at the conclusion of the meeting.

A motion was made by Dr. Hankerson to adopt this permanent rule language. Mr. Hennemyre seconded the motion and it passed unanimously.

Subsection (9) strikes area of risk management. Subsection (10) also strikes the area of risk management.

A motion was made by Mr. Lipman to remove the language if irrelevant. Dr. Hankerson seconded the motion and it passed unanimously.

Ms. Hartman stated that medical errors are credited in a different way. As the rule reads now it does not specify as medical errors or HIV/AIDS. Those are two areas of which any other course credit would be recorded as general credit hours. Medical Errors and HIV would remain as an individual CE requirement any other course hour goes into this category. She believes Ms. Munson suggested that the removal of risk management from the rule gives the licensees a clear picture of where their CE credits will be counted.

A motion was made by Mr. Lipman to include this language to the rule. Dr. Hankerson seconded the motion and it passed unanimously.

- 64B10-16.001(AIT) the preceptor agreement form has been included in the material and as the board recalled at the previous meeting where an individual applied for or submitted a petition for bifurcation AIT training program and board staff felt it may be clear to add language of the rule and the reference to the rule to show when the program should began. This was added to the application for clarification.

A motion was made by Dr. Hankerson to add this language to the application. Mr. Lipman seconded the motion and it passed unanimously.

Chair/Vice Chair Report

None

Executive Director's Report

None

Old Business

None

New Business

None

Committee Reports

- a. **AIT/Preceptor –Lipman/Hennemyre/Biegasiewicz** - He's reviewing and interviewing a lot of preceptors for the past month. indicated that he was inundated with AIT reports.
- b. **Budget –Executive Director-** None.
- c. **Continuing Education – Hankerson-** It's Ongoing. She thanked Ms. Kilgore for her help.
- d. **Credentials – Lipman-** Nothing to report. He thanked the board for all of their help.
- 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 – Lipman-** Dr. Lipman indicated that the governor has signed the bill to provide liability relief for all businesses including Nursing Homes.
- h. **Probable Cause – Lipman/ Biegasiewicz** - Dr. Lipman discussed that the panels were ongoing.
- i. **Rules –Lipman** Nothing to report other than what Ms. Munson has reported earlier in the meeting.
- j. **Unlicensed Activity –Hennemyre-** Nothing to report.
- k. **Revenue Report-**Nothing to report.

Public Comments

Bernardo Carotenuto, (NHA4035). He enjoyed listening to the meeting. Currently teaching at the University of South Florida. Curious to know if there would be any continuing education credits for him based on the teaching experience? Ms. Munson directed him to the board staff to answer his question.

Next Meeting Date

The next scheduled meeting is July 27, 2021. Ben would like the board to take into consideration for the board meeting to be moved to another date. Mr. Lipman asked Ms. Hartman if this could be changed. Ms. Hartman stated she would coordinate with meeting planning to see what could be done.

Dr. Hankerson thanked Ms. Hartman for her input on clarification during the rule making.

Adjournment

Mr. Lipman made a motion to adjourn the meeting at 11:12 a.m. Dr. Hankerson seconded the motion and it passed unanimously.