

FLORIDA BOARD OF NURSING HOME ADMINISTRATORS GENERAL BOARD MEETING MINUTES

July 29, 2021 at 9:00 A.M. EST

<https://global.gotomeeting.com/join/850969461>



Scott Lipman, NHA, Chair

Jon Hennemyre, NHA, Vice Chair

Christina McGinnis, MPH, 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

Christina McGinnis, MPH, Executive Director
Dontavia Wilson, Program Operations Administrator

BOARD COUNSEL

Rachelle Munson, Assistant Attorney General

COURT REPORTER

For the Record Court Reporting – (850) 222-5491

Recording

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.

Participants are asked to mute themselves upon entering the meeting to reduce background noise. Participants will be recognized by the Chair when it is their turn to speak.

I) CALL TO ORDER

The meeting was called to order at 9:05AM.

A) Roll Call

BOARD MEMBERS

Scott Lipman, MHSA, NHA, Chair- *Present*
Jon Hennemyre, NHA, Vice Chair- *Present*
Christine Hankerson, MSN, MS/P, Ph.D., RN- *Present*
Kimberly Biegasiewicz, RN, MHA- *Present*
Philip DeBiasi- *Absent (excused)*

BOARD STAFF

Christina McGinnis, MPH, Executive Director- *Present*
Dontavia Wilson, Program Operations Administrator- *Present*

BOARD COUNSEL

Rachelle Munson, Assistant Attorney General- *Present*

II) APPROVAL OF MINUTES

A) April 9, 2021- Dr. Hankerson requested updates. Ms. Biegasiewicz made a motion to approve with amendments. Mr. Lipman seconded the motion and it passed unanimously.

III) PROSECUTORS REPORT

The report was reviewed by Zachary Bell. Mr. Bell asked the Board to allow Prosecution Services to continue to prosecute cases that were a year old or older. A motion was made by Ms. Biegasiewicz to allow Prosecution Services to continue to prosecute cases that were a year old or older. Mr. Lipman seconded the motion and it passed unanimously.

IV) APPLICATION PRESENTED FOR REVIEW

A) Bradley J. Cheek 801/6402. *Present*. A motion was made by Mr. Lipman to approve the

application. Ms. Biegasiewicz seconded the motion. Motion passed with Dr. Hankerson in opposition.

Recess: 9:20AM-9:25AM

A) Roll Call

BOARD MEMBERS

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

BOARD STAFF

Christina McGinnis, MPH, Executive Director- Present
Dontavia Wilson, Program Operations Administrator- Present

BOARD COUNSEL

Rachelle Munson, Assistant Attorney General- Present

V) NATIONAL ASSOCIATION OF LONG-TERM CARE ADMINISTRATOR BOARDS (NAB)

Annual Meeting Update- Ms. McGinnis presented the updated domains that will be updated on March 1, 2022 for exams. Currently, there are five domains, and these have been realigned to four beginning in 2022. There might need to be some rule work to update and realign with NAB's updated domains in 2022.

Discussion ensued.

Mr. Lipman asked the board office to map each line item to see if updates to rules are needed. Ms. McGinnis requested to work with a board member. Mr. Lipman volunteered to assist, and Ms. Biegasiewicz stated she would assist with this also. Ms. Munson also asked to participate in those conversations.

A)

VI) NAB DOMAIN UPDATE

Ms. McGinnis referenced four rules pertaining to the NAB domains. Florida Administrative Code (F.A.C.) 64B10-16.005 provide further details of practice. This will be discussed at the next board meeting.

VII) BOARD COUNSEL REPORT

A) **Board Counsel Memo**

B) **Rules Report**

1) June 2021- This report reflects rule 64B10-13.200 (Inactive Status and Renewal of Inactive License) became in affect at the April board meeting.

2) July 2021-Two requested rules open for development (64B10-16.001 & 64B10-15.001). Ms. Munson discussed and reviewed the currently opened rules.

C) **Rule 64B10-16.001:** General Information; Monitors- It was determined at the last board meeting to add this rule to the AIT application. This rule would clarify when the programs would become effective. The rule language itself did not show a refraction of the updated AIT application. The revised date which would have been April 2021; however, it's being secured at this meeting with the new date of July 2021. This matter was returned to the board only to reflect the updated language in the rule itself to show that the form is being amended or revised effective July or approved for a change.

D) **Rule 64B10-15.001:** Continuing Education for Licensure Renewal- Ms. Munson discussed a previous decision to extend the opportunity for licensing non-live or in person opportunities for education credit. She stated substantive information was received in that the attempted change cannot take place in CE Broker's system. Language was presented to the Board

regarding this suggestion to extend the opportunity for non-live, in person continuing education options through the end of the next biennium which would be October 1, 2020 through September 30, 2022 due to system limitations.

Marica Mann (CE broker Representative) explained from the technical standpoint that the transcripts are built in CE broker covers an entire two (2) year cycle so there's no way to break down the transcript into just one year. It has to be either the entire 2-year cycle or not at all.

Ms. Biegasiewicz asked for some clarification on this rule, of whether or not we're extending it for the full 2-year cycle versus at this point resuming normal in person continuing education (CEU) credits. Mr. Lipman agreed that this will allow for the rest of this period to be obtained hours any way they can and then it will basically end at the end of this biennium. Ms. Munson confirmed the amended version. Discussion ensued.

Mr. Lipman wanted clarification on any hours obtained prior to the Board rule amendment would be allowed and accounted for with CE Broker. Ms. Mann answered, yes that is correct. Ms. Mann stated, if there is a licensee who has already perhaps maxed out on the number of self-study hours that they can take, the system will reset and will allow all of those hours to count.

Discussion ensued.

- E) **Rule 64B10-14.004: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances-** Dr. Hankerson made a motion to accept the language provided. Mr. Lipman seconded the motion. Motion passed unanimously.
- F) **Annual Regulatory Plan Draft-** Mr. Lipman made a motion to ratify. Ms. Biegasiewicz seconded the motion. Motion passed unanimously.

VIII) **BOARD EXECUTIVE DIRECTOR APPROVAL**

Ms. Biegasiewicz made a motion to approve Christina McGinnis as the Board's Executive Director. Mr. Lipman seconded the motion. Motion passed unanimously.

IX) **EXECUTIVE DIRECTOR REPORT**

- A) **Proposed 2022 Meeting Dates-** Ms. McGinnis reviewed the tentative 2022 meeting schedule. Kim provided the conference date 7/31-8/03 at the Hyatt Regency. Ms. Munson recognized the January 2022 board meeting date is scheduled on a Saturday. Ms. McGinnis update the date to January 21, 2022/1/21/22. Currently, there are no conflicts with the proposed dates.
- B) **Quarter Three Budget Review-** Ms. McGinnis reviewed budget information with the board members.

X) **CHAIR/VICE CHAIR REPORTS**

None

XI) **COMMITTEE REPORTS**

- A) **AIT/Preceptor:** (*Mr. Hennemyre & Ms. Biegasiewicz*)- Coming in slowly. Preceptors came in today and all participated in the refresher course. There were participants (50-60 ppl) who attended and were receptive to the information given.
- B) **Budget:** (*Mr. DeBiasi*)- Ms. McGinnis reviewed budget information with the board members.
- C) **Continuing Education:** (*Dr. Hankerson*)- It is ongoing. There was a question that is currently being worked on.
- D) **Credentials:** (*Mr. Lipman*)- Moving along okay.
- E) **Disciplinary Compliance:** (*Dr. Hankerson*)- Nothing to report.
- F) **Legislation:** (*Mr. DeBiasi*)- Nothing to report.

- G) **Probable Cause:** (*Mr. Lipman & Ms. Biegasiwicz*)- Participated in a phone call with several cases and they are moving quickly. The cases dropped from forty-one to twenty-one.
- H) **Rules:** (*Mr. DeBiasi*)- Ms. Munson gave rules report earlier during the meeting.
- I) **Unlicensed Activity:** (*Mr. DeBiasi*)- Nothing to report.

XII) OLD BUSINESS

None.

XIII) NEW BUSINESS

None.

XIV) RATIFICATION

Licensure

- 1) **Nursing Home Administrators-** Dr. Hankerson made a motion to approve license numbers 6713-6765 for a total of 34. Mr. Lipman seconded the motion. Motion passed unanimously.
 - 2) **Administrator in Training-**
 - **1,000 hour-** Dr. Hankerson made a motion to approve file numbers 6449-6419. Mr. Lipman seconded the motion. Motion passed unanimously.
 - **2,000 hour-** Dr. Hankerson made a motion to approve file numbers 6490-6480. Mr. Lipman seconded the motion. Motion passed unanimously.
 - 3) **Preceptors-** Dr. Hankerson made a motion to approve 5243-5228 for a total of 8. Mr. Lipman seconded the motion. Motion passed unanimously.
- B) **Continuing Education-** Hankerson motion approve courses in conjunction with conversation with board staff. Lipman seconded the motion. Motion passed.

Mr. Lipman asked Ms. McGinnis to call out the name of attendees on the call to receive CE credit. Ms. Munson reminded the board and meeting attendees that the attendance for today's meeting is not an automatic approval as the rule is still in development. Any requested change will be by petition.

XV) PUBLIC COMMENTS

Toby Philpot- provided public comments on behalf of the Florida Health Care Association. Mr. Philpot stated the Association's board of directors voted unanimously to request the Board return to pre-COVID live, in-person and online regulations for continuing education beginning October 1, 2022.

Bernardo Carotenuto- provided public comments regarding a request for AIT instructors to receive continuing education. Mr. Lipman advised that the board will attempt to discuss at the next board meeting, alongside feedback Mr. Carotenuto is to collect from other instructors that are Nursing Home Administrators and submit to the board office.

Randy Keene- provided public comments in opposition of the Association, stating all continuing education should be online.

Dr. Hankerson requested to have future board meetings in person.

XVI) NEXT MEETING DATE

The next meeting is scheduled for October 22, 2021.

XVII) ADJOURNMENT

A motion was made by Dr. Hankerson to adjourn the meeting at 11:20AM. Ms. Biegasiwicz seconded the motion. Motion passed unanimously.