

**IOWA BOARD OF NURSING HOME ADMINISTRATORS**

**Origination Site: 5th Floor Professional Licensure Board Room 526  
Des Moines, Iowa 50319**

**January 21, 2010**

**REASON FOR THE CONFERENCE CALL**

Due to inclement weather conditions, an in-person meeting was not possible, and the meeting was held by conference call. In accordance with Iowa Code 21.8, access to the meeting was provided to members of the public through attendance at the origination site.

**CALL TO ORDER/INTRODUCTIONS**

The meeting was called to order at 11:05 a.m. by Chairperson, Mike Svejda.

**MEMBERS PRESENT**

Michael Svejda, NHA  
Joan Skogstrom, public member  
Patrice Herrera, RN, MSN  
Cynthia Thorland, NHA  
Mabel Mantel, public member  
Margaret Beaty, NHA  
Richard Mishler, CRNA

**MEMBERS ABSENT**

Joseph Hickey, LPN

**STAFF/OTHERS PRESENT**

Sharon Dozier, board executive  
Eileen Gloor, bureau chief  
Emily Kimes-Schwiesow, AAG  
Tony Alden, clerk specialist  
Marvin Firch, outreach and compliance educator

**APPROVAL OF AGENDA**

A motion was made by Mantel and seconded by Herrera to approve the agenda. The motion carried. Due to the weather, committees were unable to meet; therefore, applications and discipline were tabled.

**ELECTION OF OFFICERS**

Elections were held for the interim positions of chair and vice chair. The next regular elections will be held July 15, 2010. A motion was made by Mishler and seconded by Mantel to elect Svejda as chair and Thorland as vice chair. The motion carried with Skogstrom voting nay.

A motion was made by Skogstrom and seconded by Mantel to elect Svejda as chair and Herrera as vice chair. The motion failed. Joan clarified that Patrice has indicated a willingness to serve as chair for next year; hence, her motion was to provide for succession.

### **APPROVAL OF MINUTES**

A motion was made by Thorland and seconded by Mishler to approve the minutes of October 15, 2009. The motion carried.

### **REPORTS**

#### Board Executive- Sharon Dozier

The Discipline Committee meeting will be rescheduled. If immediate board action is needed prior to the next meeting, a conference call may be scheduled. The Discipline Committee also met on November 24, 2009. The committee is proposing a set of recommendations for submission to DIA, which would include changes in the information forwarded from the Health Facilities Division, and would be for a one year trial basis. A second meeting was held with DIA to discuss the preliminary recommendations, and will be further reviewed by their staff.

Following the October 15, 2009 board meeting, suggestions for peer reviewers were received. Four licensed nursing home administrators have agreed to serve as peer reviewers: John Doughty of Elk Horn, Sandy Ferguson of Spirit Lake, Heather Rehmer of Urbandale, and Chris Wolf of Alden.

The National Association of Long Term Care Administrator Boards (NAB) recently posted the highlights of the mid-year meeting held on October 28-30, 2009. Board members may access information in the meetings section at [nabweb.org](http://nabweb.org). The website also includes progress on the NAB initiative "Advancing Excellence in America's Nursing Homes." The board may wish to consider supporting the initiative in conjunction with its partners on the Best Practices Work Group when it reconvenes.

Bureau Chief- Eileen Gloor's full report is provided as an addendum.

AAG- Emily Kimes-Schwiesow noted that she and the other AAG's will provide a synopsis at board meetings on topics of interest to boards. This will be in addition to the annual review of guidelines for board members. Emily gave an overview of the distinction between statutes and administrative rules, and noted that the statute grants the board the authority for rulemaking. Emily recommended the board members familiarize themselves with the following chapters: Iowa Administrative Procedures Act (17A), 21, 147, 155, and 272C. Joan asked if there will be a requirement for board members to have electronic access to meeting information in order to avoid situations in which a board member is unaware of a meeting. It was clarified that this is not, nor will be required. Cynthia noted that she has not experienced a change until today's meeting. She added that members are responsible for having meeting dates on their calendars, and can check if there are questions.

Marvin Firch- reported that he has a power point presentation on the discipline process to assist the public and licensees. Marvin will provide to Sharon for distribution and requests feedback from members prior to posting the information on the Bureau website.

## **PUBLIC COMMENT**

There were no public comments.

## **NEW BUSINESS**

The Discipline Committee recommendations were discussed. A motion was made by Skogstrom and seconded by Mishler to adopt the Discipline Committee's recommendations to DIA. DIA will be informed that the Board has approved the recommendations, and a response will be requested.

## **RULES**

A motion was made by Mantel and seconded by Thorland to adopt ARC 8334B, the amendments to 645 IAC, Chapters 4, 14, and 15. Motion carried.

## **APPLICATIONS**

There was no report from the Licensure Committee since no meeting was held.

## **COMPLAINTS**

Complaints were tabled until the next board meeting.

## **NEXT MEETING**

The next meeting will be held on April 15, 2010.

## **ADJOURNMENT**

Mishler made a motion to adjourn the meeting at 12:04 p.m. Thorland seconded the motion. The motion carried.

The minutes were approved by the board on April 15, 2010.

**Bureau of Professional Licensure  
Bureau Chief Report  
1/01/10 – 3/31/10**

- 1. Legislation and rulemaking** The 2010 legislative session convened on January 11. The funnel dates that allow bills to progress are February 12 and March 5. The 80<sup>th</sup> day of the session will be March 31. Primary issues to be addressed by the legislature include health care health care reform and the state budget. The Bureau of Professional Licensure submitted four requests for legislative changes in the Department's 2010 Technical Bill. These were for the Boards of Barbering, Cosmetology, Respiratory Care and Optometry. As we receive requests to make statutory changes or administer new licensure boards, I submit legislative assessments and fiscal notes with the input of the board executives, and we attend legislative subcommittee meetings upon request. When proposed legislation impacts with other boards such as medicine or nursing, the boards work together to provide consistent information regarding the impact of a proposed bill on public protection. When administrative rule changes are reviewed by the year round Administrative Rules Review Committee, the Board Executives provide information about the content of the changes, outcome of the public hearing, and public comment received. In some instances, Board members participate in the meetings to provide a professional perspective and articulate how rule changes proposed by the board benefit public protection.
- 2. Budget** The Department will continue to evaluate and respond to the impact of the overall state budget on public health services and workforce in SFY10. To date, IDPH has not experienced a substantive reduction in force. Our professional licensure staff is taking either 5 or 7 mandated unpaid days through June 30, depending on whether they are contract or non-contract employees. Thus far, all requests for the boards' professional memberships have been approved. No travel request for board members or staff may be submitted. PL staff members have been diligent in selecting furlough days that are spread over the coming months to assure the person who serves as their backup is informed about priority issues, allowing our work to progress as seamlessly as possible. Although the absence of any staff member is felt in an environment as busy as ours, we do not anticipate the boards will be significantly disadvantaged by the budget restrictions and we do not anticipate changes in our staff through the remainder of this fiscal year.
- 3. Activities of the Bureau Outreach and Compliance Educator** Marvin Firch has met with the 19 boards to describe the purpose of this new position and offer his services to improve compliance with Iowa's licensure statutes and rules. Marvin is currently accepting invitations to present information about the work of the licensure boards. He is developing educational materials that will be accessible to the public to better explain the complaint and disciplinary processes, and reinforce the link between licensure and public protection.

Several boards have identified projects that target Marvin's availability to travel within the state and meet with licensees, professional organizations, employers, students, and consumers. I encourage you to tap into his expertise and his focus on the positive aspects of licensure.

- 4. New Look on the Boards' Public Web Pages** The Bureau has changed the look of two public web pages to make information more accessible and easier for users to navigate. Since 2001 the boards have posted, on their individual Discipline and Public Actions page, those documents related to board actions that are public by law. Until now, the only way users could access information was by calendar year. This often made it difficult to link items that extended into another year. Under the new Channels system, users may select a board and sort disciplinary and public actions by licensee name, date, or location. The system does not provide a search option. However, users may use the Ctrl F function to insert a name that will be highlighted on the list. This option allows our Discipline Office staff to manage web postings, eliminating the need to submit requests to our IM Bureau. As in the past, public actions taken before October 2001 are available in hard copy and via CD. Additionally, the Bureau is using the Channels system to post meeting agendas, minutes, and related documents together under the date of the board meeting. Under the new system, which is also managed by our own staff, information will be available for the current year, the upcoming year, and the past year. Users who seek minutes from meetings two or more years in the past will be directed to contact the board office.
- 5. Internship Opportunity Posted** The Bureau has posted an internship opportunity for a graduate student to develop a program designed to educate salon owners, managers, and employees on matters related to Cosmetology licensure rules. In this case, the Bureau is interested in an individual who is familiar with Asian languages and customs. If such an intern is found, he/she will formulate a written plan to integrate a special populations component into other licensure boards' educational materials, and will recommend enhancements to board websites that increase their usefulness to diverse populations.
- 6. Measures of Success** Twice each year the Bureaus are required to report how well they have met performance measures. Our 19 boards have met or exceeded projected their targets for both licensure and discipline. The Bureau prints renewal notices and licenses in house, and licensure fees are processed and reconciled every business day. During SFY2009, the Bureau printed and mailed 22,177 licenses and wallet cards. In almost 100% of cases, printing and mailing is conducted within three business days when all required items are on file in the board office. In SFY09, the 19 boards in total received 415 complaints. The boards respond to 100% of signed complaints. Throughout the year, total of 213 cases were referred to the Department of Inspections and Appeals for investigation and 202 investigations were

completed. Our ability to work efficiently is largely the result of experienced staff and the commitment of board members to assuring public protection through licensure, rulemaking, and discipline of incompetent or unethical practitioners. On behalf of our Bureau I would like to thank you for the work you do and encourage you to help us identify areas for improvement.

- 7. Microsoft 2007** The Department of Public Health upgraded to Microsoft 2007 in fall 2009. Board members are encouraged to consider a similar upgrade in order to receive materials.