

IOWA BOARD OF NURSING HOME ADMINISTRATORS

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

April 15, 2010

CALL TO ORDER/INTRODUCTIONS

The meeting was called to order at 11:03 a.m. by Chairperson, Mike Svejda. Mike welcomed new board member Jeannine Bunge, and asked for introductions of everyone present at the meeting.

MEMBERS PRESENT

Michael Svejda, NHA
Joan Skogstrom, public member
Patrice Herrera, RN, MSN
Cynthia Thorland, NHA
Mabel Mantel, public member
Jeannine Bunge, NHA

MEMBERS ABSENT

Joseph Hickey, LPN
Richard Mishler, LPN

STAFF/OTHERS PRESENT

Sharon Dozier, board executive
Eileen Gloor, bureau chief
Chantelle Smith, AAG (present for New Business agenda item)
Tony Alden, clerk specialist
Marvin Firch, outreach and compliance educator

APPROVAL OF AGENDA

A motion was made by Thorland and seconded by Mantel to approve the agenda. The motion carried.

APPROVAL OF MINUTES

A motion was made by Mantel and seconded by Herrera to approve the minutes of January 21, 2010. The motion carried.

REPORTS

Board Executive- Sharon Dozier

Sharon gave an update on the current makeup of the board and the makeup of the Board effective May 1, 2010. Sharon read Beatty's resignation letter.

Status of recommendations to DIA: The board recommendations to DIA on revising the referral of survey information were provided following the January 21, 2010 meeting. To date, a

response has not been received. Sharon recommended forming a separate committee to review fining and citation reports that are received from DIA. The committee could meet on a quarterly basis just prior to the board meetings.

Information from NAB regional conference call and update on annual meeting: Sharon and Eileen attended a conference call on March 31, 2010. The NAB officers discussed attendance at the national meeting and states' travel restrictions, and there was discussion of a video teleconference of the Board meeting. NAB is recruiting continuing education reviewers. The fifth edition of the NAB study guide will be available soon. The annual meeting is June 9 – 10, 2010. The Bureau has submitted the state requests for Sharon and Cynthia to attend.

Skogstrom made a motion to designate Thorland as a voting representative at the national meeting with Dozier as the alternate. Herrera seconded the motion. Motion carried unanimously.

Bureau Chief- see addendum for full report. In addition, Eileen welcomed new board member Jeannine Bunge.

AAG- Not present

Chair- Mike Svejda made the following committee appointments:

Discipline – Skogstrom, Herrera, Svejda, Bunge

Licensure – Mantel, Thorland

Citations – Mantel, Thorland

OLD BUSINESS

Process for review of DIA citations: Skogstrom moved and Herrera seconded a motion to send a letter to DIA asking them to follow the board recommendations and provide a written response. The motion carried unanimously.

NEW BUSINESS

Dennis Mack, provisional application to serve at the Iowa Veterans Home:

Chantelle Smith, AAG, clarified the difference between the Board legal authority for provisional administrators, and DIA's authority for the licensed facilities. She noted that the Board authority is limited to the approval of an individual and issuance of a provisional in accord with the Iowa Code chapter 155 and the board rules. DIA has rulemaking authority and jurisdiction for regulating facilities.

Thorland moved and Herrera seconded a motion to approve the provisional application submitted by Dennis Mack. The motion passed unanimously.

PUBLIC COMMENT

There were no public comments.

RULES

Amendments to common rules Chapter 4: The draft rule amendments concerning continuing education audits for the 19 boards were reviewed. The board gave consensus to notice.

APPLICATIONS

Herrera moved and Thorland seconded a motion to accept the Licensure Committee report. The committee approved the requests of three applicants listed on the addendum to the agenda.

COMPLAINTS

Mantel made a motion to go into closed session in accordance with Iowa Code section 21.5(1) “a” and “d.” Herrera seconded the motion. Roll call vote:

Michael Svejda, aye
Joan Skogstrom, aye
Patrice Herrera, aye
Cynthia Thorland, aye
Mabel Mantel, aye
Jeannine Bunge, aye

The board went into closed session at 12:42 p.m. The board returned to open session at 1:37 p.m. The following actions were taken:

Motion was made by Thorland and seconded by Mantel to accept the settlement agreement in Case # 06-005, Respondent Melissa Larson. The motion carried with the following votes:

Michael Svejda, aye
Joan Skogstrom, nay
Patrice Herrera, aye
Cynthia Thorland, aye
Mabel Mantel, aye
Jeannine Bunge, aye

Motion was made by Herrera and seconded by Mantel to Close Case # 07-005. The motion carried unanimously.

Motion was made by Thorland and seconded by Mantel to Close Case # 07-006. The motion carried unanimously.

Motion was made by Herrera and seconded by Mantel to Close Case # 08-004. The motion carried unanimously.

Motion was made by Herrera and seconded by Mantel to have the AAG draft charges in Case # 08-007. The motion carried unanimously.

Motion was made by Herrera and seconded by Mantel to have the AAG draft charges in Case # 08-008. The motion carried unanimously.

Motion was made by Herrera and seconded by Mantel to Close Case # 09-003. The motion carried unanimously.

Motion was made by Herrera and seconded by Mantel to Close Case # 09-005. The motion carried unanimously.

Motion was made by Herrera and seconded by Mantel to Close Case # 09-006. The motion carried unanimously.

Motion was made by Herrera and seconded by Mantel to Close Case # 10-001. The motion carried unanimously.

Motion was made by Herrera and seconded by Mantel to Close Case # 10-005. The motion carried unanimously.

Motion was made by Herrera and seconded by Mantel to Close Case # 10-006. The motion carried unanimously.

NEXT MEETING

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

ADJOURNMENT

Thorland made a motion to adjourn the meeting at 1:49 p.m. Skogstrom seconded the motion. The motion carried.

The minutes were approved by the board on July 15, 2010

**Iowa Board of Nursing Home Administrators
Addendum to the April 15, 2010 Minutes**

**Bureau of Professional Licensure
Bureau Chief Report
4/01/10 – 6/30/10**

- 1. Legislation and rulemaking** The 2010 legislative session adjourned March 30. Both the IDPH Omnibus Bill and the Technical Bill passed successfully. No new boards were created within the Bureau of Professional Licensure. Rulemaking will continue throughout the year to better define statutory changes and in response to new board actions. When administrative rule changes are reviewed by the Administrative Rules Review Committee, the Board Executives provide information about the content of each change, outcome of every public hearing, and summary of public comments 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. Board appointments** Within the Bureau of Professional Licensure, Governor Culver appointed 19 new board members. All have been confirmed by the Senate and will begin serving their first terms on May 1, or earlier if they are filling a vacancy. Additionally, 23 board members were reappointed to second or third terms. Almost an equal number of board members have completed one or more terms of service, including 10 who served the maximum 9 years on a single board.
The Department has published a press release and new board member names will be posted on the individual boards' websites on May 1.
- 3. AAG reports** At the first meeting of each board following May 1 the board's AAG will present and discuss a handout entitled *Guidelines for Board Members*. This is an opportunity to reinforce the information provided to new board members in their orientation binders and face-to-face orientation with the Bureau Chief. It also gives current board members an opportunity to discuss new information and ask their AAG questions that may have arisen about their role during the previous year. The seven AAGs who provide legal guidance to our boards will also present a brief educational session at each quarterly public meeting on a topic selected with the input of the board executives. The topic this quarter, *Policy Statements by Professional Licensing Boards*, is based on a Memorandum prepared by Julie Pottorff, Deputy Attorney General.
- 4. Budget** The Department continues to evaluate and respond to the impact of the overall state budget on public health services and workforce. Bureau staff members are completing either 5 or 7 mandated unpaid days before the end of FY10 on June 30, 2010. The staff is staggering their furlough time as creatively as possible to minimize the impact on productivity. Travel restrictions remain in effect for Board members and staff. Memberships in professional organizations continue to be approved based on justification of their necessity to assure access to national licensure examinations and maintain licensure functions. Director Newton and the IDPH Executive Team continue to evaluate and respond to budget mandates.

- 5. State early retirement incentive** The Bureau will be impacted by the State's early retirement program which is designed to reduce personnel and replacement costs. The departments will be permitted to replace no more than 50% of positions vacated through the program, and must demonstrate a 50% cost saving when doing so. Employees who leave employment under the program must do so by June 24, 2010 and agree not to be employed by the State of Iowa in any capacity other than appointment to a board or commission. Eligible employees must submit their application by April 15, 2010. Immediately after that time, the Department will formulate a plan for replacing employees who leave. The plan must be approved by the Department of Public Health, Department of Administrative Services, and Department of Management. Employees who have been approved to leave our Bureau under this plan include two board executives, each of whom administer four boards, our discipline office coordinator, and the Bureau Chief. Those individuals are working diligently together and with other staff to make this significant transition as seamless as possible for the boards.
- 6. Outreach and compliance** Bureau staff member Marvin Firch is now actively working with the boards to increase compliance through outreach and education. He has prepared and presented information throughout the state on the complaint process, participated in in-state meetings of professional organizations upon request, assisted to develop and implement a pilot project to survey licensed cosmetology schools, published an article in the Des Moines Register about the purpose of the boards, and assisted the Department to issue press releases. He is currently completing a project is to create CDs with PowerPoint slides and a voice-over option for inclusion in new board member orientation binders, and for use by board members and board chairs regarding the role, processes, and informational resources of the 19 professional licensure boards.
- 7. Semi-annual meeting with DIA investigators** On April 22, 2010, the Bureau will host an educational meeting with the four investigators who are employed by the Department of Inspections and Appeals, and supported by licensee fees, to conduct an average of 21 investigations each month for the licensure boards. These semi-annual meeting are valuable to the Bureau and DIA as an opportunity to identify the best methods to conduct investigations and provide inclusive and timely reports to the boards so they make fully informed decisions.
- 8. Guidelines for meal receipts** Board members are requested to adhere to the guidelines for submitting meal receipts fully in order to receive reimbursements. The guidelines identify the seven items that must be included with every meal receipt. Because credit card receipts are not acceptable, board members must be diligent in requesting and reviewing receipts at the time of service. The guidelines will be available at meetings and upon request at any time.
- 9. Bureau relocation** The Bureau is scheduled for relocation to the building that was previously Mercy Capitol on the Capitol Complex within the coming months. Professional Licensure will share physical space with the Plumbing Board and Emergency Medical Services. More information will be provided when available.