

**MEETING MINUTES**  
**BOARD OF NURSING HOME ADMINISTRATION**  
July 14, 2015

These minutes were approved by the Board on October 13, 2015

**1. ROLL CALL**

The meeting of the Board of Nursing Home Administration was called to order by Kevin Moriarty, Chair, at 1:05 p.m., at the Nebraska State Office Building, Lower Level Room D, Lincoln, Nebraska. Copies of the agenda were mailed to the Board Members and other interested parties in accordance with the Open Meetings Law. The following members answered roll call:

<b><u>Members Present:</u></b>	
Scott Bahe	- Vice-Chair
Amy Fish	- Member
Renea Gernant	- Member
Karen Jones	- Member
Kevin Moriarty	- Chair
C. Dean Schmid	- Member
<b><u>Members Absent:</u></b>	
Kathryn Hajj	- Member
Debra Sutton	- Secretary
Alexander Willford	- Member (arrived 1:09 p.m.)
<b><u>Others Present:</u></b>	
Kris Chiles	- Program Manager, Licensure Unit
Ed Vierk	- Assistant Attorney General
1 public person	

**2. ADOPTION OF AGENDA**

**Motion:** Fish moved, seconded by Schmid, to adopt the agenda. A roll call vote was taken. Voting aye: Bahe, Fish, Gernant, Jones, Moriarty, Schmid (6). Voting nay: none (0). Absent: Hajj, Sutton, Willford (3). Motion Carried.

1:09 a.m. - Willford entered meeting

**3. APPROVAL OF MINUTES (4-14-15)**

**Motion:** Bahe moved, seconded by Willford, to approve the 4-14-15 meeting minutes. A roll call vote was taken. Voting aye: Bahe, Fish, Gernant, Jones, Moriarty, Schmid, Willford (7). Voting nay: none (0). Absent: Hajj, Sutton (2). Abstain: None (0). Motion Carried.

**4. INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION - CLOSED SESSION**

**MOTION:** Fish moved, seconded by Schmid, to enter into closed session at 1:10 p.m. to hear discussions of investigative reports, and for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Bahe, Fish, Gernant, Jones, Moriarty, Schmid, Willford (7). Voting Nay: None (0). Absent: Hajj, Sutton (2). Motion carried.

1:12 p.m. - Moriarty departed meeting (conflict)

**MOTION:** Gernant moved, seconded by Schmid, to enter into open session at 1:54 p.m. A roll call vote was taken. Voting aye: Bahe, Fish, Gernant, Jones, Schmid, Willford (6). Voting Nay: None. (0). Absent: Hajj, Sutton, Moriarty (3). Motion carried.

1:54 p.m. - Moriarty and public person entered meeting

## **5. APPLICATION REVIEW AND RECOMMENDATION – OPEN SESSION**

### **a. Convictions / Practice Prior to Application / Education / Reinstatements**

There are two applications being reviewed by Fish and Gernant for equivalency with Nebraska requirements, where the AIT was completed out of state.

## **6. UNFINISHED BUSINESS**

### **a. Education Committee Report Relating to Proposed Legislative Changes to Statutes and Regulation Revisions (educational requirements)**

Participants at the June 23, 2015 committee meeting were thanked. Those in attendance at the June meeting included representatives from UNO, Bellevue, SECC, LeadingAge, and Nebraska Health Care Association, plus Moriarty, Gernant and Fish from the Board. It was reported that 90% of the discussion at the legislative hearing, regarding the proposed legislative bill, surrounded the ineffective AIT program. The outcome of the meeting was a proposal to hold a preceptor summit for the purpose of obtaining information relating to what are the roadblocks to being a preceptor and training AITs in facilities. There was a suggestion to do a survey first to gather information.

2:07 p.m. - Bahe departed meeting  
2:08 p.m. - Vierk departed meeting

The survey would gather information on availability to participate in a summit and phone numbers and emails. It was suggested that if a summit were held, that perhaps it could be coordinated with LeadingAge and Nebraska Health Care Association. Additionally, it should be noted that NAB and American College are developing best practices for preceptors and this information would be helpful during future discussions.

2:11 p.m. - Bahe entered meeting  
2:13 p.m. - Vierk entered meeting

There was a suggestion of making monthly reports broad versus specific content and to create a preceptor guidance document for training. The public person stated that Wisconsin was putting together a training of 4 hours for preceptors along with a manual.

Some possible questions for the survey could be:

- How long have you been a preceptor?
- How many have you trained in the past 3 years?
- If not a preceptor in past 3 years, why? Time commitment, team support, company will not allow?

Doing a survey would provide time to develop summit meetings and it would set out the focus. Fish will draft the survey. She will obtain input on the survey questions from LeadingAge, NHCA, SECC and Board members. It was discussed that having a survey should help to define the problems and then the focus of the summit could look for solutions. The goal is to have the survey results by the next meeting.

### **b. Other**

There was no information to report.

## **7. NEW BUSINESS**

### **a. United States Supreme Court Decision (North Carolina State Bd. of Dental Examiners v. FTC)**

Vierk reported that there was a Supreme Court case involving the North Carolina dental board and the Federal Trade Commission (FTC) where the dental board had issued cease and desist orders to unlicensed

individuals who were providing teeth whitening services. The Supreme Court determined that when there is an anticompetitive action by a board comprised of members of the profession, they need to prevent situations where they may be furthering their private interests. Vierk commented that if there were a situation where a board wanted to issue a cease and desist order, they should discuss it with their Assistant Attorney General and their Department legal representative.

**b. Reports/Updates**

- **National Association of Long Term Care Administrator Boards (NAB)**

Fish attended the NAB meeting in June. She worked on the hospice and home health committee. She reported best practice was to increase the AIT to 1000 hours for education programs that are approved by NAB.

2:42 p.m. - Vierk departed meeting

Fish reported that the NAB examination has 5 domains which are weighted; in 2007 the weighted percentages were changed. There was an examination applicant who complained and NAB did a review using the old weights to score rather than the new weights. The review did not show that the different weights affected test scores. With examination writing, there is cross over between domains and then there is a question which domain should the question be under. The Education Committee and NAB determines the examination content weights.

- **LeadingAge Nebraska**

There was no information to report.

- **Nebraska Health Care Association**

The Association is wondering how the new leadership of Medicaid may affect NHA in terms of reimbursement.

- **Disciplinary and Non-Disciplinary Actions Taken**

There were no actions to report.

- **Statistics: AIT/Mentoring/ Examination / Licensure / Administrative Penalties**

Chiles reported the following statistics:

NHA	394
Preceptor	81
Mentoring	6
AIT	4
Provisional NHA	17
Oversee more than 1 facility	18

Chiles distributed the list of current preceptors.

**c. Other**

It was discussed that for future meetings when the agenda was light, that perhaps there could be a conference call meeting. Also suggested looking at other options, i.e. visual meeting.

**8. ADJOURNMENT**

Chair, Moriarty, declared the meeting adjourned at 2:57 p.m.

Respectfully submitted,

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Debra L. Sutton, Secretary  
Board of Nursing Home Administration

Summarized by: Nancy Herdman, Health Licensing Coordinator