



**Board of Nursing Home Administrators  
Minutes  
February 5, 2016**

**Time:** 9:00 a.m.

**Location:** **Department of Health**  
Point Plaza East, Room 153  
310 Israel Road SE  
Tumwater, WA 98501

**Board Members Present:** Harry Aubert, NHA, Chair  
Keith Fauerso, NHA  
Diana Miller, Public Member  
Ann Zell, NHA  
Linda McKinney, RN  
Marlita Basada, RN

**Staff Present:** Kendra Pitzler, Program Manager,  
Linda Kuntz, Program Support,  
Joanne Miller, Credentialing  
Shannon Beigert, Director of OII  
Mark Triplett, Deputy Director of Legal Services  
Gail Yu, Assistant Attorney General  
Marlee, O'Neill, Supervising Staff Attorney  
Chris Gerard, Staff Attorney

**Not Present:** Buffy Howard, NHA, Vice-Chair  
Donette Parry, PTA  
Carl Christensen, RN, PHD,

**Open Session:**

**1. Opening – Harry Aubert, Chair- DISCUSSION/ACTION**

- A. Call to Order – Mr. Aubert called the meeting to order at 9:05 a.m.
- B. Introductions – Board members, staff and guests introduced themselves.
- C. Order of Agenda - No changes were made to the order of the agenda.
- D. Correspondence – No correspondence was introduced at this time.
- E. Announcements – There were no announcements at this time.
- F. Other – There were no other items discussed at this time.

**2. Consent Agenda—Harry Aubert - DISCUSSION/ACTION**

**Board of Nursing Home Administrators**

**February 5, 2016**

**Minutes – Page 2**

A. Approval of the February 5, 2016 agenda - The motion was seconded and passed unanimously.

B. Approval of October 30, 2015 minutes – The motion was seconded and passed unanimously.

**3. Discussion of Items Removed from the Consent Agenda - DISCUSSION/ACTION.**  
No items were removed from the consent agenda.

**4. Presentation on Department of Health policy regarding sending complaints to other agencies – Shannon Beigert, Office Director for the Office of Investigation and Inspection and Mark Triplett, Deputy Director for the Office of Legal Services. - DISCUSSION/ACTION.**

Ms. Beigert stated that she and Mr. Triplett were asked to talk to the board to address the board's concern relating to how complaints are handled if the board doesn't have jurisdiction. Mr. Pitzler clarified that the board receives reports where the complaint is about the nursing home rather than the administrator. These complaints have been sent to Department of Health instead of to the Department of Social and Health Services where nursing homes are regulated. When the board feels they can't address these complaints and the DSHS is the appropriate agency to do so, the complainant is told to send the complaint to DSHS instead of the complaint being forwarded by DOH. Ms. McKinney stated that her main concern is about someone who is finally brave enough to bring their complaint forward being told weeks later that they sent it to the wrong place and they need to go elsewhere.

Mr. Triplett explained that there are a couple of issues preventing the department from sending the complaint to other agencies. First is the whistle blower law that protects a complainant's identity and second is a law that prevents the release of a complaint unless there is a public record request or an interagency agreement.

After further discussion, a motion was made to enter into an agreement with DSHS to exchange complaints that are pertinent to the other agency. The motion was seconded and passed unanimously.

Further discussion related to sending notice in an initial acknowledgement letter that DOH would look only at the administrator and that a complainant should send a copy to DSHS if they want the nursing home looked at. Mr. Triplett and Ms. Beigert stated that this may not be available due to workload issues.

However, it may be possible to change the DOH complaint web-site. Currently, a person would need to scroll down a ways to understand that DOH does not have jurisdiction over nursing homes. It may be possible to put some wording up front indicating that if someone is complaining against a nursing home, they should contact DSHS.

The board is hoping that concentrating on getting a memorandum of understanding will help clear this up soon.

**5. Licensing Update – Joanne Miller, - DISCUSSION/ACTION.**

- Nursing Home Administrator License Total Active – 419
- Nursing Home Administrator in Training (AIT) Approval Total Active – 12

**Board of Nursing Home Administrators**  
**February 5, 2016**  
**Minutes – Page 3**

Ms. Joanne Miller went over the licensing statistics that credentialing provided. She also provided statistics requested from the last meeting as follows:

- How many of the training credentials expired before going the full length for licensing?
  - Went back five years and found 75 credentials that went from approval to full license.
  - Out of 75 credentials, 73 were expired before we were able to give the full license.

Mr. Fauerso asked if an AIT site visit could be done a week before the Administrator in Training's completion date. Board members discussed this and acknowledged that many times, even in the current process, the final quarterly reports and project report are not received in time for the site visit.

The board made a motion that credentialing staff send Ms. Pitzler a 45 day head up so that she can schedule a site visit to take place a week before the AIT end date and that credentialing staff ask AIT participants to submit reports 30 days in advance of the AIT end date. The motion was seconded and passed unanimously.

**6. 2016 Legislative Session – Blake Maresh, DISCUSSION/ACTION.**

Mr. Maresh was not present for this report. Please refer to handout HSQA Legislative Meet Me Conference Call Bill Listing for February 2, 2016. Ms. Miller explained that on the Meet Me call there was a discussion about the percentage of board gender bill which was not well accepted. HB 2730, concerning the prescription drug monitoring program, was also discussed. In regards to nursing homes, the nurse could not do this with a phone call; they would need a prescription.

**7. Executive Director Report – Blake Maresh – DISCUSSION/ACTION.**

Mr. Maresh was not present. Ms. Pitzler presented the budget handout Board Report for the Nursing Home Administrator Board.

Ms. Yu spoke on the Citizen Advocacy Center handout regarding the Supreme Court's North Carolina Dental Decision. She suggested the board read the California attorney general opinion from September, 2015 for more information.

**8. Program Manager Report – Kendra Pitzler, - DISCUSSION/ACTION.**

**Rules:**

- Ms. Pitzler talked to the board about a change to the rules that was passed at the last meeting. The board had indicated that they want to accept state examinations if a licensee from another state was licensed before the NAB examination existed. Ms. Pitzler indicated that she researched this issue with NAB and found that before 1986, most states used either the NAB examination or an examination offered by Professional Examination Services (PES.) Only four states did not use one of these examinations and two of those states did not require an examination. She suggested that the board approve language to accept either the NAB or the PES examination if a

**Board of Nursing Home Administrators**  
**February 5, 2016**  
**Minutes – Page 4**

person was licensed before 1986. A motion was made to change the language as suggested. The motion was seconded and passed unanimously.

- Ms. Pitzler also talked to the board about the language in WAC 246-843-070. Current language does not state the required course for new administrators must be taken through the Department of Social and Health Services but it was noted that it is offered only by the Department of Social and Health Services (DSHS.) The proposed rule changes the language to state that the course is taken through DSHS. Ms. Pitzler stated that she had spoken to representatives of DSHS and they are uncomfortable with the current proposal because they cannot assure that they will always be able to offer this course. Board members suggested changing the language to allow a board approved course. This would allow additional organizations to offer the course if they want to but it would first need board approval. A motion was made to change the language as suggested. The motion was seconded and passed unanimously.
- Ms. Pitzler also indicated that with these additional changes, the rules could not be ready for hearing by the next board meeting on May 6, 2016. Based on the time it takes for Department approval, it has been suggested that the hearing take place on or after the week of June 13, 2016. Some members can attend by phone if necessary. The board agreed that the hearing should be held on June 17, 2016 at 9:00 a.m.

**Board interaction with state associations:** At the last meeting, the board voted to interact and speak more with both the Washington Health Care Association (WHCA) and LeadingAge to describe what the board is about and how it benefits their organization. Ms. Pitzler asked the board how they wanted to go about doing this, indicating that these organizations have both statewide conferences and regional board meetings. Ms. Pitzler indicated that conferences take place in May and June. Board members indicated that they would like to focus more on the statewide conferences and wanted to pursue speaking at the upcoming conferences in May and June. Mr. Fauerso will attend the Spokane LeadingAge meeting in June and is willing to speak at this meeting. The board moved that Ms. Pitzler ask these organizations if staff or board members would be able to speak at these upcoming meetings.

**National Association of Long Term Care Administrator Boards (NAB):** The NAB meeting will be held June 7-10, 2016 in Cleveland, OH. Ms. Pitzler asked if anyone present would like to attend. Board members present were unable to attend at this time. Members who have attended past meeting talked about how they benefitted from attending past meetings, which included gaining a better understanding of the work NAB is doing for continuum of care and networking with members from other boards. Members who have not yet been to a NAB meeting are encouraged to attend at least one. Ms. Pitzler will send an email inquiry to all board members asking if anyone is interested in attending this upcoming meeting.

**Eastern Washington University (EWU) Update:** Ms. Pitzler reported that she received an update from Mary Ann Keogh-Hoss, interim dean of the College of Health Science and Public Health at Eastern Washington University (EWU.) EWU has secured board members from Eastern Washington for their long-term care administrator program and are now looking for board members from Western Washington. They are in the final stages for their curriculum approval and need five people for the advisory board. They are currently looking for another one to two members. They expect to offer the long-term care administrator program beginning in the fall of 2016.

## Board of Nursing Home Administrators

February 5, 2016

Minutes – Page 5

**Health Workforce Council:** Ms. Pitzler provided the board with the 2015 annual report from the Health Workforce Council. This report is informational and no action was needed.

**Document for Reviewing Complaint and Investigations:** At the October board meeting, board members reviewed a document that Carl Christensen developed to use for reviewing complaint and investigations during board panel meetings. The board asked Ms. Pitzler to complete missing information and bring it to the next meeting. Board members reviewed the updated document. They asked that it be re-done and better organized and suggested that a completed document would be good for new member orientation. They also suggested that a training on how to review these cases be part of the August meeting if new members have been appointed and are able to attend.

**Board Recruitment Document:** The board reviewed a recruitment notice for the open board positions. This document will be sent out to every currently licensed nursing home administrator as well as to list-serves for professions that work in nursing homes. Board members agreed that Ms. Pitzler should also send the recruitment to EWU.

**Washington Health Workforce Survey Questions:** Ms. Pitzler informed the board of a survey that is being sent out with the renewals for some licenses, including physicians. This survey consists of demographics of several health professions in DOH. Its purpose is to collect information from health care professionals that will help policy makers identify and address current and future workforce needs in our state. Board members discussed whether this could be useful for nursing home administrators. They were concerned that not many administrators are renewing online and that if they did choose to use the survey they might not get much response. In addition, members wanted to know who is analyzing the data and how. Ms. Pitzler stated she would update members at the next board meeting.

**AIT Sub-Committee:** The AIT sub-committee has reviewed and suggested changes to a document that explains the AIT process. Changes included giving time-frames when AIT applicants can expect to hear what is happening with their application.

The board approved the sub-committee's changes at the 2015 August meeting. Ms. Pitzler presented the revised document to the board. The electronic version will be sent to Joanne Miller and Diane Young, Credentialing Manager so that they can review it. They will assure that the time-frames are correct. Ms. McKinney stated that the timeliness of the application process is much better now than when she began as a board member. It is hoped that this document will help AIT candidates better understand the process.

**Ethics and Boundaries Assessment Services (EBAS) Workshop:** The board reviewed an announcement from EBAS announcing a presentation being held in Colorado, April 8-9, 2016. This workshop is for boards and agencies to hear about an ethics essay exam that can be used for disciplinary action. This could be used in conjunction with a requirement to take an ethics course. The examination could verify what the respondent has learned. Board members were not interested in attending the April presentation. Ms. Pitzler indicated that this company will also share similar information with the Dental Commission on March 4, 2016 in Tumwater at DOH. She suggested that the board could have a board member attend this meeting and report back in May. Linda McKinney agreed to attend this meeting in March.

**Board of Nursing Home Administrators Continuum of Care Information:** Board members have been discussing the continuum of care since the June, 2013 Seattle

**Board of Nursing Home Administrators**

**February 5, 2016**

**Minutes – Page 6**

meeting of the National Association of Long-Term Care Administrator Boards (NAB.) NAB is developing an examination that will cover the three parts of the continuum of care: nursing home administration, assisted living facility administrators and home health care administrators. Once in place, passage of the examination will allow a candidate to obtain a NAB health care executive certification. NAB asks that states accept this certification as a requirement for licensure.

In addition, board members who have attended NAB meetings indicated that some states are either licensing administrators for all three parts of the continuum of care or restructuring their board so they will be ready if there is ever a requirement to license all three administrators. At previous board meetings, the board has been discussion if they should consider options in Washington.

The board has not yet decided which direction they should take regarding this issue. Ms. Pitzler asked suggested that the board might want to form a subcommittee. The subcommittee could work on this issue and bring recommendations back to the full board. The board agreed to form a sub-committee to work on this. Mr. Aubert, Ms. Basada, and Ms. Zell volunteered to form the subcommittee to analyze data on characteristics of various administrator types. They may also look at what other states and Federal agencies are doing.

**9. Elections of Officers – Harry Aubert, - DISCUSSION/ACTION.**

The board elected the following officers for the next year:

Chair: Harry Aubert  
Vice-Chair: Keith Fauerso

**10. Adjournment**

The meeting was adjourned at 12:37 p.m.