Board of Nursing Home Administrators
Minutes
January 26, 2018

Time: 9:00 a.m.

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

Board Members Present: Keith Fauerso, Vice Chair
Carl Christensen, Ph.D., RN
Mary Kangas, RN
Angela Cerna, NHA
Catherine Van Son, Ph.D., RN
Annie Zell, NHA
Diana Miller, Public Member
Marlita Basada, RN

Not Present: Harry Aubert, Chair

Staff Present: Blake Maresh, Executive Director
Kendra Pitzler, Program Manager
Brandon Williams, Program Associate
Davis Hylkema, Program Support
John Macejunas, Assistant Attorney General
Shamim Bachelani, DOH Health Services Consultant

Open Session:

1. Opening – Keith Fauerso, Vice Chair – DISCUSSION/ACTION -
   A. Call to Order – Mr. Fauerso, Vice Chair, 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 to the agenda were requested.
   D. Correspondence – No correspondence was introduced.
   E. Announcements – No announcements were made.
   F. Other – No other issues were presented.
2. Consent Agenda—Keith Fauerso, Vice Chair, DISCUSSION/ACTION -

   Items listed under the consent agenda were approved by a single motion of board.
   
   A. Approval of January 26, 20178 agenda – The January 26, 20178 agenda was approved unanimously.
   
   B. Approval of November 3, 2017 minutes – A motion was made to accept the November 3, 2017 minutes as presented. 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. Nursing Home Administrator Program Statistics

   A. Credentialing Statistics/Updates – Shamim Bachelani – INFORMATION/DISCUSSION.

      Using a Power Point presentation, Ms. Bachelani reported there are currently 443 active licensed Nursing Home Administrators (NHA) and 15 approved Nursing Home Administrators-in-Training (AIT). Pending status counts are 49 NHA and zero AIT. She continued with monthly figures from August through mid-January 2018 for the number of applications received and the monthly number of expiring credential. Overall application processing time begins when the AIT’s application is first submitted and extends through to the time it is completed. Processing time ranged from a low of 59 days in August to a high of 253 days in September with the latest time in mid-January of 180 days. Ms. Bachelani also presented a breakdown of NHAs and AITs by age group.

   B. Disciplinary Statistics – Kendra Pitzler – INFORMATION/DISCUSSION

      Ms. Pitzler reported that 25 reports were reviewed by the board between November 1, 2017 and January 16, 2018, with 10 of those being opened for investigation and the remaining 15 being closed. Board panels reviewed eight cases and all of them closed. A board panel performed one legal review. And, five exception applications were reviewed.

5. Board Budget and Fees – Kendra Pitzler, Program Manager – DISCUSSION/ACTION.

   Ms. Pitzler provided the board with a printout of the 2019 Biennium-to-Date Jul 01, 2017 thru Dec 31, 2017 budget. She pointed out the FTE allotment is over budget and that may be from inaccurate distribution of FTE time over different boards. Fiscal is looking into it. Missing from the report is a beginning balance which should be available for the next meeting in April.

   Ms. Pitzler reported that the fee increase was passed and that it is to take effect on March 1, 2018. She had met with Steve Hodgson, Director of Finance, and identified that investigative work accounts for significant expense in the budget. Research is being done to identify complaints and their source. It was noted that the record of complaints and investigations opened is showing a downward trend.

   It was requested that the board be provided statistics on the number of people who are not renewing their license, to track for a time period to establish a normal attrition and measure any increase or decrease. This may help identify if higher fees contribute to any decrease in license renewal.
6. Program Reports
   A. Program Manager Report – Kendra Pitzler – DISCUSSION/ACTION
      Ms. Pitzler provided a report on the November 2017 NAB meeting giving an overview of current activities and issues of other states. The NAB Continuing Education Registry is now available. It was noted that, as of April 2018, NHA’s will not receive credit for NAB CEUs unless they are signed up on the CE Registry. She reported on the early track record of the new examination and some of its features and issues of customer service. NAB’s next meeting is June 6-8, 2018 in Long Beach, CA.

      Ms. Pitzler reported on three items of interest that were on the Nursing Commission’s agenda at their most recent meeting.
      • Nursing and Nursing Assistant legislation that may be proposed by the Washington State Nursing Association addressing inconsistencies regarding what a nursing assistant can do across settings. The settings include, and are not limited to nursing homes, assisted living facilities, home health, and schools.
      • A similar presentation included a member of the nursing commission, and a representative from the Washington Health Care Association, who was also representing LeadingAge Washington as their representative was unable to attend. This presentation addressed the shortage in healthcare workers in long-term care. Suggestions for change included addressing inconsistencies in training standards as well as scope for care workers (including NAs) across settings.
      • Another presentation focused on a study entitled, “RNs’ Transitions into Director of Nursing Positions in Nursing Homes: Hiring Practices and Role Development.” The presentation to the Commission was by the researchers that wrote the paper, Elena O. Siegel, PhD, RN and Suzanne Sikma, PhD, RN. They indicated that some companies are hiring RN’s as the director of nursing but not providing the additional training needed for this position.

      The board desired to be kept abreast of future progression of these issues. Catherine Van Son indicated that she would send staff the complete study by Dr. Siegel and Dr. Sikma.

   B. Executive Director Report – Blake Maresh – DISCUSSION/ACTION
      Mr. Maresh told the board that he was able to check on the budget report and found FTE figures are correct and the increase was due to a journal voucher adjustment made to correct errors across a number of professions. Mr. Maresh also reported on the work and progress of the House Bill 1427 Opioid Prescribing and Monitoring taskforce. There will likely be rules for primary health care providers that impact prescribing and monitoring for all patients, including the aging population. Additionally, the Department of Health may be required to publish as short statement on the risks of opioid use, abuse, and addiction.

7. 2018 Legislative Session – Diana Miller and Blake Maresh.
   Ms. Pitzler highlighted 2018 proposed legislation that could impact the nursing home administrator program. The following were reviewed:
   • Substitute Senate Bill 5700 includes a new section that would require nursing home licensees or administrators to complete two hours on a one-time basis of cultural competency relating to the LGBTQ population.
• House Bill 2750 proposes the establishment of an assisted living facility quality council to make recommendations on measuring quality, providing consumer information, and reporting value.
  o The board watched TVW January 24 hearing on this bill.
  o The board identified itself as a clear stakeholder in this issue and felt it needs to weigh in on this bill. It was recommended that the board immediately write up a letter of comment to the legislature.

  **MOTION:** The motion was made for the board to send a letter to the assisted living workgroup and to the pertinent party of House Bill 2750 expressing the board’s interest in participating in the process of this bill, and that Ms. Zell and Mr. Fauerso will work with Ms. Pitzler in drafting the letter. The motion was seconded and passed.

• House Bill 6399 having to do with the setting the groundwork for future payment prospects for telemedicine.

• House Bill 6247 restricts health care entities from limiting certain services of a health care provider who is acting within their authorized scope of practice.

• House Bill 2589 having to do with a state certificate of need and review program for new construction or development of hospitals and nursing homes.

• House Bill 2258 is legislation addressing whistleblower information confidentiality and related parties exemptions.

• House Bill 1047 creates a system for collection and disposal of unused, unwanted, and expired medicines.

• House Bill 6163 is an act relating to extending the duration of the collaborative for the advancement of telemedicine.

8. **Lists and Labels Request – Alzheimer’s Association, Washington State Chapter – Kendra Pitzler, Program Manager – DISCUSSION/ACTION**

The board reviewed the following Lists and Labels Request:

- The Alzheimer’s Association, WA State Chapter. The board recognized this association as an educational provider.

  **MOTION:** The motion was made to approve the Alzheimer’s Association, WA State Chapter request for Lists and Labels. The motion was seconded and approved.

9. **New Administrator Training – Kendra Pitzler – DISCUSSION/ACTION**

Ms. Pitzler talked to the board about the requirement for all new nursing home administrators to take training within six months of licensure. After a reorganization within the Department of Health in 2008, it is unclear how many of the new administrators took this class as required. The board, at its past meeting, requested staff to determine which licensees have not taken this class and give them a time-frame in which to complete it. Ms. Pitzler provided an update on this request.

Ms. Pitzler reported that there are currently 44 administrators who have not complied with the requirement. She also reported that Washington Health Care Association (WHCA) expects to have the online version of the training functioning by March of this year.
MOTION: The motion was made to request staff to draft and send a letter to 44 noncompliant administrators stating that they are expected to be in compliance with the new administrator training by March 17, including the date of the next available training and alternate training options and contact information; the letter will be sent by certified mail. The motion was seconded and passed.

Subsequent to the motion, the board will add this item to its April meeting agenda, and the board will review the list of remaining noncompliant persons and determine criteria for disciplinary action.

10. Legislative Purpose Statement – Keith Fauerso, Acting Chair – DISCUSSION/ACTION.

The board developed a legislative purpose statement in 2016-17 and last reviewed it in May, 2017. At that time, the board was informed the purpose statement would not be accepted for 2018 Department of Health request legislation, and the Board decided to put this issue on hold until 2018.

The statement presents the board’s desire to address the current realities by proposing changes to RCW 18.52.040 to provide for an expansion of the NHA Board’s membership to a total of 11-member that represents the current diversity of the industry.

MOTION: The motion was made to reaffirm the Purpose Statement as written, approve its moving on through department processes and appropriate executive branches for its proposal for 2019 legislation. The motion was seconded and passed.

Staff will draft a packet for legislation and, if necessary to expedite for due dates, email it to the chair and vice chair for review prior to the April meeting.

11. Nursing Home Administrator Rules – Brandon Williams, Program Associate – DISCUSSION/ACTION

Ms. Pitzler presented the current draft of rules based on the September rules workshop and other input, noting changes made, for the board’s review. Rules reviewed were:
- WAC 246-843-071 Application [for initial licensure]
- WAC 246-843-230 Endorsement – changes made for consistency with other rules.
  - Ms. Pitzler asked the board to consider an addition to the rules to allow an AIT program taken in another state, or a portion thereof, to be recognized in the rule for exemptions to AIT, noting that this is not an option under endorsement rules. It was mentioned that the board could create a policy to assure the board applies a consistent standard.

Ms. Pitzler asked the board to consider three other items:
- If there were additional requirements the board wanted to add to the AIT program,
- The inclusion of LGBTQ training for continuing education, and
- Clarification of a preceptor’s requirement to have “three years’ experience employed as a licensed nursing home administrator in the past three years” (WAC 246-843-095). It was suggested to change the language to, “The preceptor must be actively practicing as a nursing home administrator for a duration of no less than three years prior to the submission on an initial application for an AIT preceptor credential.”

MOTION: The motion was made to address the rule changes discussed by generating rule language allowing the board to take into consideration the AIT requirements of
other states, and by including language covering continuing education and preceptor requirements. Ms. Pitzler is delegated to incorporate the language into the rules, to make editorial changes that do not substantively change content, and to move forward to a CR102. The motion was seconded and unanimously approved.

12. **Update Regarding Easter Washington University – Kendra Pitzler, Program Manager - DISCUSSION/ACTION.**

Ms. Pitzler submitted for the board’s review a draft letter of appreciation to Easter Washington University that also states support of EWU’s pursuit of NAB’s Health Services Executive accreditation.

**MOTION:** A motion was made to accept the letter as written. The motion was seconded and passed.

13. **Sub-Committee Reports**

   **A. Newsletter Sub-Committee – Carl Christensen and Marlita Basada – DISCUSSION/ACTION.**

   The board’s first newsletter has been published and available online. The board reviewed the Newsletter Sub-Committee Recommendations for Newsletter (Spring 2018) document considering articles and item of inclusion and consideration, as well as items not to be included for the next edition. No action was taken.

   **B. AIT Sub-Committee – Annie Zell, Carl Christensen and Keith Fauerso, DISCUSSION/ACTION.**

   The AIT sub-committee discusses issues relating to the AIT program and reviews comments by Washington AITs and preceptors. As there were no activities since the last board meeting no report was provided.

14. **Board Speaking Engagements – Keith Fauerso, Acting Chair – DISCUSSION/ACTION.**

Board members had expressed an interest in continuing to speak to members of the Washington Health Care Association and of LeadingAge Washington, either through formal presentations or in the vendor venue. Ms. Pitzler suggested a sub-committee be created to identify speaking engagement opportunities, track deadlines, and develop a plan for presentations. It was decided to table the discussion until the April meeting.

15. **Election of Officers – Keith Fauerso, Acting Chair – DISCUSSION/ACTION**

Nominations were made for the positions of board chair and vice-chair. The motion was made to elect Keith Fauerso as Chair and Annie Zell as Vice-chair. The motion was seconded and approved.

16. **Adjournment**

The board adjourned at 2:17 p.m.

Kendra Pitzler, Program Manager                                Harry Aubert, Chair
Board of Nursing Home Administrators                             Board of Nursing Home Administrators
The next meeting of the Board of Nursing Home Administrators is scheduled for Friday, April 27, 2018 in Spokane, WA