Board of Nursing Home Administrators
Minutes
April 27, 2018

Time: 9:00 a.m.

Location: Department of Health
Town Center 3, Room 265
101 Israel Road SE
Tumwater, WA 98501

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

Not Present:

Staff Present:
Blake Maresh, Executive Director
Kendra Pitzler, Program Manager
Brandon Williams, Program Associate
Davis Hylkema, Program Support
Maura Craig, DOH Health Services Consultant
Gale Yu, Assistant Attorney General
Sara Kirschenman, Supervising Staff Attorney

Open Session:

1. Opening – Annie Zell, Vice Chair – DISCUSSION/ACTION -
   A. Call to Order – Ms. Zell, 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— Annie Zell, Vice Chair, DISCUSSION/ACTION -
   A. Approval of April 27, 2018 agenda – The April 27, 2018 agenda was approved unanimously.
B. Approval of January 26, 2018 minutes – A motion was made to accept the January 26, 2018 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.
      Ms. Bachelani was not able to attend the meeting. The credentialing statistics report will be made at the next board meeting.
   
   B. Disciplinary Statistics – Kendra Pitzler – INFORMATION/DISCUSSION
      Ms. Pitzler provided Disciplinary Statistics report covering January 17, 2017 through April 15, 2018. She pointed out that the previous quarter showed fewer number of reviewed disciplinary reports than previously, and the current quarter is back up. The number of reports sent for investigation is also up. During the reported period there were 47 total reports reviewed by board panel with 17 of those opened for investigation and 30 closed.

5. Program Reports
   A. Program Manager Report – Kendra Pitzler – DISCUSSION/ACTION
      Ms. Pitzler reported that she and Ms. Basada will be attending the NAB annual meeting in Long Beach, CA, on June 6-8, 2018. The NAB Chair Elect is looking for members to serve on four standing committees. Ms. Van Son expressed interest in applying to serve on one of the committees which, if approved, would be a two year commitment. Ms. Pitzler suggested that she herself not attend all the meetings during that time allowing Ms. Van Son’s attendance costs to be covered by NAB. The board determined that Ms. Van Son would be the delegate for the next four meetings.
      
      Ms. Pitzler noted that NAB had issued a report showing the number of individuals from each state who have signed up on the new CE Registry. As of April 11, 2018, there are 85 Nursing Home Administrators signed up out of a total of 450 NHAs in Washington State.
      
      Ms. Pitzler reported on the DOH online licensing project sharing the likelihood that online licensing application process for Nursing Home Administrators will be two or three months later than the original projected date of May 2018.
      
      Ms. Pitzler shared that she had attended an In-Home Services round table meeting where the Department of Health’s TB risk assessment form was discussed. The form had recently been changed and the In-Home Services group did not approve of some of the changes. More information may be coming on this topic.
      
      Ms. Pitzler gave a progress report on the NHA Newsletter. The newsletter is fully edited and approved, and will be published very soon.
      
      Ms. Pitzler also noted that appointments for board membership is anticipated. Three current members’ terms are coming up this year. All three have expressed interest in reappointment and are waiting determination from the Governor. There is one vacancy for which recruiting will begin soon.
6. **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 Mar 31, 2018 budget. Mr. Maresh noted that the fee increase took effect the first of March and it is anticipated that an increase in revenue will begin to show in future reports. Mr. Maresh reported on the context that contributed to the fee increase, most notably are the costs associated with preassigned vs. unassigned staff attorneys. The pros and cons of cost saving approaches were discussed.

Mr. Maresh summarized two options that had been identified and asked for an advisory vote from the board. The two options were: 1) have staff attorneys preassigned who would do cursory reviews of disciplinary cases while board members are also reviewing the cases, and 2) staff attorneys not preassigned but may be called in by a board member’s discretion as needed to provide legal input.

**MOTION:** The motion was made that after a case is opened a staff attorney is preassigned for a minimal time cursory review and be available to the board member as a resource; and that the reviewing board member can request additional staff attorney review when needed. The motion was seconded and unanimously approved.

Ms. Pitzler reported on her research on the sources of complaints in response to questions from board members, WHCA, and LeadingAge regarding the number of DSHS complaints. A chart showing comparative annual totals revealed significant increases each year from 2013 through 2017. Ms. Pitzler researched DSHS complaint data through these years. Complaints through the Complaint Resolution Unit (CRU) accounted for the greatest numbers. Complaints received through surveys also showed marked increase even though much smaller totals. Influencing factors contributing to the increase in recent years may be from the new survey initiated within that timeframe, increased public education by DSHS on the complaint process, and the fact that the population is aging and there are more nursing home residents and involved family members.

Additional cost saving ideas were discussed including:

- Case review training for board members.
- Adding a statement to the DOH NHA webpage to clarify the distinction between complaints against administrators vs. nursing home facilities with information directing facility complaints to DSHS.
- Mindful consideration of travel and venue costs of meetings held on the east and west side of Washington State, and the possibility of video conferencing as an occasional option.

A newsletter article was suggested that would raise awareness of how responsible stewardship is considered in the running of board business, the value of in-kind volunteerism (board compensation vs. professional pay scale), and the fact that DOH professions are financially self-sustaining.

7. **2018 Legislative Session – Blake Maresh and Kendra Pitzler**

Ms. Pitzler provided a summary on 2018 Legislative Bills of relevance to the board.

- **HB 2750** concerning quality in assisted living facilities did pass. At its January meeting the board had asked to have a letter sent from the DOH requesting the bill to be amended to allow for a member of the Board of Nursing Home Administrators to be added to the group working on the new legislation. Because the Governor put out
a notice restricting agencies from making amendments on bills that were not included in the budget proposal the request was not able to be submitted. What is possible is to go to the workgroup meetings as public attendees. Ms. Pitzler will find out when the meetings will be held and asked if the board wanted to appoint a representative member to attend, bring comments from the board, and report.

- The SB 6032 - 2018 Budget Bill includes within it (subsection (37) “$30,000… solely for nursing care quality assurance commission to convene and facilitate a work group to access the need for nurses in long-term care setting…” The first of these meetings convenes by July 15. Ms. Pitzler will notify the board when the meetings are scheduled.

- HB 1047 – Unwanted Medication Disposal. Mr. Maresh explained the background and provisions of the bill requiring urban areas to have drug take-back receptacles and processes that are free to consumers and that will be funded by drug companies. The Bill states that a drug take-back program may locate collection sites at “a long-term care facility where a pharmacy, or a hospital or clinic with an on-site pharmacy, operates a secure collection receptacle.” Additionally it states that “a collection site located at a long-term care facility may only accept covered drugs that are in the possession of individuals who reside or have resided at the facility.”

- HB1427 – Opioid Prescribing and Monitoring. Mr. Maresh summarized the work of the task force, its purpose and progress. Currently, each of the five related boards and commissions is reviewing the rules proposed by the task force and modifying as necessary for each profession. The new accelerated timeline is to have rules adopted by the end of August and become effective by the end of October 2018.

- HB 6163 – Collaborative for the Advancement of Telemedicine, and HB 6399 – Telemedicine Payment Parity were provided for information. There was no discussion.

8. Legislative Purpose Statement – Blake Maresh, Executive Director and Kendra Pitzler, Program Manager – DISCUSSION/ACTION
The board reviewed its legislative purpose statement developed in 2016-17 which was not accepted for 2018 DOH request legislation. At its February meeting the board asked that it be resubmitted for 2019. Mr. Maresh explained the statement is meant to layout the rationale for expanding the size of the board to eleven members.

MOTION: The motion was made to have the Department of Health go forward as part of the decision package for 2019 with the changes to the proposal for the Board of Nursing Home Administrators membership to be increased by the addition of two professional healthcare providers and one public member and to eliminate one member who is a health care professional or educator. The motion was seconded and passed.

9. New Administrator Training – Kendra Pitzler – DISCUSSION/ACTION
Ms. Pitzler reported on the results of the mailing that went out to nursing home administrators who had not taken the required training within six months of licensure reminding them of the requirement along with a list of training opportunities. Of the 40 administrators mailed to, 14 have taken the DSHS training in March 2018, 12 have signed up for and are completing the March-April WHCA online training, one submitted a COC (proof of having already taken the training), and 13 have not responded. MOTION: The motion was made to refer the 13 cases to the disciplinary process. The motion was seconded and approved.

10. Nursing Home Administrator Rules – Brandon Williams, Program Associate – DISCUSSION/ACTION
Mr. Williams reported that the rules package process is ahead of schedule and identified the need for clarification on language regarding crediting applicants for AIT program hours completed in another state. It was proposed to include the following language: “An applicant may be allowed to complete a 500 hour AIT program if they have successfully completed at least 1000 hours of an AIT program approved in another state.”

**MOTION**: The motion was made to accept the proposed change. The motion was seconded and approved.

The rules package will proceed to internal review and CR102. A hearing may happen at the October meeting.

11. **Board Speaking Engagements – Keith Fauerso, Acting Chair – DISCUSSION/ACTION.**
Ms. Pitzler followed up on the board’s interest in offering speaking and visual presentations and informational displays. Various opportunities throughout each year were identified.

**MOTION**: The motion was made to form a subcommittee to formulate means to educate the public about the role and work of the board. The motion was seconded and passed.

Ms. Cerna, Dr. Van Son, and Ms. Yu will meet before the next meeting and give an update.

12. **Application for Approval to Receive Lists/Labels - Towson University – Keith Fauerso – DISCUSSION/ACTION.**
   - Towson University.

   **MOTION**: The motion was made to approve a one-time-only use of Lists and Labels to Towson University. The motion was seconded and approved.

13. **Review of State Requirements for Endorsement.**
Ms. Pitzler explained the review process of determining which states have licensure requirements that are substantially equivalent to Washington State in order to offer endorsement to administrators of those states wishing to work in Washington. She proposed that the board do such a review to be sure determinations are accurate and up to date. Ms. Pitzler will collect the requirements of other states and bring a report to the July board meeting.

14. **2018 and 2019 Meeting Dates - Keith Fauerso, Chair – DISCUSSION/ACTION.**

   **MOTION**: The motion was made and approved for the Board of Nursing Home Administrators to hold its regular business meetings on the following dates: July 27, 2018; October 26, 2018; January 25, 2019; April 19, 2019; July 26, 2019; and October 18, 2019. With the exception of the April 19, 2019 meeting to be held in Spokane, all meetings will be held in Tumwater, WA.

15. **Adjournment**

The board adjourned at 1:56 p.m.
The next meeting of the Board of Nursing Home Administrators is scheduled for Friday, July 27, 2018 in Tumwater, WA