

**BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS
MINUTES**

DATE: March 1, 2021

TIME: 9:00 a.m. Central Time

LOCATION: Iris Room/ WebEx Conference

MEMBERS PRESENT: Cynthia Wheeler, NHA, Secretary
Victor Legner, Hospital Administrator
Bethany Rhoten, PhD., Registered Nurse
Vincent Davis, Director, Health Care Facilities
Jano Janoyan, Physician, Vice Chair
Lakecia Harper, NHA, Board Chair

MEMBERS(S) ABSENT: David Keeling, NHA
Nyda Bays, NHA, Secretary

STAFF PRESENT: Kimberly Wallace, Unit Director
Lyndsey Boone, Board Manager
Lacey N. Wilkerson, Board Administrator
Caroline Tippens, Senior Associate General Counsel

Call to Order

This meeting was convened electronically, via WebEx, due to the gathering restrictions resulting from the COVID-19 pandemic. The meeting was called to order by Board Chair, Ms. Harper, at 9:02 A.M. CST

Ms. Wallace made a brief statement thanking Dr. Florence Weierbach and Marilyn Key for their service to the Board during their terms, which recently ended. She also welcomed new Board Members, Dr. Bethany Rhoten as the Board Registered Nurse board representative and Dr. Victor Legner as the Board Hospital Administrator board representative.

A roll call of the Board Members and Board staff present was conducted by Kimberly Wallace, Unit 3 Director, with a quorum of Board Members present.

- Ms. Nyda Bays - ABSENT
- Mr. Vincent Davis
- Ms. Lakecia Harper
- Dr. Jano Janoyan

- ☐ Mr. David Keeling - ABSENT
- ☑ Dr. Victor Legner
- ☑ Dr. Bethany Rhoten
- ☑ Ms. Cynthia Wheeler
- ☑ Board Manager, Lyndsey Boone
- ☑ Board Admin, Lacey Wilkerson
- ☑ Board Attorney, Caroline Tippens

Ms. Wallace introduced the new Director for the Office of Health Related Boards, Mr. George Darden. Mr. Darden gave a brief introductory statement. Ms. Wallace also welcomed Mr. Grant Mullins as the new General Counsel for the Department of Health. Mr. Mullins was unable to attend the meeting due to a prior commitment.

Ms. Wallace requested that each Board Member and Staff Member confirm they were able to hear one another. All confirmed.

- ☐ Ms. Bays - ABSENT
- ☑ Mr. Davis
- ☑ Ms. Harper
- ☑ Dr. Janoyan
- ☐ Mr. Keeling -ABSENT
- ☑ Dr. Legner
- ☑ Rr. Rhoten
- ☑ Ms. Wheeler
- ☑ Ms. Boone
- ☑ Ms. Wilkerson
- ☑ Ms. Tippens

Purpose of Meeting and Necessity of Teleconference

Ms. Wallace informed all present that prior to proceeding with the electronic meeting, certain criteria for continuing with an electronic meeting must be met.

Next, Ms. Wallace informed all present that the purpose of this meeting was to ratify licenses - including new licenses and reinstated licenses - to ratify orders received after the Board's last meeting, and to consider other time sensitive matters. Because this Board was unable to convene in a physical location today to consider these matters - in light of the COVID-19 pandemic, for which the TN Governor and Mayor of Nashville have recommend limiting the number of attendees at meetings - this WebEx remote meeting was necessary.

A motion was made by Ms. Harper to proceed with the electronic meeting, with a second made by Mr. Davis.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

In addition, all Board Members were asked to acknowledge whether they had received, prior to this meeting, copies of all the materials and documents that were to be discussed at this meeting.

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	

All Board Members confirmed that they did receive the materials prior to the meeting.

Finally, only certain matters are proper for a teleconference; accordingly, Ms. Wheeler made a motion, with a second made by Ms. Harper, that the matters that were to be discussed in this meeting met the following requirements:

The subject matter requires timely action;

The physical presence of all members is not possible considering the period of time required for action; and

The participation by some or all of the members of the Committee by electronic means is necessary.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

Public Comments

It was noted that Public Comments would be heard during this meeting. Instructions were provided for all attendees via the WebEx system and phone call-in options. It was reminded that the Board may only take action on items that are listed on the agenda.

Conflict of Interest

Ms. Wallace reviewed the Conflict of Interest statement and Open Meetings Act statement with the Board Members, as follows:

If you have a personal or financial interest in the outcome of any issue or matter before this board which may suggest a bias on your part, you are asked to state that interest on the record so that a determination can be made as to whether there exists a need for recusal. You are reminded that it is the duty of this board to protect the health, safety, and welfare of the citizens of Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety.

Pursuant to the Open Meetings Act, Committee business may only be discussed by the committee members during the meeting. Members should not discuss the committee's business at any time other than during the open Committee meeting. The prohibition applies to phone calls, emails, and text messages. Committee members should also ensure that all comments during the meeting are stated for all to hear; private conversations between or among members during the meeting are inappropriate.

Review of Minutes from November 2, 2020, Board Meeting

A motion was made by Dr. Janoyan to approve the November 2, 2020 Minutes as written, with a second made by Mr. Davis.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

Receive Reports and/or Requests from the Office of Investigations

Lori Leonard provided the Currently Monitored Practitioners report and Complaints investigative reports to the Board.

CURRENTLY MONITORED PRACTITIONERS AS OF 02/22/2021

Total # Currently Monitored Practitioners	0
Reprimand	0
Probation	0
Suspended	0
Revocation	0
Surrendered	0

PERIOD: 2020 Calendar Year and 2021 Calendar Year through 02/22/2021

COMPLAINTS

New Complaints	2020 Calendar Year	2021 Calendar Year through 02/22/2021
Falsification of Records	1	0

Unprofessional Conduct	6	0
Lapsed License	1	0
Drug Diversion	1	0
Practice Beyond the Scope	1	0
CE Violation	2	0
COVID-19	1	0
Total # New Complaints	13	0
Closed Complaints	2	0
Complaint Closed	2	0
Total # Closed Complaints	2	0
Open Complaints		
Total # Currently Open Complaints	15	15

Receive Reports and/or Requests from the Division of Health Licensure and Regulation

Mr. Matt McSpadden presented the Mid Year FY2021 financial reports, with highlights as follows:

- Total Expenditures \$27,898.65
- Board Fee Revenue \$43,203.06
- Current Year Net \$15,304.41
- Cumulative Carryover \$240,953.28

Mr. McSpadden advised the board that currently, the Cumulative Carryover does exceed two times the three year average of operating expenditures. The Board discussed multiple fee reduction scenarios.

During the discussion, it was pointed out that due to the current travel restrictions of COVID, expenditures are currently less due to being unable to attend in-person meetings and conferences.

Ms. Tippens advised that fee changes due require a rule change and were last changed October 23, 2017. She also advised there are currently many open complaints in with investigations that could potentially become a large expense if they go into a contested case hearing.

A motion was made by Dr. Janoyan to table action on the finance report until the June 7, 2021 meeting and would like a finance report with variances; requests Finance to prepare a new report for the next meeting to review additional analysis, with a second made by Dr. Rhoten.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

Discuss legislation and take action if needed:

There were no legislative items for review at today's meeting.

Ms. Wilkerson presented the Administrator's report, as follows:

PERIOD: As of 02/21/2021

Total # Currently Licensed	777
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LICENSE STATUS

PERIOD: October 29, 2020 – February 21, 2021

New Applications Received	10
New Licenses Issued	13
Reinstatements	4
Renewals - Total	100
<i>Number of Paper Renewals</i>	20
<i>Number of Online Electronic Renewals</i>	80

<i>Licenses Renewed Online as % of Total Renewals</i>	80%
Retired Licenses	4
Failed to Renew/Expired Licenses	20

Ms. Wilkerson also reviewed the remaining dates for the 2021 Board Meetings, as follows:

- Thursday, May 13, 2021
- Thursday, August 19, 2021
- Wednesday, November 10, 2021

Ms. Wilkerson noted the 2021 conference events, which were discussed and voted upon later in the meeting.

Ms. Wallace reviewed the ability for licensees to renew online and applicants to apply online. She also presented the Board phone & email contact information of 615-532-5090 and Unit3HRB.Health@tn.gov.

OGC Report and Requests

Ms. Tippens reviewed the OGC Report with the Board, making notice that there are no open cases pertaining to respondent's who hold Nursing Home Administrators Care licenses at this time.

The Board conducted a rulemaking hearing on 3/2/2020 promulgating rules allowing temporary licensure, pursuant to Tenn. Code Ann. § 63-16-104(b) and accepting the Health Service Executive (HSE) credential for reciprocity applicants. These rules are pending.

Further, Ms. Tippens alerted the Board that the Commissioner has been designated the authority to waive the in-person/live continuing education requirements. For continuing education credits/hours required to be obtained in any period that encompasses the calendar year of 2020, all continuing education credits/hours that are obtained through non in-person/live methods will be accepted as proof of completing any continuing education requirements that are a condition of renewing and reinstating a license, certification or registration.

We will not audit the in-person or live event component hours obtained during this time. The audit process will otherwise remain unchanged.

Applicant Interviews/File Reviews

AIT Applicants

Yasheta Ross - Applicant file was presented to the Board for approval to begin her AIT program. After review of the applicant file

A motion was made by Ms. Wheeler to approve a 6 month/1040 hour AIT, with a second made by Mr. Davis.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

Shawn Smith - Applicant file was presented to the Board for approval to begin her AIT program.

A motion was made by Ms. Wheeler to approve the 400 hours AIT with specific areas targeted as dietary and nursing, business office, and maintenance, with a second made by Dr. Rhoten.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Drs. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

Reciprocity Applicants

Christopher Culberson - Applicant file was presented to the Board for approval obtain a license by Reciprocity.

A motion was made by Ms. Wheeler to approve the Reciprocity Application, with a second made by Mr. Davis.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

Stacy Davis- Applicant file was presented to the Board for approval obtain a license by Reciprocity.

A motion was made by Mr. Davis to approve reciprocity application, with a second made by Dr. Janoyan.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

NAB Exam Applicants

Madeline Uhrik - Applicant requested approval to sit for her exams.

A motion was made by Mr. Davis to approve the NAB Exam application, with a second made by Dr. Janoyan.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

Rebecca Stewart - Applicant requesting approval to sit for exams. Applicant completed an Administrator-In-Training program without receiving Board approval as required by the rules. The board held discussion with Ms. Stewart regarding her experience.

A motion was made by Mr. Davis to approve a 3-month 400 hours AIT focusing on the areas of dietary, housekeeping, maintenance, and nursing, the with a second made by Ms. Harper.

Ms. Harper added addendum of nursing with DON should be included.

Discussion: None OR As Follows

Dr. Legner discussed his concern of the applicant and supervisor completing an AIT program without receiving prior approval from the board.

Mr. Davis agreed with the concerns and statements regarding completion without approval and while he does not agree with follow to completing the AIT without approval, he feels the experience should be taken into account.

Mr. Davis made an amended motion that the request for the NAB exam be denied and that the candidate be allowed to engage in an abbreviated 3-month 400 hours AIT program focusing on dietary, housekeeping, maintenance, and nursing, with a second Ms. Harper.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

A break was requested at 11:02 am and the meeting resumed at 11:13 am.

A roll call vote was conducted upon return by Ms. Wallace:

Ms. Bays	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	
Ms. Harper	<input checked="" type="checkbox"/> YES	
Dr. Janoyan	<input checked="" type="checkbox"/> YES	
Mr. Keeling	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	
Dr. Rhoten	<input checked="" type="checkbox"/> YES	
Ms. Wheeler	<input checked="" type="checkbox"/> YES	
Ms. Boone	<input checked="" type="checkbox"/> YES	
Ms. Wilkerson	<input checked="" type="checkbox"/> YES	
Ms. Tippens	<input checked="" type="checkbox"/> YES	

Other Applicant Requests

Miles Bergin- Duel facility request

Mr. Davis noted that the request appears to be in compliance with Rule 1020-01-.06(3)(a).

A motion was made by Mr. Davis to approve allowing the candidate to split his AIT between the two facilities, with a second made by Ms. Wheeler.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

John English- Extension Request

Ms. Wheeler recused herself from this item, due to serving as Mr. English's preceptor. A quorum remains.

A motion was made by Ms. Harper to approve a limited 3-mth AIT before sitting for the NAB exam, with a second made by Mr. Davis.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr.. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

Ratification of Newly licensed, Reinstatements, Preceptors, and Closed/Withdrawn Files

A motion was made by Ms. Harper to ratify licensure files as presented, with a second made by Mr. Davis.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
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Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

Taskforce/Committee Reports

There were no taskforce or committee reports to hear at today's meeting.

Discuss and take action as necessary regarding rulemaking, rulemaking hearings, rule amendments, and policies

Commissioner's Policy of CE Audit of In-Person/Live Hours

Ms. Wallace provided an update regarding the Commissioner's Policy on CE for 2021, as follows:

The Commissioner of the TN Department of Health has suspended the audit of in-person-live hours through December 2021. The policy has been updated on the Board website. This does not change the number of CE hours required for each profession, but extends the ability to obtain those CE hours via non-in-person or non-live methods such as online and interactive virtual formats.

Policy: The Commissioner has been designated the authority through Executive Order 50, and through incorporation into later Orders, to waive in-person/live continuing education requirements. For the Commissioner's audit of continuing education credits/hours required to be obtained in any period that encompasses the calendar year of 2020 or 2021, all continuing education credits/hours that are obtained through non in-person/live methods during 2020 or 2021 will be accepted as proof of completing any continuing education requirements that are a condition of renewing and reinstating a license, certification or registration. The Commissioner will not audit the in-person or live event component for hours obtained during this time. The audit process will otherwise remain unchanged. Beginning January 1, 2022, any continuing education credits/hours taken in calendar year 2022 must be obtained as required by each individual profession's rules. For boards requiring in-person/live credits/hours, the 2021/2022 audit cycle will include review for that requirement unless all hours for the 2021/2022 cycle were obtained in 2021.

Correspondence

Usher Syndrome

Correspondence regarding Usher Syndrome was presented to the Board for informational purposes only. All of the Health Related Boards have been presented with an introductory letter and other resources regarding Usher Syndrome. The Usher Syndrome Coalition Ambassador, Mr. John Johnson, notes that Usher Syndrome is a rare disease and the leading genetic cause of deaf blindness in the United States, affecting an estimated 20,000 – 50,000 individuals in the United States. Additional information can be obtained by reaching out to the Usher Syndrome Coalition via their website, at www.usher-syndrome.org.

Conference/Event Reports

Ms. Wallace reminded the Board just because they are nominated to attend a conference does not guarantee their attendance. No travel arrangements are to be made prior to notification from the Administrative Office that the travel has been internally approved. COVID restrictions may still be in place at the time of a scheduled conference that could prevent out of state travel.

The Board discussed upcoming conferences and made nominations for individuals to attend for 2021:

NAB Annual Conference, TBD

Dr. Rhoten

Mr. Davis

THCA/TNCAL convention, August 11-13, 2021, Music City Center, Nashville, TN

Commissioner

Mr. Davis

Dr. Janoyan

Annual CLEAR Conference, September 22-25, 2021, Washington, DC

Dr. Legner

NAB Mid-Year Conference, TBD

Ms. Harper

FARB Regulatory Law Seminar, September 30-October 3, 2021, Loews Center, Nashville, TN

Ms. Tippens

A motion was made by Mr. Davis to approve conference attendee, inclusive of board members and administrative staff as presented, with a second made by Ms. Harper.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

Discuss Old & New Board Business

There was no old or new business for the Board to review today.

Election of Officers

Ms. Wallace advised the Board that, in our last meeting, Dr. Florence Weierbach was elected as Board Chairperson, with Ms. Harper as Board Vice Chair, and Ms. Wheeler as Board Secretary.

Since this meeting, Dr. Weierbach's term has ended and this meeting would be the last for Ms. Wheeler as well. Ms. Wallace advised:

Dr. Legner nominated Ms. Harper for Board Chair.

Mr. Davis nominated Dr. Janoyan for Board Vice Chair.

Ms. Wheeler nominated Ms. Bays for Secretary.

All nominees accepted.

A motion was made by Mr. Davis to accept the nominations presented, with a second made by Ms. Wheeler.

Discussion: None OR As Follows

A roll call vote was conducted:

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

Call for Public Comment

Ms. Wallace made a final call for any public comments for items discussed on this agenda and reminded the public is always welcome to submit comments to the Board in writing prior to any Board Meeting via email at Unit3HRB@tn.gov or by postal mail to the TN Board of Nursing Home Administrators, 665 Mainstream Drive, Nashville, TN 37243.

No public comments were made.

Adjournment

There being no further business, a motion was made by Mr. Davis, and seconded by Dr. Rhoten to adjourn the meeting at 12:05 P.M.

A roll call vote was conducted.

Ms. Bays	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Mr. Davis	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Harper	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Janoyan	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Mr. Keeling	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input checked="" type="checkbox"/> ABSENT
Dr. Legner	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Dr. Rhoten	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
Ms. Wheeler	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> RECUSED	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The motion passed. YES NO

This meeting of the Nursing Home Administrators Board is hereby adjourned at 12:05pm CST.


Board Chair


Date

These minutes were ratified by the Board at the June 7, 2021 meeting