



Oklahoma State  
Department of Health

## **LONG-TERM CARE FACILITY ADVISORY BOARD**

### **Regular Meeting**

**November 14, 2007 at 1:30 p.m. in Room 1102**

Oklahoma State Department of Health, 1000 NE 10th Street, Oklahoma City, OK

### **Draft Minutes**

#### **1) Call to Order**

Diane Hambric called the meeting to order at 1:48 p.m. Wednesday, November 14, 2007. The 2007 Long-Term Care (LTC) Facility Advisory Board meeting notices were filed and posted with the Secretary of State's office website and the Oklahoma State Department of Health (OSDH) website on November 15, 2006. The November 14, 2007 meeting agenda was posted November 7, 2007 on the OSDH website and at the OSDH building's front entrance.

#### **2) Roll Call**

Gayle Freeman called roll. The following members were present: Ginny Bond; Donna Bowers; Gayla Campbell; Jane Carlson; Theo Crawley; Clara Haas; Diane Hambric, Chair; Esther Houser; Cassell Lawson; Mich Magness; Juana Meadows; Dawn Ann Mendenhall; Jane Mershon; Kay Parsons, Secretary-Treasurer; Dewey Sherbon; Wendell Short, Vice-Chair; H.F. Timmons, Margaret Wallace and Dr. Peter Winn.

The following members were absent: Alice Cash, Tracy DeForest, Ann Hays, and Chris Kincaid.

There are currently three vacancies.

Identified OSDH staff present were: Dr. Henry Hartsell, Deputy Commissioner PHS; Dr. Tim Cathey, PHS; Dorya Huser, Chief of LTC; James Joslin, Chief of HRDS; Eleanor Kurtz, LTC; Sue Davis, LTC; Mary Fleming, Director of LTC Survey; Lisa McAlister, Nurse Aide Registry; Patty Scott, LTC; Karen Gary, LTC; Leslie Elliott, PHS; Regina Glen, LTC; and Gayle Freeman, LTC.

Identified guests present were: Oralene Sherbon; Sarah Strecker, Tulsa Area Agency on Aging Ombudsman Supervisor; Ann Osborne, Francis Tuttle Technology Center; Vikki Schaffner, Tulsa Technology Center; Stephanie Merritt, Tulsa Technology Center; Lynn Taylor, Autry Technology Center; Rebecca Moore, OAHCP; Marietta Lynch, OAHCP; Penny Ridenour, OKALA and Shirley Inglis, OSU-Sereteen Wellness.

A quorum was reached. Introduction of LTC Facility Advisory Board members and attendees commenced.

Meetings are posted at:

<http://www.health.ok.gov/calendar/mtngs/index.html>

<http://www.sos.state.ok.us/meetings/agencymeets.asp?intAgency=316>

Approved minutes are posted at <http://www.health.ok.gov/calendar/mtngs/lcCab.html>

**3) Review and Action to Approve/Amend the August 8, 2007 Regular Meeting Minutes.**

*Approval/Amendment of minutes for August 8, 2007 regular meeting.*

*After brief discussion, Dr. Peter Winn made a motion to approve the August 8, 2007 regular meeting minutes.*

*Seconded by Cassell Lawson. Motion carried.*

**Aye: 18 Abstain: 2 Nay: 0 Absent: 4**

Ginny Bond	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Vacant-Pharmacist	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Donna Bowers	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Juana Meadows	<input type="checkbox"/> Aye <input checked="" type="checkbox"/> Abstain <input type="checkbox"/> Nay
Gayla Campbell	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dawn Mendenhall (Exp)	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Jane Carlson	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jane Mershon (Exp)	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Alice Cash (Exp)	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Winston Neal	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Vacant-NH Adm	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Kay Parsons	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Theo Crawley (Exp)	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dr. Jean Root	<input type="checkbox"/> Aye <input checked="" type="checkbox"/> Abstain <input type="checkbox"/> Nay
Tracy DeForest	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dewey Sherbon	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Clara Haas	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Wendell Short	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Diane Hambric (Exp)	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	H.F. Timmons	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Esther Houser	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Margaret Wallace (exp)	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Chris Kincaid (Exp)	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dr. Peter Winn	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Cassell Lawson	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay		
Mich Magness	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay		Shading = Absent

**4) Announcement of Member Reappointments**

Kay Parsons, Secretary –Treasurer to the LTCFAB announced the Oklahoma State Governor’s member reappointments to the board.

Mr. Chris Kincaid is replacing Ms. Ann Hayes	Expiration 11-01-2009
Ms. Jane Mershon is replacing herself	Expiration 11-01-2009
Margaret Wallace is replacing herself	Expiration 11-01-2009
Diane Hambric is replacing herself	Expiration 11-01-2009
Dawn Mendenhall will continue to serve in a holdover capacity until further notice	

**5) Nomination and Election of 2008 LTCFAB Officers**

The Nomination Committee, Chaired by Ginny Bond, announced the nominations for 2008 Officers and the LTCFAB elected officers for Chair, Vice-Chair, and Secretary-Treasurer.

Ginny Bond, Committee chair announced the names

Ms. Hambric asked that her named be removed from consideration as Chairperson for the upcoming term.

*For Board Chair, we [Nomination Committee] nominate Wendell Short.*

We [Nomination Committee] *nominate Kay Parsons for Vice-Chair.*

And we [Nomination Committee] *nominate Mary Wallace for Secretary-Treasurer.*

*After a brief discussion, Dawn Mendenhall made a motion to elect Wendell Short as Chair, Kay Parsons as Vice-Chair, and Margaret Wallace as Secretary-Treasurer for the 2008 LTCFAB Officers*

**Seconded by Jane Mershon. Motion carried**

Aye: 19 Abstain: 1 Nay: 0 Absent: 4

Ginny Bond	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Vacant-Pharmacist	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Donna Bowers	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Juana Meadows	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Gayla Campbell	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dawn Mendenhall (Exp)	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
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Vacant-NH Adm	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Kay Parsons	<input type="checkbox"/> Aye <input checked="" type="checkbox"/> Abstain <input type="checkbox"/> Nay
Theo Crawley (Exp)	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dr. Jean Root	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Tracy DeForest	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dewey Sherbon	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
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Chris Kincaid (Exp)	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dr. Peter Winn	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Cassell Lawson	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay		
Mich Magness	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay		Shading = Absent

**6) Announcement of 2008 Regular Meeting Schedule**

The 2008 regular meetings will be held at 1:30 p.m. in room 1102 at OSDH building on January 9, April 9, July 9, and October 8.

After a brief discussion concerning the change in dates Ms. Hambric announced the 2008 regular meeting schedule

**7) Oklahoma Association of Health Care Providers Outstanding Volunteers.**

Ms. Leslie Elliott representative for the Oklahoma State Department of Health volunteer program, Caring Hearts of Oklahoma, recognized the outstanding volunteer work and contributions made by Dewey and Oralene Sherbon. The members of the Association of Health Care Providers recognized Dewey and Oralene during an awards Banquet in September. Ms. Elliott acknowledged their service as ombudsman, and thanked them for the services they provided and for enhancing the lives of those they come in contact with.

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Diane Hambric thanked Leslie and Dewey and added that she knew from personal experience that Dewey and his wife, Oralene, were wonderful examples of what the State of Oklahoma is all about when it comes to caring for our elderly.

#### **8) Survey Protocol for Investigation of Nutrition & Hydration Problems**

Karen Gray, with OSDH provided handouts and documentation on the CMS Nutrition and Hydration Awareness Campaign. Included in the handouts were a copy of the regulations for maintaining nutritional parameters and a copy of the investigative protocol for unintended weight loss. Ms. Gray reviewed the LTC survey process and investigative protocol concerning unintended weight loss in LTC facilities. Ms. Gray spoke primarily in regard to Nutrition and Hydration in nursing homes but explained that it is a very serious topic of discussion for Assisted Living and other entities. Significant unintended weight loss is a marker of under nutrition and can trigger or be a clinical indicator for worsening health conditions. Ms. Gray explained that under nutrition or malnutrition is not a normal response to the aging process. Statistical data was provided concerning weight loss in various facilities in North America and some of the statistics underscored the impact that the CMS initiative of July 21, 1998 is having on nursing home facilities. Ms. Gray also advised that The American Medical Directors Association Clinical Practice guidelines, under altered nutritional status as an excellent tool for guidance for assessing residents and implementing interventions, treatment and re-evaluation.

There was a wide range of comments and discussion among the Board Members expressing concerns with facilities response to unintended weight loss. One of the principal concerns was the use of medication to stimulate a resident's appetite, some of the medications mentioned were: Marinol, Megace, Periactin, and Remeron. These particular medications have not been studied in an elderly population or in a LTC population. A consensus was reached that weight loss is a major issue and concern among the elderly in the LTC setting, including the use of medications to control weight loss.

Diane Hambric thanked Ms. Gray for her presentation and expressed her appreciation.

#### **9) Electronic Documentation**

Mary Fleming, OSDH, presented information on acceptable forms of electronic documentation for all facility types, including Assisted Living, Residential Care, Adult Day Care, and Nursing Home Facilities. Ms. Fleming provided handouts from CMS that specifically addressed use of electronic documentation. It has been acceptable since 1992 that MDS assessments can be performed electronically and that electronic signatures are acceptable. Ms. Fleming further explained that information can be kept electronically in any facility type but if a survey team needs documentation for their survey packets that this information would need to be made available in printed form.

Diane Hambric thanked Ms. Fleming for an interesting presentation.

#### **10) Revised CMS Guidance on Medical Directors**

Mary Fleming introduced and discussed the new CMS F501 guidelines for Medical Directors. It was advised that there has been a provision for many years that a facility must have a Medical Director. The revised guidance on surveying for Medical Directors in nursing facilities states we have to know that a licensed physician has been delegated as Medical Director and that this individual is involved in

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the oversight of the clinical coordination of and medical care for all residents and provides leadership. When a survey team goes into a facility they look for the current license of the doctor who is the Medical Director and then they will call the Medical Director to inform him/her that a survey is being conducted and the team then ascertains the Doctor's availability in the event information is needed during the survey. The survey team is looking at the Medical Director, in particular to observe how much they are involved in the medical oversight of residents clinical issues, such as, following Physician's orders, checking to see if physicians are coming to visit residents as required under Federal guidelines, checking whether or not nursing staff are following the physician orders and checking to see if orders are being noted and dated correctly by the nurses. The Medical Director is involved in clinical oversight and current practice standards of clinical problems such as, development of pressure ulcers, prevention and treatment of pressure ulcers, clinical nutrition and weight loss, falls, and restraint reductions. The Medical Directors are involved in medication reduction in the nursing facilities, infection control, tracking and trending, facilities quality assurance activities and they should attend the quality assurance meetings of the facility. Medical Directors have had a growing involvement in the last year in the areas of pain control and end of life issues.

Dr. Cathey expressed his desire to see the Medical Director Physician step up and take a larger role in responsibility and management of patients. Over medication and the management of medication is a very large concern in the care of those in LTC facilities. According to Dr. Cathey the standard needs to be raised among Medical Directors across the state; better education in the areas of LTC is needed. Dr. Cathey suggested to Dr. Winn to start the education process by addressing three issues: over medication, pressure ulcers and restraints. Dr. Cathey acknowledged there is a lot of good education available and we need to find ways to disseminate it across the board.

There was an abundance of information and positive discussion from the Board Members and the audience concerning this subject. Dr. Winn suggested having a 3 or 4 member group from the LTCFAB and also having representatives of the interdisciplinary team to look at all the very difficult health care issues that are emerging in LTC. A sub-committee to be named "Medical Director Best Practices Sub-Committee" was called together.

Dr. Peter Winn           Chair  
Dr. Jean Root           Co-Chair  
Dr. Tim Cathey  
Mich Magness  
Theo Crawley  
Esther Houser  
T.H. Timmons  
Cassell Lawson  
Diane Hambric

Diane Hambric thanked Mary Fleming and Dr. Cathey.

## **11) Update from Long Term Care**

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Ms. Huser expressed her excitement and enthusiasm regarding the Medical Director sub-committee and thanked everyone who is going to be involved.

Ms. Huser announced Mr. Jim Buck had filled the position of Assistant Chief of Long Term Care. Ms. Huser explained that three weeks after Jim was hired he received orders to report to Ft. Bliss, Texas and then he is to be deployed to Iraq for a year. Ms. Huser described Jim's previous job experience with the Oklahoma City-County Health Department.

Ms. Huser announced Ms. Eleanor Kurtz has filled the position as Director of Enforcement and Complaints, Ms. Kurtz has experience in the Ombudsman program, and she has an Administrators license and is very familiar with LTC.

Ms. Huser announced Assisted Living training has been set for February 21, 2008 and advised additional details would be forthcoming. Dr. Peter Winn agreed to be a guest speaker.

Ginny Bond Thanked Diane Hambric for her work as chair during the last two years

**12) New Business**

*Not reasonably anticipated 24 hours in advance of meeting.*

**13) Public Comment**

*Please limit comments to three (3) minutes.*

Public comments were made throughout the meeting.

**14) Adjournment**

The meeting was adjourned at 3:30



Retirement  
The Broadmoor  
Retirement  
Community

Assisted Living  
Heatheridge  
Assisted Living &  
Residential Care  
Community

Aberdeen  
Heights  
Assisted Living  
Community

Rainbow  
Assisted Living  
Community

Health Care  
Rainbow  
Health Care  
Community

Leisure Village  
Health Care  
Community

November 26, 2007

Mr. Hank Hartsell  
Ms. Dorya Huser  
Oklahoma State Department of Health  
1000 NE 10<sup>th</sup> St  
Oklahoma City, Oklahoma 73117

Oklahoma Board of Health  
1000 NE 10<sup>th</sup> St.  
Oklahoma City, Oklahoma 73117

Dear Sirs:

As past Chairman of the Long Term Care Facility Advisory Board, I wish to make you aware of a recent vote at the August 8, 2007 meeting in Oklahoma City.

At that meeting we heard presenters regarding the requirement for CEU's for Nurses in Oklahoma. Presenters included Ms. Louise Drake, Associate Director for Nursing Practice with the Oklahoma Board of Nursing and Dr. Susan Gaston, Director and Professor of Nursing at The University of Tulsa.

We had a robust discussion regarding continuing education practices for our nurses with both sides of the issue being discussed and revued. Oklahoma is one of 25 states that currently do not require continuing CEU's for nurses. Much discussion revolved around the competency levels, which nurses today must maintain, in order to remain educationally current. This education is important to the elderly, which is our boards' focus.

We voted as a group on record and the vote to support mandatory Continuing Education for Oklahoma Nurses passed, with 11 Ayes, 1 abstention and 4 Nay votes. The motion carried.

I wanted you to be aware of the vote and it's implications for future development of rules and law as it affects nurses and the citizenry of Oklahoma. We ask that you consider this in future discussions.

Thank you for your time and attention to this important matter.

Sincerely,

A handwritten signature in cursive script that reads 'Diane Hambric'.

Diane Hambric  
President  
Gold Medallion Senior Housing and Health Care

Cc: Dewey Sherbon, Wendell Short

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