

OK ST BD OF EXAMINERS FOR LONG TERM CARE ADMS. 10-23-2013

MINUTES

The Regular Board meeting of the Oklahoma State Board of Examiners for Long Term Care Administrators (OSBELTCA) was held October 23, 2013. The meeting location was at the Shepherd Mall Office Complex, 2401 NW 23rd, OSBELTCA Conference Room, Oklahoma City, Oklahoma. Mr. Bill Weaver, Chair, presided over the meeting.

MEMBERS PRESENT

Mr. Bill Weaver, Chair, OK City
Mr. Bill Pierce, Vice-Chair, OK City
Ms. Susan Barnes, Sec-Treasurer, Marlow
Ms. Nancy Atkinson, OK City
Mr. Curtis Aduddell, OK City
Ms. Nancy Poteete, Norman
Mr. Brett Coble, Ardmore
Ms. Nancy Pfeifer, Tulsa
Ms. Pat Bean, OK City
Mr. Jim Jakobovitz, Tulsa
Ms. Susan Haws, Glenpool
Ms. Denise Wilson, Langley

MEMBERS ABSENT

Ms. Stacie Ware, Broken Arrow
Dr. Scott Calhoon, OK City
Ms. Jacki Millsbaugh, OK City

OTHERS PRESENT

Mr. Gaylord Z. Thomas, Executive Director
Ms. Brinda White, Assistant Attorney General
Ms. Ginger Dean
Ms. Pam Duren
Ms. Becky Moore
Ms. Esther Houser
Mr. Ed Hendrix
Mr. David Zych
Mrs. Kendra Zych
Ms. Cassandra Whitehead

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Ms. Sue Wantand
Ms. Carrie Burnsed
Ms. Willena Ferguson
Ms. Jonna Flick
Ms. Deanna Ravellete
Ms. Debra Fehrenbach
Mr. Gus Pekara
Ms. Debbie Whitehead
Ms. Trish Emig
Ms. Merrideth Martin
Ms. Marilyn Kipps
Mr. Jim Kipps

Mr. Bill Weaver, Chair, called the meeting to order at 10:00 am and stated that we were in compliance with the Open Meeting Act and Authority.

Mr. Weaver asked Ms. Pam Duren to call roll to establish a quorum.

Present were Ms. Nancy Atkinson, Mr. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz.

Mr. Bill Weaver asked the Board members to review the minutes of the September 18, 2013 Board meeting.

Motion was made by Ms. Pat Bean, seconded by Ms. Nancy Poteete, to approve the minutes of the 9-18-2013 meeting. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble and Mr. Jim Jakubovitz. Negative – None. Abstaining – Ms. Susan Haws and Ms. Denise Wilson.

Mr. Weaver asked the public to introduce themselves to the Board members.

Mr. Curtis Aduddell, Chair of the Education Committee, gave the Education Committee report.

Mr. Aduddell led the review, discussion and possible action regarding granting the request of a Nursing Home Administrator's license.

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Mr. Aduddell informed the Board that Ms. Cassandra Whitehead met the requirements for becoming a Nursing Home Administrator.

Motion was made by Mr. Curtis Aduddell, seconded by Ms. Susan Barnes, to approve Ms. Cassandra Whitehead as a Nursing Home Administrator. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

Mr. Aduddell informed the Board that Mr. David Zych met the requirements for becoming a Nursing Home Administrator.

Motion was made by Mr. Curtis Aduddell, seconded by Ms. Susan Barnes, to approve Mr. David Zych as a Nursing Home Administrator. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

Mr. Aduddell led the review, discussion and possible action regarding granting the request of a Nursing Home Administrator's license from endorsement.

Mr. Aduddell informed the Board that Ms. Andrea Kintner met the requirements for becoming a Nursing Home Administrator in Oklahoma by endorsement.

Motion was made by Mr. Curtis Aduddell, seconded by Ms. Nancy Poteete, to approve Ms. Andrea Kintner as a Nursing Home Administrator in Oklahoma. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

Mr. Aduddell informed the Board that Ms. Merrideth Martin met the requirements for becoming a Nursing Home Administrator in Oklahoma by endorsement.

Motion was made by Mr. Curtis Aduddell, seconded by Mr. Brett Coble, to approve Ms. Merrideth Martin as a Nursing Home Administrator in Oklahoma. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble,

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Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

Mr. Aduddell led the review, discussion and possible action regarding granting the request of a Certified Assistant Administrator's license.

Mr. Aduddell informed the Board that Ms. Deanna Ravellette met the requirements for becoming a Certified Assistant Administrator.

Motion was made by Mr. Curtis Aduddell, seconded by Ms. Pat Bean, to approve Ms. Deanna Ravellette as a Certified Assistant Administrator. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

Mr. Aduddell led the review, discussion and possible action regarding granting the request for the Residential Care/Assisted Living Administrator's license.

Mr. Aduddell informed the Board that Ms. Jonna Flick met the requirements for becoming a Residential Care/Assisted Living Administrator.

Motion was made by Mr. Curtis Aduddell, seconded by Ms. Nancy Pfeifer, to approve Ms. Jonna Flick as a Residential Care/Assisted Living Administrator. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

Mr. Aduddell led the review, discussion and possible action regarding granting the request for the Residential Care Administrator's licenses.

Mr. Aduddell informed the Board that Mr. Erastus Chomba met the requirements for becoming a Residential Care Administrator.

Motion was made by Mr. Curtis Aduddell, seconded by Ms. Susan Barnes, to approve Mr. Erastus Chomba as a Residential Care Administrator. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

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Mr. Aduddell informed the Board that Ms. Cesaliegh Johnson met the requirements for becoming a Residential Care Administrator.

Motion was made by Mr. Curtis Aduddell, seconded by Ms. Nancy Pfeifer, to approve Ms. Cesaliegh Johnson as a Residential Care Administrator. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

Licenses were presented at this time.

Mr. Aduddell led the review, discussion and possible action regarding the request for continuing education hours for the following seminar:

OK Dept of Mental Health & Substance Abuse Services
Transforming the Future
Tulsa Southern Hills Marriott, Tulsa, OK
October 29 & 30, 2013
Oct 29th – 6 hrs of CE & Oct 30th – 4 hrs of CE
Requesting a Total of 10 hrs of CE

Motion was made by Mr. Curtis Aduddell, seconded by Ms. Nancy Pfeifer, to approve the aforementioned program. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble and Mr. Jim Jakubovitz. Negative – None. Abstaining – Ms. Susan Haws and Ms. Denise Wilson

Mr. Aduddell led the review, discussion and possible action regarding granting the request of the following Residential Care/Assisted Living Training/Certification Programs:

Gus Pekara, Ed.D., Director, OKC Downtown College, 300 Park Ave., OK City, OK
73102

Motion was made by Mr. Curtis Aduddell, seconded by Ms. Nancy Pfeifer, to approve the aforementioned program. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

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Mike Hopkins, Director, Center for Long Term Care Training Education, Carl Albert State College, 1507 S. McKenna, Poteau, OK 74953

Motion was made by Mr. Curtis Aduddell, seconded by Ms. Nancy Pfeifer, to table the aforementioned program for additional information. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

Mr. Aduddell led the review, discussion and possible action regarding granting a Residential Care/Assisted Living Administrator License.

Discussion of Ms. Willena Ferguson's licensure request was deferred to Mr. Z Thomas, Executive Director. Ms. Carrie Burnsed, legal counsel for Ms. Ferguson, was present.

Ms. Ferguson's Settlement Agreement was distributed for viewing by the Board Members.

Ms. Burnsed informed the Board that Ms. Ferguson had met all stipulations relating to her Settlement Agreement and requested Ms. Willena Ferguson receive her license as a Residential Care/Assisted Living Administrator. Questions were asked of Ms. Ferguson as to why she should receive her Residential Care/Assisted Living Administrator's license. Discussion followed.

Motion was made by Mr. Bill Pierce, seconded by Mr. Brett Coble, to approve Ms. Willena Ferguson as a Residential Care/Assisted Living Administrator with the stipulation that her license be placed on probation for three years and her continuing education hours be audited for three years. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Mr. Bill Weaver, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – Ms. Susan Barnes, Mr. Curtis Aduddell, Ms. Pat Bean and Ms. Nancy Poteete. Abstaining – None.

Motion was made by Ms. Pat Bean, seconded by Ms. Denise Wilson, to continue the licensure process of Ms. Deborah Dunn until the November Board meeting because she was not present. Motion carried with voting as follows: Affirmative - Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

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Mr. Gaylord Z. Thomas led the review, discussion and possible action regarding the Report of the Probable Cause Committee.

Mr. Thomas reported that the Probable Cause Committee recommended that there was no probable cause regarding Case No. 13-45(H), 13-54(H) and 13-63(H).

Motion was made by Ms. Pat Bean, seconded by Ms. Denise Wilson, to accept the recommendation of the Probable Cause Committee that there was no probable cause regarding the aforementioned cases. Motion carried with voting as follows: Affirmative – Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Mr. Bill Pierce, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakobovitz. Negative – None. Abstaining – Ms. Nancy Atkinson, Ms. Nancy Pfeifer and Mr. Brett Coble.

Mr. Thomas reported that the Probable Cause Committee recommended that there was no probable cause regarding Case No. 13-52(H), 13-53(H), 13-57(H) and 13-62(H).

Motion was made by Ms. Susan Barnes, seconded by Mr. Brett Coble, to accept the recommendation of the Probable Cause Committee that there was no probable cause regarding the aforementioned cases. Motion carried with voting as follows: Affirmative – Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakobovitz. Negative – None. Abstaining – Ms. Nancy Atkinson and Pat Bean.

Mr. Thomas reported that the Probable Cause Committee recommended that there was no probable cause regarding Case No. 13-47(H).

Motion was made by Ms. Nancy Pfeifer, seconded by Ms. Nancy Poteete, to accept the recommendation of the Probable Cause Committee that there was no probable cause regarding the aforementioned case. Motion carried with voting as follows: Affirmative – Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Denise Wilson and Mr. Jim Jakobovitz. Negative – None. Abstaining – Ms. Nancy Atkinson and Ms. Susan Haws.

Mr. Thomas reported that the Probable Cause Committee recommended that there was no probable cause regarding Case No. 13-58(H).

Motion was made by Mr. Brett Coble, seconded by Ms. Pat Bean, to accept the recommendation of the Probable Cause Committee that there was no probable cause regarding the aforementioned case. Motion carried with voting as follows: Affirmative – Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Denise Wilson and Mr. Jim Jakobovitz. Negative – None. Abstaining – Ms. Nancy Atkinson and Ms. Susan Haws.

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Ms. Susan Barnes, Chair of the Finance Committee, led the review, discussion and possible action regarding the Finance Report. Ms. Barnes stated that the financial summary was in the packets and that the Board remained on track. Discussion followed.

Motion was made by Ms. Curtis Aduddell, seconded by Ms. Pat Bean, to approve the report of the Finance Committee. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

Ms. Nancy Poteete was present, but unavailable for the vote of the Finance Committee Report.

Ms. Susan Barnes, Chair of the Personnel Committee, led the review, discussion and possible action regarding the Personnel Committee Report.

Ms. Barnes informed the Board that the annual evaluation of Mr. Gaylord Z. Thomas was very positive and that he had exceeded the standards. Ms. Barnes stated that Mr. Thomas had continually provided strong and direct leadership through some challenging issues facing the Board and that the progress made, since his tenure began, was noteworthy. The keys to his success are his organizational skills, past leadership positions, and his knowledge of the profession at all levels regarding regulation. Mr. Thomas has remained steadfast in his vision for this profession which is consistent with the Board's duties to elevate the professional standards. During a time of strong political and legislative pressure to consider lowering professional standards, he acted as an articulate and principled spokesperson. His work with the NAB is commendable and the results are clearly evident and beneficial to our Board, the profession and the vulnerable individuals who require care by those this Board licenses. This Board, as well as the people of the State of Oklahoma, is fortunate we have him in this position. Mr. Thomas provides excellent leadership and obviously believes in professional advancement for those involved in long term care. There is consensus from the seasoned Board member to our newest that he does an exemplary job and exceeds the standards required for continued service. Please note that several of the Board members specifically stated that Mr. Thomas is due a "significant" raise. The Goals jointly established for next year include the following:

Continue to work toward a Strategic Plan with the Executive Committee
Continue efforts to get the agency aligned for the possibility of future appropriations
Continue to represent the Board at NAB meetings and serve nationally

The recommendation of continued employment was YES.

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Motion was made by Ms. Nancy Pfeifer, seconded by Mr. Jim Jakubovitz, to approve the report of the Personnel Committee. Motion carried with voting as follows: Affirmative – Ms. Nancy Atkinson, Ms. Susan Barnes, Mr. Curtis Aduddell, Mr. Bill Weaver, Ms. Pat Bean, Ms. Nancy Poteete, Ms. Nancy Pfeifer, Mr. Bill Pierce, Mr. Brett Coble, Ms. Susan Haws, Ms. Denise Wilson and Mr. Jim Jakubovitz. Negative – None. Abstaining – None.

Mr. Gaylord Z. Thomas, Executive Director, gave his report as follows:

1. **RENEWAL SEASON:** Last month we told you about the OTC Tax Non-Compliant Notices being sent out to those administrators who are not in tax compliance and are therefore restricted from renewing their license until that is “fixed.” Several of those notified have already taken the necessary steps and are eligible to renew already. I’m being assured by our IT folks that we are still on track to start the renewals at the first of the month (Nov 1) but plan to send the renewal reminder out on Nov 4 to allow us “some” time to react to any issues that might come up early. We have new support personnel this year and it is their first time through this process (and many other processes). I’m honestly not perfectly comfortable with where these people “are” in understanding our needs and being able to meet them. Their “spin up” has been a little rough in my opinion, although I’ve been as patient as possible. Renewals will occur through December 31, 2013.
2. **RULES:** We have been in the “Public Comment Period” all month; as of the time I am writing this, I have NO COMMENTS so far. None. The public hearing is still scheduled for 9:00 am on November 20th, preceding our next Board meeting.
3. **OKLAHOMA STATE COUNCIL ON AGING:** Just an FYI. I attended their meeting in early October; I was asked to come and explain the role of our Board and so forth. I gave a short presentation and offered to take questions.
4. **NEWS INQUIRY:** Responded to a Channel 9 inquiry asking about last month’s agenda item concerning my evaluation. Kept the Executive Committee “copied” on that email request and response.
5. **NEXT MEETING:** November 20th.

Mr. Thomas also informed the Board that he had received another report, late yesterday evening, of an administrator working without a license and that he thought this issue in Assisted Living was going to continue because it seemed to be the culture that they understand the rules and will play the rules. They think that they can work without a license because, if they get caught, they have six months to fix it by the Oklahoma State Department of Health’s rule, so they are not afraid to send someone to work and put their license in danger. However, the Board made a pretty good statement today that it is not acceptable to work without a license. Discussion followed.

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Mr. James Kipps, member of the general public, questioned the Board regarding a situation where a Director of Nursing was acting as a Nursing Home Administrator for a period of six months. Discussion followed.

There was a celebration of Ms. Pam Duren's birthday which was today.

The meeting adjourned at 11:55.

Respectfully Submitted,



SUSAN BARNES, SEC-TREASURER