

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

DATE: November 07, 2016

TIME: 9:00 a.m. C.S.T

LOCATION: 665 Mainstream Drive  
Ground Floor, Iris Conference Room  
Nashville, TN 37243

MEMBERS PRESENT: Harold Walker, Board Chair  
Juanita Honeycutt, Vice Chair  
Florence Weierbach, PhD, Secretary  
Lakecia Harper, NHA  
Stephen D'Amico, MD  
Cynthia Wheeler, NHA  
Barbara Trautman, Consumer Member  
Vincent Davis, Director of Health Care Facilities

MEMBER(S) ABSENT: Marilyn Key, Hospital Administrator

STAFF PRESENT: Michael Sobowale, Unit Director  
Mary V. Webb, Board Administrator  
Kyonzte Hughes-Toombs, Deputy General Counsel  
Caroline Tippens, Assistant General Counsel  
Nichelle Dorroh, Disciplinary Coordinator, Office of Investigations  
Noranda French, Financial Officer

**1. Call to Order**

A roll call of board members present was taken. All were present with the exception of Ms. Marilyn Key. With a quorum present, Mr. Walker called the meeting to order at 9:18 A.M.

**2. Minutes**

A motion was made by Ms. Honeycutt, and seconded by Ms. Trautman, to approve the August 1, 2016 board meeting minutes as written. The motion carried.

**3. Office of General Counsel Report**

Kyonzte Hughes-Toombs, Deputy General Counsel, introduced Caroline Tippens, Assistant General Counsel, to the board. Ms. Tippens will become the new advisory attorney for the

Board. Ms. Hughes-Toombs presented the OGC Report. There were three (3) open cases in the Office of General Counsel. The AIT Program Approval/Denial rules have an effective date of September 7, 2016.

There were no legislative updates to report.

### **Agreed Order**

Anita Wilmoth, NHA # 1242

Ms. Wilmoth's attorney, Chris Puri was present. Ms. Hughes-Toombs presented an Agreed Order to the Board on Ms. Wilmoth as a result of findings from an investigation of a report of patient abuse at a facility on or about March 11, 2014 at which she was the Home Administrator. As part of its investigation, the Tennessee Department Health alleged that Ms. Wilmoth failed to report the incident. Ms. Wilmoth placed her license in a voluntary retired status on March 11, 2015, following the outcome of the investigation.

Should Ms. Wilmoth decide to reinstate her license, she must appear before the Board to petition for reinstatement. Also, as a prerequisite to licensure reactivation, Ms. Wilmoth must complete twenty-seven (27) clock hours of approved continuing education (including continuing education in the areas of ethics, abuse, and abuse reporting), which shall satisfy the continuing education requirements for licensure renewal.

Ms. Wilmoth understands that the Agreed Order is a formal disciplinary action and will be reported to the National Practitioner Data Bank (N.P.D.B.) and/or similar agency. A motion was made by Ms. Honeycutt, and seconded by Ms. Trautman, to approve the Agreed Order as presented. The motion carried.

### **4. Office of Investigations**

Nichelle Dorroh, Disciplinary Coordinator, presented the Investigative and Disciplinary report as follows: There are currently two (2) open complaints that will be reviewed before the end of the year. There are three (3) nursing home administrators being monitored and they are in compliance.

### **5. Financial Report**

Noranda French, Financial Officer, reported the board's financial statement for fiscal year ending June 30, 2016. Ms. French reported the current year net is \$40,340.19. She then presented the Board with a comparison analysis of its operating expenditures for FY2013, which was \$75,211.96, FY2014, which was \$78,789.14, and FYI2015, which was 79,304.77. The Board had a cumulative balance carryover of \$170,670.68 in FY2015. In comparison, the Board showed an increase in its cumulative balance carryover in the amount of \$208,905.64 for FY2016.

Ms. French presented the board with some scenarios for a proposed renewal fee decrease which would show a reduction in revenue if the renewal fee was reduced to \$185, \$160, or \$150 from the current \$210. After discussion, a motion was made by Ms. Honeycutt, and seconded by Mr. Davis, for the board to approve that its renewal fees be reduced to \$150. Dr. D'amico voted in non-approval of this motion. The motion carried.

## **6. Applicant Interviews/File Reviews**

### AIT Applicants

- A. **Daniel Amodio** – Mr. Amodio was not present. A motion was made by Ms. Honeycutt, and seconded by Dr. Weierbach, to approve Mr. Amodio for the administrator-in-training program. The motion carried.
- B. **Glenn Buckner** - Ms. Buckner was not present. A motion was made by Dr. D'Amico, and seconded by Dr. Weierbach, to defer her application until the next board meeting. The Board also requested that Ms. Buckner appear before the Board. The motion carried.
- C. **Benjamin Holland** – Mr. Holland was not present. A motion was made by Dr. Weierbach, and seconded by Ms. Harper, to approve Mr. Holland for the administrator-in-training program. The motion carried.
- D. **Casey Malone** - Ms. Malone was not present. A motion was made by Ms. Harper, and seconded by Ms. Wheeler, to approve Ms. Malone for the administrator-in-training program. The motion carried.
- E. **Terry Oglesby** - Mr. Oglesby was not present. A motion was made by Ms. Honeycutt, and seconded by Ms. Trautman, to approve Mr. Oglesby for the administrator-in-training program. The motion carried.
- F. **Daniel Phillips** – Mr. Phillips was not present. A motion was made by Dr. D'Amico, and seconded by Dr. Weierbach, to approve Mr. Phillips for the administrator-in-training program. The motion carried.
- G. **Ryan Vaden** - Mr. Vaden was not present. A motion was made by Mr. Davis, and seconded by Ms. Honeycutt, to approve Mr. Vaden for the administrators-in-training program. The motion carried.

### Reciprocity Applicants

- A. **Ariel Fuller** – Ms. Fuller was present. A motion was made by Dr. Weierbach, and seconded by Ms. Harper, to approve Ms. Fuller for licensure by reciprocity. The motion carried.

- B. Laurence Reed** – Mr. Reed was not present. A motion was made by Dr. D’Amico, and seconded by Mr. Davis, to approve Mr. Reed for licensure by reciprocity. The motion carried.
- C. Jacob Shearer** – Mr. Shearer was present. A motion was made by Ms. Honeycutt, and seconded by Ms. Trautman, to approve Mr. Shearer for licensure by reciprocity. The motion carried.
- D. Adam Mather** – Mr. Mather was not present. A motion was made by Dr. Weierbach and seconded by Ms. Harper, to approve Mr. Mather for licensure by reciprocity. The motion carried.
- E. Kenneth Shull** – Mr. Shull was not present. After a discussion of Mr. Shull’s application file, a motion was made by Ms. Honeycutt, and seconded by Dr. Weierbach, to defer a decision on Mr. Shull’s application file until the next scheduled board meeting. The Board also requested that Mr. Shull appear to answer questions related to the board’s concerns on the disciplinary action taken against his license by another State licensing board. The motion carried.

#### NAB Applicant

- A. Brandy Lewis** - Ms. Lewis was not present. A motion was made by Ms. Wheeler, and seconded by Mr. Davis, to approve Ms. Lewis to sit for the NAB examination. The motion carried.

#### Other Applicant Requests

- A. Al Tooks** – Mr. Tooks was present. Mr. Tooks’ reinstatement application file was presented to the board due to action taken against his license in Missouri. Mr. Tooks explained the circumstances that caused the disciplinary against his license. After a lengthy discussion with Mr. Tooks, a motion was made by Ms. Honeycutt, and seconded by Dr. D’Amico, to approve for Mr. Tooks’ license to be reinstated. The motion carried.

### **7. Ratification of Initial Determinations**

A motion was made by Dr. Weierbach, and seconded by Mr. Davis, to approve the list of newly licensed nursing home administrators:

Branam, Laurah  
Chappell, Robin  
Cottrell, Julie  
Defoor, Kenneth  
Jarvis, Theresa  
Jefferson, Yolanda  
Lampila, Renee

Lucas, Ricky  
Pulley, Tammy  
Raymer, Jennifer  
Ricks, Jeffrey  
Willis, Rosita  
Wong, Douglas

The motion carried.

A motion was made by Mr. Davis, and seconded by Dr. D'Amico, to approve the following list of license reinstatements, with a request to add Mr. Al Tooks' name to the list presented:

Sassman, Gregory  
Shelton, Jason  
Tooks, Al

The motion carried.

A motion was made by Ms. Trautman, and seconded by Dr. Weierbach, to approve the list of preceptors:

Hickerson, James  
Castillo, Sherri  
Wellman, Keith  
Hammontree, Donna  
Tandy, Rebecca  
Childress, Christopher  
Ward, Michael  
Wade, Melinda  
Gentry, Patricia  
Neil, Carolyn Pointer  
Adeogun, Paul

The motion carried.

## **8. Administrator's Report**

Ms. Webb reported that there are 830 active nursing home administrators as of October 28, 2016.

She also provided an account of board licensure activities from July 30, 2016 through October 28, 2016 as follows:

- New Applications received—27
- New licenses issued—13
- Reinstatements issued- 3

- Number of paper renewals- 25
- Number of renewals online- 66
- Number of licensees who retired- 6
- Failed to renew/Expired Applications- 13

Ms. Webb reported the online renewals constituted a usage rate of approximately 75% of all renewals during this period.

Ms. Webb reported the continuing education audit report from January through June 2016 as follows:

There were eight (8) licensees audited, five (5) were compliant, and three (3) were non-compliant. Mr. Walker expressed concern about whether all licensees are complying with their continuing education requirements. He stated that the Board might want to monitor the continuing education compliance rate going forward with a view to increasing the percentage of licensees being randomly audited.

#### **9. Waiver approval list from Health Care Facilities**

Ms. Webb presented the board with the list of Nursing Homes that had been granted a waiver since its last board meeting on September 7, 2016. The approved facilities were:

- Pigeon Forge Care and Rehabilitation Center, Pigeon Forge
- Signature Healthcare at Saint Francis, Memphis
- Diversicare of Martin Healthcare & Rehabilitation Center, Martin #281

#### **10. Conferences and Meetings to attend in 2017**

The Board approved two (2) individuals to attend the Federation of Associations of Regulatory Boards (FARB) 41<sup>st</sup> Annual Forum to be held at the Omni La Mansion del Rio, in San Antonio, TX, from January 26-29, 2017. A motion was made by Ms. Wheeler, and seconded by Mr. Davis, to approve slots for two (2) board representatives to attend the FARB meeting. The motion carried.

#### **Adjournment**

There being no further business, Dr. Weierbach made a motion, seconded by Ms. Honeycutt, to adjourn the meeting. The meeting adjourned at 11:30 A.M.

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Harold Walker, NHA, Chair

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Date

**These minutes were ratified by the Board at the March 6, 2017 meeting.**