

Alabama Board of Examiners of Assisted Living Administrators
Regular Board Meeting and Public Hearing

Date: Wednesday, August 5, 2015
Time: 11:00 a.m.

Place: 2740 Zelda Road, Ste. 3B
Montgomery, AL

Members Present: Ms. Ginger Fletcher
Ms. Angie Smith
Ms. Tammy Bowman
Ms. Bettye Bambarger
Ms. Martha Stokes
Mr. Leonard Gibson

Members Absent: Ms. Cindy Lewis
Ms. Renee Barnard

Others Present: Ms. Amy Findley, Executive Director
Mr. Jeff Long

Call to Order: The regular meeting of the Board was called to order at 11:10 a.m. by Chair, Ginger Fletcher.

Agenda: Martha Stokes motioned to approve the agenda as distributed, Angie Smith seconded the motion. There was no discussion and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

Minutes for Approval: The board was submitted the minutes from May 21, 2015.

Martha Stokes motioned to approve the May 21, 2015 minutes as distributed, Bettye Bambarger seconded the motion. There was no discussion and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

Executive Director Job Review: Ginger Fletcher gave a brief report on the ED Job Review.

Legal Counsel: Amy Findley gave a brief report on complaint 2015-0518-01. Discussion was held regarding surrendering the license.

Martha Stokes motioned the board accept the surrendered license of complaint 2015-0518-01, Leonard Gibson seconded the motion. Discussion was held. The motion was approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, and Martha Stokes.

A Rules Review Committee was established. Angie Smith, Tammy Bowman, Amy Findley and Todd Hughes.

BOE Budget: Amy Findley presented the board with the budget reports. Also included in the report were Amy Findley's vacation and sick leave balances.

Discussion was held.

CEU Audits: Amy Findley submitted the board with the latest CEU audit report. No discussion was held.

Applications for Review: Amy Findley submitted the board with several applications for review.

a) 062315-021468- Reported information on their background check. Discussion was held.

Angie Smith motioned to approve the application of 062315-021468, Tammy Bowman seconded the motion. There was no discussion and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

b) 062715-072266- This applicant has 3 different employment verifications that do not state the same thing. Discussion was held.

Angie Smith motioned to deny the employment verifications of 062715-072266 based on not having the required experience, Tammy Bowman seconded the motion. There was no discussion and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

c) 031915-071274- This applicant has 3 different employment verifications that do not state the same thing as well as a company job description. Discussion was held.

Tammy Bowman motioned to deny the employment verifications of 031915-071274 based on not having the required experience, Bettye Bambarger seconded the motion. There was no discussion and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

d) 123114-081387- this applicant has tried several times to say they meet the work requirements. An endorsement from employer was emailed. AF called the Employer to verify the accuracy of the form. The Employer stated that HR did not fill out the form, and that they were not full time.

Discussion was held.

Tammy Bowman motioned to continue the investigation on 123114-081387 and review it again at the next meeting, Angie Smith seconded the motion. There was no discussion and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

Fees: Replacement License Fee - \$25.00 fee – Discussion as held.

Angie Smith motioned to approve the \$25.00 replacement license fee, Tammy Bowman seconded the motion. There was no discussion and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

Reapplication Fee - \$150.00 fee – Discussion was held.

Martha Stokes motioned to approve the \$150.00 reapplication fee, Leonard Gibson seconded the motion. There was no discussion and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

Pursuant to the rule 135-X-13.01 requirement of annually adopting the fee schedule Angie Smith motioned to set and adopt the fee schedule presented to the board, Leonard Gibson seconded the

motion. There was no discussion and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

New Business:

The board held a discussion to define “Administrative” and “Resident/Patient Care”.

Administrative – assists management in planning, developing, organizing and implementing office duties and other job related duties as designated.

Angie Smith motioned to approve the administrative definition, Tammy Bowman seconded the motion. Discussion was held and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

Resident/Patient Care – The direct and active involvement to include all of the following: grooming, toileting, eating, bathing and dressing.

Angie Smith motioned to approve the administrative definition, Tammy Bowman seconded the motion. Discussion was held and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

Old Business: n/a

The August board meeting adjourned at 12:42pm.

Approved by: _____
Ginger Fletcher, Chair

Prepared by: _____
Amy Findley, Executive Director

PUBLIC HEARING- 11am-12pm (8/5/15)

Comments in Writing- None

Oral Comments - None

No one attended the public hearing.

The following rules are being voted on.

135-X-7-.01 (10) (a) (b)

(10) A person who has a license in good standing in this state, and continuously maintains such license, as a licensed nursing home administrator, or who is an administrator/chief executive officer of an acute care hospital, shall be exempt from the licensure requirement herein, if such person, at the time of application, has responsibility for administration of an assisted living facility subject to the following conditions:

(a) If the person wishes to be issued an assisted living administrator license, he/she shall pay an annual administrative fee as determined by the Board and document initially and annually thereafter the good standing of the nursing home administrator license or their continued employment as an administrator/chief executive officer of an acute care hospital.

(b) Any assisted living administrator license issued to a person who has a license in good standing in this state, and continuously maintains such license, as a licensed nursing home administrator or who is an administrator/chief executive officer of an acute care hospital and has responsibility for administration of an assisted living facility shall become void if the requisite nursing home administrator license becomes void or if the person no longer is the administrator/chief executive officer of a hospital.

Martha Stokes motioned to approve rule 135-X-7-.01 (10) (a) (b) without changes, Bettye Bambarger seconded the motion. Discussion was held and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

135-X-7-.01 (13) – adding the following language

(13) If an assisted living administrator's license card is stolen, lost or misplaced, a replacement license fee will be due to receive a new license card.

Angie Smith motioned to approve rule 135-X-7-.01 (13) without changes, Leonard Gibson seconded the motion. There was no discussion and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

135-X-7-.12 (s) – Adding the following language

(s) Has entered into a plea of nolo contendere, nolo contender, no contender, no contest, or t in an case involving a lewd or lascivious act against a child or an adult, inappropriate sexual conduct with a child or an adult, or any other crime in which the punishment could include a sentence of imprisonment exceeding one year;

Angie Smith motioned to approve rule 135-X-7-.12 (s) without changes, Tammy Bowman seconded the motion. There was no discussion and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.

135-X-13-.01

Adding a replacement license fee of \$25.00

Adding a reapplication fee of \$150.00

Increasing the administrative fine from up to \$1,000 to \$5,000 per violation

Leonard Gibson motioned to approve rule 135-X-13-.01 without changes, Martha Stokes seconded the motion. There was no discussion and the motion was unanimously approved by, Angie Smith, Tammy Bowman, Ginger Fletcher, Leonard Gibson, Bettye Bambarger, and Martha Stokes.