

Alabama Board of Examiners of Assisted Living Administrators
Emergency Board Meeting Called

Date: Friday, April 23, 2021

Time: 9:30 am

Place: Zoom and 60 Commerce St. Ste. 1440
Montgomery, AL 36104

Members Participating by Electronic Means:

Ms. Sue Jackson
Ms. Sal.Lee Sasser-Williams left at 10:17 a.m.
Ms. Jimmie Ann Campbell
Ms. Jamie Wise
Ms. Jill Benefield

Members Absent: Dr. Donald Marshall
Ms. Coretha Slayton

Others Present: Ms. Claire H. Austin, Acting Executive Director
Mr. Jim Sasser, Atty
Mr. Will Parker, Staff
Ms. Brenda Holden, Staff - Via Electric Means

Guest: Ms. Amy Findley – with the AL Assisted Living Association - Via Electronic Means
Kelley Mitchell – Electronic Means
Mike Earl – Electronic Means

And joining by Electronic Means at 10:05 Sandy Brackin invited by Jamie Wise.

Call to Order: The regular meeting of the Board was called to order at 9:35 a.m. by Chair Sue Jackson. A roll call was done by Claire Austin to determine there was a quorum of Board Members present.

Approval of Agenda: Jimmie Ann Campbell motioned to approve the agenda as presented; Jill Benefield seconded the motion. There was no discussion, and the motion was unanimously approved.

Approval of Minutes: Claire stated there was a typo on the Minutes for Amy Findley name which has been corrected. Jamie Wise stated she had several corrections. She stated Claire was listed as the Executive Director and it should be Interim Director, also an error on the second page third paragraph which stated Jimmie Ann Campbell made a statement, but it was Jamie Wise that made the statement. A motion to approve the February 11, 2021 minutes with the listed corrections was made by Jamie Wise and seconded by Jimmie Ann Campbell. No objections were made, the motion passed unanimously.

Executive Directors Report: Claire Austin explained the reason for the called meeting. She said they have two or three people that have failed the exam twice and are required to take the review course to continue with their group. While still in the Board Office these candidates called the Association to schedule the needed program and were informed it would not be available until July 2021. Attempts were made by the Acting Director to help get the course they needed to continue were all denied by the Association. Ms. Austin then reach out to several professionals qualified to provide the program to see if any of them would be interested and able to help. She stated it will be a constraint on the applicants not providing them resources to continue with their program. Only allowing one provider to determine

the time and location of Board mandated programs can causes a hardship on the applicants. She asked if the Board would approve additional providers to assist with the problem. She also stated that the applicants are requesting the programs be given in person and not online. Claire then turned the meeting over to Jim Sasser, Atty for the Board. Mr. Sasser also stated that only allowing one group to be an approved provider of the education was not a good idea. Jamie Wise then interrupted Mr. Sasser for clarity of who he was and why he was there. She then stated she did not think Claire had the authority to enter into a contract without the Board's approval. Mr. Sasser explained that Claire did have the authority to do so but that ultimately the Board would have to approve all contracts. Jill Benefield stated she needed to see the contract in writing because the last time she approved something she didn't have a paper copy of it and it didn't go the way she expected it to go, she thought the Board was signing a six-month contract and it tuned into a one-year contract. Mr. Sasser said there was a regular meeting scheduled in May and this would be the time to take this up and since the Board usually only meets four or five times a year Claire does have the authority to enter into a contract but at the next regular schedule meeting the Board would need to approve the contract.

Mr. Sasser continued that he has had the opportunity to look over several of the Board's documents like the audits and Examiners' reports and in doing so he finds there can be an issue with having mandated courses and only having one provider approved to provide said course. It can be problematic according to Mr. Sasser. He also referred to the Dental Examiners Board case that came up a few years ago where they talked about restraint of trade. He said having the Association being the sole provider of a mandatory training is problematic. He also stated it was commendable that the Association does offer the program but to limit it to the Association only, may run into problems with antitrust issues. Jill Benefield then stated a review course is not mandatory. Claire then stated it is after you fail the CAT I or CAT II test twice to continue you must take a review program. Claire also stated that as a State entity you cannot deny people the ability to take a mandatory course needed to get licensed or to continue to qualify to get licensed. Jamie Wise asked for clarification on exactly what it was that Claire was requesting. Claire again explained she had people needing to take the review course to continue with the program. Jamie Wise then stated the Board cannot continue to accommodate every single person that it was unrealistic and that they needed to set dates and times for the exams and stick to them. She also stated that other professionals are required to meet the requirements for their licenses and in some situations a person would have to wait to take an exam or a training. Mr. Sasser again stated the real problem is not the time but that only one provider is available to provide these programs. Jamie Wise stated she believes the Board needs to meet with the Association's Executive Committee to work together to get this corrected. Jamie Wise then made a motion for the Board and the Association's Executive Committee to work together to come up with a solution. Sue Jackson seconded the motion. It was then discovered that one of the Board Members left the meeting and there were not enough members to continue the meeting. Jamie Wise motioned to adjourn the meeting at 10:29 which was seconded by Jill Benefield. Voting in favor was Jamie Wise, Jill Benefield and Sue Jackson, however SalLee Sasser Williams had already left the meeting. Being that there were not enough members present to pass the motion, the motion failed.

The meeting adjourned at 10:29 a.m. due to there not being enough members present.

Approved by: _____
Sue Jackson, Chair

Prepared by: _____
Brenda Holden, Recording Secretary