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April 20, 2015

Ms. Kimberly Kucera
200 Elm Street North
Onamia, MN 56359

Re: Agreement for Corrective Action: Dated: July 14, 2014

Dear Ms. Kucera:

The Standards of Practice Committee of the Minnesota Board of Examiners for Nursing Home Administrators reviewed your Agreement for Correction Action and documentation in support of satisfaction of the terms contained therein. The Committee concluded that the Agreement has been satisfied.

We wish you future success in providing supports and services for Minnesotans and thank you for your cooperation.

Sincerely,

BOARD OF EXAMINERS FOR NURSING HOME ADMINISTRATORS

Randy D. Snyder, LNHA
Executive Director

**BEFORE THE MINNESOTA
BOARD OF EXAMINERS FOR
NURSING HOME ADMINISTRATORS**

STANDARDS OF PRACTICE COMMITTEE

In the Matter of
Kimberly Kucera
License No. # 4231

AGREEMENT FOR CORRECTIVE ACTION

This Agreement for Corrective Action ("Agreement") is entered into by and between Kimberly Kucera, LNHA. ("Respondent"), and the Standards of Practice Committee of the Minnesota Board of Examiners for Nursing Home Administrators ("Committee") pursuant to the authority of Minn. Stat. § 214.103, subd. 6(a). Respondent has been advised by Board representatives that Respondent may choose to be represented by legal counsel in this matter. Respondent elected to be represented by Lynn Schmidt Walters, Esq., Walters Legal Services, PLLC. The Board was represented by Assistant Attorney General, Sara P. Boeshans, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, Minnesota 55101, (651) 757-1422. Respondent and the Committee hereby agree as follows:

FACTS

1. This Agreement is based upon the following facts:
 - a. Respondent initiated an application for licensure on November 13, 2012. She received approval for the National Association of Boards for Long Term Care Administrators (NAB) national exam in July 2013. Respondent sat for the examination on August 12, 2013. During the examination, Respondent attempted to circumvent test protocols by accessing her study materials.

2. Respondent met with the Committee to discuss the information set forth in paragraph 1 above. Based on the discussion, the Committee views Respondent's conduct as inappropriate under Minn. Rules 6400.6900, subpart 1 (G), (I), and (M), and Respondent agrees that the conduct cited above constitutes a reasonable basis in law and fact to justify non-disciplinary corrective action under the authority of the Board.

CORRECTIVE ACTION

3. Respondent agrees to address the concerns referred to in paragraph 1 by taking the following corrective action:

a. Within the first year of licensure or (1) year from the date of this Agreement which is ever longer, Respondent shall successfully complete a continuing education course of not less than six hours of which the primary component relates to professional standards of long term care supports and services or an ethics course. The continuing education course must be preapproved by the Committee. For preapproval, Respondent must submit a description of the course, a course agenda, or a course outline for the Committee's review. The continuing education may be used in meeting the minimal annual clock hour requirement for the renewal of Respondent's license.

4. This Agreement shall become effective upon execution by the Committee and shall remain in effect until Respondent successfully completes the terms of the Agreement. Successful completion shall be determined by the Committee.

5. Upon Respondent's satisfactory completion of the Agreement, the Committee agrees to dismiss the complaint(s) resulting in the information referred to in paragraph 1. Respondent agrees that the Committee shall determine satisfactory completion. Respondent understands and further agrees that if, after the dismissal, the Committee receives additional

complaints similar to the information in paragraph 1, the Committee may reopen the dismissed complaint(s).

6. If Respondent fails to complete the corrective action satisfactorily or if the Committee receives additional complaints similar to the allegations described in paragraph 1, the Committee may, in its discretion, reopen the investigation and proceed according to Minn. Stat. chs. 144A, 214, and 14. Failure to complete corrective action satisfactorily will be deemed failing to cooperate with the Board and shall constitute unprofessional conduct under Minnesota Rules 6500.6900. In any subsequent proceeding, the Committee may use as proof of the allegations of paragraphs 1 and 2 Respondent's agreements herein.

7. Respondent understands that this Agreement does not constitute disciplinary action. Respondent further understands and acknowledges that this Agreement and any letter of satisfaction are classified as public data.

8. Respondent hereby acknowledges having read and understood this Agreement and having voluntarily entered into it. This Agreement contains the entire agreement between the Committee and Respondent, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this agreement.

Dated: 7/24/14

Dated: 7-28-14

Kimberly Kucera
Kimberly Kucera, LNHA
Respondent

Randy D. Snyder
FOR THE COMMITTEE