

**Board Meeting**  
**Board Office—Suite 404**  
**April 23, 2019**

**Members Present:** Jennifer Pfeffer, LNHA, Chair      Nathan Johnson, LNHA, Vice  
Nancy Tuders, RN, Secretary      Katie Davis, LNHA  
Michael Tripple      Steven Chies, LNHA  
Jane Pederson, MD

**Members Absent:** Vanessa Allmon      Val Cooke-DHS ex-officio  
Cathy Griffin – MDH ex-officio      Marilyn Reiersen

**Staff:** Randy Snyder, Executive Director      Jessica Schultz, Office Manager  
Nicholas Lienesch, AAGO

**Call to Order –Jennifer Pfeffer (Chair) 11:37 AM**

Additions to and Approval of Agenda – the order of the agenda was changed.

***A motion to approve the additions to the agenda was made by Chies and seconded by Tripple. A vote was called, and the motion passed.***

Approval of Minutes from January 30, 2019

***A motion to approve the minutes with a typo correction was made by Tripple and seconded by Johnson. A vote was called, and the motion passed.***

**Standards of Practice Committee– Nancy Tuders, Chair**  
**Review of New Reports and Complaints**

The minutes were corrected to include Tuders as in attendance by WebEx at the January 30, 2019 meeting.

**Review of New Reports and Complaints**

The committee reviewed **27 new** complaints **and twenty-five open cases** at the meeting for the period of October 16, 2018 to January 15, 2019.

Upon review, the committee directed:

- Dismissed 8
- Dismissed with review of LNHA actions and currently MDH compliant: **17**
- Review/Accept work on Agreement of Corrective Action; 1
- Hold for MDH compliance date: 6
- Letter of Inquiry: 13
- Recommend AAG Investigations: 1
- Dismissed following conference: 0
- Scheduled Conferences: 1
- HPSP 0
- Recommended ACA following Conference; **0**
- Hold/Final review of Stipulation and Order: **0**

- Refer to Minnesota Board of Nursing: 0
- Denial of Initial License : 0
- Non-jurisdictional; **91**
- Applicant Review : CBC : 3

### **Next Meeting**

The next committee meeting will have a scheduled appearance.

A Criminal Background Check delegation of authority document was presented to the Board as adopted from the District of Columbia's Licensing and Regulation Division for use as a tool in staff delegation of authority for triaging applicant criminal background checks.

***A motion delegate staff authority to use the Criminal Background Check Categories Assigned Reviews tool was made by Tripple and seconded by Davis. A vote was called, and the motion passed.***

### **Licensure/Education Committee – Marilyn Reiersen, Committee Chair**

The committee reviewed seven education related requests at their April 17, 2019 meeting.

- Variance of Minn. Rule 6400.6550 and 6400.6655: 5
- Education Waiver HSE: 2

The committee recommended approval of the waiver for the five applicant requests for Variance of Minn. Rule 6400.6550 and 6400.6655. There was not further discussion.

Discussion of two individual applications meeting endorsement requirements through HSE credentials took place and a vote was requested.

***A motion to deny the request to approve application for endorsement based on meeting the NAB Health Services Executive certification was made by Chies and seconded by Tripple with Pederson opposing. A vote was called, and the motion passed.***

The Committee also addressed the Delegation of Authority and will request that the board modify its existing delegation to list and grant authority to the Executive Director to approve all reasonably met submissions for waiver as an Assistant Administrator. Discussion to change delegation of staff authority to approve reasonably met submissions for waiver under Minn. Rules 6400.6650, subp. 1, letter A (assistant administrator) took place. Snyder and Pfeffer will work on this aspect of the request.

St. Mary's five-year academic program review will occur before the next Board meeting (July 2019).

### **Action Items (All action items should have board discussion, conclusion and direction: HSE and Minn. Statute 144A Legislative update/Verbal update on HF 90 SF 8, HF 1389 and SF 933/ Response to HF 2567- Snyder**

Message from Snyder outlined the lack of pushback from the public and no response from stakeholders on the Health Service Executive legislation. Snyder stressed the game plan for proceeding to rules would be flexibility.

### **HSE and Obsolete Rule Update : Tiernee Murphy**

Murphy spoke about the best approach to add the Health Services (HSE) licensure language to Rules, what is being done in other states (specifically Nevada), and how to communicate global verbiage. She talked about cleaning up old language and obsolete Rules.

The Board discussed the formation of a work group to moderate potential statute and rule change and Board member volunteers were requested to be appointed to the work group.

***A motion to appoint a taskforce to work with the potential statute and rule changes was made by Chies and seconded by Tripple. A vote was called, and the motion passed.***

Discussion took place to invite stakeholders to partake in the decision-making of the committee. Davis, Tripple and Pfeffer will sit on the work group.

### **State Examination Committee Report: Chair Johnson, Davis, Pfeffer, Reiersen, Griffin.**

The State Exam Committee met on April 23, 2019 to review the current version of the test and to add/rewrite questions. The committee reported that they will need to meet at least once more to finish the task.

Board discussion took place about methods of delivery of the state exam and benefits and drawbacks of the current system.

### **Tuition Reimbursement Request**

Schultz presented a request to cover tuition as outlined in MMB policy and the AFSCME Union manual.

***A motion to approve the request for tuition reimbursement was made by Chies and seconded by Tripple. A vote was called, and the motion passed.***

### **Clock Hours CE Merge Project Update:**

Action is underway to finalize a merger of NAB and Care Providers CE into the BENHA CEU portion of our database system for primary source verification in the event of licensee continuing education audit at the time of renewal of license.

### **Renewal and newsletter Draft**

Annual renewal newsletter draft was not available at the time of the meeting due to staffing.

### **Executive Director's Report**

2019 Terms of Tudors, Tripple, Davis expired on January 7, 2019. As of the meeting on April 23, no notice of appointment/reappointment has been provided by the Governor's office for Tripple or Davis. Tudors does not seek reappointment.

To that effect, a plaque of recognition was presented to Tudors for her years of service on the Board and as Board Secretary.

***A motion to commend the service of Nancy Tudors to the Board of Examiners for Nursing Home Administrators in the position of Board Member and Secretary was made by Chies and seconded by Tripple. A vote was called, and the motion passed.***

**Consent Items:**

FY19 Expenses/Revenues, Licensure Report for January 15 to April 15, 2019, Waiver of Course Requests /Courses Denied Reports, Shared Administrator-New Assignments, and New Licensees Report and Acting Permits Issued Report January 15 to April 15, 2019 were presented in the previously submitted packet.

Comment was made regarding a fees increase and potential for restructuring and additional staffing perchance the current legislation is passed.

**Other Business Public Comment**

The NAB Annual meeting will be held in Charleston, NC on June 12-15, 2019. Davis be in attendance and it proposed for her to sit as delegate.

***A motion to approve Davis as delegate to the NAB annual convention was made by Tuders and seconded by Chies. A vote was called, and the motion passed.***

**BENHA approved meeting dates: 2019 Dates: July 24, October 23**

**Adjournment**

***A motion to adjourn the meeting was made at 12:29PM by Tripple and seconded by Johnson. A vote was called and the motion passed.***

Recorder:  \_\_\_\_\_, Date: 07/24/2019  
Jessica Schultz  
Office Manager

Attest:  \_\_\_\_\_, Date: 07/24/2019  
Nathan Johnson  
Vice Chair