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**Board Meeting
Board Office—Suite 404
July 27, 2016**

Members Present: Katie Davis, LNHA
Nathan Johnson, LNHA, Vice Chair
Jane Pederson, MD
Nancy Tuders, RN, Secretary
Robert Held, LNHA-DHS ex-officio
Jennifer Pfeffer, LNHA
Michael Tripple
Marilyn Reiersen
Steven Chies, LNHA
Michelle Ness, MDH ex-officio

Staff: Randy Snyder, Executive Director
Jessica Schultz, Office Manager
Jennifer Middleton, AAGO

Call to Order –Nathan Johnson (Vice -Chair)
Johnson called the meeting to order at 10:05AM

Additions to and Approval of Agenda

Snyder added the overview of the Health Services Executive data to the agenda. *A motion to approve the agenda as amended was made by Davis and seconded by Tripple. The question was called and the motion was passed.*

Approval of Minutes from April 27, 2016

A motion to approve the minutes from April 27, 2016 was made by Pfeffer and seconded by Reiersen. The question was called and the motion was passed.

Standards of Practice Committee– Nancy Tuders, Chair

Tripple gave the report due to the absence of Tuders from the April 27, 2016 meeting.

The committee reviewed twelve new complaints and seven open cases at the meeting for the period of January 16, to April 15, 2016.

Upon review, the committee directed:

- Dismissed with review of LNHA actions and currently MDH compliant: 6
- Review/Accept work on Agreement of Corrective Action; 3
- Hold for MDH compliance date: 1
- Letter of Inquiry: 6
- Recommend AAG Investigations: 1

“Your role is to protect the public, not the profession”, Senator Kathy Sheran, February, 2015

- Scheduled Conferences 0
- HPSP 0
- Recommended ACA following Conference; 0
- Final review of Stipulation and Order: 0

The next committee meeting will be scheduled following the July 27, 2016 BENHA board meeting.

Licensure/Education Committee – Marilyn Reiersen, Committee Vice Chair

Licensure Report 4/1/2016 to 06/30/2016

The report was presented to the members in attendance. A current count of statuses was as follows:

- Acting Permits –8
- Active Licensees – 885
- Applications –127; includes Education and Experience Review (35)

It was noted that the number of applicants is the highest in recorded history, and has been steadily increasing.

Disclosure was made to the Board regarding a mail processing error made during the licensure renewal period. It was discovered that a portion of mail sent to the Minnesota Central Mail office for postage had not been sent. Investigation regarding the missing mail was made, communication was sent to individuals effected by the error, and individuals who did not receive their renewal certificates were identified. New certificates were mailed to the licensees who did not receive them in the initial mailing. Messages sent to the Central Mail office regarding the error have yet to be returned.

Waiver of Course Requirement/Courses Denied Reports 04/01/2016 to 06/30/2016

No data to report.

New Licensees Report and Acting Permits Issued Report 04/01/2016 to 06/30/2016

The report was presented to the members in attendance. A current count of statuses was as follows:

- Licenses issued –19
 - Of the 19 licenses issued, seven licensees have reported Administrator of Record assignments
- Temporary/Acting Permits issued –7
 - Permits were issued for Tuff Memorial Home, St. Isidore, Mala Strana Health Center, Augustana Mercy Health Care Center, Big Fork Medical Center, Mahnommen Health Care Center, and Golden LivingCenter- Rush City.

A motion to approve the Licensure Report from April 1 to June 30, 2016 was made by Tuders and seconded by Tripple. The question was called and the motion was passed.

Waiver-Variance Requests - Minn.Rule 6400.6600 Subp. 3

A request for a waiver of practicum hours was received by the office from a current applicant. After review of the application, it was discovered that the preceptor arranged by St. Joseph's College for the individual's practicum was not eligible to serve as a preceptor under **Minnesota Rules 6400.6600, Subp. 3. Preceptor requirements.**

The practicum must be supervised by a preceptor who is a currently licensed nursing home administrator who has been licensed and practicing as a nursing home administrator for at least two years. A preceptor may not supervise a student who is a related individual or who resides in the immediate household of the preceptor.

A request for waiver of practicum was submitted for Board review, requesting that the 400 hour practicum presided over by an ineligible licensee, be combined with an additional 16 week, 640 hour Administrator in Training from Golden LivingCenter under the tutelage of an Administrator with 10 years of experience.

Discussion regarding the awareness of Minnesota State Rule on behalf of St. Joseph's College occurred. Assurance was made by Snyder that the error was not intentional. Education regarding the Minnesota State Rules was extended to the college to ensure that the error would not occur again. St. Joseph's College operates in Standish, ME and serves the nation as a NAB accredited institution.

A motion to approve the requested waiver was made by Tripple and seconded by Pfeiffer. The question was called and the motion was passed with Davis and Chies abstaining.

Five year Academic Program Review Schedule – Report Snyder

Contacts, meetings and updates were conducted following direction at the April BENHA meeting, to contact all Minnesota approved programs and provide guidance to anticipated rule changes scheduled to be effective September 1, 2017 and to return to the five-year program accreditation schedule.

MSU-Moorhead asked if they can split the 1000 hour practicum into two separate semesters ie. Two back-to-back or consecutive summers per Minn Rule 6400.6600 Subp 2 relating to 20 hours per week as a minimum. Request to grant a variance to this rule on an individual basis was made. The Board suggested that the question be returned to the schools for review as to how it may work into their course schedule.

Job Posting: Request for non-skilled care employment listing

A request to post an employment opening to the Board's online listing for LNHA's from the Anoka Regional Treatment Center was received by the office. The listing did not include a minimum requirement of a Nursing Home Administrator License. The Board determined that the listing was not appropriate for the BENHA online listing based on the minimum qualifications of the employment opening.

Rulemaking Update

Final public comment was closed and the August 16, 2016 1:00 PM public hearing was cancelled. One comment on the rule changes was received by fax.

Action Items

NAB Meeting—Nathan Johnson

Johnson attended and reported on the NAB Annual Meeting in Cleveland, OH. He reported that the NAB PPA task force reported on the progress toward the Health Services Executive licensing structure. NAB has overseen the redesign of the NAB practice exams, as well as examined terminology used in the exams to reflect "core" concepts and activities that apply to all lines of service. This fall, they will view the first drafts of the HSE exams and standardize their passpoint.

National models and the Minnesota response: Statutory Revision: Shared Administrator, Board Name Change, and Statute Review to include Licensure by Equivalency.

Through a teleconference with Randy Lindner from NAB, a national overview of emerging best practices and HSE implementation strategies was provided to the Board. The HSE was described as voluntary and would provide a national common standard.

In response to the challenges and changing long term care environment the NAB began a forward looking approach to how long term care leaders are educated, trained and licensed to practice along the continuum of care. At the same time, NAB committed to addressing the challenges of professional image, inconsistent practice standards, licensure portability, meeting the needs of employers, regulators and supporting NAB's member regulatory boards and agencies in their role of public protection.

NAB proposes a new qualification standard, the Health Services Executive as a broader inclusive combination of education, experience and examination as meeting the equivalence of licensure qualifications for NHA, RCAL and HCBS. Graduates of a NAB Accredited HSE degree (BA/BS), of which two years is dedicated to the long-term care administration major including a minimum 1000 hour field experience would be eligible to apply for the HSE.

NAB current work plan: March 17, 2016

- Create sub-committee within the State Governance Committee of five early adaptor members to review and steer HSE to implementation. This group should meet in June, 2016 and regularly work towards HSE Implementation.
 - Outline HSE Standards Commission (five members elected or appointed by NAB leadership)
The five members would be standing members of a sub-committee of the State Governance Committee and imbedded within that committee, which strengthens the Committee with a 'process'.
 - Operationalize systems to mirror NCERS such as:
 - NAB staff receives application and contents;
 - Once applications are completed, NAB staff sends to a minimum of three of five Commission members for final approval and review.
 - NAB staff send completed verification to state board.
 - Commission must create bylaws, policies and procedures.
 - Commission must outline partnership approaches with state licensing boards to accept the HSE standards. The Commission will be responsible for consumer, advocacy and regulatory education.

Proposed State Action and Statutory Language Changes

The following items are provided to promote consistent and uniform language for each state to determine whether Licensure by Equivalency is best approached through statutes, rules or administrative policy. The global intent is to provide each state common minimum language to add to their compliance requirements to assure consistency of qualifying standards and maintain the operational aspects governed by NAB.

Options for State Licensure

NAB recommends one of two options to recognize a licensure candidate who has been validated and qualified as a Health Services Executive by the NAB.

1. Establish through statute, regulations or rules qualification for licensure a candidate who has been validated and qualified as a Health Services Executive by NAB as meeting the states requirements for licensure as a Nursing Home, Assisted Living or Home and Community Based Administrator and issue them a state license in the applicable category of licensure.
2. Establish through statute, regulations or rules a new license category “Health Services Executive (HSE)”. Recognize candidates who have been validated and qualified as a Health Services Executive by NAB as meeting the states requirements for an HSE license with the HSE license meeting the states requirements for licensure as a Nursing Home, Assisted Living or Home and Community Based Administrator.

A motion to comply with the recommended action by NAB was made by Chies and seconded by Davis. The question was called and the motion passed.

An Ad Hoc committee to review the implementation of the NAB recommendations was appointed with members to include Board members Chies, Reierson, Davis, and Tripple and representatives from the state trade associations.

Executive Director’s Report

Snyder reported that the terms of Johnson, Pederson and Reierson expire on January 6, 2017 with service to June. Past Board Chair Bircham was recognized for his service.

Financial consent items were presented for review. Prior month financial FY 16 budget and FY16 Expenses/Revenues were made available.

A motion to approve the financial consent items was made by Pfeiffer and seconded by Davis. The question was called and the motion passed.

Election of 2016 BENHA Officers and Committee Assignments

Snyder opened nominations for Board chair.

Nomination for Pfeiffer for Board chair was made by Davis and seconded by Johnson. Chies moved to close the nomination. The vote was called and the nomination was passed.

Snyder opened nominations for Board vice chair.

Nomination for Johnson for Board vice chair was made by Davis and seconded by Tuders. Chies moved to close the nomination. The vote was called and the nomination was passed.

Snyder opened nominations for Board secretary.

Nomination for Tuders for Board secretary was made by Chies and seconded by Johnson. Pfeiffer moved to close the nomination. The vote was called and the nomination was passed.


Other Business

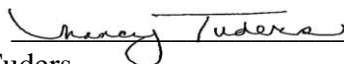
Committee appointments were discussed and Chair Pfeffer asked for volunteers. As a result, the Standards of Practice committee will stand, Ness and Pfeffer were appointed to the Laws and Rules Committee, and Reiersen and Davis were appointed to the Licensure Education Committee.

A motion to adjourn the meeting was made at 12:10PM by Tripple and seconded by Johnson. A vote was called and the motion passed.

The next Board meeting will be held at the Board office on October 26, 2016.

Meeting for the 2017 year are as follows: January 25, April 26, July 26, October 25.

Recorder:  _____, Date: 11/07/2016
Jessica Schultz
Office Manager

Attest:  _____, Date: 10/26/2016
Nancy Tuders
Board Secretary