

**GEORGIA STATE BOARD OF  
NURSING HOME ADMINISTRATORS MEETING MINUTES  
March 29, 2012**

The Georgia State Board of Nursing Home Administrators held a meeting on Thursday, March 29, 2012 at 237 Coliseum Drive, Macon, Georgia 31217.

**Members Present:**

Barbara Baxter, Chair  
Norma Jean Morgan  
Dr. Maranah Sauter  
Pamela Griffin, Consumer Member  
Maxine McCullar (via conf. call)  
Carol Roberson, RN (via conf. call)  
Scott Kroell (via conf. call)  
Vickie Walter

**Board Members Absent:**

Terrell Cook, Vice Chair  
W. Dennis Taylor, Jr., M.D.  
Philip Stone  
Christi Card

**Others Present:**

Brig Zimmerman, Executive Director  
Serena Gadson, Licensure Supervisor  
Amanda M. Allen, Board Support Specialist  
Scarlett Shell, Assistant Attorney General (via conference call)

Ms. Baxter, Board Chair, established a quorum was present and called the meeting to order at 9:07 a.m.

**Agenda:**

**Ms. Morgan motioned, Dr. Sauter seconded, and the Board voted to approve the agenda as presented. None opposed, motion carried.**

**Board Announcements:**

New Board Member Oath of Office:

- Ms. Victoria “Vickie” Walter, was sworn into office

Board Member Reappointments:

- Ms. Maxine McCullar –reappointed thru June 2014

Ms. Baxter, Chair announced that Ms. Norma Jean Morgan, CEO Effingham Hospital had been featured in a magazine article by Effingham Health Systems.

**Approval of Minutes**

- **Mr. Kroell motioned, Dr. Sauter seconded, and the Board voted to approve the Minutes from the following meetings as presented.**
  - December 08, 2011
  - December 16, 2011-Conference Call
  - February 09, 2012-Conference Call

**Executive Director’s Report:**

1. Mr. Zimmerman notified the Board that the scheduled June 28, 2012 and December 20, 2012 meeting has been changed from a previously scheduled face-to-face meeting to a conference call.

2. Mr. Zimmerman notified the Board that he would like to work directly with DCH to correct the website/link information to laws and rules on the Board's application for licensure. Board member Walter agreed to assist.
3. Mr. Zimmerman presented the Board with correspondence from Mr. David Cook, DCH Commissioner, regarding fulfilling their obligation under the law in relation to member positions on the Board.

**Ms. Morgan motioned, Dr. Sauter seconded, and the Board voted to approve the Executive Director's Report as presented. None opposed, motion carried.**

**Public Rule Hearing:**

There were no guest(s) attendees for the public rule hearing.

- Rule 393-2-.01 Definitions

**SYNOPSIS OF PROPOSED AMENDMENTS TO THE  
THE GEORGIA BOARD OF NURSING HOME ADMINISTRATORS  
RULES: CHAPTER 393-2-.01 DEFINITIONS**

**Purpose:** The purpose of the proposed chapter amendment is to add a definition to the rule.

**Main Feature:** The main feature of the proposed chapter amendment is to define the Board's position on the term "Assistant Administrator".

**THE PROPOSED AMENDMENT TO THE GEORGIA BOARD OF NURSING HOME  
ADMINISTRATORS RULES: 393-2-.01 DEFINITIONS**

**Note:** Underlined text is proposed to be added; lined-through text is proposed to be deleted.  
**393-2-.01 Definitions. Amended.**

(a) The term "Administrator" shall mean a person who has met all requirements of the Georgia State Board of Nursing Home Administrators and has been granted a license by the Board to operate, manage, supervise or be in charge of a nursing home.

(b) The term "Administrator of Record" shall mean a person with a current Georgia Nursing Home Administrators license who is designated by the governing body of a nursing home to serve as its administrator.

(c) The term "Governing Body" shall mean the board of trustees, the partnership, the corporation, the association, the person, or group of persons, who maintains and controls the home and which is legally responsible for its operation.

(d) The Georgia Board does not recognize the title of "Assistant Administrator". Anyone performing the duties as an Administrator in a Nursing Home facility must be licensed by the Board.

**Authority: O.C.G.A. §§ 43-27-1, 43-27-4, 43-27-5, and 43-27-6**

**Ms. Robinson motioned, Dr. Sauter seconded, and the Board voted to adopt the amendments to Rule 393-2-.01 Definitions. Amended, as posted for the 30-day minimum requirement. None opposed, motion carried.**

## Rule 393-5-.03 Reinstatement

Ms. Morgan motioned, Dr. Sauter seconded, and the Board voted not to adopt the amendments to Rule 393-5-.03 Reinstatement as posted for the 30-day minimum requirement. None opposed, motion carried.

- Rule 393-13-.01 Requirements

### SYNOPSIS OF PROPOSED AMENDMENTS TO THE THE GEORGIA BOARD OF NURSING HOME ADMINISTRATORS RULE CHAPTER 393-13-.01 REQUIREMENTS

**Purpose:** The purpose of the proposed chapter amendment is to update the existing rule language to meet current professional standards.

**Main Feature:** The main feature of the proposed chapter amendment is to remove outdated language and add new language reflecting new industry trends in maintaining professional standards.

### THE PROPOSED AMENDMENT TO THE GEORGIA BOARD OF NURSING HOME ADMINISTRATORS RULE CHAPTER 393-13-.01, REQUIREMENTS

**Note:** Underlined text is proposed to be added; lined-through text is proposed to be deleted.  
**393-13-.01 Continuing Education Requirements. Amended.**

(1) Forty (40) clock hours of continuing education are required biennially to renew a license.

(2) A minimum of six (6) of the ~~forty (40)~~ hours shall be on ~~residents' rights and/or in health care professional ethics~~ Professional Development/Integrity and/or Resident Rights. These hours may not be earned through online or independent study. The main focus must be on standards of professional conduct, professional responsibility, malpractice and recognition of ethical dilemmas. Hours concerned exclusively with legislative issues will not be acceptable. ~~If a licensee acquires more than six hours in residents' rights and/or ethics, the excess hours may be used toward the 34 hour requirement listed below.~~ A minimum of three (3) of the forty (40) hours shall be on Emergency Preparedness training. These hours may not be earned through online or independent study, unless sponsored by Georgia Safe-Net or GHCA or FEMA. The main focus of these hours is disaster planning/preparedness.

(3) The remaining ~~thirty-one (31)~~ 34 clock hours shall be in any or all of the following health care subject areas; ~~descriptions of which will be provided by the Board upon request:~~

- (a) Resident Centered Care and Quality of Life;
- (b) Gerontology and Special Populations (~~See definitions in 393-4-.01(14)~~);
- (c) ~~Personnel Management~~ Human Resources;
- (d) ~~Finance/Financial Management~~ Practice/Financial Integrity;
- (e) ~~Marketing and Public Relations~~ Leadership Skills and Management;
- (f) ~~Environmental Management~~ Ancillary Services Management/Development;
- (g) Regulatory ~~Management~~ Compliance;

(h) ~~Organizational Management Quality Assurance.~~

(4) Online study from a NAB/N.C.E.R.S. approved course is allowed (see # 5).

(5) No more than twenty (20) clock hours may be from any online provider, OR, one course, ~~workshop or presentation~~. However, this limit does not apply to professional conferences which offer multiple presentations.

(6) The continuing education requirement for the first renewal of a license which was issued in even numbered years; shall be twenty (20) hours in any combination of the categories set out above. Licensees obtaining licensure in odd numbered years shall not be required to obtain any continuing education hours prior to the first renewal cycle. The passing of the national examination at any time during the biennium shall be equal to twenty (20) hours of continuing education.

(7) ~~Providers who measure continuing education activities in A "Continuing Education Units" (CEUs) shall define one CEU~~ be defined as ten (10) clock hours of continuing education.

~~(8) Independent Study. A maximum of five continuing education hours may be obtained by engaging in any of the following independent study activities as long as they are in the content areas set out in Rule 393-13-.01(3) above: teaching a course, presenting a lecture, or conducting a workshop for the first time; listening to audio tapes; viewing video tapes; reading, editing or writing professional books or articles; and conducting professional research. The licensee shall attest to the number of clock hours completed, the type of activity, the subject material covered, and the dates involved. Continuing education hours must be obtained within the two year biennium renewal cycle (i.e. January 1<sup>st</sup> of Even Numbered years and December 31<sup>st</sup> of Odd Numbered years).~~

**Authority: O.C.G.A. § 43-27-5**

**Mr. Kroell motioned, Dr. Sauter seconded, and the Board voted to adopt Rule 393-13-.01 CE Requirements as posted for the 30-day minimum requirement. None opposed, motion carried.**

- Rule 393-13-.02-Sources

### **SYNOPSIS OF PROPOSED AMENDMENTS TO THE THE GEORGIA BOARD OF NURSING HOME ADMINISTRATORS RULE CHAPTER 393-13-.02 SOURCES**

**Purpose:** The purpose of the proposed chapter amendment is to clarify the requirements of certifying documents and add acceptable sources of continuing education hours.

**Main Feature:** The main feature of the proposed chapter amendment is to add language to clarify what is acceptable on continuing education certificates of attendance and update the listing of acceptable sources for continuing education hours.

### **THE PROPOSED AMENDMENT TO THE GEORGIA BOARD OF NURSING HOME ADMINISTRATORS RULE CHAPTER 393-13-.02 SOURCES**

**Note:** Underlined text is proposed to be added; lined-through text is proposed to be deleted.  
**393-13-.02 Continuing Education Sources. Amended.**

(1) Continuing education hours may be obtained by participation in activities sponsored,

co-sponsored or approved by any of the below listed sources. The licensee's certificate of attendance must document the number of clock hours of educational content in each activity: and indicate the source of education (NAB, N.C.E.R.S., etc.) or it may not be accepted as proof of completion. Continuing education hours must be obtained within the two (2) year biennium renewal cycle (i.e. January 1st of Even Numbered years and December 31<sup>st</sup> of Odd Numbered years).

(a) ~~Professional or~~ trade associations in long-term care or out of State Nursing Home Administrator Licensing Boards, OR,

(b) Educational institutions accredited by a regional body recognized by the Council on Post Secondary Accreditation. The educational institution shall certify the number of clock hours of educational content in each activity. One semester hour of course credit shall be equivalent to fifteen (15) clock hours of continuing education, and one (1) academic quarter hour of course credit shall be equivalent to ten (10) clock hours of continuing education, OR,

~~(c) Nursing home administrator licensing boards. The Board or Board's approved sponsor shall certify the number of clock hours of educational content in each activity; and~~

~~(d)~~ (c) National Continuing Education Review Services (N.C.E.R.S.) of the National Association of Boards of Nursing Home Administrators (NAB). Continuing education hours may be obtained by participating in programs approved by N.C.E.R.S., ~~and~~ OR,

~~(e)~~ (d) Government Agencies, ~~School Systems~~ Educational Institutions and Hospitals. Continuing education hours may be obtained by participating in "in-service" training, courses or workshops pertaining to long term care sponsored by federal, state or local government agencies, ~~public school systems~~ educational institutions and licensed hospitals.

(e) Educational hours earned from an unapproved source will not be counted toward the required continuing education hours for any two year biennium renewal cycle.

**Authority: O.C.G.A. § 43-27-5**

**Ms. McCullar motioned, Ms. Morgan seconded, and the Board voted to adopt the amendments to Rule 393-13-.02 Sources as posted for the 30-day minimum requirement. None opposed, motion carried.**

- Rule 393-13-.03 Documentation

#### **SYNOPSIS OF PROPOSED AMENDMENTS TO THE THE GEORGIA BOARD OF NURSING HOME ADMINISTRATORS RULE CHAPTER 393-13-.03 DOCUMENTATION**

**Purpose:** The purpose of the proposed chapter amendment is to clarify the requirements of certifying documents and add acceptable continuing education providers.

**Main Feature:** The main feature of the proposed chapter amendment is to add language to clarify what is acceptable on continuing education certificates of attendance and update the listing of acceptable providers.

#### **THE PROPOSED AMENDMENT TO THE GEORGIA BOARD OF NURSING HOME ADMINISTRATORS RULE CHAPTER 393-13-.03 DOCUMENTATION**

**Note:** Underlined text is proposed to be added; lined-through text is proposed to be deleted.

### **393-13-.03 Continuing Education Documentation. Amended.**

(1) Each licensee shall maintain for three (3) years documentation of the continuing education activities they complete. The Board will not maintain continuing education files for licensees. Do NOT request providers submit your certificates of attendance directly to the Board. It is the licensee's responsibility to maintain the documents.

(2) Each licensee shall attest to having met the continuing education requirement on their biennial license renewal. Documentation of these activities should be retained by the licensee and not sent to the Board unless ~~requested~~ the licensee is selected by the Board for a continuing education audit.

(3) The Board shall randomly audit licenses during each renewal period. If a licensee is audited, they must renew online, or request a paper renewal form be mailed to them, and send the CE certificates, GHCA Listing, or the transcript to the Board for approval ~~prior to the December Board meeting~~ no later than December 31<sup>st</sup> of the odd numbered renewal year (expiration date). All continuing education certificates of attendance or listings must have been obtained within the two year biennium renewal cycle (i.e. January 1st of Even Numbered years and December 31<sup>st</sup> of Odd Numbered years) and indicate the source of education (NAB, N.C.E.R.S., etc.) or it may not be accepted as proof of completion.

(4) If the audited licensee fails to submit the required CE documentation to the Board for review, ~~then~~ the ~~applicant~~ licensee will may be subject to Board discipline and the license will not be ~~mailed~~ renewed until the Board has received and approved the required CE documentation.

~~(5) If the Board determines that any or all of the CE submitted does not meet the requirements, the Board will notify the licensee in writing of the failure.~~

~~(6) (5) In the event the Board determines that any or all of the clock hours which the licensee obtained failed to meet the subject area requirements set out in the Rules of the Georgia State Board of Nursing Home Administrators, Chapter 393-13-.01 above, the Board shall notify the licensee, by e-mail or in writing, of the failure. The license will then be deemed to have expired placed in "Renewal Pending" status. The licensee may correct the deficiency by June 30, following the license expiration date of December 31, of the odd numbered years. Failure to correct the deficiency within this period shall result in revocation pursuant to the Rules of the Georgia State Board of Nursing Home Administrators, Chapter 393-5.~~

(6) The licensee may correct any identified deficient continuing education hours by March 31<sup>st</sup> of even numbered years. Failure to correct the deficiency within this period shall result in revocation of the license by operation of law and in accordance with Board rules, Chapter 393-5.

**Authority: O.C.G.A. § 43-27-5**

**Dr. Sauter motioned, Ms. McCullar seconded, and the Board voted to adopt the amendments to Rule 393-13-.03 Documentation as posted for the 30-day minimum requirement. None opposed, motion carried.**

#### **Continued Rule Discussion:**

Board discussed possible amendments to the following rules.

- Rule 393-4-.02 Georgia Board Approved AIT Program Requirements
- Rule 393-5-.02 Late Renewal
- Rule 393-5-.03 Reinstatement (withdrawn from today's Public Rules Hearing-Revisit)

**Applications Ratify List:**

The Board reviewed the list of applicants that have been previously reviewed and approved between meetings for administrative issuance under the Boards direction since the prior meeting, March 29, 2012.

**Dr. Sauter motioned, Ms. Griffin seconded, and the Board voted to ratify the list as presented. None opposed, motion carried.**

**Petition for Variance/Waiver Requests:**

- Timothy Lane-Rule 393-13-.01 –Requirements

**Dr. Sauter motioned, Mr. Kroell seconded, and the Board voted to deny the petition for variance/waiver request due to insufficient evidence provided to prove hardship. None opposed, motion carried.**

- Rachelle Wicker-Rule 393-3.02-Licensure Requirements

**Dr. Sauter motioned, Mr. Kroell seconded, and the Board voted to deny the petition for variance/waiver request due to insufficient evidence provided to prove hardship. None opposed, motion carried.**

**Executive Session:**

**Dr. Sauter motioned, Ms. Morgan seconded, and the Board voted to enter into Executive Session in accordance with O. C. G. A. §43-1-2(k) (1) (2), § 50-14-2 (1), and 43-1-19(h) (2) &(4), to deliberate on applications, complaints, and to receive the Assistant Attorney General's, and Cognizant reports. Voting in favor of the motion were Baxter, Morgan, McCullar, Sauter, Griffin, Kroell, Robinson and Walter.**

**At the conclusion of Executive Session on Thursday, March 29, 2012, Ms. Baxter declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq.**

**Applications:**

**Dr. Sauter motioned, Ms. Griffin seconded, and the Board voted to accept the recommendations on the Administrator in Training monthly reports. None opposed, motion carried.**

**Dr. Sauter motioned, Ms. Griffin seconded, and the Board voted to accept the recommendations on the applications for licensure. None opposed, motion carried.**

- (09) AIT Applications approved for licensure
- (08) Applications by Endorsement approved for licensure
- (03) AIT Site Renewal Applications approved for licensure
- (01) Application by Reinstatement approved for licensure

**Professional Practices Committee Report:**

Ms. Baxter gave an update on the pending complaint/investigation cases with the committee.

**Cases Closed: No Additional Information Required:**

- NHA110032, NHA110076, NHA110096, NHA120017, NHA120026, NHA120031, NHA120035, NHA120038, NHA120039, NHA120040, NHA120043, NHA120046, NHA120049, NHA120052, NHA120054, NHA120058, NHA120059, NHA120062, and NHA120063

**Cases referred to Investigations:**

- NHA120045

**Attorney General's Report:**

Ms. Scarlett Shell, Assistant Attorney General provided a status report to the Board, which included information on any cases referred for action, requests for advice and/or requests for authority for proposed rules.

**Ms. Morgan motioned, Dr. Sauter seconded, and the Board voted to accept the Attorney General's Report as presented. None opposed, motion carried.**

**With no additional business to be discussed, Dr. Sauter motioned, Ms. Morgan seconded, and the Board voted to adjourn the meeting at 10:56 a.m.**

**Minutes recorded by:**

Amanda M. Allen, Board Secretary

**Minutes reviewed and edited by:**

Brig Zimmerman, Executive Director

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Barbara Baxter, Chair

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Brig Zimmerman, Executive Director

These minutes were signed and approved on 06-20-2012