



**STATE OF LOUISIANA
BOARD OF EXAMINERS OF
NURSING FACILITY ADMINISTRATORS**

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QUARTERLY BOARD MEETING MINUTES
AUGUST 21, 2019

The Louisiana Board of Examiners of Nursing Facility Administrators (“LABENFA”) met August 21, 2019, at the LABENFA office, 5647 Superior Drive, Baton Rouge, LA 70816 for its quarterly Board meeting.

Board Members Present:

Earl Thibodaux – Chairman	Bill Ledbetter	Teddy R. Price
Delbert Wilbanks – Vice Chair	Dr. Susan Nelson	Malcolm Tietje, LDH
Scott Crabtree	Andrew Periloux, LDH	Kemp Wright
Patricia LaBrosse		

Also Present:

Mark Hebert, Executive Director	MaryAlice Durham, Asst. Executive Director
Cheryl Young, Executive Assistant	Thomas Devillier, General Counsel

Absent:

Ronnie Goux	Dr. Sharon Hutchinson	Jack Sanders
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Call to Order

The meeting was called to order at 1:12PM by Earl Thibodaux, Chairman. Mr. Thibodaux asked for a motion to be made to amend the agenda allowing Dr. Nelson to update the Board on the Louisiana Physician Orders for Scope of Treatment (LaPOST) after the Executive Director’s report. Motion was made by Ms. LaBrosse, seconded by Mr. Wilbanks, and unanimously approved.

Review/Approval of the Minutes

The Board was requested to review the May 22, 2019 minutes (Tab 2). After a brief review, Mr. Crabtree made a motion to approve the minutes, seconded by Mr. Wright, and unanimously approved.

Executive Director Report

Mr. Hebert presented the Executive Director Report (Tab 3). Mr. Deviller addressed the Board concerning the 2019 Legislative Session and certain legislation that impacts our Board. Concerning Act 35, LABENFA has not and will not execute consent agreements which prevent a claimant from disclosing facts or claims of sexual harassment. Concerning Act 179, LABENFA has not and will not execute any consent agreements which prohibit a licensee from providing testimony or documents to a legislative body. Concerning Act 204, LABENFA will seek to promulgate any necessary rules or rule revisions prior to February 1, 2020 to temporarily avoid the added expense and reporting necessary for the “Small Business” report required by this

legislation. Concerning Act 227, LABENFA has already modified its internal procedures to comply with the requirements of this legislation, which relates to the denial, suspension, or revocation of a license or application due to a person's student loan status. Concerning Act 340, LABENFA does not anticipate any litigation for Open Meeting law violations.

Prior to January 1, 2020, LABENFA is required to conduct an open meeting allowing any interested member of the public to comment on our agency's administrative rules. LABENFA will publish notice in the Louisiana Register for the next scheduled quarterly Board meeting.

Mr. Hebert suggested the Board change our next Board meeting date to Wednesday, November 6, 2019, as the second Wednesday of November is the NAB Conference. No vote was required, but all attending members agreed to the suggestion.

Concerning proposed revisions to LABENFA's administrative rules, Mr. Devillier said most of the legwork has been done and includes mostly technical revisions. Mr. Price suggested the revisions not be too restrictive on the Board's discretion regarding licensee discipline procedures. Mr. Wilbanks added that we do not want to be a "police-state" type of body. The proposed rule changes will be presented at our next meeting.

Mr. Hebert informed the Board that he and Mr. Devillier will be attending a conference conducted by the Council on Licensure, Enforcement & Regulation (CLEAR) in Virginia the second week of October 2019.

Mr. Hebert informed the Board of the Patient Driven Payment Model (PDP) conference, which we hosted August 8, 2019, in Pineville, LA. We were pleased to have 84 attendees.

Mr. Hebert ended his Executive Director's Report by reminding the Board members of their annual training requirements. Ms. LaBrosse made a motion to accept the Executive Director's report, seconded by Mr. Ledbetter, and unanimously approved.

Dr. Nelson updated our Board on the continuous workings with LaPOST. There was some discussion related to the information and updates received.

Education Committee Report

Mr. Hebert presented the Education Report (tab 4). Mr. Hebert updated the Board regarding NAB test scores received during the previous quarter. After a brief review, including discussion related to the criteria for CEU approval, Ms. LaBrosse made a motion to accept the education reports as presented, seconded by Mr. Ledbetter, and unanimously approved.

Finance Committee Report

Mr. Wright presented the Finance report (Tabs 5 & 6) for May and June 2019. He requested the Board review the statement at the end of June. Mr. Price asked if the Board should explore the option of a fee increase? Mr. Wright suggested a fee increase is not currently necessary but may be required in the future to sustain the budget. Mr. Wright indicated the Board's finances are currently adequate but expressed concern for future stability of the budget. Mr. Wright questioned whether the Board is legally authorized to maintain a contingency fund. Mr. Price asked if the State can come in and sweep contingency funds. Mr. Tietje asked if there is some way to request additional money from the state in the event of an emergency? Mr. Wright suggested a ballpark figure of \$50,000 be set in a contingency fund if public finance laws allow

for such a fund. Mr. Devillier said he will research Public Finance Law and other legal authority to assist in determining the Board's fiscal options.

After a short review, Ms. LaBrosse made a motion to accept the Financial Committee reports, seconded by Mr. Ledbetter, and unanimously approved.

Review of Applicants

- T 3572 **Cortland Casto**.....LSUA trained at Bayou Vista in Bunkie with Jaime Lucas
- T 3573 **Misty Weaver**.....Training at Luling Living Center with Michael Guillera
- T 3574 **Andrew Driggers**... Training at Westwood Manor with Ryan Greer (on hold)
- T 3575 **Casey O'Banion**..... Training at Chateau D'Ville with Christine LaRose
- T 3576 **Laura Maxwell**.... Plans to train (no preceptor set) in Rayne, LA
- T 3577 **Melvin Nevels Jr.**.... Trained at Ringgold, now at Willow Ridge, with Monica Lewis
- T 3580 **Carley Poudel**..... Plans to train at Greenbriar in Slidell with Eric Wahlen
- T 3581 **Latereca Montgomery**Plans to train at Capital House with Patrick Rambin
- T 3582 **Ami Williams**..... Plans to train
- T 3585 **Loretta Crawford** LSUA trained at Prairie Manor in Pine Prairie with Sandra Book
- T 3586 **Brittney Smith**..... LSUA trained at Landmark of Acadiana in St Martinville (Jason Smith)
- T 3587 **Mallory Hayden**.....LSUA trained at Carrington Place of B. R. with Ronald Albin

Waiver Exam Report

None

Reciprocity to Louisiana

Applications for 'reciprocity to Louisiana' files were distributed and made available for review (Tab 11). After a brief review of the applicants' files, motion was made by Mr. Crabtree, seconded by Dr. Nelson, and unanimously approved to accept Kevin Bryant's application by reciprocity. Motion was made by Mr. Ledbetter, seconded by Mr. Price, and unanimously approved to accept Kim Russell's application by reciprocity, pending all other requirements are completed in the time allowed.

- T 3571 **Kevin Bryant (FL)**.... Provisional Letter issued 5/20/2019. Working as Administrator at Colonial Care in Baton Rouge. Waiting on Board approval.
- T 3584 **Kim Russell (AL)**..... Provisional License issued 8/15/2019. Currently working as an Administrator at Maison Orleans. Waiting on results from her CBC, Loan Status, State test, Board approval and associated fees.

Reciprocity from Louisiana (no vote needed)

2183 Andrew Sadler (TX)	10/14/1997 – 12/31/2011
3407 Cody Salinas (MI)	06/17/2016 – 12/31/2018
2459 Jon Salter (NC)	08/23/2002 – 06/30/2020
3314 Eileen Storz (FL)	09/23/2013 – 12/31/2018

Unfinished Business: none

New Business:

Mr. Thibodaux reminded the Board that NAB and 30 states now recognize licensed Health Care Executives. After a brief discussion, Mr. Thibodaux made a motion to recognize Health Care Executive certifications and include that language in our Administrative Code during revisions. It was seconded by Mr. Wright and unanimously approved.

Wright presented the Finance report (Tabs 5 & 6). He informed the Board that these reports show a clean budget in good shape. He suggested to talk to the auditor to see if we are allowed a margin. We will work to see if any of these categories need tweaking. After a short review, Mr. Wright made a motion to accept the budget, seconded by Mr. Ledbetter, and unanimously approved.

Approval of Next Meeting:

With the second Wednesday of November conflicting with the national NAB Convention, the next scheduled Board meeting was proposed to be Wednesday, November 6, 2019 at the Board office, 5647 Superior Drive, Baton Rouge, LA 70816.

Adjourn/Pay for Meeting Expenses:

There being no further business, motion was made by Mr. Ledbetter, seconded by Mr. Wright, and unanimously approved to pay for the meeting expenses. There being no more to discuss, Dr. Nelson made a motion to adjourn, seconded by Mr. Price, and unanimously approved at 2:40PM.