

MEETING MINUTES

INDIANA STATE BOARD OF HEALTH FACILITY ADMINISTRATORS

**Tuesday,
May 21, 2019
10:00 a.m. in Room W064 of the
Indiana Government Center-South
402 W. Washington Street
Indianapolis, Indiana 46204**

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM 10:01 a.m.

Board Members Present:

Shelley Rauch
Adrienne Shields
Mark Wolfschlag
Roni Banks for Brenda Buroker
Chris Kelley
Jennifer Gappa
Kathy Frank
Kelly Borrer
Lynn Chloe

Board Members Absent

Mercedes Burgos

Staff

Amy Hall, Director
Chris Shea-Russell, Assistant Director
Jodi Stein, Counsel for the HFA Board
Kate Andrews, Court Reporter

II. ADOPTION OF THE AGENDA

Motion made and seconded to adopt agenda amended to move the hearings as first item of business.

Adrienne Shields/Jennifer Gappa

Motion passes 9/0/0

Shelley Rauch
Adrienne Shields
Mark Wolfschlag
Roni Banks for Brenda Buroker
Chris Kelley
Jennifer Gappa
Kathy Frank

Kelly Borrer
Lynn Clough

III. ADOPTION OF THE MINUTES FROM THE JANUARY 29, 2019 MEETING

Motion made and seconded to adopt minutes.

Chris Kelley/Adrienne Shields

Motion passes 9/0/0

Shelley Rauch
Adrienne Shields
Mark Wolfschlag
Roni Banks for Brenda Buroker
Chris Kelley
Jennifer Gappa
Kathy Frank
Kelly Borrer
Lynn Clough

REPORT FOR THE ATTORNEY GENERAL'S OFFICE

Roxanne Hilton provided a report pertaining to consumer complaints and open litigation cases.

IV. LEGISLATIVE ITEMS – MEREDITH LIZZA

Meredith Lizza appeared before the board to discuss HEA 1269 and HEA 1245.

There were a multitude of questions about who will continue on with their appointment and about appointment expirations.

V. PERSONAL APPEARANCES

1. Suburban Health Organization – CE Provider Application –

Motion made and seconded to approve the application

Shelley Rauch/Jennifer Gappa

Motion passes 9/0/0

Shelley Rauch
Adrienne Shields
Mark Wolfschlag
Roni Banks for Brenda Buroker
Chris Kelley
Jennifer Gappa
Kathy Frank
Kelly Borrer
Lynn Clough

2. Jesse Landess – HFA Reinstatement

Mr. Landess appeared before the board to discuss his reinstatement and why he did not renew his license. He wants to reinstate his license due to a new job position. There has been much change to the industry since he last practiced as a licensed HFA. He is not currently licensed in any other state. All of the continuing education was completed on line. Only half can be completed online. He has been acting as a consultant for the previous 2 years at a facility. It has been over 12 years since his license was active. The board recommends that he retake the exam and complete more continuing education.

Motion made to approve the application for reinstatement pending the successful completion the specialized course – six week course – Specialized Course of Study – Long Term Care Foundation Course and to retake the jurisprudence exam.

Chris Kelley/Kelly Borrer

Motion passes 9/0/0

Shelley Rauch

Adrienne Shields

Mark Wolfschlag

Roni Banks for Brenda Buroker

Chris Kelley

Jennifer Gappa

Kathy Frank

Kelly Borrer

Lynn Clough

3. Stacey Stovall-Haygood – RCA Reinstatement

Stacey did not appear

The board made a motion to deny the reinstatement application

Shelley Rauch/Jennifer Gappa

Motion passes 9/0/0

Shelley Rauch

Adrienne Shields

Mark Wolfschlag

Roni Banks for Brenda Buroker

Chris Kelley

Jennifer Gappa

Kathy Frank

Kelly Borrer

Lynn Chloe

4. Neesheka James – 3 Failed Law Attempts

Ms. James appeared before the board to discuss her failed exam attempts. She is requesting to see the exams and what she was not successful with on her attempts. She feels she keeps making the same errors on her exams. The board provided information to her to aid her with her examination attempts.

A motion was made and seconded to allow her to sit a fourth time for the law exam.

Shelley Rauch/Kathy Frank

Motion passes 8/1/0

Shelley Rauch
Adrienne Shields
Mark Wolfschlag
Roni Banks for Brenda Buroker
Chris Kelley
Jennifer Gappa - Nay
Kathy Frank
Kelly Borrer
Lynn Chloe

5. Angela Noland – 3 Failed Law Attempts

Ms. Noland appeared before the board to discuss her failed exam attempts. She is working as she is taking the exam. She is already currently licensed in Illinois and is applying for another Temporary license in Indiana. The board provided information to her to aid her with her examination attempts.

A motion was made and seconded to approve her to sit for the jurisprudence.

Kelly Borrer/Kathy Frank

Motion passes 9/0/0

Shelley Rauch
Adrienne Shields
Mark Wolfschlag
Roni Banks for Brenda Buroker
Chris Kelley
Jennifer Gappa
Kathy Frank
Kelly Borrer
Lynn Chloe

VI. ADMINISTRATIVE HEARINGS

1. Matthew Shafer – Cause No: 2018HFA0008

Administrative Complaint – Proposed Settlement agreement

A motion was made and seconded to deny the proposed settlement agreement.

Kelly Borrer/Jennifer Gappa

Motion passes 9/0/0

Shelley Rauch
Adrienne Shields
Mark Wolfschlag
Roni Banks for Brenda Buroker
Chris Kelley
Jennifer Gappa
Kathy Frank
Kelly Borrer
Lynn Chloe

2. Glenn R Burke – Cause No: 2019HFA0002

Proposed Settlement Agreement

The board reviewed the settlement agreement

A motion was made and seconded to approve the proposed agreement

Kelly Borrer/Kathy Frank

Motion passes 9/0/0

Shelley Rauch

Adrienne Shields

Mark Wolfschlag

Roni Banks for Brenda Buroker

Chris Kelley

Jennifer Gappa

Kathy Frank

Kelly Borrer

Lynn Chloe

3. Ethan Michael Peak – Cause No: 2019HFA0003

Proposed Settlement Agreement

The board reviewed the settlement agreement and heard from Roxanne Hilton and Derek Peterson. Discussion about the ten continuing education requirements. Discussion about employee communication, abuse reporting, resident to resident issues and resident rights with a lack of response by Ethan Peak.

Motion made for 10 hours of continuing education about resident rights and abuse and approval of the settlement agreement.

Shelly Rauch/Kelly Borrer

Motion passes 9/0/0

Shelley Rauch

Adrienne Shields

Mark Wolfschlag

Roni Banks for Brenda Buroker

Chris Kelley

Jennifer Gappa

Kathy Frank

Kelly Borrer

Lynn Clough

4. Twyla Sue Shaw – Cause No: 2018HFA0005

Administrative Complaint

A Motion to Dismiss Two of the pending violations

A motion was made and seconded to deny the motion to dismiss the motions

Shelley Rauch/Kathy Frank

Motion passes 9/0/0

Shelley Rauch

Adrienne Shields

Mark Wolfschlag

Roni Banks for Brenda Buroker

Chris Kelley

Jennifer Gappa

Kathy Frank

Kelly Borrer

Lynn Clough

The second Motion to Dismiss was stating the complaint did not correctly address the fire code motion and the exhibits was made and seconded - denied

Jennifer Gappa/Chris Kelley

Motion passes 9/0/0

Shelley Rauch

Adrienne Shields

Mark Wolfschlag

Roni Banks for Brenda Buroker

Chris Kelley

Jennifer Gappa

Kathy Frank

Kelly Borrer

Lynn Clough

Motion for Summary Judgment -

A motion was made and seconded to deny the Summary Judgment

Shelly Rauch/Roni Banks

Motion passes 9/0/0

Shelley Rauch

Adrienne Shields

Mark Wolfschlag

Roni Banks for Brenda Buroker

Chris Kelley

Jennifer Gappa

Kathy Frank

Kelly Borrer

Lynn Clough

Motion to Strike States' Exhibits

A motion was made and seconded to deny the motion to strike the States' Exhibits

Shelly Rauch/Roni Banks

Motion passes 9/0/0

Shelley Rauch

Adrienne Shields

Mark Wolfschlag

Roni Banks for Brenda Buroker

Chris Kelley

Jennifer Gappa

Kathy Frank

Kelly Borrer

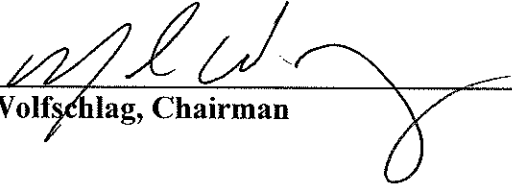
Lynn Clough

VII. DISCUSSION ITEMS

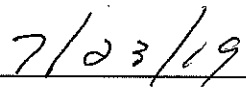
1. NAB Annual Meeting

The annual meeting will be held in Charleston, South Carolina on June 12 through June 14.

Meeting adjourned at 11:53 a.m.



Mark Wolfschlag, Chairman



Date

