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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

**STATE BOARD OF EXAMINERS OF
NURSING HOME ADMINISTRATORS**

TIME: 12:31 P.M.

TELECONFERENCE

Wednesday, May 27, 2020

State Board of Examiners of
Nursing Home Administrators
May 27, 2020

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BOARD MEMBERS:

- Kimberly D. Cobaugh, NHA, Chairperson
- K. Kalonji Johnson, Acting Commissioner, Bureau of Professional and Occupational Affairs
- Sharon K. McDermond, NHA, Vice Chairperson
- Sara L. King, NHA, Secretary
- Diane M. Baldi, R.N.
- Anne E. Holladay, NHA
- Mary Patricia Howard, Department of Health Designee
- Michael P. Kelly, NHA
- Anna E. Stewart, R.N. - Absent
- Robert L. Wernicki, NHA
- Carrie E. Wilson, Office of Attorney General Designee, Bureau of Consumer Protection

BUREAU PERSONNEL:

- Jaime D. Black, Esquire, Board Counsel
- William Newport, Esquire, Board Prosecution Liaison
- Trista Boyd, Esquire, Board Prosecutor
- Chris Stuckey, Board Administrator
- Theodore Stauffer, Executive Secretary, Bureau of Professional and Occupational Affairs
- Carolyn A. DeLaurentis, Deputy Chief Counsel, Prosecution Division
- Dean Picarella, Esquire, Senior Counsel, BPOA

1 ***

2 State Board of Examiners of
3 Nursing Home Administrators

4 May 27, 2020

5 ***

6 The regularly scheduled meeting of the State
7 Board of Examiners of Nursing Home Administrators was
8 held on Wednesday, May 27, 2020. Kimberly Cobaugh,
9 NHA, Chairperson, called the meeting to order at 12:31
10 a.m. Roll call was taken. K. Kalonji Johnson, Acting
11 Commissioner, was not present at the commencement of
12 the meeting.

13 ***

14 Approval of minutes of the February 26, 2020 meeting
15 CHAIRPERSON COBAUGH:

16 Do I have a motion for approval of the
17 minutes from February 26th?

18 VICE CHAIRPERSON McDERMOND:

19 I make a motion to approve.

20 MR. WERNICKI:

21 Second.

22 CHAIRPERSON COBAUGH:

23 All those in favor?

24 [The motion carried unanimously.]

25

1 [K. Kalonji Johnson, Acting Commissioner, entered the
2 meeting at 12:33 p.m.]

3 ***

4 Report of Prosecutorial Division

5 [William Newport, Esquire, Board Prosecution Liaison,
6 conducted a roll call of the Prosecutorial Division
7 staff in attendance. Mr. Newport introduced Trista
8 Boyd, Esquire, as the Board's new Prosecuting
9 Attorney, and summarized her professional background.]

10 ***

11 Report of Board Counsel

12 [Jaime D. Black, Esquire, Board Counsel, noted the
13 meeting was being recorded. All parties remaining in
14 the meeting were thereby giving consent to being
15 recorded.]

16 Ms. Black discussed the Waiver for the COVID-19
17 License Renewal Extensions granted on March 27, 2020,
18 which provided for a 90-day extension of license
19 renewal deadlines. She also discussed the Guidance
20 Released for a Continuing Education Extension due to
21 the Pandemic. As a result of the extensions of the
22 license renewals, associated regulations establishing
23 renewal dates were also temporarily suspended.
24 Licensees are given until September 28th of 2020 to
25 complete their CEs, though encouraged to complete by

1 June 30, 2020, if possible.

2 Ms. Black discussed the training program
3 extension. The COVID-19 Emergency made complying with
4 the Boards AIT requirements difficult. Applicants
5 should not be penalized or licenses jeopardized when,
6 through no fault of their own, time periods continue
7 to run or expire due to the COVID-19 Emergency. The
8 Governor approved the Board's request to extend the
9 two-year timeframe an additional one year. She noted
10 the Waivers and Guidance information may be found on
11 the Board's website. Ms. Black offered Ms. Stuckey
12 and herself to provide clarification.

13 Ms. Black reviewed the Recusal Guidelines with
14 the Board.]

15 ***

16 Report of Chairperson

17 CHAIRPERSON COBAUGH:

18 Do I have a motion to ratify the
19 temporary permit extension of Amy Lynn
20 Kemp, and the temporary permit
21 application of the following: Julie
22 Marlene Kline, Megan Marie Caracciolo,
23 Rebecca Heimbach, Barbara Ann Croyle,
24 Thomas DiJohn, and Danielle Lyn
25 Kovalski-Belles?

1 VICE CHAIRPERSON McDERMOND:

2 Motion to ratify Nos. 4 through 10.

3 MS. HOLLADAY:

4 Second.

5 CHAIRPERSON COBAUGH:

6 All in favor? Thank you.

7 [The motion carried unanimously.]

8 ***

9 Report of Acting Commissioner

10 [K. Kalonji Johnson, Acting Commissioner, thanked the
11 Board members for their flexibility in working through
12 the challenges of the technology. Mr. Johnson
13 acknowledged and offered his appreciation and prayers
14 to the frontline workers throughout this crisis. He
15 recognized their efforts and protection of those most
16 vulnerable.]

17 Acting Commissioner Johnson acknowledged and
18 thanked Board Counsel and the Policy staff for their
19 crucial development of the language for the regulatory
20 waivers. He also thanked Board Administrator Chris
21 Stuckey for her hard work. He reviewed the efforts
22 of the Board staff under the COVID-19 circumstances.

23 Acting Commissioner Johnson encouraged the Board
24 members and stakeholders to continue to reach out to
25 the staff with questions and concerns.]

1 ***

2 Report of Board Administrator - No Report

3 ***

4 [Chairperson Cobaugh noted this was this Board's first
5 teleconference meeting. She expressed her
6 appreciation of their time and support.]

7 ***

8 Report of Committees

9 Examination Committee

10 [Diane M. Baldi, RN, and Michael P. Kelly, NHA,
11 reported the Committees had no outstanding issues.]

12 ***

13 Miscellaneous

14 Probable Cause Screening Committee

15 [Chris Stuckey, Board Administrator, noted a Probable
16 Cause Screening Committee for the Board had not been
17 appointed.]

18 Jaime Black, Esquire, Board Counsel, raised the
19 issue of whether the Board would want to appoint a
20 probable cause screening committee. This Board has
21 never had a Probable Cause Screening Committee. She
22 discussed the role of this committee, why it is used,
23 and inquired as to whether any member or members would
24 volunteers to serve on this committee.

25 Mr. Newport related his experience with a

1 Probable Cause Screening Committee and provided
2 scenarios wherein the committee was beneficial.
3 Chairperson Cobaugh solicited volunteers for the
4 committee.

5 Vice Chairperson McDermond requested additional
6 information as to what type of information and how it
7 is provided to the Probable Cause Screening Committee.

8 Dean Picarella, Esquire, Senior Counsel, provided
9 detailed situations where the actions of the Probable
10 Cause Screening Committee would be advantageous for
11 the Board and the public. He explained how recusal of
12 the Probable Cause Screening Committee factors into
13 Board discussions and actions on those matters that
14 may come before the Board.

15 Acting Commissioner Johnson discussed the
16 protection of the public by the Probable Cause
17 Screening Committee issuing an immediate temporary
18 suspension (ITS) of a license. He inquired as to the
19 timeframe for final Board decision on an ITS. Mr.
20 Picarella noted a hearing is scheduled within 30 days
21 upon the issuance of an ITS. The licensee may contact
22 the Prosecutorial Division to work out a stipulation
23 to the order. The orders will run generally 180 days.
24 The licensee may also petition to be reinstated.

25 Board Counsel Black inquired whether the Board

1 wanted to move forward with appointing members for the
2 committee or if the Board wanted to table it until the
3 next meeting. Ms. Holladay and Ms. King offered to
4 serve on the Probable Cause Screening Committee.]

5 MS. BLACK:

6 Would the Board entertain a motion to
7 appoint those two committee members?

8 MS. BALDI:

9 I will so move.

10 ACTING COMMISSIONER JOHNSON:

11 I will second that motion.

12 CHAIRPERSON COBAUGH:

13 Okay.

14 [Mr. Picarella cautioned the Board as to only having
15 two members on the committee for voting purposes.
16 Chairperson Cobough sought another volunteer to serve
17 on the committee. Vice Chairperson McDermond
18 questioned the possibility of a lack of quorum due to
19 the Probable Cause Screening Committee member
20 recusals. Mr. Picarella explained the recusal
21 process. Acting Commissioner Johnson suggested one
22 person be appointed to the committee and the other act
23 as an alternate.]

24 CHAIRPERSON COBAUGH:

25 Do we have a motion to nominate one

1 person and an alternate?

2 ACTING COMMISSIONER JOHNSON:

3 Madam Chairperson, I would move that the
4 aforementioned Board members would still
5 be considered as member of the Probable
6 Cause Screening Committee, but in a
7 primary and alternate capacity.

8 MS. HOLLADAY:

9 I would be willing to be the alternate,
10 as opposed to the primary, if the other
11 person would take the primary role.

12 MS. KING:

13 I am fine taking the primary role.

14 CHAIRPERSON COBAUGH:

15 Okay. Good. Sounds great.

16 I would make a motion for Sara
17 King to be our primary person that
18 represents the Probable Cause Screening
19 Committee with Anne Holladay as the
20 alternate.

21 MR. KELLY:

22 I will second that motion.

23 CHAIRPERSON COBAUGH:

24 All in favor? Opposed? One opposed.

25 [The motion carried.]

1 ***

2 [Chairperson Cobaugh noted the next meeting date as
3 August 26, 2020. She thanked all for their efforts in
4 handling the challenges of long-term care.]

5 ***

6 Adjournment

7 CHAIRPERSON COBAUGH:

8 Do I have motion to adjourn the meeting?

9

10 MR. KELLY:

11 So moved.

12 MS. HOLLADAY:

13 Second.

14 CHAIRPERSON COBAUGH:

15 All those in favor?

16 [The motion carried unanimously.]

17 ***

18 [There being no further business, the State Board of
19 Examiners of Nursing Home Administrators Meeting
20 adjourned at 1:05 p.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Examiners of Nursing Home Administrators, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Examiners of Nursing Home Administrators meeting.



Sarah LaMaster,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF EXAMINERS OF
NURSING HOME ADMINISTRATORS
REFERENCE INDEX

May 27, 2020

	TIME	AGENDA
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10	12:31	Official Call to Order
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12	12:32	Roll Call
13		
14	12:33	Approval of Minutes
15		
16	12:34	Report of Prosecutorial Division
17		
18	12:35	Report of Board Counsel
19		
20	12:40	Report of Board Chairperson
21		
22	12:43	Report of Acting Commissioner
23		
24	12:48	Report of Committees
25		
26	12:49	Miscellaneous
27		
28	1:05	Adjournment
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