

**NURSING HOME ADMINISTRATOR EXAMINING BOARD
LIVE MEETING/TELECONFERENCE MINUTES
NOVEMBER 11, 2010**

PRESENT: Kenneth Arneson (connected by phone), Mary Ann Clark, Loreli Dickinson, David Egan, Susan Kinast-Porter (excused at 10:22 a.m.), Mary Lease (connected by phone), Paul Peshek (connected by phone - disconnected from the meeting at 10:09 a.m. and re-connected at 10:14 a.m.), Mary Pike, Heather Sheehan

EXCUSED: Earlene Ronk

STAFF PRESENT: Jeff Scanlan, Bureau Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant; and Aaron Knautz, Examination Specialist

CALL TO ORDER

David Egan, Chair, called the meeting to order at 9:38 a.m. A quorum of nine (9) members was present.

AGENDA

MOTION: David Egan moved, seconded by Kenneth Arneson, to approve the agenda as published. Motion carried unanimously.

ELECTION OF OFFICERS FOR 2011

NOMINATION: Mary Pike nominated the 2010 slate of officers to continue in 2011. Nomination carried by unanimous vote.

David Egan called for other nominations three (3) times.

The 2010 slate of officers was re-elected to their offices for 2011.

2011 ELECTION RESULTS	
Board Chair	David Egan
Vice Chair	Mary Ann Clark
Secretary	Mary Lease

APPROVAL OF MINUTES OF AUGUST 5, 2010

MOTION: Heather Sheehan moved, seconded by Mary Ann Clark, to approve the minutes of August 5, 2010 as published. Motion carried unanimously.

**ADMINISTRATIVE REPORT
JEFF SCANLAN, BUREAU DIRECTOR**

Jeff Scanlan advised the Board that due to the upcoming inauguration of the new Governor the Department will undergo a change in administration. Jeff Scanlan informed the Board that administrative staff includes positions such as Secretary, Deputy Secretary, Executive Assistant, Division Administrators and Bureau Directors.

The Board discussed its membership's appointment status. Jeff Scanlan encouraged individuals that are interested in reappointment to contact the Governor's Website via the [Boards and Commissions](#) page.

Review of 2010 Meeting Date Schedule

The Board discussed the frequency at which their meetings will be conducted via virtual meeting technology or teleconference in the coming year. The Board discussed the impact that a new administration will have on its ability to have in person meetings.

MOTION: David Egan moved, seconded by Heather Sheehan, to approve the proposed 2011 meeting date schedule. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULES

Colleen Baird informed the Board of a Department initiative to pursue modernization legislation. She expanded upon this initiative and discussed the types of issues that are being included in this effort. She suggested that the Board consider the inclusion of its ongoing legislation within the Department's Modernization bill. She noted that the information collected for the purpose of this modernization effort will be provided to the new administration however, she cannot guarantee that the new administration would pursue the legislative items therein.

The Board discussed its efforts to pursue legislation relating to requirements for examinations for nursing home administrator licenses, for reciprocal nursing home administrator licenses, creating an exemption from such requirements, and granting rule-making authority. The Board discussed the status of its request for revisions to the pending legislative draft and noted that the revised draft has yet to be provided to the Board. The Board made the determination that it would like to include its legislation in the Department's modernization initiative. Colleen Baird will work with David Egan to update the Board's legislative draft for inclusion in the DRL Modernization effort.

The Board discussed opposition that was previously expressed relating to this legislative initiative and noted that there have been changes that may ease the level of opposition received. Kenneth Arneson informed the Board that he has been in contact with Representative Richard Spanbauer and Senator Randy Hopper both of whom expressed interest in this topic and will likely to introduce this legislation if need be.

MOTION: David Egan moved, seconded by Heather Sheehan, to include the Nursing Home Administrator Board's proposed legislative draft in the Department's modernization bill, following review by David Egan and Kenneth Arneson. Motion carried unanimously.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

David Egan briefly referenced an e-mail, regarding load testing of natural gas generators, which he forwarded to the Department for distribution to the membership of the Board. He noted a recent change in generator testing requirements. He indicated that the annual load bank test, which historically has been acceptable in lieu of a monthly 30% load test, is no longer acceptable. David Egan noted that this has been a matter of discussion and varying enforcement in region V. He informed the Board that this information may be of interest to the Board in practice and in case review.

(Paul Peshek disconnected from the meeting at 10:09 a.m. and re-connected at 10:14 a.m.)

CLOSED SESSION

MOTION: David Egan moved, seconded by Heather Sheehan, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.: Kenneth Arneson-yes; Mary Ann Clark-yes; Loreli Dickinson-yes; David Egan-yes; Susan Kinast-Porter-yes; Mary Lease-yes; Mary Pike-yes; Heather Sheehan-yes. Motion carried unanimously.

Open Session recessed at 10:10 a.m.

RECONVENE TO OPEN SESSION

MOTION: David Egan moved, seconded by Mary Ann Clark, to reconvene to open session. Motion carried unanimously.

Open Session reconvened at 10:26 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

None.

**DELIBERATION OF CASE CLOSINGS AND REVIEW OF CASE STATUS REPORT
OR ANY SUBMITTED AFTER AGENDA SUBMISSION DEADLINE**

1. 09 NHA 009 – Prosecutorial Discretion (P2)
2. 09 NHA 018 – Prosecutorial Discretion (P2)
3. 10 NHA 007 – No Violation
4. 10 NHA 009 – Insufficient Evidence
5. 10 NHA 027 - Prosecutorial Discretion (P1)
6. 10 NHA 033 - Prosecutorial Discretion (P2)
7. 10 NHA 042 - Prosecutorial Discretion (P2)

MOTION: David Egan moved, seconded by Loreli Dickenson, to close the cases as identified above. Motion carried unanimously.

(Susan Kinast-Porter was excused from the meeting at 10:22 a.m.)

CONSULTING WITH LEGAL COUNSEL

Legal Counsel, Colleen Baird, was available to the Board for the purpose of consultation throughout the duration of today's meeting.

ADJOURNMENT

MOTION: David Egan moved, seconded by Loreli Dickenson, to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 10:27 a.m.