

Disciplinary Actions

Matthew W. Neiswanger, N.H.A., R1220

Type of Action: Consent Order dated February 22, 2010

Mr. Neiswanger agreed to a term of probation, payment of a fine, and completion of additional

education after executing a Consent Order, which is a public document, due to Mr. Neiswanger violating Health Occupations

Article of the Annotated Code of Maryland §9-314 (b)(2), (3), (8) and (11).

In addition, the Board

concluded as a matter of law that Mr. Neiswanger violated Code of Maryland Regulations 10.33.01.15A(1) and (4).

The Consent Order is posted on the Board's website.

From the Desk of the Executive Director

The Board and its staff, Ellie Eines, Rob Thomas, and myself, Pat Hannigan, worked long hours during the Sunset Review, assembling required documents and data and testifying before the legislature.

The 10.33.01 regulations have been updated.

A review of the Maryland State's Standards examination has begun.

The Office suggested, and the Board voted to accept,

additional testing dates for the State exam. It will now be offered every other month instead of four times annually.

The disciplinary committee that was recommended by the Department of Legislative Services and now required by law with the passing of House Bill 114, has been established and has started working on complaints and laying the groundwork for its policies and procedures.

Projects coming up include standardizing the Administrator-In-Training program, working on the development of the NHA database and then completing all of the data entry, working on the Maryland State exam, and once again, taking a look at the revised regulations with an eye to improving the preceptor and AIT sections. Also House Bill 114 stipulates that all health occupation boards establish sanctioning guidelines. The Office and the Board will be addressing this issue.

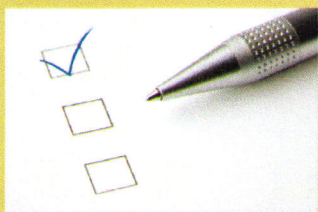
Accomplishments and Upcoming Projects for the Board and Office Staff

In Memoriam

Steven Chiaverini passed away suddenly in January, 2010. Steve was licensed in 1990, and ran his own management company, Chiaverini Senior Services International, LLC (CSSI).

Legislative—House Bill 114

Due to the passage of House Bill 114, starting July 1, 2010, all health occupation boards must collect racial and ethnic information about the applicant as part of the Board's licensing or renewal process. Many boards already have been collecting this information. Starting with the July 2010 license renewals and all new applications for licensure received after July 1, 2010, the Board of Examiners of Nursing Home Administrators will now collect this information for statistical purposes.



Sunset Review (continued from page 1)

Status: The Board has transferred the review of continuing education programs to the National Assn. of Long Term Care Administrator Boards. NAB only approves programs if the relevance of subject matter relates to long term care administration, is designed to promote continued knowledge, skills and attitudes consistent with current standards in long term care administration, and assists administrators in the improvement of their professional competencies. The Board will include in its newsletters frequently cited survey deficiency areas to enable licensed administrators to select courses that would best suit their individual educational needs.

- The Board should not wait until OHCQ completes its investigation to initiate an investigation against a

nursing home administrator. The Board should develop protocols on when it is appropriate to initiate an investigation after receiving an OHCQ deficiency survey report, what actions are appropriate to address the administrator responsible for an OHCQ deficiency report, and how the Board can keep a record of each licensee's survey deficiencies and implement a program for investigating a pattern of deficiencies.

Status: Board has established a disciplinary committee and is currently developing a database to record each licensee's survey history.

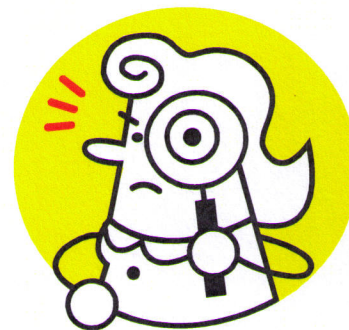
- The Board should work with the Office of the Attorney General and the State's Attorney's Office to examine the complaint investigation and resolution process and determine how to conclude investigations in a more timely manner and

ensure that prosecution is initiated when warranted.

Status: Completed. The Health Occupations Investigator has been working with the Board since July 1, 2008. All investigations are complete. Recent cases referred to the Office of the Attorney General were completed in less than six months.

- Develop a plan to improve communication with licensees. Improvements should include making better use of newsletters by including summaries of new legislation, outcomes of disciplinary actions, a summary of complaints filed with the board and a summary of survey deficiencies reported to the board.

Status: Newsletters now incorporate information on final disciplinary actions. In July 2009, the Board's web site was redesigned and now includes information on



final disciplinary action. The web site was just updated this month to meet Departmental mandated criteria. Once the NHA database is complete, the Board will share summaries of complaints and survey deficiencies.

- Develop a plan to raise fees so that the Board's contribution to the general fund is more significant.

Status: New fee schedule effective 01/25/2010.



Calendar of Events

June 9-11, 2010—Annual Meeting of the National Association of Long Term Care Administrators in Portland, OR. The Maryland Board will not be able to attend this year due to budgetary cutbacks eliminating out-of-state travel.

June 16, 2010—Board Meeting (4201 Patterson Avenue, Baltimore, MD 21215, starting at 9:30 a.m.).

June 17, 2010—Maryland State's Standards Examination.

July 5, 2010—Independence Day Holiday—State Offices Closed.

August 19, 2010—Maryland State's Standards Examination.

August 31, 2010—Credentials Committee Meeting.

September 6, 2010—Labor Day—State Offices Closed.

September 8, 2010—Board Meeting (4201 Patterson Avenue, Baltimore, MD 21215, starting at 9:30 a.m.).

Members of the Board

The Board welcomes the following members appointed by Governor O'Malley to 4-year terms, with the advice of the Secretary of the Department of Health and Mental Hygiene, and Senate advice and consent:

- Christina Bandigan-Gravina, MDS Coordinator for Manor Care Health Services – Dulaney, Towson, MD – Representing Related Health Professional
- Margie Heald, Deputy Director, Federal Programs, Office of Health Care Quality – Representing OHCQ as *ex-officio* member
- Susan M. Levy, M.D., Medical Director at Blue Point Nursing & Rehabilitation Center, Baltimore, MD; Clinical Director of the Division of Gerontology and Geriatric Medicine within the Department of Medicine at Sinai Hospital of Baltimore; Vice President Medical Affairs, Medical Director of Levindale Hebrew Geriatric Center and Hospital, Baltimore; and Director, Alzheimer's Unit, Calvert County

- Nursing Center, Prince Frederick, MD – Representing Physician Specializing in Geriatrics
- Jeffery T. Metz, President and Administrator of Egle Nursing and Rehabilitation Center, Lonaconing, MD – Representing Nursing Home Administrators
- John L. White, Administrator of SunBridge Care and Rehabilitation Center, Elkton, MD – Representing Nursing Home Administrators

The above members join the following:

- ChanSu Chong, Social Insurance Specialist, Social Security Administration, Baltimore, MD – Consumer Representative
- Nancy H. Ferrone, Vice Chairman, Registered Dietitian, Dietary Consulting, Inc., Baltimore, MD – Representing Related Health Professional
- Michelle F. Kraus, Administrator of Sava Senior Care – Arcola, Silver Spring, MD – Representing Nursing Home Administrators

- Christine L. Mour, Administrator of St. Elizabeth Rehabilitation and Nursing Center, Baltimore, MD – Representing Nursing Home Administrator with experience with Eden Alternative, Green House, or similar program
- J. Brian Pabst, Chairman, Administrator of Genesis Health Care – Franklin Woods Center, Baltimore, MD – Representing Nursing Home Administrators
- Gail Sigel, Business/Computer Consultant, Hanover, MD – Consumer Representative
- Lisa A. Stone, Senior Vice President Outreach Services, Stella Maris, Timonium, MD – Representing Nursing Home Administrators
- Belinda B. Strayhorn, Community Relations Supervisor, Pathways Treatment Center/Anne Arundel Health Systems—Consumer Representative

***The Maryland Board of Examiners
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Certificates of Attendance

Inasmuch as certificates of attendance for continuing education programs are now only required for those Nursing Home Administrators selected for a paper audit, the Office is discontinuing the practice of accepting copies of certificates as they are received.