

**Maryland Department of Health**  
**STATE BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS**

**SEPTEMBER 14, 2022**  
**BOARD MEETING MINUTES**

The 454<sup>th</sup> Board Meeting was convened at 9:34 a.m. at 4201 Patterson Avenue, Baltimore, MD 21215 in Room 110 on Wednesday, September 14, 2022.

12. Michael Willis, Vice Chair

**Members Present**

1. John Beyer
2. Debra Buckalew
3. Patricia Cash
4. Stevanne Ellis
5. Kelly Freidman, Board Chair
6. Kimberly Malin
7. Andre Moshenberg
8. Heather Reed
9. Michelle Rosenheim
10. Earl Runde
11. Nader Tavakoli-Jalili

**Representatives of the State**

1. Ciara J. Lee  
Executive Director
2. Kellie C. Smith  
Deputy Director/Licensing Coordinator
3. David Wagner, Esq., Board Counsel  
Assistant Attorney General

**ORDER OF BUSINESS**

**Approval of the Agenda**

The agenda was accepted as submitted.

**Approval of Minutes**

The minutes of the 453<sup>rd</sup> Board Meeting, held on Wednesday June 15, 2022 were approved as submitted.

**Chair's Report**

Board Chair Friedman stated that the next meeting will be held on Wednesday, October 19, 2022 at 9:30 a.m. in Room 110.

**BENHA Sub-Committee Member Updates**

Board Chair Friedman announced the new Committee Member updates. The following Board Members changes have joined the listed sub-committees:

- Earl Runde, Consumer Member - Disciplinary Committee
- Andre Moshenberg, LNHA Member - Legislative Committee
- Michelle Rosenheim, LNHA Member - Disciplinary Committee Chair
- Andre Moshenberg, LNHA Member - Nursing Home Administrator Rehabilitation Committee

Both the Examination Committee and the Legislative Committee are open to more Board Member volunteers due to upcoming Board activity.

**Office Report**

Ms. Lee gave the following report:

**For Fiscal Year 2022 (7/1/2021 – 6/30/2022)**

30 Original Licenses were issued  
224 Licenses were renewed  
15 Licenses went into inactive status  
1 License was reactivated  
13 Licenses were reinstated  
40 AIT applications were processed  
21 Endorsement applications were processed

**For the month of June:**

2 Original Licenses were issued  
22 Licenses were renewed  
3 Licenses were reinstated  
1 License went into inactive status  
2 AIT applications were processed  
2 Endorsement applications were processed

**For the month of July:**

1 Original License was issued  
12 Licenses were renewed  
3 AIT applications were processed

**For the month of August:**

2 Original Licenses were issued  
16 Licenses were renewed  
3 Licenses went into inactive status  
3 AIT applications were processed  
1 Endorsement application was processed

**As of September 14, 2022, there are currently:**

496 active LNHA's  
19 inactive LNHA's  
409 non-renewed (lapsed) LNHA's  
31 candidates are currently in active AIT programs

### **Credentials Committee Update**

#### **During the July 5, 2022 Credentials Committee Meeting, the Committee voted to approve the following:**

- 1 new 18-month AIT program
- 1 endorsement application
- 1 reinstatement application
- 1 AIT final review for licensure

#### **During the August 2, 2022 Credentials Committee Meeting, the Committee voted to approve the following:**

- 3 new 12-month AIT programs
- 1 endorsement application
- 2 AIT final reviews for licensure

#### **During the September 6, 2022 Credentials Committee Meeting, the Committee voted to approve the following:**

- 1 new 3-month AIT program
- 3 new 12-month AIT programs
- 2 endorsement applications
- 1 endorsement final review for licensure

### **HR Updates - Status on BENHA Staff Positions**

Ms. Lee disclosed that BENHA is currently recruiting for 2 positions - Health Occupations Investigator II (full-time permanent PIN position) and Office Secretary II (part-time contractual position). Ms. Lee conducted interviews last week for the HOI II position and is reviewing references. Ms. Lee plans to schedule interviews with candidates for the Office Secretary II position next week.

### **Update: SB 720/HB 1034 State Board of Examiners of Nursing Home Administrators - Renaming, Licensure of Assisted Living Managers, and Penalties**

Ms. Lee discussed, as a reminder, that SB 720/HB 1034 was passed during Legislative Session 2022. The bill's effective date is October 1, 2022. Assisted Living Managers are not required to be licensed until October 1, 2024. At the end of last year, Maryland's Assisted Living COMAR regulations were in the initial phases for revision. Ms. Lee reached out to Ms. Carol Fenderson, Deputy Director of Assisted Living Unit at the Office of Health Care Quality (OHCQ) last week to obtain a status on Assisted Living COMAR regulations. At this time, the regulations have finished the public comment phase and are in the comment review and editing process. There is no projected timeline at this time. The Legislative Committee will be scheduling Legislative Committee Meetings to initiate the ALM licensure process before the end of September.

### **Implicit Bias Training Update**

The Office of Minority Health and Health Disparities has updated their website to include a list of accredited Implicit Bias Training courses. Ms. Lee stated as a reminder that, as of April 1, 2022, all Maryland licensed healthcare professionals (including licensed nursing home administrators) are required to complete an approved Implicit Bias Training course to renew their license. According to the OMHHD, the approved courses must focus specifically on Implicit Bias. BENHA will be distributing an updated email notice to licensees via GovDelivery and posting it onto our website for your reference.

### **Office of Legislative Audits - Regulatory Services Audit Update**

Ms. Lee brought to the Board's attention that the Health Occupations Boards and Commissions were audited in January 2021 by the Office of Legislative Audits (OLA). There were numerous repeat findings identified from the audit. The Boards and Commissions have been directed to submit quarterly responses to determine the corrective actions for those findings, with the guidance of the MDH Office of Internal Controls Audit Compliance (IAC). BENHA submitted updated responses to the IAC auditors for the Quarterly Status Report on July 18, 2022. Furthermore, there are a few Boards that still have incomplete corrective actions responses and have not implemented an estimated date in their responses. The next Quarterly Status Report is due to IAC on October 12, 2022.

### **Commission to Study the Health Care Workforce Crisis**

Ms. Lee announced that SB 440 was passed during Legislative Session 2022, which established the Commission to Study the Health Care Workforce Crisis in Maryland. Ms. Kimberly Link is the Chair of the Commission and Ms. Sharon Oliver, the Executive Director of the Board of Massage Therapy Examiners and Board of Chiropractic Examiners, is the Commission Representative for the small Health Occupations Boards. The Commission is composed of three advisory councils to address workforce data, education, and State efficiencies and cooperation. The Workforce Data advisory council will be meeting biweekly over the next few months to collect data for a preliminary report due to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee by December 31, 2022. Ms. Lee will distribute information regarding the Commission to the Board accordingly.

### **Reminder - Change Notifications for Licensees**

As a reminder, Ms. Lee stated that all Maryland NHA licensees are required to submit any change of their name, contact information, or work facility information within 30 days of the change. According to COMAR 10.33.01.08D(12), the "fine for failure to notify the Board of change in either name or home address of the licensee, or change in name or address of the employer or business connection of the licensee within 30 days of change...\$100."

### **Board Email Accounts**

Over the summer hiatus, the Board Office received notification from a few Board Members that they were unable to access their Board email accounts. Ms. Lee notified the Board that if they are continuing to have trouble accessing your Maryland.gov email account, they should contact the HelpDesk Direct Support Hotline at 410-767-6534 for password login assistance. According to some Board Members, passwords expire within 30 or 60 days.

### **Discussion: Possible Survey for Nursing Home Company Leaders**

As we reflect on the past year's legislative session and workforce challenges that all healthcare professions have assumed since the pandemic, Ms. Lee would like to gain the insight and perspective of nursing home companies in Maryland regarding the LNHA profession, licensing in Maryland, AIT and professional development opportunities, strategies on how to address LNHA needs in their facilities. To start on a micro-level, Ms. Lee stated that she is willing to develop a brief survey to distribute to the LNHA Board Members' nursing home company leaders (CEOs, presidents, regional directors, etc.) for data collection purposes. The Board engaged in brief discussion and came to the consensus that the survey should focus on topics such as job satisfaction and the biggest challenges that nursing home administrators are facing currently (i.e. regulatory oversight and management of staffing).

**Fiscal Year 2022 - Budget Report**

Ms. Lee went over the handout of the allocations and expenditures for the previous fiscal year.

**Meeting Adjournment**

A motion to adjourn was made and seconded. The meeting was adjourned at 10:21 a.m.

  
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Executive Director

  
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Board Chair