

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

**FEBRUARY 25, 2022**  
**BOARD MEETING MINUTES**

The Emergency Board Meeting was convened at 1:07 p.m. via video conference on Friday, February 25, 2022.

**Members Present**

1. Felicia Anthony, Chair
2. Debra Buckalew
3. Patricia Cash
4. Stevanne Ellis
5. Kelly Freidman, Vice Chair
6. Heather Reed
7. Zollie Stevenson Jr.
8. Nader Tavakoli-Jalili

**Representatives of the State**

1. Ciara J. Lee  
Executive Director
2. David Finkler, Esq., Board Counsel  
Assistant Attorney General (substitute  
for David Wagner, Esq., Board Counsel)
3. Lillian Reese  
Legislative & Regulations Coordinator

**Visitors**

1. Kimberly Link, MDH Liaison to Health  
Occupations Boards and Commissions

**ORDER OF BUSINESS**

**Chair's Report**

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

**Legislative Updates**

**HB 1034/SB 720 Assisted Living Manager Licensure (Support):** Ms. Lee provided a summary of the following proposed amendments that are in draft form at this time. Amendments #1-4 were derived from the trade associations (i.e. HFAM, LifeSpan, and LeadingAge Maryland), and #5 was recommended by BENHA's Board Counsel:

1. Equal representation on the Board's composition (including 5 nursing home administrators and 5 assisted living managers, rather than 6 nursing home administrators and 3 assisted living managers);
2. Amend § 19-1807 of the Health General Article of the Annotated Code of Maryland to remove the language in § 19-1807(c) that states, "...that is licensed for 5 or more beds.". The intent is to apply the education and training requirements to assisted living facilities that have 4 beds or less;

3. Implementation that requires the Board to report back to the Health and Government Operations Committee that they have sufficient staffing and resources before accepting applications;
4. Ensure the Board has a record of who is serving as representative payees to clients in smaller facilities—the Office of the Attorney General currently has this information; and
5. Under § 9-401, adding group 1-4 under subsection (a) and add a (b) subsection, which would allow a civil money penalty to be authorized for nursing home administrators and assisted living managers without authorization.

A motion was made to approve the amendments as presented. It was seconded and carried.

**HB 1241/SB 909 NHA Qualifications (Oppose):** Ms. Lee provided a brief summary of the amendments presented in HB 1241 regarding the altering of nursing home administrator qualifications provisions. A motion was made to oppose the bill. It was seconded and carried.

**HB1130 Health Occupations - Prohibition on Expiration of Licenses, Certificates, Permits, and Registrations (Joint Letter of Concern):** Ms. Lee provided a brief summary of HB 1130, which was established to prohibit the licenses, certificates, permits, and registrations issued before a certain date by health occupations boards in accordance with certain provisions of law from expiring and requiring that they remain effective until the restoration of the network systems that were impacted by the cybersecurity attack on the Maryland Department of Health. A joint letter of concern detailing the pertinent concerns of a few of the Health Occupations Boards regarding the bill was drafted by the Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists & Music Therapists, and submitted to the Office of Governmental Affairs. On behalf of the Board, BENHA's Legislative Committee voted to join the letter.

A motion was made to support the joint letter of concern that has been drafted and submitted that includes the Board's concerns about the legislation. It was second and moved (ratified).

Prior to moving forward with making a motion to adjourn the meeting, Board Chair Anthony requested Board members to share any opposing comments regarding HB 1241/SB 909 that would support the opposition paper to Ms. Lee to assist with finalizing the draft.

### Meeting Adjournment

A motion was made to adjourn the meeting. It was seconded and carried. The meeting was adjourned at 1:57 p.m.

  
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Executive Director

  
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Board Chair