

STATE BOARD OF LONG-TERM CARE ADMINISTRATORS
465TH BOARD MEETING
(Video Conference)
Thursday, January 11, 2024
4:30 pm.

OPEN SESSION MEETING MINUTES

Call to Order and Establishment of a Quorum

The Maryland State Board of Long-Term Care Administrators 465th Board Meeting via video conference was called to order and convened at 4:30 p.m. on Thursday, January 11, 2024, by Board Chair Kelly Friedman, who established that a quorum was present.

Members Present (15)

John Beyer, LCSW-C; Seat: Geriatric Social Worker
Debra Buckalew, LNHA; Seat: Nursing Home Administrator
Patricia Cash, Pharm. D.; Seat: Related Health Professional
Crystal DeBerry, ALM, CM/DM; Seat: Assisted Living Manager
Stevanne Ellis, LBSW; Seat: State Long-Term Care Ombudsman
Kelly Friedman, LNHA; Seat: Nursing Home Administrator; Board Chair
Denise Hayman, PhD; Seat: Consumer
Kimberly Malin, RN, MSN; Seat: Related Health Professional
Kadin Mitchell, LNHA; Seat: Assisted Living Manager
Andre Moshenberg, LNHA; Seat: Nursing Home Administrator
Heather Reed, LTC Office of Health Care Quality; Seat: Ex Officio
Michelle Rosenheim, LNHA; Seat: Nursing Home Administrator
Earl Runde, Seat: Consumer
Dr. Nader Tavakoli-Jalili, M.D.; Seat: Geriatric Physician
Michael Willis, LNHA; Seat: Nursing Home Administrator; Vice Chair

Members Absent (0)

All board members were present.

Board Staff Present

Linda Burrell-Warr, Executive Director
David Wagner, Esq., Board Counsel; Assistant Attorney General
Danesha Dunmore, Licensing Assistant

ORDER OF BUSINESS

Approval of the Agenda

The agenda was accepted as submitted.

Recognition of Visitors

Board Chair Friedman acknowledged the following visitors:

- Kimberly Link, Senior Advisor to Health and Occupations Boards;
- Lillian Reese, Legislative and Regulations Coordinator
- Jessica Burkybile, Healthcare Academy

Board Chair's Report - Ms. Friedman

Welcome to new Board Members:

- Ms. Crystal DeBerry, Assisted Living Manager
- Ms. Denise Hayman, Consumer
- Ms. Kadine Mitchell, Assisted Living Manager

Board Chair Friedman stated that the next meeting will be held on **February 14, 2024, at 9:30 a.m. in Room 110.**

Board Office Report - Ms. Burrell-Warr

Monthly Licensing Data as of December 13, 2023:

- 486 Active LNHAs
- 31 Inactive LNHAs:
- 444 Non-renewed (lapsed)
- 28 candidates are currently in active AIT programs

Credentials Committee Update: The committee met on January 3, 2024 and approved the following:

- 1 AIT Program
- 1 Endorsement Application
- 1 Reinstatement Approved

Proposed Amendments to State Board of Examiners of Nursing Home Administrators: Licensure of Assisted Living Managers – Extension - David Wagner, Esq., Board Counsel

Mr. Wagner confirmed that everyone attending the meeting was provided with the suggested amendments to the Licensure of Assisted Managers bill. Mr. Wagner then proceeded to explain that a meeting was held a couple of weeks ago that included Ms. Friedman, Ms. Burrell-Warr, Mr. Wagner, Ms. Cash, Ms. Reese, Danna Kauffman, Attorney/Lobbyist for LifeSpan, Secretary Roque, Dept. of Aging; Dr. Nay, Director, OHCQ; and Carol Fenderson, Deputy Director OHCQ - ALF. Purpose was to negotiate the legislative changes for postponing the licensure, which currently the law is that all Assisted Living Managers are supposed to be licensed by **October 1, 2024**. At the last Board meeting in December 2023, the Board voted to postpone the implementation for one year to October 2025. The suggested amendment would extend that a little further from **October 1, 2025** to **July 1, 2026**. The suggested amendments were produced by the lobbyist lifespan for the legislative changes and a meeting board staff and the legislative

committee that included Mr. Moshenberg, Ms. Friedman, Ms. Burrell-Warr, Mr. Wagner, and Ms. Reese to go through the suggested amendments to provide the following recommendations for the Board to discuss and either agree with the proposed changes or oppose the changes and consider amendments to the draft.

1. Proposed Changes

Page 1 – under HG §19-1807

(a) (1) Except as provided in subsection (d) of this section, an assisted living manager who is employed by an assisted living program shall have completed a manager training course that is approved by the Department and includes an examination.

(2) The manager training course shall:

(i) Consist of at least 80 hours;

[(ii) Require attendance or participation at training programs that provide for direct interaction between faculty and participants; and

(iii)] Authorize [a maximum of 25 hours of] training through Internet courses, correspondence courses, tapes, or other training methods that do not require direct interaction between faculty and participants.

Board Amendment

Strike (2)(ii) and (iii) Note: the info in (iii) will be put into regulations

Add (d)(1)(i) from statute and strike ["Is employed by an assisted living program and has enrolled in a Department-approved manager training course that the individual expects to complete within 6 months;"]

2. Proposed Changes

Page 2 – under HO §9-202

(a)(2)(ii) 1. Before [October 1, 2024]JULY 1, 2026, five shall be individuals who have:

(a)(2)(iii)B.2. On or after [October 1, 2024]JULY 1, 2026, five shall be licensed assisted living managers;

Board Amendment

Under (a)(2)(iii) – the date should stay October 1, 2024

Under (a)(2)(iii)B.2. – the date should be JULY 1, 2026 (when the ALMs will be licensed)

3. Proposed Changes

Page 3 – under HO §9-3A-01

(a), Except as otherwise provided in this subtitle, beginning October 1, [2024]2026, an individual must be licensed by the Board before the individual may practice as an assisted living manager in the State.

Board Amendment

Under (a), the date should be JULY 1, 2026.

4. **Proposed Changes**

Page 4 - under HO §9-3A-01

(b)(3)[The]**AFTER THE PROVISIONAL PERIOD**, THE appointed alternate assisted living manager or non licensed individual may serve in the capacity of interim assisted living manager if the individual has enrolled in a manager training course that the individual expects to complete within 6 months and has provided the notice required under paragraph (2) of this subsection.

Board Amendment

Strike (b)(3)

5. **Proposed Changes**

Page 5 - under HO §9-3A-02

(a)(5)(i) Complete an assisted living manager training course **AND EXAMINATION** required under § 19-1807 of the Health - General Article and under COMAR 10.07.14[, including the successful passing of the course examination]

Board Amendment

Under (a)(5)(i), strike new language “AND EXAMINATION” and the brackets around “including the successful passing of the course examination”

Under (b), 2 nd sentence, insert “FOR AT LEAST ONE YEAR,” after “manager” and before “and have worked...”; the date should be JUNE 30, 2026.

6. **Proposed Changes**

Page 5 – add HO §9-401

(b)(3)If the Board finds a violation of subsection (a)(3) of this section on or before September 30, [2025] 2026, the Board shall provide the individual with written notice and a 60–day period to comply with the licensure requirement before imposing the fine.

Board Amendment

Under (b)(3), the date should be JUNE 30, 2027 (strike September 30, 2025)

7. **Proposed Changes**

Page 6 – special sections

Section 3:

- (1) two members in [2025]2027;
- (2) two members in [2026]2028; and
- (3) one member in [2027]2029.

Section 4:

AND BE IT FURTHER ENACTED, That on or before October 1,[2023] 2025, the State Board of Long-Term Care Administrators shall submit a report to Committee, in accordance with § 2-1257 of the State Government Article,...

Section 5:

AND BE IT FURTHER ENACTED, That an assisted living manager employed by an assisted living program that is licensed for four or fewer beds shall comply with§ 19-1807 of the Health - General Article, as enacted by Section 2 of this Act, on or before September 30, [2024)2026, and may not be found in violation of§ 19-1807 of the Health General Article, as enacted by Section 2 of this Act, before October 1, [2024)2026.

Board Amendment

Section 3 – no date changes to Danna’s amendments: (1) 2027; (2) 2028; (3) 2029

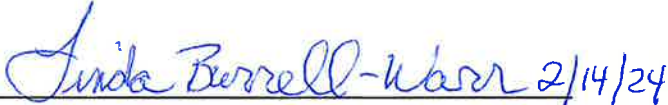
Section 4 – Report dates should be October 1, 2024, 2025, and 2026

Section 5 – Dates should be JUNE 30, 2026 and JULY 1, 2026

After the proposed amendments to the **State Board of Examiners of Nursing Home Administrators: Licensure of Assisted Living Managers – Extension** were reviewed and discussed by the board, a motion was made to approve the changes. It was seconded and carried.

Meeting Adjournment

Motion introduced by Board Chair Friedman to adjourn the meeting; motion seconded and carried. The meeting was adjourned at 5:35 p.m.


Executive Director


Board/Chair