

Alabama Board of Examiners of Assisted Living Administrators  
Regular Board Meeting

Date: Thursday, October 8, 2009  
Time: 10:00 a.m.

Place: 5921 Carmichael Road  
Montgomery, AL

Members Present: Mr. Tommy McKinnon  
Ms. Rita VanDyke  
Ms. Cindy Lewis  
Ms. Vivian Readus  
Ms. Dale Law  
Ms. Sherry Stone  
Dr. Regina Harrell

Members Absent: Mr. Andy Clements  
Mr. George Smith

Others Present: Ms. Bettie Carmack, Attorney General Representative  
Ms. Amy Findley, Executive Director  
Ms. Matila Malm

**Call to Order:** The called meeting of the Board was called to order at 10:06 a.m. by Chair, Tommy McKinnon.

**Agenda:** Cindy Lewis motioned to approve the agenda as distributed, Rita VanDyke seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

**Alabama Interactive:** Representatives from Alabama Interactive joined the meeting at 10:11am to tell the Board about the BOEALA being able to accept credit cards for renewals and applications. They have given a proposal to Amy that spells out all functions. Alabama Interactive will create and host the website. It is free to the BOEALA, the licensees who choose to renew online will pay a small processing fee to Alabama Interactive.

Alabama Interactive representatives left the meeting at 10:20am.

Regina Harrell, MD motioned to approve the BOEALA to use Alabama Interactive for online renewals, Rita VanDyke seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

**Board Elections:** Pursuant to the statute requirement of annually electing a chair and vice chair at the first meeting of the Board held after October 1, Vivian Readus made a motion to re-elect Tommy McKinnon to serve as chair of the Board for a second term and re-elect Rita VanDyke to serve as vice-chair of the Board for a second term, Cindy Lewis seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

**Minutes from July 30, 2009:** Regina Harrell, MD motioned to approve the minutes as distributed; Sherry Stone seconded the motion. There was no discussion and the motion was unanimously

approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

**BOE Budget:** BOE Budget numbers were discussed with the board.

**New Business:**

A. CEU Approval Committee - Vivian Readus offered to remain on the CEU Approval Committee.

B. Annual Licensee Survey- Currently, a survey is placed in the envelope with all renewals mailed out. Since there are only a handful returned, the BOEALA Board decided to put the survey online and licensees can access it there.

C. AG Opinion- The BOEALA board submitted a request for an AG opinion on charging renewal fees for NHA licensees and Acute Care Hospitals.

Discussion was held.

Regina Harrell, MD motioned to withdraw request regarding NHA and Acute Care Hospital fees; Cindy Lewis seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

Vivian Readus motioned to no longer charge renewal fees for NHA and Acute Care Hospitals; Regina Harrell, MD seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

D. Mission of the BOEALA- The mission of the BOEALA was presented to the Board.

E. Statute Change Recommendations- Amy Findley, Bettie Carmack and Tommy McKinnon met and discussed statute changes that needed to be made. Statute changes were given to the Board for review. The following are the changes proposed:

- 1) 34-2A-2- Add "in the State of Alabama" at the end of the third sentence
- 2) 34-2A-3(b)- delete the phrase "except licensure or discipline of licensees or applicants"
- 3) 34-2A-11- The heading will be changed to say "Administrators licensed in other states; ....."
- 4) 34-2A-11(b)-Add the words "in Alabama" The sentence will read "Any person who has a license in good standing in Alabama....."
- 5) 34-2A-11(b)(1)- Adding the word "annual" so a person will have to pay an annual administrative fee.
- 6) 34-2A-11(c)- Add "in Alabama"
- 7) 34-2A-11(c)(1)- Adding the word "annual" so a person will have to pay an annual administrative fee.
- 8) 34-2A-12(d)(1)- Adding to the last sentence "all persons holding an expired license shall be required to submit a new application, follow all procedures for new licensure, and pay a reapplication fee established by the Board".
- 9) 34-2A-13(b)(5)- Add "Plea of nolo contendere, nolo contendere, no contendere, no contest, or guilty in any case involving lewd or lascivious acts against a child or an adult, inappropriate sexual conduct with a child or an adult, or any other crime in which the punishment could have included a sentence of imprisonment exceeding 365 days (or exceeding one year)."

All of the above changes were discussed by the board.

Regina Harrell, MD motioned to accept the proposed statute changes as distributed; Rita VanDyke seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

F. Internship- A 240 hour internship was presented to the Board for review.

Cindy Lewis motioned to accept the 240 hour internship from Drew Sockwell; Vivian Readus seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

G. Applications for Review- Amy Findley presented the board with a letter from Carlton Haygood regarding his license expiring in April 2008.

Amy Findley audited his CEU file and did find a mistake with his dementia hours. Discussion was held.

Rita VanDyke motioned to renew the license of Carlton Haygood and let it expire 10/31/10; Vivian Readus seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

Rita VanDyke motioned to enter into executive session for approximately 10 minutes beginning at 10:55 am; Vivian Readus seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

The renewal application of ND was discussed.

Regina Harrell, MD motioned to exit executive session at 11:13 am; Dale Law seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

Regina Harrell, MD motioned to hold off on the renewal application on ND until he/she can attend the January 2010 board meeting; Vivian Readus seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

The renewal application of Peggy Wall was presented to the board. One of Peggy's CEU certificates can not be verified by the company as to whether or not it pertains to dementia. If the course does not pertain to dementia, Ms. Wall will not have enough dementia hours to renew. Amy Findley has called and faxed the company as well as Ms. Wall to try to get more information. Her license expired 8/31/09. As of today, no more information has been received. A certified letter has been sent to Ms. Wall stating we must have the course information by November 29, 2009.

The business license requirement for renewal was discussed by the Board. As it is currently written the rules reads: 135-X-7-.01 (4) (a) "Any person currently employed at an assisted living facility is authorized to apply for license renewal only if said facility that employs the licensee is licensed by

the Alabama Department of Public Health. All applicants seeking a renewal license must submit the business license of the facility in which he/she is employed.”

Discussion was held.

Tommy McKinnon motioned to change the wording around for business licenses in rule 135-X-7.01 (4) (a); Regina Harrell, MD seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

After the public hearing in January 2010 the rule will read: 135-X-7-.01 (4)

(a) Any person currently employed at an assisted living facility is authorized to apply for license renewal only if said facility that employs the licensee is licensed by the Alabama Department of Public Health.

(b) All applicants seeking a renewal license must submit the business license of the facility in which he/she is employed.

**Old Business:** None

Regina Harrell, MD motioned to adjourn the meeting at 11:28 am., Cindy Lewis seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Tommy McKinnon, Rita VanDyke, Cindy Lewis, Vivian Readus and Sherry Stone.

Approved by: \_\_\_\_\_  
Tommy McKinnon, Chair

Prepared by: \_\_\_\_\_  
Amy Findley, Executive Director

**No one attended the public hearing.**