

Alabama Board of Examiners of Assisted Living Administrators  
Regular Board Meeting & Public Hearing

Date: Thursday, February 27, 2014  
Time: 10:00 a.m.

Place: 5921 Carmichael Road  
Montgomery, AL

Members Present: Mr. Renee Barnard  
Ms. Dale Law  
Ms. Ginger Fletcher  
Ms. Sherry Stone  
Ms. Cindy Lewis  
Ms. Bettye Bambarger  
Ms. Martha Stokes

Members Absent: Ms. Vivian Readus

Others Present: Ms. Amy Findley, Executive Director  
Ms. Hendon Coody

**Call to Order:** The called meeting of the Board was called to order at 10:01 a.m. by Chair, Ginger Fletcher.

Ginger Fletcher welcomed Ms., Hendon Coody. She has agreed to take over the LH case in appeal. The Attorney General's office approved her and gave her a DAG letter. Ms. Coody addressed the board and brought them up to speed on the LH appeal.

Sherry Stone entered the meeting at 10:07am. Ms. Coody left the meeting at approximately 10:25am.

**Agenda:** Amy Findley requested that an internship for review be added under New Business.

Renee Barnard motioned to approve the agenda with the above change, Cindy Lewis seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

**Legal Services RFP:** Amy Findley presented the board with two proposals for legal services.

Hendon Coody and Baker Donelson submitted proposals. Discussion was held.

Martha Stokes motioned to accept the proposal from Hendon Coody, Bettye Bambarger seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

**RFP for Private Investigator:** Amy Findley presented the board with two proposals from the RFP for a Private Investigator. Discussion was held.

Sherry Stone motioned to table the hiring of a Private Investigator until legal counsel can review the proposals and to reopen the RFP if legal counsel thinks it's necessary, Ginger Fletcher seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

**Minutes for Approval:** The board was submitted the minutes from December 5, 2013, December 17, 2013 and January 17, 2013.

Cindy Lewis motioned to approve the December 5, 2013 minutes as distributed, Bettye Bambarger seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

Bettye Bambarger motioned to approve the December 17, 2013 minutes as distributed, Ginger Fletcher seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

Cindy Lewis motioned to approve the January 17, 2014 minutes as distributed, Dale Law seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

**Rules Committee:** The Rules Committee met to review the changes Bettie Carmack suggested. The committee thinks the board should table those suggestions at this time.

Ginger Fletcher motioned that the board table all rules changes at this time, Sherry Stone seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

**BOE Budget:** Amy Findley reported on the BOE budget. \$20,000 was requested for 2014 and 2015 budget years in a supplemental bill. Due to the BOEALA having to start paying for legal services, the BOEALA may need additional funds. Discussion was held.

**Inactive Status:** Amy Findley presented the board with the language for someone putting their license on "Inactive status". An Administrator's license expired 1/31/14 which they placed on inactive status, then wants to reactive the following month.

Discussion was held.

**Sage Management Request:** Sage Management requested the board approve two preceptors on an annual basis due to the full board having to meet to approve preceptors and sometimes one is needed before a board meeting is scheduled.

Discussion was held.

Renee Barnard motioned to deny the request by Sage Management, Ginger Fletcher seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

Ginger Fletcher motioned to enter into Executive Session at 11:15am for approximately 15 minutes, Sherry Stone seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

Ginger Fletcher motioned to exit Executive Session at 11:17am, Sherry Stone seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

Sherry Stone motioned to form a committee to approve internships and preceptors just like we do for Emergency Permits and to use the Emergency Permit Committee, Cindy Lewis seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

The current Emergency Permit committee is Amy Findley, Cindy Lewis, Sherry Stone and Rita VanDyke. Rita needs to be replaced since she is no longer on the board.

Martha Stokes motioned to replace Rita VanDyke with Renee Barnard, Ginger Fletcher seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

**Administrative Hearings:** We have two people that have requested hearings (MW & SP).

SP was invited to this meeting, but could not come.

Amy Findley stated that the board should allow legal counsel to review files before we send out hearing dates. The board can pick potential dates if legal counsel thinks a hearing is necessary.

Ginger Fletcher motioned that the legal counsel should review files before hearing dates are set, Cindy Lewis seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

Possible hearing dates are: April 8, 10, 11, 18, 29 & 30.

**Emergency Closure:** ADPH sent an emergency closure for Grans Home in Dothan. SH is the licensed admin.

Discussion was held.

Renee Barnard motioned to suspend the license of SH for 30 days, if SH does not request a hearing in the 30 days, her license will be revoked on the 31<sup>st</sup> day, Cindy Lewis seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

**Complaints:** MO – will be revoked effective April 16, 2014. Amy Findley spoke with MO's attorney, she will not be requesting a hearing, she is going to let license be revoked.

JC – ADPH sent in a complaint on JC. The Investigative Committee has met and proposes the board accept their recommendation of \$250 fine, one year probation and a contingency plan.

Cindy Lewis motioned to accept the consent decree for JC, Ginger Fletcher seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

**New Business:**

**Ethics Commission:** Amy Findley emailed the board the Ethics Commission that is due April 30, 2014.

**Future Board Meeting Dates:** April 10, 2014, July 10, 2014 & October 9, 2014.

BOEALA Conference Presentation: Online CEU certificates, Notarized application, test scores and disciplinary actions and responding to complaints will be discussed. Amy Findley & Renee Barnard will present this information at the conference.

Board Vacancies: Sherry Stone, Dale Law and Bettye Bambarger's board member terms expire 4/18/14.

Sherry Stone and Dale Law cannot be reelected. Bettye Bambarger wishes to serve another term. Amy will notify ALAA.

Internship for Review: BF submitted an internship for review. Discussion was held.

Sherry Stone motioned to accept the internship for BF, Ginger Fletcher seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

Old Business: Craig Ford is introducing the statute changes for us.

Ginger Fletcher motioned to adjourn the meeting at 12:07pm, Sherry Stone seconded the motion. There was no discussion and the motion was unanimously approved by, Sherry Stone, Renee Barnard, Dale Law, Ginger Fletcher, Martha Stokes, Bettye Bambarger and Cindy Lewis.

Approved by: \_\_\_\_\_  
Ginger Fletcher, Chair

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

No one attended the public hearing.