

Alabama Board of Examiners of Assisted Living Administrators
Regular Board Meeting

Date: Thursday, April 8, 2010
Time: 10:00 a.m.

Place: 5921 Carmichael Road
Montgomery, AL

Members Present: Ms. Rita VanDyke
Ms. Cindy Lewis
Ms. Vivian Readus
Ms. Dale Law
Mr. George Smith
Dr. Regina Harrell
Mr. Andy Clements

Members Absent: Ms. Sherry Stone
Mr. Tommy McKinnon

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

Call to Order: The called meeting of the Board was called to order at 10:12 a.m. by Vice-Chair, Rita VanDyke.

Agenda: Regina Harrell motioned to approve the agenda with one change (add application question under New Business), Dale Law seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Andy Clements, Vivian Readus, Cindy Lewis, George Smith and Rita VanDyke.

Employment Screening Services: Amy Findley presented the Board with information on ESS a company in Alabama who does background checks. Currently, the BOEALA uses Bradley Screening at a charge of \$20 which includes the state of Alabama as well as the National background check.

Russ Blitz with ESS entered the meeting at 10:16am.

ESS charges \$8 per national search but each state has a different amount that is charged.

Russ answered all questions the Board had and he exited the meeting at 10:27am.

Discussion was held.

Regina Harrell motioned to continue using Bradley Screening for our background checks, Cindy Lewis seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Andy Clements, Vivian Readus, Cindy Lewis, George Smith and Rita VanDyke.

License Renewals for Review: The license renewal for ND was presented to the Board. ND Was planning to attend the 1/7/10 meeting that was canceled due to the bad weather as well as the 1/14/10 meeting. He had a family emergency the week of 1/14/10 and was unable to attend.

ND entered the meeting at 10:35am.

ND had a misdemeanor in 2009. ND submitted the Etowah County Circuit Court guilty plea information. ND was also licensed as a NHA. He put the NHA License on "Inactive Status" in March of 2010. ND requested the board allow him to put his ALA license on "Inactive Status".

ND exited the meeting at 10:42am

Discussion was held.

Cindy Lewis motioned to allow ND to place his license on "Inactive Status", George Smith seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Andy Clements, Vivian Readus, Cindy Lewis, George Smith and Rita VanDyke.

Information was presented to the board regarding the renewal license of JT and LP.

JT and LP submitted the required information by the deadline that Bettie Carmack gave them.

Discussion was held.

Vivian Readus motioned to reinstate the licenses of JT and LP, Regina Harrell seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Andy Clements, Vivian Readus, Cindy Lewis, George Smith and Rita VanDyke.

Applications for Review: Amy Findley presented the board with the application of TP. TP checked no to the felony/misdemeanor question on her application. Once the background check of TP was returned, there was a misdemeanor. TP wrote a letter to the board explaining the misdemeanor; she also provided the Early Termination of Probation letter from the Lee County Circuit Clerk.

TP entered the meeting at 10:57am. The Board asked TP questions about her misdemeanor. TP has been working at the current facility since 2007; she is currently working under Wanda Ferris. TP served probation and community service.

TP admitted to the board that she checked no the misdemeanor question because she thought it wasn't going to show up on her background check.

TP exited the meeting at 11:04am.

The Board asked Wanda Ferris to enter the meeting at 11:09am. The board asked Wanda questions regarding TP.

Wanda Ferris exited the meeting at 11:13am.

Andy Clements motioned to deny the application of TP due to her giving false information on her application, Regina Harrell seconded the motion. There was no discussion and the motion was approved by, Regina Harrell, Dale Law, Andy Clements, Vivian Readus, Cindy Lewis, and George Smith. Rita VanDyke voted no.

Amy Findley presented the board with the application of CA. CA checked no to the felony/misdemeanor question on her application. Once the background check of CA was returned, there were several misdemeanors due to NWIs.

Discussion was held.

CA entered the meeting at 11:31am. The Board asked CA questions regarding her misdemeanor.

CA exited the meeting at 11:35am.

Regina Harrell motioned to deny the application of CA due to giving false information on her application, Andy Clements seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Andy Clements, Vivian Readus, Cindy Lewis, George Smith and Rita VanDyke.

BOE Budget: The BOE budget for October 2009-March 2010 was presented to the board for review.

Minutes from January 14, 2010: Regina Harrell motioned to approve the January 14, 2010 minutes, Cindy Lewis seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Andy Clements, Vivian Readus, Cindy Lewis, George Smith and Rita VanDyke.

New Business: Question 15 on the ALA Initial Application reads:

Have you ever had a certificate or other professional license revoked or suspended?

YES NO

If YES, attach an explanation, relevant documents and a description of the current status.

Discussion was held.

Andy Clements motioned to amend question 15 to the below wording, Regina Harrell seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Andy Clements, Vivian Readus, Cindy Lewis, George Smith and Rita VanDyke.

The new question will read:

Have you ever had a certificate or other professional license revoked, suspended, placed on probation, or otherwise disciplined?

Old Business:

Statute Changes: Amy Findley reported that the statute changes have been submitted to Rep. Alan Boothe (House) and Senator Wendell Mitchell (Senate). We are waiting to see if they pass.

Business License Issue: Discussion was held regarding the business license issue. The current rule states that anyone who applies for a license or renews a license that is employed at any healthcare facility must submit the facility's business license.

Rita VanDyke motioned to delete the language in our rules regarding the business license, Andy Clements seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Andy Clements, Vivian Readus, Cindy Lewis, George Smith and Rita VanDyke.

Association's Role in BOEALA: The board discussed the role ALAA has with the BOEALA. The board reiterated that anytime a licensure question or regulatory issue arises, Amy, the Executive Director of BOEALA, needs to be the one answering the questions and enforcing the rules. The Board communicated this information to Frank Holden, the President of the Assisted Living Administrators' Association, who entered the meeting at 12:00pm.

Frank Holden exited the meeting at 12:05pm.

Board Member Training: Tommy McKinnon, Rita VanDyke, Dale Law, Andy Clements and Amy Findley attend the Examiners of Public Accounts board member training on January 21, 2010.

Deadline to Pay Licensing Fees: The current rule states:

135-X-5-.07 Deadline to Pay License Fee.

(1) An Applicant who has successfully passed the Section B exam has 30 days from the date of passing the exam to pay the initial licensing fee. Failure to do so will forfeit all previously paid fees and the applicant will be required to submit a new application and will be responsible for all applicable fees.

The problem with this rule is that some people may have a provisional license that is still valid after the 30 days has passed.

Discussion was held.

Regina Harrell motioned to amend the deadline to pay license fees to the below language, Andy Clements seconded the motion. There was no discussion and the motion was unanimously approved by, Regina Harrell, Dale Law, Andy Clements, Vivian Readus, Cindy Lewis, George Smith and Rita VanDyke.

(1) An Applicant who has successfully passed the Section B exam has 30 days from the date of passing the exam to pay the initial licensing fee or until the provisional license expires. Failure to do so will forfeit all previously paid fees and the applicant will be required to submit a new application and will be responsible for all applicable fees.

Regina Harrell motioned to adjourn the meeting at 12:21pm., 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, Andy Clements and Sherry Stone.

Approved by: _____
Tommy McKinnon, Chair

Prepared by: _____
Amy Findley, Executive Director