

Alabama Board of Examiners of Assisted Living Administrators  
Called Board Meeting

Date: Thursday, July 12, 2007  
Time: 10:00 a.m.

Place: 5921 Carmichael Rd.  
Montgomery, AL

Members Present: Mr. Jimmy Law  
Ms. Rita VanDyke  
Mr. Tommy McKinnon  
Ms. Mamie Mahone  
Ms. Kathy Tankersley  
Ms. Merlinda Nettles  
Mr. George Smith

Members Absent: Mr. David Wilbanks

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

**Call to Order:** The regular meeting of the Board was called to order at 10:00 a.m. by chairperson, Mamie Mahone.

**Agenda:** After two additions: Board Member Oath and Vice-Chair election, Ms. VanDyke motioned to approve the agenda with amendments. Mr. McKinnon seconded the motion. No opposition. Motion carried unanimously.

**Introduction of New Board Members:** The newly elected Board members were introduced and the Oath of Office was given and administered to each Board member.

Mr. Smith mentioned to the AG Representative that after reading the requirements to serve on the board, he may have a conflict. Mr. Smith is chairman of the board of St. Clair Services Inc, which is a non profit (501c3) corporation. This corporation also owns a 16 bed Assisted Living Facility in Winfield, Al. Bettie Carmack commented that if the governor appointed Mr. Smith, knowing his background and present work, then there should not be a problem.

**Minutes from the April 12, 2007 meeting:** Ms. Tankersley motioned to approve the minutes. Mr. Law seconded the motion. No opposition. Motion carried. The minutes had to be approved with only two original Board member present.

**Hearing Committee Decision:** Ms. Tankersley motioned to enter Executive Session to discuss Trelecia Hood's application and Provisional License. Ms. VanDyke seconded the motioned. No opposition. Motion carried.

Bettie Carmack gave the Board a brief report regarding the applicant. The applicant expressed interest to Ms. Carmack in reapplying for licensure.

Background checks were discussed briefly by the Board.

Ms. Tankersley made a motion to end the executive session and return to open session. Mr. Law seconded the motion. No opposition. Motion carried.

Ms. Tankersley motioned that if Trelecia Hood reapplies for licensure, her application must be brought before the Board to review, approve or deny. Ms. VanDyke seconded the motion. No opposition. Motion carried.

Mr. Law made a motion to submit documents to the Legislative/Reference Service to add background checks to applications for licensure. Ms. VanDyke seconded the motion. No opposition. Motion carried.

**Audit:** Ms. Findley gave the Board a brief report on the current audit and Sunset Review Audits. The Public Hearing for the Sunset Review is August 16 at 9am. All Board members need to be present. The findings of the audit have not been sent to the Board for review at this time. The auditor (Tony Yarbrough) did communicate to Ms. Findley the audit was complete, but it had not been approved by his supervisor.

Ms. Mahone stated that a favorable audit would not be submitted based on a phone conversation with Mr. Yarbrough.

Ms. Tankersley made a motion for each Board member to audit 1/8 of all current licenses, so that each application on file is reviewed. This is in response to the ongoing Sunset Audit to ensure no other errors have occurred. If negative findings are noted they will be brought before the Probable Cause Committee. These audits may be done at each Board members leisure but before the August 16 hearing. Ms. Nettles seconded the motion. No opposition. Motion carried.

**Leases:** A copy of the rent agreement as well as Amy Findley's Professional Contract was given to each Board member.

Ms. Findley gave a brief report on the Rent contract. She and Mr. Holden met with the Finance Director, Jim Main regarding the contract. He did approve the contract; we are waiting for the signed copy.

**Exigent Circumstances:** Ms. Tankersley made a motion for Amy Findley to draft an Exigent Circumstance policy for the Boards review. Ms. Nettles seconded the motion. No opposition. Motion carried.

The Board had a brief discussion regarding development of a Policy and Procedure Manual.

**Rules Committee:** Ms. VanDyke made a motion to establish a Rules Committee. Mr. Law seconded the motion. No opposition. Motion carried.

The Board voted on the following people to be on the committee:

Kathy Tankersley, Chair

Merlinda Nettles

Amy Findley

**Exams:** Since the ADPH Rules and Regulations have been amended, the Section A exam should be revised to include these regulatory changes.

The current Section A exam is based on a 7<sup>th</sup> grade level. After the new regulations have been included in the current exam, the Board should increase the difficulty level of the exam. Administrators who hold a current NHA license will be asked to review the exams once they have been updated.

Ms. VanDyke made a motion for Kathy Tankersley and Mamie Mahone to review and update the Section A Exam, relative to the new regulations, before the next exam date. Ms. Nettles seconded the motion. No opposition. Motion carried.

**Continuing Education Units:** Ms. VanDyke made a motion for the Rules Committee to look into charging a fee for Sponsors to get CEUs approved. Mr. McKinnon seconded the motion. No opposition. Motion carried.

A copy of the Criteria for CEU Approval was submitted to the Board.

Mr. Smith made a motion that CEUs will be approved by a majority vote of the CEU approval committee. Any special circumstances regarding CEUs may be brought before the Board. Ms. Nettles seconded the motion. No opposition. Motion carried.

Ms. VanDyke's Board appointment was questioned due to her being on the ALAA Board as well as the BOE board. Ms. Carmack stated there shouldn't be a problem with this.

Frank Holden will be asked for the ALAA board to nominate one person to serve on the BOE CEU approval committee.

Merlinda Nettles volunteered to serve on the CEU approval committee along with Ms. Findley.

**Complaint:** Mr. McKinnon made a motion to enter Executive Session to discuss a complaint received by the Board. Ms. Nettles seconded the motion. No opposition. Motion carried.

A copy of the complaint was faxed to Mia Sadler at ADPH.

A copy of the complaint was presented to the Board for review.

Ms. Findley reported the person who states they are the Administrator has applied for an Emergency Permit but was denied due to lack of experience.

Ms. Tankersley made a motion to end the executive session and return to open session. Mr. Law seconded the motion. No opposition. Motion carried.

Ms. Tankersley made a motion to draft a letter to the District Attorney after confirming the situation still exists. A copy of the complaint as well as the law will be attached to the letter. Mr. Law seconded the motion. No opposition. Motion carried.

Ms. Findley will call the facility to see if they have a licensed Administrator, as well as ADPH to see what actions they will be taking.

Ms. Tankersley made a motion for the Rules Committee to look into Board member complaints. Mr. Law seconded the motion. No opposition. Motion carried.

**Legislative/Reference Service:** The Board was presented the documents regarding the filing of the rule change to change Executive Secretary to Executive Director. The Public Hearing is set for August 7 at 10am.

| **Legina Harper Application:** Legina Harper applied for licensure.

A brief discussion was held.

Mr. Law made a motion to approve the Application of Legina Harper. Ms. VanDyke seconded the motion. No opposition. Motion carried.

**Vice Chair Election:** Mr. Law made a motion to elect Kathy Tankersley as Vice-Chair. Ms. Nettles seconded the motion. No opposition. Motion carried.

Mr. McKinnon motioned to adjourn the meeting at 12:40 p.m. Ms. Nettles seconded the motion. No opposition. Motion carried.

Approved by: \_\_\_\_\_  
Mamie Mahone, Chairwoman

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