

MEETING MINUTES

INDIANA STATE BOARD OF HEALTH FACILITY ADMINISTRATORS

Tuesday,
May 22, 2018
10:00 a.m. in Room W064 of the
Indiana Government Center-South
402 W. Washington Street
Indianapolis, Indiana 46204

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM 10:03 a.m.

Board Members Present:

Jennifer Gappa
Kathy Frank
Shelley Rauch - left at 1:35
Adrienne Shields
Mark Wolfschlag
Brenda Buroker
Kelly Borrer
Chris Kelley
Karen Gilliland – left during the first hearing due to a meeting at 11:00, had recused herself during first hearing – returned at 1:45
Mercedes Burgos

Board Members Absent

Staff

Amy Hall, Director
Chris Shea-Russell, Assistant Director of HFA Board
Gordon White, Counsel for the HFA Board
Marlena Hague, Court Reporter

II. ADOPTION OF THE AGENDA

Motion made and seconded to adopt agenda amended to move the hearings as first item of business.

Karen Gilliland/ Adrienne Shields

Motion passes 10 /0/0

Kelly Borrer - Yay
Jennifer Gappa - Yay
Kathy Frank -Yay
Shelley Rauch - Yay
Adrienne Shields - Yay

Mark Wolfschlag – Yay
Brenda Buroker - Yay
Chris Kelley - Yay
Karen Gilliland -Yay
Mercedes Burgos - Yay

III. ADOPTION OF THE MINUTES FROM THE MARCH 27, 2018 MEETING

Motion made and seconded to adopt minutes.

Karen Gilliland/Shelley Rausch

Motion passes 10/0/0

Kelly Borrer - Yay
Jennifer Gappa - Yay
Kathy Frank -Yay
Shelley Rauch - Yay
Adrienne Shields - Yay
Mark Wolfschlag –Yay
Brenda Buroker - Yay
Chris Kelley – Yay
Karen Gilliland –Yay
Mercedes Burgos – Yay

REPORT FOR THE ATTORNEY GENERAL’S OFFICE

There are currently 13 open complaints as reported from attorney general’s office as reported by Jessica Krug, Deputy Attorney General.

IV. PERSONAL APPEARANCES

Mark Price – HFA Application

Motion made and seconded to deny the AIT waiver request and told him reapply and start his AIT over. He needs to review the requirements of AIT.

Kelly Borrer/Shelley Rauch

Motion passes 8/0/1

Kelly Borrer - Yay
Jennifer Gappa - Yay
Kathy Frank -Yay
Shelley Rauch - Yay
Adrienne Shields - Yay
Mark Wolfschlag –Yay
Brenda Buroker – was not present
Chris Kelley – Yay
Mercedes Burgos - Yay
Karen Gilliland – not present

Brockton Bennett – HFA Application

Motion to deny application due to falsification of his application.

Kelly Borrer/Adrienne Shields

Motion passes 7/0/0

Kelly Borrer - Yay

Jennifer Gappa - Yay

Kathy Frank -Yay

Shelley Rauch - Yay

Adrienne Shields - Yay

Mark Wolfschlag –Yay

Brenda Buroker – was not present

Chris Kelley – RECUSED herself since she knows and worked with his preceptor

Mercedes Burgos – Yay

Karen Gilliland – was not present

Bradley Kramer – HFA Application

Motion to table preceptor application on Bradley Kramer due to previous discipline. Staff needs to research previous discipline.

Kelly Borrer/Adrienne Shields

Motion passes 8/0/0

Kelly Borrer - Yay

Jennifer Gappa - Yay

Kathy Frank -Yay

Shelley Rauch - Yay

Adrienne Shields - Yay

Mark Wolfschlag –Yay

Brenda Buroker – Yay

Chris Kelley – RECUSED herself since she knows and worked with him

Mercedes Burgos – Yay

Karen Gilliland – was not present

Shelly McFall – RCA Preceptor – wants permission to have two RCA AIT at the same time.

Shelley Rauch/Jennifer Gappa

Motion passes 8/0/0

Kelly Borrer – RECUSED herself since she knows Shelly McFall and taught her preceptor course.

Jennifer Gappa - Yay

Kathy Frank -Yay

Shelley Rauch - Yay

Adrienne Shields - Yay

Mark Wolfschlag –Yay

Brenda Buroker - Yay

Chris Kelley – Yay

Karen Gilliland – not present

Mercedes Burgos – Yay

Robert Petty – HFA Application

Motion made to deny AIT Waiver request and to deny the NAB.

Kelly Borrer/Shelley Rauch

Motion passes 9/0/0

Kelly Borrer - Yay
Jennifer Gappa - Yay
Kathy Frank -Yay
Shelley Rauch - Yay
Adrienne Shields - Yay
Mark Wolfschlag –Yay
Brenda Buroker - Yay
Chris Kelley – Yay
Mercedes Burgos – Yay

Lisa Marie Roberts – RCA AIT

AIT without a preceptor present and working without a license as an Executive Director. Recommendation is for her withdraw from the AIT program. Recommendation to file a complaint against her preceptor.

Jennifer Gappa/Kelly Borrer

Motion passes 8/0/0

Kelly Borrer - Yay
Jennifer Gappa - Yay
Kathy Frank -Yay
Shelley Rauch **-left at 1:35**
Adrienne Shields - Yay
Mark Wolfschlag –Yay
Brenda Buroker - Yay
Chris Kelley – Yay
Mercedes Burgos – Yay
Karen Gilliland returns 1:50

V. ADMINISTRATIVE HEARINGS

Benjamin Gerhmann – Cause No. 2018HFA0001

Two Count Complaint for negligence and failure to report to the Department of Health. **Violation I** – That there was a violation that the HFA did not notify family or physician per IC 25-1-9-4(a)(4)(3) and violated 42 CFR483.10(b)(11)

Motion made and seconded

Adrienne Shields /Jennifer Gappa

Motion passes 7/1/0
Kelly Borrer - Yay
Jennifer Gappa - Yay
Kathy Frank -Yay

Shelley Rauch - Nay
Adrienne Shields - Yay
Mark Wolfschlag – Yay
Brenda Buroker – RECUSED herself– Executive Director of Long Term Care for the Health Department and recused herself from the proceedings with Mr.Gerhmann.
Chris Kelley - Yay
Karen Gilliand – RECUSED herself – Fought for advocacy of the residents’ rights – Karen Gilliand is an Ombudsman within FSSA aging.
Mercedes Burgos – Yay

Violation II

Motion made and seconded that there was no evidence of neglect as per referenced in the Referral Survey and per their rule, residence centered policies including neglect.

Shelley Rauch /Jennifer Gappa

Motion passes 8/1/0

Kelly Borrer - Yay

Jennifer Gappa - Yay

Kathy Frank -Yay

Shelley Rauch - Nay

Adrienne Shields - Yay

Mark Wolfschlag – Yay

Brenda Buroker – RECUSED herself– Executive Director of Long Term Care for the Health Department and recused herself from the proceedings with Mr.Gerhmann.

Chris Kelley - Yay

Karen Gilliand – RECUSED herself – Fought for advocacy of the residents’ rights – Karen Gilliand is an Ombudsman within FSSA aging.

Mercedes Burgos – Yay

Letter of Reprimand and fine of 250.00

Shelley Rauch /Jennifer Gappa

Motion passes 8/1/0

Kelly Borrer - Yay

Jennifer Gappa - Yay

Kathy Frank -Yay

Shelley Rauch - Nay

Adrienne Shields - Yay

Mark Wolfschlag – Yay

Brenda Buroker – RECUSED herself– Executive Director of Long Term Care for the Health Department and recused herself from the proceedings with Mr. Gerhmann.

Chris Kelley - Yay

Karen Gilliand – RECUSED herself – Fought for advocacy of the residents’ rights against – Karen Gilliand is an Ombudsman within FSSA aging.

Mercedes Burgos – Yay

Motion made and seconded – Kelly Borrer/Jennifer Gappa for Letter of Reprimand and a fine of 250.00

Horace C. Brown – Cause No. 2017HFA003

Settlement agreement approved

Shelley Rauch/Jennifer Gappa

Motion passes 8/0/0

Kelly Borrer - Yay
Jennifer Gappa - Yay
Kathy Frank - Yay
Shelley Rauch - Yay
Adrienne Shields - Yay
Mark Wolfschlag – Yay
Brenda Buroker – RECUSED herself - Executive Director of Long Term Care for the Health Department and recused herself from the proceedings.
Chris Kelley – Yay
Karen Gilliland – Yay
Mercedes Burgos – Yay

VI. Application Review

1) Beverly Gallagher – Provisional

Board decided to deny application. Did not feel that is was an emergency.

Kelly Borrer/ Jennifer Gappa

Motion passes 9/0/0

Kelly Borrer - Yay

Jennifer Gappa - Yay

Kathy Frank - Yay

Adrienne Shields - Yay

Mark Wolfschlag – Yay

Brenda Buroker - Yay

Chris Kelley – Yay

Karen Gilliland – Yay

Mercedes Burgos - Yay

VII. DISCUSSION ITEMS

1) NAB – Long Beach, California

Mark is planning to attend the meeting later this year. Mark talked about CE through NAB and needing to be registered with NAB to receive the CE.

2) Legislative Discussion – 1245

Gordon reviewed with the board about house enrolled act 1245. IPLA will help provide the boards with the tools to begin this arduous process. He is working with IPLA about lists and what crimes qualify and don't qualify.

VIII. ADJOURNMENT – Meeting adjourned at 2:25
Motion made and seconded to adjourn

Kelly Borrer/ Jennifer Gappa

Motion passes 9/0/0

Kelly Borrer - Yay

Jennifer Gappa - Yay

Kathy Frank -Yay

Adrienne Shields - Yay

Mark Wolfschlag –Yay

Brenda Buroker - Yay

Chris Kelley – Yay

Karen Gilliland - Yay

Mercedes Burgos - Yay



Mark Wolfschlag, Board Chair

