

MEETING MINUTES

INDIANA STATE BOARD OF HEALTH FACILITY ADMINISTRATORS

Tuesday,
June 23, 2020
9:00 a.m. via Webex

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM 9:05 a.m.

Board Members Present:

Shelley Rauch

Mark Wolfschlag

Kelly Borrer

Jennifer Gappa - joined at 9:19 a.m.

Board Members Absent

Staff

Amy Hall, Director

Chris Shea-Russell, Assistant Director

Nicole Schuster, Counsel for the HFA Board

Deanne Hutson, Court Reporter

II. ADOPTION OF THE AGENDA

Motion made by Kelly Borrer and seconded by Shelley Rauch to adopt agenda.

ROLL CALL VOTE

Kelly Borrer/Shelley Rauch

Motion passes 3/0/0

Shelley Rauch - YEA

Mark Wolfschlag - YEA

Kelly Borrer - YEA

III. ADOPTION OF THE MINUTES FROM THE FEBRUARY 4, 2020 MEETING

Motion made by Kelly Borrer and seconded by Shelley Rauch to adopt minutes.

ROLL CALL VOTE

Kelly Borrer/Shelley Rauch

Motion passes 3/0/0

Shelley Rauch - YEA

Mark Wolfschlag - YEA

Kelly Borrer - YEA

REPORT FOR THE ATTORNEY GENERAL'S OFFICE

Paul Schilling appeared before the board to provide the recent number of complaints. There are currently 48 active consumer complaints. There are currently 8 open litigation files open.

IV. ADMINISTRATIVE HEARINGS

Gwen M. Reverman – Cause No: 2019HFA0004

Proposed Settlement Agreement

Motion made by Kelly Borrer and seconded by Shelley Rauch to approve the proposed settlement agreement.

ROLL CALL VOTE

Kelly Borrer/Shelley Rauch

Motion passes 3/0/0

Shelley Rauch - YEA

Mark Wolfschlag - YEA

Kelly Borrer - YEA

Jennifer Gappa joined the meeting at 9:19 a.m.

Horace Brown – Cause No: 2017HFA0003

Petition to Withdraw from Probation

Horace Brown appeared via audio to for his petition to withdraw from probation.

Motion made by Kelly Borrer and seconded by Shelley Rauch to approve petition to withdraw from probation.

ROLL CALL VOTE

Kelly Borrer/Shelley Rauch

Motion passes 4/0/0

Shelley Rauch - YEA

Mark Wolfschlag - YEA

Kelly Borrer - YEA

Jennifer Gappa YEA

Matthew D. Shafer – Cause No: 2018HFA0008

Administrative Complaint

Motion made Shelley Rauch and seconded by Kelly Borrer as affirmed – there was a violation stated in Count 1

ROLL CALL VOTE – COUNT 1

Shelley Rauch/Kelly Borrer

Motion passes 4/0/0

Shelley Rauch - YEA

Mark Wolfschlag - YEA

Kelly Borrer - YEA
Jennifer Gappa - YEA

Motion made by Kelly Borrer and seconded by Shelley Rauch is affirmed – there was a violation in Count 2; diversion which was affirmed.

ROLL CALL VOTE – COUNT 2

Kelly Borrer/Shelley Rauch
Motion passes 4/0/0
Shelley Rauch - YEA
Mark Wolfschlag - YEA
Kelly Borrer - YEA
Jennifer Gappa - YEA

Motion made by Jennifer Gappa and seconded by Shelley Rauch is affirmed – there was a violation found in Count 3.

ROLL CALL VOTE – COUNT 3

Jennifer Gappa/Shelley Rauch
Motion passes 4/0/0
Shelley Rauch - YEA
Mark Wolfschlag - YEA
Kelly Borrer - YEA
Jennifer Gappa - YEA

Motion made by Kelly Borrer and seconded by Jennifer Gappa to affirm Count 4 pertaining to deception disclosure on his 2018 HFA renewal
Engaged in material deception due to nondisclosure on license renewal.

ROLL CALL VOTE – COUNT 4

Kelly Borrer/Jennifer Gappa
Motion passes 4/0/0
Shelley Rauch - YEA
Mark Wolfschlag - YEA
Kelly Borrer - YEA
Jennifer Gappa – YEA

Board Action

The board has recommended that his license be placed on indefinite probation for at least 12 months. The conditions of the probation are:

- 1. Quarterly reporting required to be completed by his direct supervisor or if he is no longer working in the industry he must self report. In addition, any criminal charges or licensing issues, that may occur during probation, must be reported.**
- 2. \$1000.00 fine, 250.00 per violation.**
- 3. 15 CEUs; to include ethical decision making, investigations, narcotics and medication storage, in addition to any criminal charges or licensing issues that must be reported.**

Motion made by Jennifer Gappa and seconded by Kelly Borrer to affirm Board Action

ROLL CALL VOTE –

Jennifer Gappa/Kelly Borrow
Motion passes 4/0/0
Shelley Rauch - YEA
Mark Wolfschlag - YEA

Kelly Borrer - YEA
Jennifer Gappa – YEA

Iyvonne M. Byers – Cause No: 2019HFA0008
Administrative Complaint / Proposed Settlement Agreement

Motion made by Kelly Borrer and seconded by Shelley Rauch to approve the proposed settlement agreement.

ROLL CALL VOTE

Kelly Borrer/Jennifer Gappa
Motion passes 4/0/0
Shelley Rauch - YEA
Mark Wolfschlag - YEA
Kelly Borrer - YEA
Jennifer Gappa - YEA

Ethan Peak – Cause No: 2019HFA0003

Petition to Withdraw from Probation

Ethan Michael Peak appeared via audio to for his petition to withdraw from probation.

Motion made by Jennifer Gappa and seconded by Shelley Rauch to approve petition to withdraw from probation.

ROLL CALL VOTE

Jennifer Gappa/Shelley Rauch
Motion passes 4/0/0
Shelley Rauch - YEA
Mark Wolfschlag - YEA
Kelly Borrer - YEA
Jennifer Gappa - YEA

Tracy Cornforth – Cause No: 2020HFA0001

Administrative Complaint – Settlement Agreement Continuance

Motion made by Kelly Borrer by and seconded by Shelley Rauch

Kelly Borrer/Shelley Rauch

Motion passes 4/0/0

Shelley Rauch - YEA
Mark Wolfschlag - YEA
Kelly Borrer - YEA
Jennifer Gappa - YEA

V. DISCUSSION ITEMS

HOPE – Request to move to virtual classroom

A motion made by Shelley Rauch and seconded by Kelly Borrer to approve HOPE
Virtual classes

ROLL CALL VOTE

Shelley Rauch/Kelly Borrer

Motion passes 4/0/0

Shelley Rauch - YEA

Mark Wolfschlag - YEA

Kelly Borrer - YEA

Jennifer Gappa - YEA

VI. ADJOURNMENT – Meeting adjourned at 1:32

Motion made Jennifer Gappa and seconded by Kelly Borrer to adjourn

ROLL CALL VOTE

Jennifer Gappa/Kelly Borrer

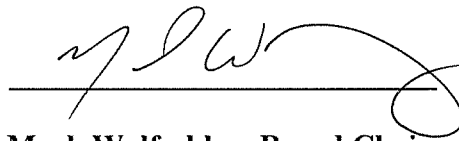
Motion passes 4/0/0

Shelley Rauch - YEA

Mark Wolfschlag - YEA

Kelly Borrer - YEA

Jennifer Gappa - YEA

A handwritten signature in black ink, appearing to read 'M. Wolfschlag', is written over a horizontal line. The signature is fluid and cursive.

Mark Wolfschlag, Board Chair