

**IDAHO BOARD OF EXAMINERS OF RESIDENTIAL CARE FACILITY  
ADMINISTRATORS**

**Bureau of Occupational Licenses  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063**

**Board Meeting Minutes of 10/29/2015**

**BOARD MEMBERS PRESENT:** Heidi Brough Nye - Chair  
Ann L Moss  
Benjamin E Doty  
Kristen E Hyde  
Linda L Simon

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Eric Nelson, Board Prosecutor  
Jean Uranga Board Prosecutor  
Maurie Ellsworth, General Counsel  
Mitchell Toryanski, Legal Counsel  
Marilyn London, Technical Records Specialist

**OTHERS PRESENT:** Jamie Simpson, H&W Licensing & Certification  
Brian Whitlock, Idaho Hospital Association  
Kathi Brink, Ashley Manor  
Stacy Gunnerson, Ashley Manor  
Tricia Main  
Wendy Osborn, Safe Haven  
Karen Midlo  
Barbara Anderson

The meeting was called to order at 9:00 AM MDT by Heidi Brough Nye.

**APPROVAL OF MINUTES**

Ms. Simon made a motion to approve the minutes of July 16, 2015. It was seconded by Ms. Hyde. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. She said that the Board's proposed laws are now posted on the website regarding the reinstatement of licensees.

**FINANCIAL REPORT**

Ms. Cory gave the financial report, which indicated that the Board had a negative balance of (\$101,845.23) as of September 30, 2015.

## **DISCIPLINE**

Ms. Uranga presented a memorandum regarding case number RCA-2015-13. After discussion, the Board gave recommendations for appropriate discipline.

Mr. Nelson presented a memorandum regarding case numbers RCA-2016-1 and RCA-2016-3.

Ms. Simon moved to close case RCA-2016-1 and send a warning letter. Ms. Moss seconded the motion. Motion carried.

The Board gave recommendations for appropriate discipline on case RCA-2016-3.

Mr. Nelson presented a Findings of Fact, Conclusions of Law and Final Order in case RCA-2015-12. Ms. Moss made a motion to approve the Final Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Simon. Motion carried.

## **INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

## **FOR BOARD DETERMINATION**

Ms. Simon made a motion to approve the Bureau's recommendation and authorize closure in cases I-RCA-2014-11, I-RCA-2015-2 and -IRCA-2015-11. It was seconded by Mr. Doty. Motion carried.

Ms. Peel presented a Continuing Education Settlement Order in case RCA-2016-2. Ms. Simon moved to approve the Continuing Education Settlement Order and authorize the Chair to sign. Ms. Moss seconded the motion. Motion carried.

## **COURT OPINION – BOARD IMMUNITY**

Mr. Toryanski presented information to the Board about a Supreme Court case regarding the North Carolina State Board of Dental Examiners, which has the potential to affect regulatory boards with active market participants throughout the United States.

## **OLD BUSINESS**

To Do List – The Board reviewed the to do list and no action was taken.

## **NEW BUSINESS**

Brian Whitlock, Idaho Hospital Association's new President/C.E.O. introduced himself and let the Board know that the Idaho Hospital Association will be working with other health care Boards and other Associations and hopefully will be able to help provide continuing education opportunities.

**NEXT MEETING** was scheduled for January 14, 2016 AM MST.

## **OPEN BOOK EXAM**

Ms. Brough Nye reviewed some of the open book exam questions from an applicant who had concerns. The Board directed Ms. London send Jamie Simpson, H & W Licensing and Certification, a copy of the exam for her to review with the residential care facility laws.

## **ADMINISTRATOR TRAINING**

The Residential Care Facility Administrator Board approved an administrator course in 2007 sponsored by Provider Management and later there was a change of ownership to EasyCEU.com. Ms. Brough Nye will find out more information on this course and bring a report to the next board meeting.

## **HEALTH AND WELFARE CONTINUING EDUCATION**

The Board discussed the Health and Welfare online continuing education for residential care facility administrators. There is a concern that administrators are taking the same courses year after year and they are receiving 2 hours per course. The Board feels these courses should be given 1 hour credit per course. Ms. Simpson stated she would report the Board's concerns.

## **EXECUTIVE SESSION**

Ms. Hyde made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Doty. The vote was: Ms. Simon, aye; Ms. Moss, aye; Ms. Hyde, aye; Mr. Doty, aye; and Ms. Brough Nye, aye. Motion carried.

Ms. Simon made a motion to come out of executive session. It was seconded **by** Ms. Hyde. The vote was: Ms. Simon, aye; Ms. Moss, aye; Ms. Hyde, aye; Mr. Doty, aye; and Ms. Brough Nye, aye. Motion carried.

## **CONTINUING EDUCATION COURSE**

The Board reviewed a continuing education course called, "Boot Camp" and sponsored by Ashley Manor. Ms. Simon moved to approve the course. It was seconded by Ms. Hyde. Motion carried.

## **CORRESPONDENCE**

The Board reviewed a letter from Robert Vande Merwe, Idaho Health Care Association. It was moved by Ms. Simon that the Board send a letter to the Chair and Executive Director of the Idaho Health Care Association signed by the Board Chair. Mr. Doty seconded the motion. Motion carried.

## **EXECUTIVE SESSION**

Ms. Moss made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Hyde. The vote was: Ms. Simon, aye; Ms. Moss, aye; Ms. Hyde, aye; Mr. Doty, aye; and Ms. Brough Nye, aye. Motion carried.

Ms. Hyde made a motion to come out of executive session. It was seconded by Ms. Moss. The vote was: Ms. Simon, aye; Ms. Moss, aye; Ms. Hyde, aye; Mr. Doty, aye; and Ms. Brough Nye, aye. Motion carried.

## **APPLICATIONS**

Ms. Simon made a motion to approve Patricia Main to take the examination for licensure. Mr. Doty seconded the motion. Motion carried.

Ms. Simon made a motion to hold pending applicant 901141799 for more information and allow the Chair to approve. Ms. Hyde seconded the motion. Motion carried. Ms. Moss abstained.

Ms. Simon made a motion to hold pending applicant 901141744 and require additional information. The Board Chair will review upon completion. Ms. Hyde seconded the motion. Motion carried.

## **ADJOURNMENT**

Ms. Moss made a motion to adjourn the meeting at 1:05PM MDT. It was seconded by Simon. Motion carried.

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Heidi Brough Nye, Chair

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Ann L Moss

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Benjamin E Doty

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Kristen E Hyde

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Linda L Simon

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Tana Cory, Bureau Chief