

MINUTES

INDIANA STATE BOARD OF HEALTH FACILITY ADMINISTRATORS

NOVEMBER 27, 2012

I. CALL TO ORDER AND ESTABLISHMENT OF QUOROM

Mrs. Kelly Borrer, Vice-Chair, called the meeting to order at 10:47 a.m. in Room W064 in the Indiana Government Center South, 402 W. Washington Street, Indianapolis, IN 46204. A quorum was established.

Board Members Present:

Kelly Borrer, HFA, Vice Chair
Kathy Frank, Member
Christine Shuey, HFA, Member
Karen Smith Filler, Member
Gina Berkshire, Member
Jennifer Gappa, HFA, Member (arrived at 10:33 a.m.)
Dr. William Province, II, Member (arrived at 10:38 a.m.)

Board Members Absent:

Shelley Rauch, HFA, Chair
Nan Girton, Consumer Member
Arlene Franklin, Member

State Officials Present:

Tasha Coleman, Board Director, Indiana Professional Licensing Agency
Crystal Smith, Assistant Board Director, Indiana Professional Licensing Agency
Gordon White, Board Advisory Council, Office of the Attorney General

II. A motion was made and seconded to adopt the Agenda, as amended.

Province/Shuey
7/0/0 Motion carried

III. ADOPTION OF THE MINUTES FROM THE SEPTEMBER 25, 2012 MEETING OF THE BOARD

A motion was made and seconded to adopt the Minutes from the September 25, 2012 meeting of the Board, as amended.

Province/Frank
7/0/0

IV. PERSONAL APPEARANCE

A. Heather Reich

Re: AIT Waiver/Endorsement

Ms. Reich did personally appear before the Board to request a waiver of the AIT program in its entirety. A motion was made and seconded to deny the request to waive the AIT and approve a 30% waiver based on prior experience.

Shuey/Gappa
7/0/0 Motion carried

B. Jonathan Latta

Re: Positive Response Renewal

Mr. Latta did personally appear before the Board to answer questions regarding his positive response renewal. Mr. Latta reported having received an OWI in 2009 which was not reported to the Board at his 2010 renewal. After hearing testimony and reviewing the file before them a recommendation was made and seconded to make the license valid to practice and refer the matter to the Office of the Attorney General for investigation.

Shuey/Berkshire
5/0/0 Recommendation carried

A motion was made and seconded to accept the recommendation.

Gappa/Frank
7/0/0 Motion carried

C. Lori Ann Bernat

Re: Positive Response Renewal

Ms. Bernat did personally appear before the Board to answer questions regarding her positive response renewal. Ms. Bernat reported that she had been terminated twice in 2011. After hearing testimony and reviewing the file before them, a motion was made and seconded to renew the license.

Shuey/Gappa
7/0/0 Motion carried

D. Janie Swedenburg

Re: Positive Response Renewal

Ms. Swedenburg did personally appear before the Board to answer questions regarding her positive response renewal. Ms. Swedenburg reported that she had been terminated for donating her PTO (Personal Time Off funds) to a fellow employer who then used the money to pay Ms. Swedenburg's son's car payment, which was an ethics violation against company

policy. After hearing testimony and reviewing the file a motion was made and seconded to make the license valid to practice and refer the matter to the OAG for review.

Gappa/Frank
6/0/1 (Shuey) Motion carried

E. Matt Elwell
Re: Positive Response Renewal

Mr. Elwell did personally appear as per the Board's request to answer questions regarding his positive response renewal. Mr. Elwell did appear in September 2012, and the Board requested that he reappear in November and bring with him information regarding the final disposition of the pending case. Mr. Elwell reported that the court ordered him into a diversion program; he has six months to complete a class and pay a fine. After hearing testimony and reviewing the file a motion was made and seconded to renew the license on probation. The terms of probation will include keeping the Board abreast of his address and phone number, in addition to reporting any legal issues within the two years of his probation.

Gappa/Province
6/0/1 (Shuey) Motion carried

F. Scott McNeelan
Re: Positive Response Renewal

Mr. McNeelan did personally appear before the Board to answer questions regarding his positive response renewal. Ms. McNeelan reported that he had been arrested for OWI, he was found behind the wheel of the car and a BAL of .13% at time of arrest. After hearing testimony and reviewing the file a motion was made and seconded to renew the license.

Shuey/Gappa
7/0/0 Motion carried

V. ADMINISTRATIVE HEARINGS

A. In the matter of the license of Jason Eastlund, HFA, License Number 14005007A
Cause No.: 2012 HFA 0016
Re: Complaint
Continued until 1/22/2013

B. In the matter of the license of Robin L. Laaser, HFA, License Number: 14004905A
Cause No.: 2012 HFA 0004
Re: Complaint
Continued until 3/2013

C. In the matter of the license of Gregory Wayne Dattilo, HFA, License Number: 14004805A

Cause No.: 2012 HFA 0018
Re: Proposed Settlement Agreement

Resolution: A motion was made and seconded to accept the Settlement as written, which shall include a \$250.00 fine, letter of reprimand, and 12 CEUs.

Shuey/Province
7/0/0 Motion carried

- D. In the matter of the license of Linda Louisa Koch, HFA, License Number: 14003107A**
Cause No.: 2012 HFA 0016
Re: Proposed Settlement Agreement

Resolution: A motion was made and seconded to accept the Settlement as written, which shall include a \$500 fine in addition to a letter of reprimand.

Gappa/Province
7/0/0 Motion carried

VI. PERSONAL APPEARANCE

- A. Sherri Richardson**
Re: Positive Response Renewal

Ms. Richardson did not appear before the Board as per their request to answer questions regarding her positive response renewal. A motion was made and seconded to deny the renewal based on her failure to appear and answer questions.

Province/Gappa
7/0/0 Motion carried

- B. L. Phillip Roberts**
Re: Positive Response Renewal

Mr. Roberts did personally appear before the Board to answer questions regarding his positive response renewal. Mr. Roberts was terminated and in his termination was paid a severance and was required to sign a non-disclosure agreement. Since signing the agreement the company is no longer in business and the non-disclosure agreement is no longer valid. Mr. Roberts reported that his non-disclosure agreement is still valid. After hearing testimony a motion was made and seconded to approve the renewal unencumbered.

Gappa/Province
7/0/0 Motion carried

C. Lisa Marian Nelson
Re: Positive Response Renewal

Ms. Nelson did personally appear before the Board to answer questions regarding her positive response renewal. Ms. Nelson reported that she was charged with theft/shoplifting and she pled guilty to criminal conversion. She indicated that she did not understand what she had pled guilty to and is currently seeking to have the conviction set aside. After hearing testimony and reviewing the file a motion was made and seconded to make the license valid to practice and refer the matter to the OAG for review.

Gappa/Shucy
7/0/0 Motion carried

D. Gregory Dattilo
Re: Positive Response Renewal

Mr. Dattilo did personally appear before the Board to answer questions regarding his positive response renewal. A motion was made and seconded to renew the license with the conditions of the settlement agreement.

Gappa/Province
7/0/0 Motion carried

E. Patti Templar
Re: Expired Renewal Application

Ms. Templar did personally appear before the Board to request reinstatement of her HFA license which has been expired since 1998; she has not practiced as an HFA since 2006. After hearing testimony and reviewing the file a motion was made and seconded to approve the reinstatement of her license upon the successful completion of either a 200 hour AIT in a comprehensive care facility, or completion of the six week specialized course in addition to the successful completion of the Indiana Jurisprudence exam. The aforementioned terms must be completed within one year of the date of this meeting; failure to comply with any or all terms within the designated timeframe will result in the denial of the reinstatement application.

Gappa/Province
7/0/0 Motion carried

F. Justin Rife
Re: Positive Response Application

Mr. Rife did personally appear before the Board to answer questions regarding his positive response application. Mr. Rife reported a 2000 possession of marijuana, 2001 OWI, 2003 OWI and 2006 possession of a controlled substance. After hearing testimony and reviewing the file a motion was made and seconded to approve the application with reports back from

the preceptor every three months until completion of the AIT, in addition to random urine drug screens at the facilities choice in each of the three month periods, and AIT's cost. The board would like to meet with Mr. Rife upon completion of the AIT program.

Gappa/Shuey
7/0/0 Motion carried

G. Robin Laaser
Re: Positive Response Renewal

Janet McSharrar did appear before the Board on behalf of Ms. Laaser to request that the renewal be approved. Ms. Laaser reported that charges were pending with the OAG. A motion was made and seconded to make the license valid to practice and refer the matter back up to the OAG for further investigation.

Shuey/Gappa
7/0/0 Motion carried

H. Marney Hammond
Re: Waiver of 6 months Minimum Requirement of AIT

Ms. Hammond did personally appear before the Board to request that they approve her to have completed her AIT in less than six months. A motion was made and seconded to waive the six month requirement.

Shuey/Gappa
7/0/0 Motion carried

VII. APPLICATION REVIEW

A. Christopher Myers
Re: RCA application/AIT Waiver request

After reviewing the file a motion was made and seconded approve the application upon proof of completion of 80 hours in a comprehensive care facility.

Gappa/Province
7/0/0 Motion carried

C. Gretchen Brown
Re: Provisional License

After reviewing the file a motion was made and seconded to deny the Provisional license application of Ms. Brown based on the fact that the facility was not able to demonstrate that there was an unexpected vacancy.

Shuey/Province
7/0/0 Motion carried

VIII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Health Facility Administrators adjourned at 2:22 p.m.


Kelly Borrer, HFA, Vice-Chair