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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF EXAMINERS OF  
NURSING HOME ADMINISTRATORS**

TIME: 10:30 A.M.

Held at

**PENNSYLVANIA DEPARTMENT OF STATE**

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

Wednesday, May 1, 2024

State Board of Examiners of  
Nursing Home Administrators  
May 1, 2024

BOARD MEMBERS:

Ilene Warner-Maroon, Ph.D., RN, NHA, Chair  
Arion R. Claggett, Acting Commissioner, Bureau of  
Professional and Occupational Affairs  
Sara L. King, NHA, Vice Chair  
David R. Hoffman, Public Member, Secretary  
Ann Chronister, Department of Health  
Michael P. Kelly, NHA  
Francis J. King, NHA  
Robert L. Wernicki, NHA  
Carrie E. Wilson, Office of Attorney General, Bureau  
of Consumer Protection

BUREAU PERSONNEL:

Judith Pachter Schulder, Esquire, Board Counsel  
Kathryn E. Bellfy, Esquire, Board Prosecution Liaison  
Deidre Bowers, Board Administrator

ALSO PRESENT:

Randy Lindner, MHSA, CAE, President/CEO, National  
Association of Long-Term Care Administrator Boards  
Desja Allgeier  
Heather Markward  
Sophie Mahoney, Sargent's Court Reporting Service,  
Inc.

1 \*\*\*

2 State Board of Examiners of  
3 Nursing Home Administrators

4 May 1, 2024

5 \*\*\*

6 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
7 at 9:30 a.m. the Board entered into Executive Session  
8 with Judith Pachter Schulder, Esquire, Board Counsel,  
9 for the purpose of conducting quasi-judicial  
10 deliberations and to receive legal advice. The Board  
11 returned to open session at 10:30 a.m.]

12 \*\*\*

13 The regularly scheduled meeting of the State  
14 Board of Examiners of Nursing Home Administrators was  
15 held on Wednesday, May 1, 2024. Ilene Warner-Maron,  
16 Ph.D., RN, NHA, Chair, called the meeting to order at  
17 10:30 a.m.

18 \*\*\*

19 Roll Call of Board Members/Introduction of Attendees  
20 [Deidre Bowers, Board Administrator, provided a roll  
21 call of Board members and introduction of attendees.  
22 A quorum of Board members was present.]

23 \*\*\*

24 Approval of minutes of the February 7, 2024 meeting  
25 CHAIR WARNER-MARON:

1 We have the approval of the minutes  
2 from our February 7, 2024 meeting.

3 Are there any changes, deletions,  
4 additions that need to be made to the  
5 minutes? No changes.

6 Is there a motion?

7 ACTING COMMISSIONER CLAGGETT:

8 So moved.

9 MR. HOFFMAN:

10 Second.

11 MS. BOWERS:

12 Warner-Maron, approve; Claggett, aye;  
13 Sara King, aye; Hoffman, aye;  
14 Chronister, aye; Kelly, aye; Francis  
15 King, aye; Wernicki, aye; Wilson, aye.

16 [The motion carried unanimously.]

17 \*\*\*

18 Appointment - Randy Lindner - NAB's HSE Qualification  
19 Presentation

20 [Randy Lindner, MHSA, CEO Emeritus, National  
21 Association of Long-Term Care Administrator Boards,  
22 presented to the Board to discuss the Health Services  
23 Executive (HSE) qualification credential. He  
24 provided its background, noting it started in 2015,  
25 where there was an interest to look at how the

1 industry was expanding the scope of services and how  
2 administrators were being prepared to come into the  
3 profession, recognizing that these individuals do not  
4 necessarily stay in one line of service and are  
5 responsible for the oversight of multiple lines of  
6 service within the community. He also noted hearing  
7 from administrators how difficult it is to cross  
8 state borders.

9 Mr. Lindner explained the need to establish an  
10 aspirational, voluntary, broad-based qualification  
11 standard called the health services executive  
12 qualification or licensure by equivalency to  
13 facilitate express licensure approval and transfer  
14 based on common state standards to meet state  
15 licensure requirements for practice as an NHA  
16 assisted living or Home- and Community-Based Services  
17 (HCBS) administrator depending on what the licensure  
18 requirements are within a given state.

19 Mr. Lindner noted wanting to promote consistency  
20 of the Administrator-in-Training (AIT) and preceptor  
21 training experience across all jurisdictions and to  
22 broaden academic programs to prepare graduates to  
23 meet the HSE qualification standards upon graduation.

24 Mr. Lindner addressed their practice analysis,  
25 looking at commonalities and unique lines of service

1 and divided it into skilled nursing, assisted living,  
2 and home and community-based services. He reported  
3 82% of the competencies were common no matter the  
4 line of service within the continuum of subacute  
5 care.

6 Mr. Lindner discussed finding many federal  
7 regulations in nursing home administration but not in  
8 assisted living, other than attachments to Medicaid  
9 waivers in states. He noted that home- and  
10 community-based services have more federal  
11 regulations than assisted living.

12 Mr. Lindner noted that when measuring the  
13 competencies across both the core and those three  
14 buckets, there were unique lines of service that make  
15 up the health service executive competencies. He  
16 stated their vision for the profession was to  
17 establish common academic standards and to establish  
18 25 strong HSE degree programs across the nation.

19 Mr. Lindner mentioned working with a number of  
20 organizations, both academic and associations, to  
21 reach their vision and established an organization  
22 called the Vision Center, which held its first summit  
23 in 2019. He stated there were currently 15  
24 accredited programs with the goal of having 25 strong  
25 programs and graduating collectively 1000 students by

1 2025.

2 Mr. Lindner mentioned establishing common  
3 training experiences for administrators and in  
4 partnership with the American College developed the  
5 NAB AIT model program. He noted it was redesigned in  
6 2023 in a modular manner to reflect their examination  
7 programs dependent upon what license an individual  
8 might be seeking, where the staff can work with their  
9 preceptor to design a program that could be  
10 customized or modified.

11 Mr. Lindner noted there is also a fifth module,  
12 which the state can use to put state-specific rules  
13 and regulations into that learning process. He also  
14 noted it is free of use for the preceptor,  
15 administrator, and can be shared with the Board.

16 Mr. Lindner addressed common standards for  
17 trainers, noting the establishment of a five-module  
18 online training program for preceptors for \$15 that  
19 allows them to earn 5 continuing education (CE)  
20 credits.

21 Mr. Lindner addressed options that states can  
22 consider ways to adopt the HSE standard. He noted  
23 the easiest one is called licensure by equivalency,  
24 where adopting the standard means agreeing that it  
25 meets their existing licensure requirements. He

1 noted three states have adopted the other option,  
2 which is to establish a new licensure category,  
3 called a licensed HSE based on the NAB National  
4 qualification standard to practice in multiple lines  
5 of senior living and health services with a single  
6 license. He mentioned that the LHSE is more  
7 difficult, because it generally requires a regulatory  
8 or statutory change, where the licensure by  
9 equivalency can be accomplished by changing the  
10 rules.

11 Mr. Lindner addressed pathways to earning the HSE  
12 standard. He noted the first is called the education  
13 pathway and provided a comparison to show how that  
14 education pathway prepares someone to meet current  
15 Pennsylvania standards. He stated someone who  
16 graduates from an NAB HSE-accredited degree program  
17 will earn a bachelor's degree called an HSE degree.  
18 He noted it is a four-year program and also includes  
19 a 1000-hour AIT experience.

20 Mr. Lindner explained the Board's current  
21 requirements for a new licensee are a bachelor's  
22 degree and a 120-hour education program, noting the  
23 HSE exceeds that requirement with the four-year HSE  
24 degree requirement.

25 Mr. Lindner addressed the AIT requirement, noting



1 it includes 1000 hours and the Board regulations  
2 require 1000 hours plus a 120-hour education program,  
3 noting the HSE exceeds that with a 1000-hour AIT and  
4 a four-year HSE degree. He again noted the education  
5 and requirement for the HSE qualification is much  
6 greater than what the Board requires.

7 Mr. Lindner addressed the Board's current  
8 examination requirements, which includes  
9 the requirement of the Core of Knowledge Exam for  
10 Long-Term Care Administrators (CORE) and the NHA. He  
11 again noted the HSE candidates have requirements that  
12 exceed the Board's current requirements because of  
13 the requirements to take the CORE plus the three line  
14 of service exams, including the NHA, Resident  
15 Care/Assisted Living (RCAL), and the Home- and  
16 Community-Based Services Examination in addition to  
17 the CORE Exam.

18 Ms. Pachter Schulder asked how much of the 1000  
19 hours is in nursing home experience versus assisted  
20 living.

21 Mr. Lindner explained that the majority of the  
22 experience is in skilled nursing and the way the  
23 programs tend to be designed within the schools,  
24 where 75-80% of that time is spent in skilled  
25 nursing.

1           Chair Warner-Maroon asked how they ensure the  
2 student has a sufficient understanding of the  
3 Pennsylvania state regulations before their  
4 completion. She also asked whether any colleges or  
5 universities in Pennsylvania have expressed an  
6 interest in this degree.

7           Mr. Lindner explained that it is still a  
8 requirement that would be added on to the HSE  
9 qualification, noting the student would still have to  
10 take the state examination in Pennsylvania. He  
11 mentioned that The University of Scranton is a NAB  
12 HSE-accredited program.

13           Ms. Pachter Schulder asked whether there was a  
14 way to accept an HSE credential as being equivalent  
15 without needing a regulation. She noted the  
16 requirements would have to be the same. When HSE is  
17 exceeded due to having 1000 in the AIT, if the  
18 majority or 75% are nursing homes or skilled nursing,  
19 the student would still be short those extra 250  
20 hours. The Board would have to write a regulation  
21 requiring the extra education for equivalency.

22           Ms. Pachter Schulder asked whether there was a  
23 way for the Board to accept the HSE so long as 1000  
24 hours were in skilled nursing.

25           Mr. Lindner explained the Board would not be able

1 to do that, because it would be deviating from a  
2 common standard and defeating the purpose. He noted  
3 that even though the student might be spending 250  
4 hours in different settings, the focus is still about  
5 leadership, management, HR, and finance.

6 Mr. Lindner also noted the need for four years of  
7 a didactic program in long-term care and believed  
8 there is value in having a nursing home administrator  
9 spend time in those other settings because it makes  
10 them better prepared to determine when care  
11 transitions are appropriate and to work with other  
12 segments of that industry to make sure that their  
13 residents are in the right place at the right time.

14 Ms. Pachter Schulder mentioned that it would make  
15 sense as a rationale for a regulation, because they  
16 would be able to provide that justification. If the  
17 Board were to just accept it as it is now, the amount  
18 of AIT experience would have to be the same for  
19 everyone. She noted there would be others who would  
20 not have the HSE degree and could potentially try to  
21 have the Board accept those experience hours, which  
22 would be a conversation for the Board.

23 Mr. Lindner mentioned that not everybody is going  
24 to come through the HSE route to the Board, where the  
25 majority of the Board's applicants are not going to

1 be HSE qualified and still have to meet the Board's  
2 existing requirements. He mentioned that the Board  
3 does not have to adopt it, and it is just an  
4 additional pathway but does not replace the Board's  
5 existing regulations.

6 Ms. Pachter Schulder noted the focus to be  
7 whether the Board can do this without a regulation or  
8 without a statute change.

9 Chair Warner-Maroon asked whether the bachelor's  
10 degree requirement is in-person, online, hybrid.

11 Mr. Lindner noted the approval of both in-person  
12 and distance learning programs. He mentioned that  
13 the distant learning programs generally do have some  
14 on campus time.

15 Mr. Lindner addressed the experience pathway for  
16 individuals who have previously been licensed and  
17 want to earn the HSE qualification to enhance their  
18 professional backgrounds and education, as well as  
19 the ability to move across state borders and meet  
20 licensure requirements, maybe in addition to an NHA  
21 license.

22 Mr. Lindner explained that the pathway only  
23 applies to someone who currently holds an NHA  
24 license, where someone coming from a state that maybe  
25 only holds an assisted living administrator license

1 would not qualify for the experience pathway. He  
2 noted education requirements are a Bachelor of Arts  
3 (BA) and Bachelor of Science (BS), noting the Board  
4 has the same requirements.

5 Mr. Lindner explained that someone is seeking the  
6 qualification and licensed as both a nursing home  
7 administrator and assisted living administrator will  
8 still have to have a BA or BS degree.

9 Mr. Lindner noted they are required to come back  
10 and take additional line of service examinations,  
11 noting all of the individuals would have taken the  
12 NHA examination and passed it successfully to get  
13 their initial license. He mentioned that in order to  
14 earn the HSE, if the individual has an NHA license,  
15 that individual would have to come back and pass the  
16 assisted living and the Home- and Community-Based  
17 Services Line of Service Examinations.

18 Mr. Lindner also noted that individuals who  
19 previously passed both the NHA and assisted living  
20 NAB Line of Service Exams would only have to come  
21 back to take the HCBS Line of Service Exam. He  
22 stated it exceeds the Board's current requirements of  
23 someone seeking licensure by endorsement in  
24 Pennsylvania.

25 Mr. Lindner addressed years of experience, noting

1 the requirement to be licensed for at least three  
2 years out of the last five years, served as an  
3 administrator of record, or active engagement. He  
4 noted the Board's endorsement requires an active  
5 license from another state but does not specify the  
6 number of years' experience. He mentioned that the  
7 HSE exceeds that because of the requirement of three  
8 years as an active administrator of record within the  
9 past five years of being licensed.

10 Mr. Lindner addressed common misunderstandings.  
11 He noted it to be false that the HSE replaces the  
12 Board's existing licensure requirements. He further  
13 noted the HSE is just an additional pathway for  
14 licensure or additional option. He stated it is  
15 false that HSE applicants must be issued a license,  
16 noting NAB is only prequalifying the individual and  
17 asking the Board in adopting the standard to accept  
18 that their education, experience, and national  
19 examinations maybe meet their current Pennsylvania  
20 requirements.

21 Mr. Lindner mentioned that the individual would  
22 still have to take the state exam, and the Board  
23 could do federal background checks. He discussed  
24 providing college transcripts, their college score  
25 reports, and a current report from the National

1 Practitioner Data Bank (NPDB). He noted all final  
2 decisions on licensure remain with the Board.

3 Mr. Lindner noted it is false that HSE applicants  
4 are exempt from state exam requirements or exempt  
5 from federal background checks or do not have to meet  
6 the Board's state licensure renewal requirements.

7 Mr. Lindner addressed the process, where the  
8 applicant makes an application through the NABVerify  
9 System, which costs \$75 for the application and  
10 initial file transfer. He noted the Board would be  
11 provided with a college transcript, examination  
12 scores, and NPDB report when someone is applying for  
13 a license and is HSE qualified. He further noted the  
14 individuals have been reviewed and vetted through  
15 their HSE Commission as having met the HSE  
16 qualifications.

17 Mr. Lindner stated the HSE application is then  
18 reviewed. If approved, the application is then  
19 transferred, maintained, and updated information  
20 added with each transfer to ensure there are no  
21 pending actions against the license. He noted a  
22 continuing education registry is maintained through  
23 the NABVerify System. He mentioned the Board has  
24 access to that registry for monitoring and auditing  
25 purposes.

1           Mr. Lindner reported 27 states have adopted the  
2 HSE, and there are ongoing discussions in 13 other  
3 states, with the goal of everybody being on this  
4 common standard. He asked Board members to consider  
5 adopting the HSE standard as meeting their existing  
6 licensure requirements, adopting NAB's National AIT  
7 program, adopt NAB's preceptor training program as a  
8 method of training their preceptor, and adopt use of  
9 the NAB CE Registry.

10           Mr. King asked how many students were enrolled in  
11 the 15 current programs. He also asked how many HSEs  
12 there were currently in the nation.

13           Mr. Lindner explained there were approximately  
14 250 students per year collectively graduating, which  
15 is far short of their goal. He commented on the need  
16 for highly prepared administrators in future, which  
17 would result in a better quality of care for the  
18 residents of these communities.

19           Mr. Lindner reported getting close to 400 but  
20 wanted to make sure that a lot of states do this  
21 before putting their efforts into it. He noted more  
22 HSEs in Minnesota than any other state in the nation  
23 and hoped that would increase over time, but it may  
24 be dependent on how well it has been promoted within  
25 the state. He mentioned that the industry is very



1 supportive, but still need to put more marketing  
2 efforts into getting the information out.

3 Chair Warner-Maroon asked whether people who  
4 already have associate degrees are able to transfer  
5 those credits into the HSE degree.

6 Mr. Lindner explained that the student would be  
7 able to transfer the credits, but it would depend on  
8 the school. He mentioned that most degree programs  
9 review previous education to see if it meets their  
10 requirements. He mentioned the associate degree  
11 would perhaps be found to have some equivalencies to  
12 the current curriculum for someone to advance to the  
13 bachelor's degree.

14 Chair Warner-Maroon also asked whether the Board  
15 would be able to review the actual curriculum.

16 Mr. Lindner explained there is criteria available  
17 on what has to be in the curriculum to make sure the  
18 courses are covering the domains of practice. He  
19 referred to an available workbook on their website  
20 for schools that are applying for the HSE degree  
21 approval, noting that all of the criteria required of  
22 the school in order to get their degree program  
23 accredited is outlined. He noted the workbook is  
24 easily accessible on the NAB website but also offered  
25 to provide the workbook to Board members.

1 Chair Warner-Maroon thanked Mr. Lindner for the  
2 presentation.]

3

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4 Appointment - Desja Allgeier - 39.5(b)(5) Applicant  
5 [Ilene Warner-Maroon, Ph.D., RN, NHA, Chair, asked  
6 Desja Allgeier to describe her education and  
7 experience.

8 Desja Allgeier, Assistant Nursing Home  
9 Administrator, Greenery Center for Rehabilitation and  
10 Nursing, introduced Lilly Shahady as the nursing home  
11 administrator and her preceptor, who has been working  
12 with her since September 2023 in the assistant  
13 nursing home administrator position. She was the  
14 Human Resources Director for the facility for over  
15 four years.

16 Mr. Wernicki asked Ms. Allgeier to highlight some  
17 of the more important events that she celebrated.

18 Ms. Allgeier noted working during COVID and  
19 handling the recruiting and onboarding, terminating,  
20 leading meetings, preparing for surveys, handling the  
21 budget, and working with the owner of the company.

22 Ms. King asked what she has identified through  
23 survey and through the Quality Assurance Performance  
24 Improvement (QAPI) regarding staffing, along with  
25 making sure there is continuity with the shift and

1 what may have been implemented.

2 Ms. Allgeier noted staffing was a huge issue  
3 during COVID and working in different departments,  
4 including housekeeping and dietary. She mentioned it  
5 is difficult to compete with agency rates and the  
6 importance of making sure the staff are educated on  
7 their processes, procedures, and policies. She  
8 addressed per patient day costs (PPD), noting they  
9 were running about a 3.0 to 3.1 and about 50% agency.  
10 She mentioned previously utilizing Matrix but  
11 changing to PointClickCare and working closely with  
12 the scheduler.

13 Mr. King asked what involvement she had with the  
14 survey prep and writing the plan of correction.

15 Ms. Allgeier mentioned working closely with Ms.  
16 Shahady on the plan of correction regarding staffing  
17 ratios, showers, and call bell times. She noted  
18 assigning managers in different departments to  
19 monitor the concerns. She also utilized critical  
20 pathways to prepare for surveys.

21 Mr. Kelly asked who currently reports directly to  
22 her and whether she had to oversee the whole facility  
23 due to any unforeseen circumstances.

24 Ms. Allgeier explained that she oversees everyone  
25 except for the director of nursing. She reported

1 overseeing the entire building in Ms. Shahady's  
2 absence by heading the morning meeting and making  
3 sure the staff was prepared for the day, including  
4 all in-house departments and outside vendor  
5 communications.

6 Mr. Kelly asked for information regarding her  
7 relationship with the staff and department heads.

8 Ms. Allgeier mentioned having a very good rapport  
9 with the staff, noting there is a lot of longevity in  
10 their building, and she works alongside of them on  
11 the floor.

12 Mr. Hoffman asked her to explain the shower and  
13 call bell time issues in greater detail.

14 Ms. Allgeier addressed the complaint from the  
15 Department of Health (DOH), where residents did not  
16 get their shower when they were just meeting staffing  
17 requirements. She explained that the Director of  
18 Nursing (DON) is currently monitoring that issue, and  
19 a staffing committee was created to review the staff.  
20 She noted the call bell time issue was due to the  
21 staff having to spend more time with a few of the  
22 residents. They make sure there are two staff  
23 members no matter what the census is on that unit.

24 Mr. Hoffman asked what steps could be taken to  
25 not be surprised by resident care issues and have

1 residents and families come to her as opposed to  
2 filing a complaint.

3 Ms. Allgeier noted the importance of  
4 communication, and the implementation of a meeting  
5 Monday through Friday after admission for residents  
6 and families to meet with people they do not see  
7 often.

8 Ms. Pachter Schulder asked when the next regular  
9 survey is scheduled and how involved she will be in  
10 that survey.

11 Ms. Allgeier mentioned currently being in the  
12 survey window, and she has been monitoring, checking  
13 the environment, and following up with managers on  
14 their critical pathways to prepare for the survey.

15 Ms. Chronister asked whether she had any  
16 experience with event reporting.

17 Ms. Allgeier mentioned assembling the information  
18 for the DON for the Provider Bulletin 22 (PB22) prior  
19 to stepping into the assistant nursing home  
20 administrator position and currently has knowledge of  
21 event reports and their presentation.

22 Ms. Wilson asked whether she had the opportunity  
23 to solve a significant family or resident issue and  
24 how it was addressed.

25 Ms. Allgeier noted a complaint from a resident

1 who transitioned from assisted living because she  
2 wanted awakened at 7:30 a.m., which is during shift  
3 change. She noted they added her to the restorative  
4 nursing program to get her started in the morning and  
5 assigned an individual aide Monday through Friday,  
6 noting the resident is thrilled.

7 Ms. Wilson asked what were the most common  
8 grievances in the facility.

9 Ms. Allgeier reported residents have complained  
10 about the agency's staffing and lack of empathy,  
11 where staff is drilled with the Greenery policies and  
12 procedures because it is the home of all of the  
13 residents.

14 Lilly Shahady, Nursing Home Administrator,  
15 Greenery Center for Rehabilitation and Nursing,  
16 stated she has taken on this opportunity to train her  
17 because she has been in the building for four years  
18 in a variety of different positions. She mentioned  
19 being retired but currently filling in the  
20 administrative slot. She stated Ms. Allgeier will  
21 make an excellent administrator, because she has the  
22 passion to do the job, including meeting regulations,  
23 figuring things out for herself, and keeping the  
24 owner happy.

25 Ms. Pachter Schulder informed Ms. Allgeier that

1 the Board will deliberate during Executive Session  
2 and report the decision, noting she will also receive  
3 something with the results but welcomed her to  
4 continue to participate virtually for the decision  
5 after Executive Session.]

6 \*\*\*

7 Report of Prosecutorial Division - No Report

8 \*\*\*

9 Report of Board Counsel

10 [Judith Pachter Schulder, Esquire, Board Counsel,  
11 noted the Board wanted to discuss the mental health  
12 continuing education (CE) issue later in the meeting,  
13 and the Board will also discuss the piece of  
14 legislation that have been introduced about implicit  
15 bias and cultural competence training as well as the  
16 Pennsylvania Nursing Home Administrator (PA NHA) Exam  
17 updates.]

18 \*\*\*

19 Appointment - Heather Markward - 39.5(b)(5) Applicant

20 [Ilene Warner-Marion, Ph.D., RN, NHA, Chair, asked Ms.  
21 Markward to provide a brief introduction of herself  
22 and described her facility.

23 Heather Markward, Assistant Administrator, Twin  
24 Pines Health Care Center, noted being the assistant  
25 administrator for 18 months and business office

1 manager, along with human resources and payroll, and  
2 being an LPN since 2008.

3 Mr. Wernicki asked what percentage of  
4 agency staff their facility utilizes. He also asked  
5 whether the facility had any nurse aide training  
6 programs or hooked up with various entities within  
7 the community, such as LPN programs to better recruit  
8 staff.

9 Ms. Markward noted that about 5-10% is agency  
10 staff. She stated the facility does not have nurse  
11 aide training or LPN programs. She noted recently  
12 having an increase in pay that attracted many  
13 candidates.

14 Adam Cooperman, Administrator, Twin Pines Health  
15 Care Center, commented that it is difficult to find  
16 staff being in a more rural area of Pennsylvania,  
17 along with having no public transportation. He noted  
18 oftentimes finding that the newer LPNs are not  
19 successful 75% of the time. He mentioned looking  
20 into school job fairs, but were over 2 hours away.  
21 He noted having sign-on bonuses and pushing to every  
22 single job board.

23 Mr. Wernicki commented that finding new staff is  
24 the biggest challenge within the long-term care  
25 industry, noting sign-on bonuses and hourly wage



1 increases have been successful to some extent but not  
2 really and is something to consider as far as a state  
3 regulating the hourly rates.

4 Ms. King asked what departments report directly  
5 to Ms. Markward.

6 Ms. Markward noted the activities and kitchen  
7 departments report to her, and nursing reports to the  
8 assistant director of nursing and director of  
9 nursing.

10 Ms. King asked her to describe her role during  
11 the last survey.

12 Mr. Cooperman stated she participated in the  
13 entire annual survey this year so she could see it  
14 from entrance to exit and really understand what  
15 takes place.

16 Ms. King asked whether she had any experience  
17 drafting a plan of correction and implementing it and  
18 QAPI. She also asked what the most significant  
19 finding was during the most recent survey and her  
20 response.

21 Ms. Markward addressed the plan of correction and  
22 implementation and following up in QAPI for any  
23 needed changes. She reporting having a pretty good  
24 survey but also addressing an infection control issue  
25 with immediate education and speaking with the

1 infection control nurse to be sure everybody is  
2 educated on infection control standards.

3 Ms. King asked her to describe her role in the  
4 annual budget and describe the budgeted PPD and  
5 actual PPD for nursing. She also requested  
6 information regarding acuity.

7 Ms. Markward noted working closely with dietary  
8 on their budget for PPD and staffing.

9 Mr. Cooperman explained that 2.87 would be  
10 meeting the ratio but is typically about a 3.15 to  
11 3.2 on a daily basis. He stated the majority of  
12 patients are long-term very low acuity.

13 Mr. Hoffman asked what activities needed to be  
14 implemented to ensure their compliance with the  
15 regulatory requirements given the current resident  
16 population.

17 Ms. Markward noted having a wonderful  
18 recreational department for the clientele that  
19 appears to be meeting their needs for the activities  
20 department. She mentioned implementing more outings  
21 at the request of the residents.

22 Mr. King asked that she explain her involvement  
23 in the safety committee and what departments that  
24 report to her. He also asked her to describe some of  
25 the basic elements of a contract.

1 Ms. Markward noted attending some of the  
2 meetings with the maintenance director and certified  
3 nursing assistants (CNAs) from the floor to review  
4 the safety issues. She provided a list of all of the  
5 departments that report to her. She explained that  
6 the basic elements of a contract would be the service  
7 being provided, how much of that service will be done  
8 by the facility, and anything to do with liability,  
9 and frequencies and cost of the associated.

10 Mr. Kelly asked whether there is an in-house  
11 dietitian on staff or a certified dietary manager  
12 (CDM) running in contract. He also asked what the  
13 budgeted amount is per patient day for food. He  
14 asked whether she ever had to take charge of the  
15 facility in the administrator's absence and whether  
16 she had experience reporting incidents and accidents  
17 to the state. He also asked how many beds the  
18 facility has and the current census.

19 Ms. Markward reported having a part-time in-house  
20 dietitian and the budgeted amount for food is \$5 per  
21 day. She noted being in charge of the building in  
22 Mr. Cooperman's absence, and she had reported on PB22  
23 to the State. She reported it to be a 119-bed  
24 facility with a current census of 115.

25 Ms. Chronister asked her how she would address

1 the issue of a nursing aide being repeatedly late or  
2 missing several days during a pay period.

3 Ms. Markward explained that she would discuss the  
4 situation with the staff member to see if it was a  
5 simple issue of childcare and required a shift  
6 adjustment or someone just not wanting to come to  
7 work, who would then receive a verbal warning,  
8 written warning, and ultimately termination.

9 Ms. Chronister asked her to describe interactions  
10 and responsibilities with maintenance and  
11 environmental services.

12 Ms. Markward noted working with the maintenance  
13 and environmental director, along with the supervisor  
14 who works with housekeeping and laundry. She  
15 reported helping with the emergency preparedness  
16 binder.

17 Ms. Wilson asked her to describe any challenging  
18 issues at the facility and how she prevented it from  
19 happening again.

20 Ms. Markward referred to resident concern issues  
21 and making sure those issues were followed up in a  
22 timely manner. She noted lost articles of clothing  
23 is an issue, and making sure the items were returned.

24 Mr. Hoffman asked whether there is an ethics and  
25 compliance program in their building.

1 Ms. Markward explained that they have an ethics  
2 CarePoint line that is done on the Saber Healthcare  
3 group website or by phone that is followed up by the  
4 administrator or above, depending on what the  
5 complaint is regarding.

6 Ms. Pachter Schulder asked her to explain her  
7 preparedness if she becomes a nursing home  
8 administrator and works in a facility with acuity  
9 issues, where it is not just an elderly population.

10 Ms. Markward explained that she has worked as an  
11 LPN in more acute areas and would staff at a higher  
12 level in acute areas to assure that everything is  
13 being done for the residents.

14 Chair Warner-Maroon asked her to explain what she  
15 would do to address the issue with LPN retention.

16 Ms. Markward stated LPNs just out of school are  
17 not used to the patient load and believed the LPNs  
18 should have training and check in frequently to make  
19 sure they are understanding their role on the floor.  
20 She mentioned that they do have a mentor program,  
21 noting many nurses do not wish to be a mentor and  
22 others are excited about learning and teaching new  
23 staff.

24 Ms. Pachter Schulder informed Ms. Markward that  
25 the Board will deliberate on her application later

1 during the meeting. She welcomed her to continue to  
2 participate virtually but noted she will also receive  
3 a letter from the Board.]

4 \*\*\*

5 Report of Board Chairperson

6 CHAIR WARNER-MARON:

7                   Could we have a motion to Ratify the  
8                   Temporary Permit Applications of Rose  
9                   Ferreira, Curtis Woodward, Gregory  
10                   Toot, and Hannah Neal?

11 ACTING COMMISSIONER CLAGGETT:

12                   So moved.

13 MR. HOFFMAN:

14                   Second.

15 MS. BOWERS:

16                   Warner-Maroon, aye; Claggett, aye; Sara  
17                   King, aye; Hoffman, aye; Chronister,  
18                   aye; Kelly, aye; Francis King, aye;  
19                   Wernicki, aye; Wilson, aye.

20 [The motion carried unanimously.]

21 \*\*\*

22 Report of Acting Commissioner

23 [Arion R. Claggett, Acting Commissioner, Bureau of  
24 Professional and Occupational Affairs, informed Board  
25 members that licensees will be able to print their

1 own license in the Pennsylvania Licensing System  
2 (PALS) on May 31 from their dashboard. He noted the  
3 Board will still be printing licenses for every  
4 license issued.]

5

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6 Report of Board Administrator

7 [Deidre Bowers, Board Administrator, reminded  
8 everyone that the renewal period is open and runs  
9 until June 30.]

10

\*\*\*

11 Report of Board Members - No Report

12

\*\*\*

13 Discussion Items - NHA Board Committee Assignments

14 [Ilene Warner-Maron, Ph.D., RN, NHA, Chair, requested  
15 Board members fill open positions for the Examination  
16 Committee, AIT Committee, Temporary Permit Committee,  
17 and CEU Approval Committee. Ms. King volunteered to  
18 join the Examination Committee, along with Mr. Kelly.  
19 Mr. Wernicki volunteered to be on the AIT Committee.

20 Ms. Pachter Schulder recommended having someone  
21 on the Probable Cause Screening Committee. She  
22 explained that the Board member would review a  
23 request from prosecution to immediately suspend a  
24 license if a certain amount of probable cause was  
25 met. She further explained that the Board member

1 would also not participate in the disciplinary  
2 process. Ms. King volunteered to be on the Probable  
3 Cause Screening Committee.

4 Chair Warner-Maroon noted being on the Temporary  
5 Permit Committee, along with Mr. Hoffman. She also  
6 noted being on the CEU Committee, along with Mr.  
7 King.]

8

\*\*\*

9 Discussion Items - PA NHA Exam Updates

10 [Judith Pachter Schulder, Esquire, Board Counsel,  
11 informed Board members that she has reached out to  
12 the contracts office to obtain the name of someone to  
13 be held accountable for where they are in obtaining a  
14 new examination that they are charged to provide to  
15 the Board.

16 Ms. Pachter Schulder explained that the  
17 contractor is required to provide the subject matter  
18 experts that would write the examination questions.  
19 She will have the answer for the next Board meeting  
20 and will contact the individual who is supposed to be  
21 providing the Board with that information.

22 Ms. Pachter Schulder explained that the Board  
23 cannot serve as subject matter experts, because the  
24 Board members are in charge of the whole exam. She  
25 requested direction on looking for subject matter



1 experts.

2 Chair Warner-Maroon explained that they should  
3 look at LeadingAge and Pennsylvania Health Care  
4 Association (PHCA) leadership.

5 Ms. King agreed with Chair Warner-Maroon, also  
6 noting advocacy groups and Lake Erie College of  
7 Osteopathic Medicine (LECOM).

8 Chair Warner-Maroon believed there were only two  
9 providers left in the state, the Penn State programs  
10 and Philadelphia College of Osteopathic Medicine.  
11 She mentioned that the Pennsylvania Association of  
12 Directors of Nursing (PADONA) would also be a  
13 resource.

14 Mr. King commented that Harrisburg Community  
15 College still has a program.

16 Ms. Pachter Schulder noted Harrisburg Community  
17 College have written to the Board asking about having  
18 their 420-hour program only online. She asked how  
19 the Board felt about 120-hour programs only being  
20 online.

21 Chair Warner-Maroon commented that the 120-program  
22 that she associates with does have an online  
23 component, but it also has a real-time component  
24 because there is so much new material that requires  
25 updating. She noted a question to Harrisburg would

1 be how they will make sure the licensees receive  
2 updates and understand new regulations and trends,  
3 along with ensuring students are keeping up with the  
4 new issues.

5 Ms. Pachter Schulder stated the delivery method  
6 is live and just wanted to do the coursework in a  
7 method similar to this.

8 Ms. Warner-Marion commented that Penn State does  
9 it that way, noting they are online, but it is real  
10 time and not recorded. She believed clarification is  
11 necessary on their plan for the online. She noted if  
12 it was real time, then people would have the  
13 opportunity to update any questions. She expressed  
14 concern with it being 100% recorded, because there is  
15 no opportunity for participants to talk to each  
16 other, ask questions, and receive updates.

17 Ms. Pachter Schulder noted the Board wanted the  
18 real-time component but was not seeing that in their  
19 email to the Board. She offered to investigate  
20 whether any other information was provided. She  
21 noted Ms. Bowers can advise them about needing to  
22 have a real-time component.

23 Ms. Chronister also recommend the Division of  
24 Nursing Care Facilities in the Department of Health  
25 since they enforce the regulation and is where the

1 PB22s come into as well as the incidents.]

2 \*\*\*

3 Discussion Items - Mental Health CE

4 [Judith Pachter Schulder, Esquire, Board Counsel,  
5 informed Board members that their current regulations  
6 regarding CE require for the 2022-2024 period at  
7 least 12 of the 48 required credits to be in  
8 emergency preparedness and infection control. She  
9 noted Mr. Hoffman previously raised the issue as to  
10 whether licensees should take continuing education  
11 about mental health, especially because the age and  
12 the types of residents in nursing homes are not just  
13 limited to the elderly but they also include mental  
14 health issues.

15 Ms. Pachter Schulder noted the current  
16 regulations do not allow for just a required course,  
17 but the Board can write a regulation that would give  
18 the Board the authority to notify its licensees in  
19 advance of a renewal period and provide information  
20 on the required course for that renewal period. She  
21 noted the other option would be to say the applicant  
22 would need, of the 48 hours, an X amount in mental  
23 health or X amount in infection control.

24 Mr. Wernicki asked why option one and two came  
25 about.

1           Chair Warner-Maroon explained that a couple of  
2 years ago, the Board raised the issue of the need for  
3 specific education and CEUs for infection control and  
4 for disaster planning. She noted, infection control,  
5 because of COVID and the lack of preparedness that  
6 most facilities had, because no one really  
7 anticipated the pandemic and also for the increasing  
8 number of natural and man-made disasters. She noted  
9 the change was made to include 12 CEUs for that  
10 combination divided any way they wanted.

11           Chair Warner-Maroon explained that the regulation  
12 was temporary from 2022 to 2024, and the question is  
13 now whether they should have a general ability to  
14 determine each cycle and what kinds of mandatory CEUs  
15 should be part of the renewal of the license.

16           Mr. Hoffman noted raising the issue of behavioral  
17 health and mental health issues at the last meeting  
18 that were first raised during an interview process  
19 with a candidate and discussing the change in  
20 resident population, so the idea of having some  
21 flexibility in terms of identifying issues that they  
22 want to put on the table for nursing home  
23 administrators.

24           Mr. Hoffman referred to a new final rule as of  
25 April 22 regarding staffing but also is going to be

1 published on May 10 with an effective date of June  
2 21, 2024 and has a whole discussion now on facility  
3 assessments. He mentioned that regulations recently  
4 updated in Pennsylvania mandate facility assessments  
5 be done quarterly as opposed to annually.

6 Mr. Hoffman noted federal regulations have  
7 clarified what the expectation is around facility  
8 assessments to include the administrator and DON  
9 participating, along with the governing body, that  
10 have the staffing plan on recruitment and retention  
11 and a whole number of different regulatory  
12 requirements now.

13 Mr. Hoffman commented that it would be helpful to  
14 ensure that nursing home administrators have the  
15 knowledge of how to do a good facility assessment and  
16 what it takes, noting plenty of tools are available.  
17 He noted a lot of focusing going forward from a  
18 Pennsylvania regulatory perspective and federally,  
19 and it would be something to add for the upcoming  
20 cycle that there needs to be a focus on facility  
21 assessment.

22 Ms. Pachter Schulder informed Board members that  
23 she misspoke, noting the 12 hours of emergency  
24 preparedness and infection control is ongoing.

25 Chair Warner-Maroon asked whether Board members

1 had any thoughts about option one or two, the ability  
2 of the Board to make changes for the upcoming renewal  
3 period that would direct people toward particular  
4 topics that seem to be more necessary or more  
5 emerging as a proactive way that the Board can make  
6 sure that people are focusing on the things that seem  
7 to be the most important. She noted the dates for  
8 the renewal period are July 1, 2024 to June 30, 2026.

9 Ms. Pachter Schulder noted it would not go into  
10 effect until the regulation is final, so the first  
11 step is to start writing the regulations.

12 Mr. Hoffman noted being in support of the first  
13 option because the flexibility would be helpful for  
14 the Board and nursing home administrators.

15 Acting Commissioner Claggett agreed with  
16 supporting the first option, noting the Real Estate  
17 Commission currently has this option on their Board.  
18 He mentioned that it helps to keep everybody in tune  
19 with a changing environment.

20 Ms. Pachter Schulder explained the options,  
21 noting option one would be a general regulation that  
22 would give the Board the authority to require a  
23 mandatory course with notice for a renewal period.  
24 She asked how many hours the Board wanted to assign  
25 to them. She also explained that the second option

1 would be to have a regulation, kind of like the  
2 emergency preparedness regulation, that says an X  
3 number of credits must be taken in mental health.

4 Chair Warner-Maroon commented that she is for the  
5 first option but did not see a need to assign a  
6 specific number of CEUs because the Board does not  
7 know if there will be a facility assessment and  
8 behavioral health.

9 Ms. Pachter Schuller stated the Board could do  
10 option one that would say up to 36 hours may be  
11 required because they already have the 12.

12 Ms. King agreed with option one because it gives  
13 more autonomy to the administrator and the diversity  
14 of all the different nursing homes and different  
15 acuity, noting there needs to be an ability of  
16 flexibility.]

17 MS. PACHTER SCHULLER:

18 Is a Board member willing to make a  
19 motion to initiate the regulation  
20 process, whereby the Board would add a  
21 provision to its continuing education  
22 regulation that gives the Board the  
23 general authority to acquire mandatory  
24 courses with notice to licensees.

25 ACTING COMMISSIONER CLAGGETT:

1 So moved.

2 MR. HOFFMAN:

3 Second.

4 MS. BOWERS:

5 Warner-Maron, aye; Claggett, aye; Sara  
6 King, aye; Hoffman, aye; Chronister,  
7 aye; Kelly, aye; Francis King, aye;  
8 Wernicki, aye; Wilson, aye.

9 [The motion carried unanimously.]

10 \*\*\*

11 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
12 at 12:26 p.m. the Board entered into Executive  
13 Session with Judith Pachter Schulder, Esquire, Board  
14 Counsel, to review two Applications for the  
15 Appointments and Requests for a Fifth Exam Attempt  
16 before the Board. The Board returned to open session  
17 at 12:44 p.m.]

18 \*\*\*

19 MOTIONS

20 MS. PACHTER SCHULDER:

21 During Executive Session, the Board  
22 engaged in quasi-judicial deliberations  
23 under the two Applications, Desja  
24 Allgeier and Heather Markward as well  
25 as Binal Patel's Request for a Fifth



1 Examination Attempt.

2 During Executive Session, due to  
3 technical difficulties, Mr. Wernicki  
4 was unable to participate.

5 Is there a motion to approve the  
6 Fifth Attempt to take the Licensure  
7 Examination for Binal Patel?

8 ACTING COMMISSIONER CLAGGETT:

9 So moved.

10 MR. HOFFMAN:

11 Second.

12 MS. BOWERS:

13 Warner-Maroon, aye; Claggett, aye; Sara  
14 King, aye; Hoffman, aye; Chronister,  
15 aye; Francis King, aye; Wilson, aye;  
16 Wernicki, abstain; Kelly, aye.

17 [The motion carried. Robert Wernicki abstained from  
18 voting on the motion.]

19 \*\*\*

20 MS. PACHTER SCHULDER:

21 Is there a motion to grant the  
22 Application of Desja Allgeier for  
23 licensure following passing the  
24 licensure examination?

25 ACTING COMMISSIONER CLAGGETT:

1 So moved.

2 MR. HOFFMAN:

3 Second.

4 MS. BOWERS:

5 Warner-Maron, aye; Claggett, aye; Sara  
6 King, aye; Hoffman, aye; Chronister,  
7 aye; Kelly, aye; Francis King, aye;  
8 Wernicki, abstain; Wilson, aye.

9 [The motion carried. Robert Wernicki abstained from  
10 voting on the motion.]

11 \*\*\*

12 MS. PACHTER SCHULDER:

13 Is there a motion to table the  
14 Application of Heather Markward until  
15 such time that she can provide and  
16 demonstrate to the Board an active and  
17 lead role in the facility in each of  
18 the departments?

19 ACTING COMMISSIONER CLAGGETT:

20 So moved.

21 MR. HOFFMAN:

22 Second.

23 MS. BOWERS:

24 Warner-Maron, aye; Claggett, aye; Sara  
25 King, aye; Hoffman, aye; Chronister,

1                   aye; Kelly, aye; Francis King, aye;  
2                   Wernicki, abstain; Wilson, aye.

3 [The motion carried. Robert Wernicki abstained from  
4 voting on the motion.]

5                                           \*\*\*

6 [Judith Pachter Schulder, Esquire, Board Counsel,  
7 suggested waiting until the next meeting to decide on  
8 the HSE qualification to give the Board time to  
9 consider the information.]

10                                           \*\*\*

11 FYI Items

12 [Ilene Warner-Maron, Ph.D., RN, NHA, Chair, asked  
13 whether any Board members wished to attend the  
14 National Association of Long-Term Care Administrator  
15 Boards Annual Meeting June 5-7, 2024, in Oklahoma  
16 City, OK, and received no response.]

17                                           \*\*\*

18 Upcoming Meeting Dates

19 [Ilene Warner-Maron, Ph.D., RN, NHA, Chair, noted the  
20 next scheduled Board meeting date is August 14,  
21 2024.]

22                                           \*\*\*

23 Adjournment

24 CHAIR WARNER-MARON:

25                                           Do we have a motion to adjourn for

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today?

ACTING COMMISSIONER CLAGGETT:

So moved.

MR. HOFFMAN:

Second.

CHAIR WARNER-MARON:

Thanks everyone. See you in August.

\*\*\*

[There being no further business, the State Board of  
Examiners of Nursing Home Administrators Meeting  
adjourned at 12:50 p.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Examiners of Nursing Home Administrators, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Examiners of Nursing Home Administrators meeting.



Sophia Mahoney,  
Minute Clerk  
Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF EXAMINERS OF  
NURSING HOME ADMINISTRATORS  
REFERENCE INDEX

May 1, 2024

|    | TIME  | AGENDA                              |
|----|-------|-------------------------------------|
| 1  |       |                                     |
| 2  |       |                                     |
| 3  |       |                                     |
| 4  |       |                                     |
| 5  |       |                                     |
| 6  |       |                                     |
| 7  |       |                                     |
| 8  |       |                                     |
| 9  |       |                                     |
| 10 | 9:30  | Executive Session                   |
| 11 | 10:30 | Return to Open Session              |
| 12 |       |                                     |
| 13 | 10:30 | Official Call to Order              |
| 14 |       |                                     |
| 15 | 10:31 | Roll Call                           |
| 16 |       |                                     |
| 17 | 10:31 | Introduction of Attendees           |
| 18 |       |                                     |
| 19 | 10:31 | Approval of Minutes                 |
| 20 |       |                                     |
| 21 | 10:32 | Appointment - Randy Lindner - NAB's |
| 22 |       | HSE Qualification Presentation      |
| 23 |       |                                     |
| 24 | 11:09 | Appointment - Desja Allgeier -      |
| 25 |       | 39.5(b)(5) Applicant                |
| 26 |       |                                     |
| 27 | 11:33 | Report of Board Counsel             |
| 28 |       |                                     |
| 29 | 11:34 | Appointment - Heather Markward -    |
| 30 |       | 39.5(b)(5) Applicant                |
| 31 |       |                                     |
| 32 | 12:00 | Report of Board Chair               |
| 33 |       |                                     |
| 34 | 12:01 | Report of Acting Commissioner       |
| 35 |       |                                     |
| 36 | 12:01 | Report of Board Administrator       |
| 37 |       |                                     |
| 38 | 12:02 | Discussion Items                    |
| 39 |       |                                     |
| 40 | 12:26 | Executive Session                   |
| 41 | 12:44 | Return to Open Session              |
| 42 |       |                                     |
| 43 | 12:44 | Motions                             |
| 44 |       |                                     |
| 45 | 12:48 | FYI                                 |
| 46 |       |                                     |
| 47 | 12:50 | Upcoming Meeting Dates              |
| 48 |       |                                     |
| 49 | 12:50 | Adjournment                         |
| 50 |       |                                     |