



WV NURSING HOME ADMINISTRATORS LICENSING BOARD

P.O. BOX 522
WINFIELD, WEST VIRGINIA 25213
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DEC 16 2016

GOVERNOR'S GENERAL COUNSEL

December 16, 2016

RECEIVED
CLERK OF THE SENATE
DATE: 12-16-16 TIME: 2:49 p.m.
By: LC

The Honorable Earl Ray Tomblin
State Capitol Building
1900 Kanawha Blvd. East
Charleston, WV 25305

Dear Governor Tomblin:

We have hereby read this report and certify it acceptable to the best of our knowledge.

Sincerely,

Tammy Jo Painter, N.H.A. ve

Tammy Jo Painter, NHALB Chair

RECEIVED
CLERK OF THE HOUSE
DATE: 12-16-16 TIME: 2:55
BY: RA

Roberta Kay Cottrill, Secretary ve

Roberta Kay Cottrill, NHALB Secretary

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WV NURSING HOME ADMINISTRATORS LICENSING BOARD

FINANCIAL YEAR 2016 STATEMENT

July 1, 2015 through June 30, 2016

Item Name	Total
Payroll	\$51,908.00
Annual Increment	\$0.00
Personnel Fee (\$50 per quarter)	200.00
Workers Compensation (1.81%)	939.54
Social Security Matching (7.65%)	3970.97
Social Security Matching (Board)	321.30
Employee Ins. & (OPEB) (\$396 Mo.)	4752.00
Pension & Retirement (14%) *I do not belong to the WV Retirement Plan	0.00
NAB Association Dues (annual \$1,500) 10/26/15	1,500.00
Travel & Per Diem	8,458.75
Rent (\$550 Mo.)	6,600.00
Utilities	1,250.80
Web Service \$500 Annually + Program Tech.	1207.50
P-Card (printing, postage, supplies, seminars, freight, equipment Auditor's Seminar registration of \$300)	2,054.41
Misc. (refunds, credits, misc.)+ or - WV Correctional Inst. Printing	209.27
Office & Comm./Frontier/ Equip Repairs	819.66
Legal Expenses	864.00
Meeting Room Accommodations	400.00
EXPENDITURES TOTAL	\$85,464.20

+ 2 IET's @ \$300 each by WV Veterans Nursing Facility for Sherri Reed, Kevin Crickard

Beginning Balance (July 1, 2015)	\$164,231.35
Revenue Deposits 7/1/15 to 6/30/16	70,200.00
	*600.00 IET
Total	\$235,031.35
Expenditures	85,464.20

Account Balance 06/30/16 \$149,567.15/deposit 6/29 \$7,300/7/6 \$4,400 (\$11,700) Total \$161,267.15

NURSING HOME ADMINISTRATORS LICENSING BOARD
Licenses & Permits Issued 7/1/2015 – 6/30/2016

License or Permit	Number Issued
New NHA Licenses Issued	16
Renewal Licenses	225
Emergency Permits	7
Administrator-In-Training Permits	4
*Inactive Licenses (Can activate at any time with required hrs.)	20

NURSING HOME ADMINISTRATORS LICENSING BOARD
Governor's Report
Fiscal Year 2016

The Nursing Home Administrators Licensing Board received two (2) Substandard Quality of Care Notices by the Office of Health Facility Licensure and Certification (OHFLAC)

POLICY-Substandard Care Deficiencies (Amended)

As a result of sections 1819(a), (b), (c), (d), and 1919(a), (b), (c), and (d) of The Social Security Act, state survey agencies like the West Virginia Department of Health and Human Resources (DHHR), Office of Health Facility Licensure and Certification (OHFLAC) are required to advise state boards responsible for licensing nursing home administrators when a Medicare/Medicaid certified nursing facility is cited for deficiencies which constitute substandard quality of care. Inasmuch as there are no further directives for interpretation as to how state licensing boards will manage such notifications, it is the prerogative of each state's board to define its policy.

In view of the aforementioned circumstance, effective September 8, 2005, it will be the policy of the West Virginia Nursing Home Administrators Licensing Board to pursue the following plan in discharging its duties:

1. Upon notification from OHFLAC, a certified letter will be sent to the administrator of record* for the facility alleged to have offered substandard quality of care indicating same and requesting a response from the administrator to each of the allegations. The administrators reply must be post marked no later than thirty (30) days after receipt of the board's letter. (Refer to Exhibit A.)
2. Upon receipt of the response from the administrator and within ninety (90) days of the day the board receives notification from OHFLAC, under the direction of the chair of the West Virginia Nursing Home Administrators Licensing Board, an assessment by staff, members of the board, a hearing officer, and/or a representative from the Attorney Generals Office will be made of all documents received (i.e., HCFA-2567 Statements of Deficiency and Plans of Correction, administrator's response, etc.). From that point a brief written assessment of the facts will be made and filed with the chairman of the board indicating whether or not it is believed nursing home administrator licensing regulations were violated. If the written assessment establishes that the nursing home administrators licensing regulations were violated, the chair of the board will be responsible for seeing that an interview is scheduled with the administrator to assess his/her knowledge and soundness of judgement in being able to adequately discharge the functions of a nursing home administrator (NHA). If it is shown by a preponderance of the evidence that nursing home administrator licensure rules were violated, a written order with findings of fact and conclusions of law will be sent to the administrator with a copy filed in the person's record defining the course of action that will follow. Likewise, if it is shown by a

preponderance of the evidence that there were no violations of nursing home administrator licensure rules, a letter will be sent to the administrator so advising with a copy of the correspondence to be retained in the licensee's file.

3. Related to the aforementioned point and establishment of grounds for potential action against a nursing home administrator for violation of nursing home administrators licensure rules, with legal guidance, ie., the West Virginia Attorney General's Office, private counsel, etc., section 6.1 of Title 21, legislative rule effective July 3, 2003 will be implemented pertinent to suspension, revocation, hearing, and judicial review. Final disposition of the review will be completed as quickly as possible but not to exceed 150 days from date of the first notification of substandard quality of care by the OHFLC. Proceedings in regard to final disposition will be made in the record and retained in the board's file for the NHA under review.

If within twenty-four months of first being advised by the OHFLAC a second notice is received by the Nursing Home Administrators Licensing Board alleging substandard quality of care in a facility under the direction of the same licensed nursing home administrator, within the same time lines as previously described, at the direction of the chair of the board, the board will conduct a second interview on the issue of substandard quality of care. Facts from the first review will be revisited along with all new allegations of repeat deficiencies. The process identified in previous points 2 and 3 will be replicated relative to section 6.1. Final disposition of the board's action will be recorded and retained in appropriate NHA and/or board files.

From the time the West Virginia Nursing Home Administrators Licensing Board is first advised by OHFLAC of alleged substandard quality of care in a West Virginia licensed nursing facility, all correspondence and records pertinent to the administrator and/or administrators in question will be retained for thirty months. During this period if follow up reviews by OHFLAC do not result in subsequent referrals to the Nursing Home Administrators Licensing Board for matters of substandard quality of care, the board at its discretion may order cases closed with files destroyed. If this occurs, such action will be considered at a duly called board meeting with the decision recorded in board minutes.

* If the administrator of record has been at the facility for less than one year, the previous administrator of record will also be contacted to address in writing each allegation of substandard quality of care.

WV NURSING HOME ADMINISTRATORS LICENSING BOARD
Fiscal Year 2016
July 1, 2015 through June 30, 2016

Substandard Care Notices by the Office of Health Facility Licensure and Certification (OHFLAC)

Substandard Quality of Care Notice of December 16, 2015 – Gregory Hamaker, NHA Dunbar Center, Dunbar, WV. Upon a thorough review of the substandard quality of care deficiencies, the 2567's with plans of correction, the letter of response provided by Gregory E. Hamaker, NHA, and the length of employment of Mr. Hamaker in relation to the survey deficiencies; it was determined by the Board at its meeting on March 31, 2016, that Mr. Hamaker did not violate the WV 21 CSR rules or the ACHCA Code of Ethics. Mr. Hamaker was notified of the Board's decision on April 5, 2016.

Substandard Quality of Care Notice of June 13, 2016 – James Triana, NHA Oak Ridge Center, Charleston, WV. Upon a thorough review of the substandard quality of care deficiencies, the 2567's with plans of corrections, and the letter of response provided by James Triana, NHA, it was determined by the Board at its meeting on August 25, 2016; that there was no violation of the WV 21 CSR rules or the ACHCA Code of Ethics. The Board unanimously voted that no actions were required at this time. Mr. Triana was notified of the Board's decision on August 29, 2016.

WV NURSING HOME ADMINISTRATORS LICENSING BOARD
Fiscal Year 2016
July 1, 2015 through June 30, 2016
Complaints

August 4, 2015, a written complaint was received for Huntington Health and Rehabilitation, Huntington, WV with Annica Stansberry being named as the NHA. FY2016-1C, filed by John Jarvis, fell within OHFLAC's jurisdiction, not the Board's due to any violation of WV 21 CSR rules or the ACHCA Code of Ethics. The decision of FY2016-1C was reviewed thoroughly and voted upon at its meeting on December 10, 2015. A letter of response to the decision was sent to the complainant and the NHA. The complaint was forwarded to OHFLAC.

September 8, 2015, a written complaint was received for Dunbar Center, Dunbar, WV with Drema Thompson being named as the NHA. FY2016-2C, filed by an employee, fell within the complainant's employer human resource department. The decision of FY2016-2C was reviewed thoroughly and voted upon at its meeting on December 10, 2015. A letter of response to the decision was sent to the complainant and the NHA.

September 28, 2015, additional information was received on FY2016-3C, filed by Sheila Smith and Patricia Rainwater for Worthington Nursing and Rehabilitation Center with Charlene Kimberly being named as the NHA. FY2016-3C complaint was reviewed thoroughly by the board and it was determined that the complaints were of a regulatory nature and appeared to be under the purview of OHFLAC, not the Nursing Home Administrators Licensing Board. This determination was made at the December 10, 2015 board meeting. The complainants and the NHA were notified in writing and the letters of correspondence of complaints were forwarded to OHFLAC.

October 7, 2015, a written complaint was received for Wyoming Nursing and Rehabilitation of New Richmond, WV with Patsy Webb being named as the NHA. Complaint FY2016-4C was filed by Judy Frost and Andrea Taylor. At the December 10, 2016 board meeting, with Tammy Jo Painter recusing herself and leaving the room, it was determined by the board that the complaint fell within OHFLAC's jurisdiction, not the Nursing Home Administrators Licensing Board due to any violation of WV 21 CSR rules or the ACHCA Code of Ethics being violated. The complainants and the NHA were notified with the correspondence of complaints being forwarded to OHFLAC.

NURSING HOME ADMINISTRATORS LICENSING BOARD
FY-2016 Governor's Report
Licensed Nursing Home Administrators

Last Name	First Name	County	State
Adkins	Ashley	Cabell	WV
Adkins	Deatra	Cabell	WV
Airson	Patrick	Logan	OH
Americo	Peter	Kanawha	WV
Amos	Tanatha	Jackson	WV
Anderson	Michael	Monongalia	WV
Bailey	Christie	Mercer	WV
Bailey	Carolyn	Kanawha	WV
Bailey-Gibson	Sonia	Monongalia	WV
Bennett	Jamie	Allegheny	PA
Barker	George	Kanawha	WV
Baughman	Dorlan	Braxton	WV
Bernstein	Christina	Morgan	WV
Bess	Debra	Fayette	WV
Beveridge	Tammy	Harrison	WV
Bevins	Kenneth	Logan	WV
Blair	Christopher	Putnam	WV
Blankenship	Pamela	Raleigh	WV
Booker	Angela	Raleigh	WV
Bowers	Bradley	Marshall	WV
Boyd	Mary Ann	Brooke	WV
Bragg	Aimee	Fayette	WV
Bramer-Dixon	Rebecca	Harrison	WV
Brenneman	Julie	Calhoun	WV
Buchanan	Keith	Mercer	WV
Bucher	Jason	Greene	PA
Bucher	Joseph	Randolph	WV
Butts	Hillary	Allegheny	PA
Byers	Kathy Ann	Monongalia	WV
Campbell	Denise	Randolph	WV
Campbell	Cora	Upshur	WV
Campbell	Raymond	Lorain	OH
Cantrell	Connie	Kanawha	WV
Carrington	Carter	Greenbrier	WV
Chapman	Brian	Raleigh	WV
Clark	Chad	Washington	OH
Cleland	Stephanie	Meigs	OH
Cleland	Angela	Meigs	OH
Clevenger	Thomas	Harrison	WV
Clevenger	Beth	Tucker	WV
Cogar	Bonnie	Nicholas	WV

Last Name	First Name	County	State
Colombo	Mary Catherine	Marshall	WV
Conaway	Michael	Wood	WV
Conaway	Larry	Wood	WV
Conaway	David	Clark	NV
Cooper	Cindy	Cabell	WV
Cooper	Stacy	Fayette	WV
Cornwell	Michele	Jefferson	WV
Costello	Gregory	Wood	OH
Cottrill	Roberta Kay	Harrison	WV
Couch	George	Ohio	WV
Cox	Shelda	Summers	WV
Crandall	Michele	Marion	WV
Crickard	Diana	Upshur	WV
Crickard	Kevin, Dr.	Upshur	WV
Dailey	Linda	Washington	OH
Dakovic	George	Ohio	WV
Dawson	Lora	Lincoln	WV
Del Checcolo	Donna	Cabell	WV
Dolan	Tricia Calemine	Harrison	WV
Dolgovskij	Konstantin	Marshall	WV
Donchatz	Joseph	Wayne	WV
Donnelly	Phillip	Monongalia	WV
Dunigan	Jason	Kanawha	WV
Dunn	David	York	SC
Eberhart	Eric	Monongalia	WV
Eck	Karl	Warren	KY
Eddy	Shawn	Kanawha	WV
Eidell	Shasta	Randolph	WV
Eidell	Linlee	Randolph	WV
Eidell, Jr.	Thomas R.	Randolph	WV
Eidell, Sr.	Thomas	Randolph	WV
Elam	Michael	Wood	WV
Elliott	Helen Lynn	Fayette	WV
Farley	Daniel, Dr.	Mercer	WV
Farley	Betty	Mercer	WV
Ferrell	Mary	Fayette	WV
Fife	Matthew	Mercer	WV
Findley	Mary	Meigs	OH
Fink	Pamela	Mercer	WV
Fisher	Linda	Monongalia	WV
Fleece	Cathy	Marion	WV
Ford	Tanya	Raleigh	WV
Forzano	Randall	Ohio	WV
Fowler	Jessica	Kanawha	WV

Last Name	First Name	County	State
Fox	Scott	Allegheny	PA
Fox	James, D.	Hancock	WV
Gardner	Steven	Putnam	WV
Gaston	Marilyn	Frederick	MD
George	Brandon	Brooke	WV
Glover	Toni	Wetzel	WV
Gore	Michael	Cabell	WV
Grewell	Jeffrey	Coshocton	OH
Griffith	Charles	Barbour	WV
Groves	Mary	Preston	WV
Haddon	Kathy	Brooke	WV
Hall	Shanna	Roane	WV
Hamaker	Gregory	Fayette	WV
Hampson	Sue	Mineral	WV
Hannah	Rodney	Jackson	WV
Hanshew	Nathan	Greenbrier	WV
Hanshew	Jo Clare	Fayette	WV
Harkins	Jeffrey	Cabell	WV
Harris	Sharon	Logan	WV
Harris	Beth	Marion	WV
Henderson	Traci	Harrison	WV
Henson	Megan	Westmoreland	PA
Herald	Michael	Kanawha	WV
Hicks	Michael	Monongalia	WV
Hill	Catherine	Greenbrier	WV
Hill	Deborah	Nicholas	WV
Hill	Kelly	Wood	OH
Hitt	Bonnie	Upshur	WV
Hofmeyer	Joshua	Minnehaha	SD
Holster	Brenda	Fayette	WV
Hovatter	Tia	Monongalia	WV
Hutchinson	Naomi June	Nicholas	WV
Hutchinson	Shayne	Putnam	WV
Ince	Ashley	Fayette	WV
Ingram	Patricia	Fayette	WV
Janeczko	Cara-Lyn	Marshall	WV
Jeffrey	Jennifer	Putnam	WV
Johnson	Thomas	Lawrence	OH
Johnson	Sharon	Raleigh	WV
Jones-Marino	Sheila	Harrison	WV
Keefer	Matthew	Galia	OH
Kelley, Jr	Thomas	Putnam	WV
Keough	Tammy	Harrison	WV

Last Name	First Name	County	State
Kimberly	Charlene	Washington	OH
Kirk	Lynda	Wood	WV
Kirsch	Donald	Ohio	WV
Kramer	Lynda	Kanawha	WV
Kramer	Deanna	Kanawha	WV
Kutil	Kathryn	Kanawha	WV
Larson	Crystal	Hardy	WV
Laughery	Michael	Putnam	WV
Lawrence	Joan	Taylor	WV
Lawson	Karen	Jackson	WV
Lawson	Alvin	Jackson	WV
Lockett	Monica	Berkeley	WV
Lockett	Elizabeth	Mercer	WV
Lucas	Calvin	McDowell	WV
Lucas	Patty	McDowell	WV
Lyons	Ronald	Lawrence	OH
Marshall	William Scott	Scioto	OH
Marshall	Christopher	Raleigh	WV
Mason	Nancy	Berkeley	WV
Mason	Joseph (Bill)	Garrett	MD
McBee	Christopher	Jefferson	KY
McBurney	James	Kanawha	WV
McCauley	Diane	Greene	PA
McClintic, II	Robert	Greenbrier	WV
McCormick	Teresa	Lewis	WV
McCracken	Thomas	Ohio	WV
McDermott	William	Cabell	WV
McGraw	Thomas	Fayette	WV
McMillian	Tomi	Putnam	WV
Merrill	Carol	Marion	WV
Midcap	Lynette	Hancock	WV
Miller	Michael	Wood	WV
Miller	Diane	Ohio	WV
Mitchell	Kimberly	Kanawha	WV
Mitchell	Russell	Frederick	MD
Mohr	Judith	Harrison	WV
Molica	Anthony	Greenup	KY
Moore	Carlene	Monongalia	WV
Moore	Cherie	Wood	WV
Morris	Carol	Randolph	WV
Moten	Susan	Summers	WV
Murray	Matthew	Hancock	WV

Last Name	First Name	County	State
Neason	Suncerae	Taylor	WV
Neil	Joseph	Nicholas	WV
Nelson	Terri	Logan	WV
Nesland	Mark	Barbour	WV
Noe	Lori	Logan	WV
Noe	Mark	Barbour	WV
O'Boyle	David	Pendleton	WV
Pagliari	Jennifer	Marion	WV
Painter	Tammy Jo	Kanawha	WV
Parsons	Lee Ann	Kanawha	WV
Peterson	Angela	Mercer	WV
Peterson	Jo	Monongalia	WV
Pletcher	Tara	Jefferson	OH
Poorman	Matthew	Kanawha	WV
Prest	Joseph	Putnam	WV
Price	Jessica	Wood	WV
Profitt	Pamela	Wayne	WV
Provan	Kristine	Franklin	OH
Quattrochi	Rhonda	Hancock	WV
Ragland	James	Logan	WV
Raynes	Melissa	Kanawha	WV
Reed	Sherri	Lewis	WV
Richards	Casey	Hancock	WV
Rife, Sr.	James	Cabell	WV
Roan	Patricia	Kanawha	WV
Rutherford	Matthew	Washington	OH
Sanchez	Candy	Kanawha	WV
Sargent	Rachel	Cabell	WV
Schultheis	Shannon	Wood	WV
Seese	Joseph	Preston	WV
Sexton	Keith	Raleigh	WV
Joseph	Shafer	Pendleton	WV
Shell	Cynthia	Cabell	WV
Shobe	Terry	Grant	WV
Shoemaker	Stephanie	Mineral	WV
Shrewsbury	Ricky	Summers	WV
Shroyer	Linda	Allegany	MD
Sisarcick	Barbara	Marshall	WV
Sistrunk	Linda	Washington	OH
Smith	Michelle	Mineral	WV
Smith, Jr.	Jeffrey	Kanawha	WV
Snodgrass	Aaron	Mason	WV
Spiroff	Misty	Monongalia	WV
Stansberry	Annica	Putnam	WV

Last Name	First Name	County	State
Starcher	Christina	Jackson	WV
Stephens	Gregory	Wood	WV
Stewart	Shelia	Raleigh	WV
Stotler	Kristen	Brooke	WV
Stover	Patricia	Berkeley	WV
Summerfield	Patricia	Barbour	WV
Summers	Arlene	Monroe	OH
Sutphin	Robin	Kanawha	WV
Tarr	Christine	Ohio	WV
Taylor	Katrina	Berkeley	WV
Thompson	Drema	Putnam	WV
Tomshack	Connie	Brooke	WV
Toney	Kimberly	Lincoln	WV
Topping	Roger	Mercer	WV
Triana	Joseph	Jackson	WV
Tucker	Matthew	Kanawha	WV
Turner	Linda	Summers	WV
Vance	Pauline	Hardy	WV
Wagoner	Craig	Harrison	WV
Wagoner	Cynthia	Mineral	WV
Wagoner	Oodayyun	Barbour	WV
Wall	Valerie	Cabell	WV
Webb	Patsy	Wyoming	WV
Wellman	Stacy	Taylor	WV
Wheeldon	Eileen	Cabell	WV
White	Lisa	Harrison	WV
Whitteker	Sharon Lynn	Mercer	WV
Wiley	Laura	Mercer	WV
Williams	Angel	Greenbrier	WV
Williams	Brandon	Wetzel	WV
Woodford	Donnie	Barbour	WV
Woolums-Russell	Pamela	Nicholas	WV
Worley	Denise	Raleigh	WV
Worth	Judson	Pocahontas	WV
Wright	Randy	Washington	OH
Zoltowski	John	Greenbrier	WV

*20 licensees have requested an inactive status until notified. These licensees can activate their license at any given time when meeting requirements.