

**LONG-TERM CARE FACILITY ADVISORY BOARD**

**Regular Meeting**

**April 14, 2021 at 1:30**

**Location of meeting: Microsoft Teams**

**[https://teams.microsoft.com/l/meetup-](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NWM3NjM0MmUtNWZkOC00YTg3LTk3YWItNjJINmEwNzYxYzA5%40thread.v2/0?context=%7b%22Tid%22%3a%229a307864-3e98-4f08-b90a-728b62cf32c5%22%2c%22Oid%22%3a%22463c8334-e408-4d1d-b4eb-52f4b934efe4%22%7d)**

**[join/19%3ameeting\\_NWM3NjM0MmUtNWZkOC00YTg3LTk3YWItNjJINmEwNzYxYzA5%40thread.v2/0?context=%7b%22Tid%22%3a%229a307864-3e98-4f08-b90a-728b62cf32c5%22%2c%22Oid%22%3a%22463c8334-e408-4d1d-b4eb-52f4b934efe4%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NWM3NjM0MmUtNWZkOC00YTg3LTk3YWItNjJINmEwNzYxYzA5%40thread.v2/0?context=%7b%22Tid%22%3a%229a307864-3e98-4f08-b90a-728b62cf32c5%22%2c%22Oid%22%3a%22463c8334-e408-4d1d-b4eb-52f4b934efe4%22%7d)**

**Join by phone: +1 405-898-0717 United States, Oklahoma City**

**Conference ID: 602 694 488#**

There is no physical meeting location. All Advisory Board Members are participating remotely via the Microsoft Teams platform shown above.

**AGENDA**

1. Call to Order ..... Wendell Short, Chair
2. Roll Call..... LaShawn Lewis
3. Review and Action to Approve/Amend  
the January 8, 2020 Regular Meeting minutes ..... Wendell Short, Chair
4. Election for 2021 LTCFAB Officers.....Wendell Short, Chair  
**2020 Officers:** Chair – Wendell Short, Vice Chair – William Whited, Secretary – Adam Jordan
5. Long Term Care Service Update ..... Dr. LaTrina Frazier
6. Program Area Reports.....  
*Vicki Kirtley – NAR, Espa Bowen – Health Facility Service, Diane Henry – QIES, Barry Edwards – National Background Check/OKScreen*
7. Visitation Complaints, and Investigations ..... Esther Houser  
*Penalties (deficiencies, money penalties, etc.) that have been levied as a result.*
8. New Business: Meeting Dates for 2021..... Wendell Short, Chair  
**January 13, 2021 – Cancelled**  
**April 14, 2021 – Virtual**  
**July 14, 2021**  
**October 13, 2021**
9. Public Comment
10. Adjournment

*\*If the audio is disconnected at any point during the meeting, Board Members will attempt to rejoin. The meeting will reconvene upon reconnection using the same platform and access codes. If unable to restore connections for a maximum of 15 minutes the meeting will be adjourned.*



## LONG-TERM CARE FACILITY ADVISORY BOARD

Regular Meeting

January 8, 2020 at 1:30

Oklahoma State Department of Health, 123 Robert S. Kerr Ave., OKC, OK 73102

### **MINUTES**

January 8, 2020

#### **1) Call to Order**

Alan Mason called the meeting to order at 1:37 p.m.

#### **2) Roll Call**

LaShawn Lewis called roll with the following Long Term Care Facility Advisory Board (LTCFAB) members present: Joanne Alderman, Stephen Ross, Lori Morton, Dustin Cox, Modina Allen, Esther Houser, Adam Jordan, Joanna Martin, Alan Mason, Jim McWhirter, Kay Parsons, Charles Schwarz, Wendell Short, Diana Sturdevant, William Whited, and Denise Wilson.

The following LTCFAB members were absent: Paula Porter; Jonathan Bushman; Jacki Millspaugh and Dewey Sherbon.

The following guests were present: Natasha Mason, Care Providers OKLA; Lisa McAlister, OSDH; Beverly Clark, OSDH; Paula Terrel, OSDH; Diane Wood, OFMQ; Debbie Yellseagle, OFMQ; Barry Edwards, OSDH OKScreen; Lisa Conner, OSDH CMP Program; Luvetta Abdullah, OSDH CMP Program; James Joslin, OSDH

Currently, there are five vacancies on the LTCFAB, which consists of 27 members.

A quorum met with 16 members present.

Meetings are posted at:

<http://www.health.ok.gov/calendar/mtngs/index.html>

<http://www.sos.state.ok.us/meetings/agencymeets.asp?intAgency=316>

Approved minutes are posted at <http://www.health.ok.gov/calendar/mtngs/ltcab.html>

**3) Election for 2020 LTCFAB Officers**

**Agenda Item #3  
Vote 1**

**Motion:** LTCFAB Nominating Officers Wendell Short Chair, Alan Mason Vice Chair, Adam Jordan Secretary

Motion Made by: Dustin Cox Seconded: William Whited Motion Carried: Yes

**Aye: 16 Abstain: 0 Nay: 0 Absent: 4**

Joanne Alderman	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Alan Mason	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Paula Porter	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jim McWhirter	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Stephen Ross	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jacki Millspaugh	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Jonathan Bushman	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Kay Parsons	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Lori Morton	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Charles Schwarz	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Dustin Cox	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dewey Sherbon	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Modina Allen	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Wendell Short	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Esther Houser	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Diana Sturdevant	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Joanna Martin	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	William Whited	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Adam Jordan	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Denise Wilson	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
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			Shading = Absent

**4) Review and Action to Approve/Amend Minutes:**

**Agenda Item #4  
Vote 1**

**Motion:** Vote to Approve/Amend Jan 2020 meeting minutes

Motion Made by: Denise Wilson Seconded: Joanne Alderman Motion Carried: Yes

**Aye: 15 Abstain: 1 Nay: 0 Absent: 4**

Joanne Alderman	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Alan Mason	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Paula Porter	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jim McWhirter	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Stephen Ross	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jacki Millspaugh	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Jonathan Bushman	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Kay Parsons	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Lori Morton	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Charles Schwarz	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Dustin Cox	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dewey Sherbon	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Modina Allen	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Wendell Short	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Esther Houser	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Diana Sturdevant	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Joanna Martin	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	William Whited	<input type="checkbox"/> Aye <input checked="" type="checkbox"/> Abstain <input type="checkbox"/> Nay
Adam Jordan	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Denise Wilson	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay

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<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
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	Shading = Absent

**Agenda Item #4**  
**Vote 2**

**Motion:** Recommend to amend the minutes to reflect Jacki Millspaugh being present

Motion Made by: Kay Parsons      Seconded: \_\_\_\_\_      Motion Carried: Yes  
Aye: 15    Abstain: 1    Nay: 0    Absent: 4

Joanne Alderman	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Alan Mason	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Paula Porter	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jim McWhirter	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Stephen Ross	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jacki Millspaugh	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Jonathan Bushman	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Kay Parsons	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Lori Morton	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Charles Schwarz	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Dustin Cox	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dewey Sherbon	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Modina Allen	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Wendell Short	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Esther Houser	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Diana Sturdevant	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Joanna Martin	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	William Whited	<input type="checkbox"/> Aye <input checked="" type="checkbox"/> Abstain <input type="checkbox"/> Nay
Adam Jordan	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Denise Wilson	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay		<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay		<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
			Shading = Absent

**5) Licensure, Resident Assessment, Nurse Aide Registry:**

We have been talking about the Alzheimer’s Dementia disclosure and the information made available to them. James Joslin has indicated that the new current disclosure forms were mailed out, but the website still had the old form. What is significant about the new form is it asks about actual staffing on the unit. If you have a special unit what is the staffing in that unit? We want that data, we talked about what is the key data to put on the website. Can we do a website that links to these forms and gives the amount of information in that key data? This is the webpage, as it exists today, with a mockup of what I anticipate the table to look like. You can see some of the tables and at the bottom are the key elements. From this disclosure document that we would capture the data to put in a table. The data from the will provide valuable information and help create focused questions. What is updated in there that you cannot really tell, is, there are links in the document to allow you to navigate through the document a little easier. James kind of reorganized the information and made clarification between what is a specialized facility. We have three licensed Specialized Facilities for residents with Alzheimer’s and Dementia, the entire facility is dedicated to the service. We have other Facilities that are not licensed specialized facilities, they are licensed Nursing homes, and Assisted Living Centers and have a special program.

Memory Care is not a defined statutory or regulatory term. You have a Memory Care Unit in Assisted living you have a Memory Care Unit or Memory Care program in the Nursing Home. Therefore, it is

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an interchangeable term. The website is updated but not the form. There has also been clarification on the revised date from 6/24/2015 to 1/6/2020; the form number will remain the same.

James Joslin introduced Berry Edwards, new program Manager for OK-Screen.

James wanted us to write down a couple of numbers, the first set of numbers was 52,978, which is the number of people hired through OK-Screen in 2019. NH (Nursing Homes), AL (Assisted Living), RC (Residential Care), Home Health and Hospices of those 17,067 had to be fingerprinted, the remaining 35,911 had already been fingerprinted. Only 32.2% had to be finger printed because of rapback. When somebody is hired, we pay the OSBI \$41.00 to process the national finger print check and we pay the Life Scan Vender Company called Idemia \$9.25. The provider is not charged the \$50.25. James informed us that the provider is charged \$19.00.

James Joslin stated nothing in particular jumps out about the Nurse Aide Registry Data. Just in terms of annual numbers, those numbers we see in terms of certification. The one's that renew every year are our medication aides and everyone else is on a two-year renewal cycle.

James also mentioned the biggest problems is the Developmental Disability Aide (DDCA) training programs are no longer available. What has been suggested to us is that DHS has a rehabilitation training specialist program that they use for the staff who work in group homes. It was suggested that we piggyback on the curriculum that DHS offers and allow that curriculum to be deemed. Deeming is the term used to say; because you have this training over here, we deemed it equivalent to what we require. James believes this does meet our standards, in fact, the DDCA curriculum is 75 hours and the HHA is 116 hours of training. If all are in agreement, we would go back to DHS and allow these individuals to come into their training program.

Of the Nurse Aides FY Quarter July 1, 2019 to September 30, 2019, there were 15 cases of Abuse Neglect and Misappropriation, 15 determinations and final determinations by the Administrative Order. James went on to say "no calls" are still a problem. Hearings processed eight out of fifteen within nine months. Notations are being posted; notations are posted when we get a substantial creditable allegation that someone has abused, neglected or misappropriated; a pending notation will then show on the registry. This notation will allow future employers to be aware the person has a pending investigation. Misappropriation continues to be far away the most predominate type, and of those is the misappropriation of cash.

Abuse/Neglect/Misappropriation (ANM) Findings is the data on cases we track on whether or not these applicants had criminal history. Out of the 15 cases, we had (ANM) findings only two had prior eligible criminal history. This is not a perfect system, but out of the remaining cases, we had 13 with no criminal history at all. Addressed also was Pending Allegations Prior to (ANM) findings. If the findings go against them, they will be notified by OK-Screen. The applicant's certification will be terminated on or after the findings. So 12 of the 15 received employment after the pending notations.

## **6) Discussion, Consideration, possible action, and vote Title 310 Chapter 2:**

Title 310 Chapter 2 Subchapters 21-39, we are proposing a number of revisions for Chapter 2. Procedures of the State Department of Health. We are modifying the rules and procedures for our

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hearing process to align with something we have done already with Nurse Aides. When we send them a legal notice to their address we have on file with their certification they're legally served whether they accept it or not. We are doing the same with our Individual proceedings as well. If it is a licensee we send it to the address on file for the license and they are considered legally served.

Subchapter 21 is about Criminal History Background Checks. This allows someone to resubmit for a waiver after a hearing.

Subchapter 37 we are instructed based on a piece of legislation that relates to Nurse Aides, they must meet national requirements. We deem most of our Nurse Aides, if they have training in another state. The Federal law is 75 hours minimum in every state.

Subchapter 39 Military Reciprocity Licensure waiver process for people who have criminal history on their license. Not just for nurse aides, we also license MT's Genetic Counselors, so it applies to all of these individuals.

**Agenda Item #6  
Vote 1**

**Motion:** Title 310 Chapter 2 Subchapters 21-39 for Commissioner to move forward

Motion Made by: William Whited    Seconded: \_\_\_\_\_    Motion Carried: Yes  
**Aye: 16    Abstain: 0    Nay: 0    Absent: 4**

Joanne Alderman	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Alan Mason	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Paula Porter	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jim McWhirter	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Stephen Ross	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jacki Millspaugh	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Jonathan Bushman	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Kay Parsons	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Lori Morton	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Charles Schwarz	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Dustin Cox	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dewey Sherbon	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Modina Allen	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Wendell Short	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Esther Houser	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Diana Sturdevant	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Joanna Martin	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	William Whited	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Adam Jordan	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Denise Wilson	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
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			Shading = Absent

**7) Discussion, Consideration, possible action, and vote Title 310 Chapter 663:**

Long Term Care in reference to 663, 675 and 605 as it pertains to SB 142 Antipsychotic measures and then 675 which also includes SB 280 gives the option of 24 hour based staffing requirements and the change to quality measure etc.

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Beverly Clark Manager of Training has stepped up this year and is doing rules. Chapter 663 changes relate to SB 142 and has several changes to Antipsychotic drugs, Long-term care facility and prescribing clinician. There was a strike under Assisted Living. Per Beverly, legal explained we cannot have a definition that is not in the law so we are striking it. In subchapter 19 administration, records and policies medication administration we added the language Antipsychotic drug administration shall be consistent with 63 O.S. 1-881, to implement SB 142 that is where it will be implemented.

**Agenda Item #7**  
**Vote 1**

**Motion:** Title 310 Chapter 663 Subchapter 1 and 19 to accept proposed changes

Motion Made by: Dustin Cox Seconded: Denise Wilson Motion Carried: Yes

**Aye: 15 Abstain: 0 Nay: 0 Absent: 4**

Joanne Alderman	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Alan Mason	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Paula Porter	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jim McWhirter	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Stephen Ross	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jacki Millsbaugh	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Jonathan Bushman	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Kay Parsons	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Lori Morton	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Charles Schwarz	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Dustin Cox	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dewey Sherbon	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
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Esther Houser	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Diana Sturdevant	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Joanna Martin	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	William Whited	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Adam Jordan	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Denise Wilson	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
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	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay		<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
			Shading = Absent

**8) Discussion, Consideration, possible action, and vote Title 310 Chapter 675 Subchapter 1, 7 and 13**

Chapter 675 there are two bills SB 142 and SB 280 and changes made regarding Tuberculosis. SB 142 under the area of definitions there were several definitions added, Antipsychotic drug was added, Long-term care facility was added, Prescribing Clinician was added, Representative of a resident, and Resident.

Under Chapter 7 Administration, this language was put together in regards to the resident admission or continued residency as it relates to Antipsychotic medications. If there was a grievance from the facility, resident or resident's representative, this outlines the process they need to follow to file that grievance. We looked at the discharge transfer, and pulled similar language over and changed the language to be specific to the resident admission and continued residency of antipsychotic.

Subchapter 9. Resident Care Services under restraints has both physical and chemical restraints. Under letter (e) Antipsychotic drug administration shall be consistent with 63 O.S. 1-881, referring back to the law.

SB 280 Subchapter 13. Staff requirements, we updated this area related to SB 280 we removed any of the language regarding flexible staffing and some of the language that was behind that and added the twenty-four-hour based staff scheduling and eligibility requirements. Starting Jan 1, 2020 the facility can implement twenty-four-hour based staffing scheduling. They no longer have to seek permission from the Health Department. We also updated the language for Loss of twenty-four-hour based staffing privileges. Providers are allowed to use twenty-four-hour based staffing unless they have deficiencies, or something that occurs in that facility to make them lose the twenty-four-hour based staffing. Providers would have to meet certain eligibility requirements for any deficient practice in order to get the twenty-four-hour based staffing back. Providers do have the right to appeal. These are the changes to implement the twenty-four-hour based staffing.

Infection Control update related to (TB) Tuberculosis, adjust policy to screening. The language we updated to match the National Tuberculosis Controller Association and CDC for 2019. Those are the proposals for Chapter 675.

**Agenda Item #8**  
**Vote 1**

**Motion:** Title 310 Chapter 675 Subchapter 1, 7 and 13 to proceed with rulemaking for amendments

Motion Made by: Alan Mason      Seconded: Joanne Alderman      Motion Carried: Yes

**Aye: 14      Abstain: 2      Nay: 0      Absent: 4**

Joanne Alderman	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Alan Mason	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Paula Porter	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jim McWhirter	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Stephen Ross	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jacki Millspaugh	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Jonathan Bushman	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Kay Parsons	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Lori Morton	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Charles Schwarz	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Dustin Cox	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dewey Sherbon	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Modina Allen	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Wendell Short	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Esther Houser	<input type="checkbox"/> Aye <input checked="" type="checkbox"/> Abstain <input type="checkbox"/> Nay	Diana Sturdevant	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Joanna Martin	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	William Whited	<input type="checkbox"/> Aye <input checked="" type="checkbox"/> Abstain <input type="checkbox"/> Nay
Adam Jordan	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Denise Wilson	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay		<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay		<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
			Shading = Absent

**9) Discussion, Consideration, possible action, and vote Title 310 Chapter 605**

Chapter 605. Adult Day Care the changes are under Personnel records and staffing requirements, which have to do with (TB) Tuberculosis. Same things that were talked about for 675.

**Agenda Item #9**

Meetings are posted at:  
<http://www.health.ok.gov/calendar/mtngs/index.html>  
<http://www.sos.state.ok.us/meetings/agencymeets.asp?intAgency=316>  
 Approved minutes are posted at <http://www.health.ok.gov/calendar/mtngs/ltcab.html>



**Vote 1**

**Motion:** Title 310 Chapter 605 Subchapter 7 and Subchapter 11 to proceed with rulemaking for amendments

Motion Made by: Stephen Ross      Seconded: Modina Allen      Motion Carried: Yes

Aye: 16      Abstain: 0      Nay: 0      Absent: 4

Joanne Alderman	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Alan Mason	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Paula Porter	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jim McWhirter	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Stephen Ross	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Jacki Millsbaugh	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Jonathan Bushman	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Kay Parsons	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Lori Morton	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Charles Schwarz	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Dustin Cox	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Dewey Sherbon	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Modina Allen	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Wendell Short	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Esther Houser	<input type="checkbox"/> Aye <input checked="" type="checkbox"/> Abstain <input type="checkbox"/> Nay	Diana Sturdevant	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Joanna Martin	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	William Whited	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
Adam Jordan	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay	Denise Wilson	<input checked="" type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay		<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
	<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay		<input type="checkbox"/> Aye <input type="checkbox"/> Abstain <input type="checkbox"/> Nay
			Shading = Absent

**10) Long Term Care Service Update:**

Long Term care service updates: we passed out the 2019 Annual Review handbooks to the board members.

Looking at the Assisted Living Centers for the last 3 years, they have been relatively the same. For SFY 2017 and 2018, we had 183 for the number of facilities and 184 for SFY 2019. The facilities are counted once they are licensed and we start to survey. This will be a little different due to the investigations that were actually worked. As far as inspections go we have been relatively stable for SFY 2017 and 2018, we took a drop in SFY 2019. Complaints have gone down. Complaints are pretty much everybody but the facility administrator. Why? Because anybody can come up with a complaint. Complaints have declined in 2019 we had 357 inspections in Assisted Living Centers last year.

Residential Care Homes the last three years, we see similar numbers, residential care, back in 2014 had about 75 licensed, that has gone down considerably. Probably because Assisted Living has gone up. We received fewer complaints last year with 105 inspections done.

Adult Day Care Center numbers have stayed stable for the last 6 years. We don't receive a lot of complaints in Adult Day Care Centers. We did 59 inspections last year.

Nursing Homes (Medicare/Medicaid) are federal numbers, L tags are not included in State Licensure tags versus Federal tags which are F tags. As far as the equivalency of investigations, they are about the same. Nursing Home break down as far as Medicare and Medicaid for those facilities that are federally certified and receive funds from CMS. We did 2,217 inspections for SFY 2019, of that we looked at complaints and they have risen slightly from SFY 2017 it seems to be up 100 complaints.

Meetings are posted at:

<http://www.health.ok.gov/calendar/mtngs/index.html>

<http://www.sos.state.ok.us/meetings/agencymeets.asp?intAgency=316>

Approved minutes are posted at <http://www.health.ok.gov/calendar/mtngs/ltcab.html>

With 300 facilities, one of every three nursing homes received a complaint. There is currently one Private pay only nursing home in the State of Oklahoma. It is believed that they are filing for Federal certification so we may be down to zero Private pay next year. The Oklahoma Health Care Authority number of licensed beds for SFY is 28,675, number of residents 18,059 and that gives us an occupancy rate of 63% relatively similar for the last six years.

VA Centers have seven centers that were licensed as nursing homes and we only evaluated them in accordance with state rule and regulations. All enforcement actions went to the governor. Any type of inspections for a VA center will be submitted to the governor, speaker of the house, senate pro tempore and commissioner of health. VA centers are approved to file for Medicare and Medicaid Certifications. They will be evaluated the same as any nursing home certified for Medicare/Medicaid. IFC/IID is the same 87, 89, and 91, which might be going up. We had 382 inspections.

**11) New Business;**

**12) Public Comment:**

Public comment made throughout the meeting.

**13) Adjournment**

The meeting adjourned at 3:27 p.m.

**Long Term Care Facility Advisory Board Meeting**  
**LTC Report**  
04/14/2021

**Top 5 cited deficiencies between 3/1/2020 – 2/28/2021 are as follows:**

	Times Cited	Tag	Description
1.	147	F880	Infection Control
2.	27	F886	COVID-Testing – Residents & Staff
3.	25	F684	Quality of Care
4.	16	F885	Reporting – Residents, Representatives & Families
5.	12	F609	Reporting of Alleged Violations

**Top 5 cited deficiencies for L tags**

	Times Cited	Tag	Description
1.	198	L810	Infection Control
2.	41	L816	Basic Nursing and Personal Care
3.	16	L242	Resident Rights
4.	13	L812	Infection Control
5.	10	L811	Infection Control

**Complaints 03/01/20 – 02/28/2021**

Complaint Priority	Number of Allegations	Number of Facilities
Immediate Jeopardy (IJ)	15	13
Non-IJ-High	123	87
Non-IJ-Medium	610	226
Non-IJ-Low	99	64

**CMP Imposition**

Date Range	Amount
04/01/20 – 06/30/20	\$0
07/01/20 – 09/30/20	\$212,455.00
10/01/20 – 12/31/20	\$229,535.00
01/01/21 – 03/31/21	
<b>Total</b>	<b>\$441,990.00</b>

Nurse Aide Registry Report  
Long Term Care Facility Advisory Board Meeting for April 14, 2021



AGENDA ITEM # 6 Vicki Kirtley

**CURRENT CERTIFICATIONS**

TYPES OF CERTIFICATIONS	FY2020	FY21 Qtr-1	FY21 Qtr-2
Adult Day Care (ADC)	31	30	31
Long Term Care (LTC)	36,129	35,677	35,576
Certified Medication Aide (CMA)	5,136	5,232	5,142
Advanced CMA Gastrology (CMA/G)	2,703	2,734	2,728
Advanced CMA Glucose Monitoring (CMA/GM)	1,208	1,240	1,237
Advanced CMA Insulin Administration (CMA/IA)	835	870	865
Advanced CMA Respiratory (CMA/R)	2,749	2,788	2,772
Feeding Assistant (FA)	307	284	259
Home Health Aide (HHA)	11,642	11,329	11,158
Developmentally Disabled Direct Care Aides (DDDCA)	1,135	1,051	1,036
Residential Care Aide (RCA)	31	31	31
<b>TOTALS</b>	<b>61,906</b>	<b>61,266</b>	<b>60,835</b>

NEW CERTIFICATIONS	FY2020	FY21 Qtr-1	FY21 Qtr-2
<b>INBOUND RECIPROCIITY CERTIFICATIONS</b>			
LTC	1,521	500	612
HHA	33	5	0
<b>NEW CERTIFICATIONS FROM TRAINING</b>			
	FY2020	FY21 Qtr-1	FY21 Qtr-2
LTC	4,320	954	1,012
HHA	2,021	477	496
DDDCA	218	16	57
RCA	0	0	0
ADCA	0	0	0
CMA	866	100	249
FA	72	2	6
<b>TOTALS</b>	<b>7,497</b>	<b>1,549</b>	<b>1,820</b>
<b>NEW ADVANCED CMA</b>			
	FY2020	FY21 Qtr-1	FY21 Qtr-2
CMA-R	589	44	76
CMA-G	554	24	75
CMA-GM	289	14	40
CMA-IA	198	9	23
<b>TOTALS</b>	<b>1,630</b>	<b>71</b>	<b>214</b>
<b>RETEST</b>			
	FY2020	FY21 Qtr-1	FY21 Qtr-2
Retest - CMA	57	14	7
Retest - HHA	32	15	0

Nurse Aide Registry Report  
Long Term Care Facility Advisory Board Meeting for April 14, 2021

RETEST	FY2020	FY21 Qtr-1	FY21 Qtr-2
Retest - LTC	151	47	9
Retest - DDCA	1	0	0
<b>TOTALS</b>	<b>241</b>	<b>76</b>	<b>16</b>

OUTBOUND RECIPROCITY	FY2020	FY21 Qtr-1	FY21 Qtr-2
Reciprocity - LTC	450	88	79

COMPLETED RENEWAL APPLICATIONS	FY2020	FY21 Qtr-1	FY21 Qtr-2
	19,354	4,959	4,620

**TRAINING PROGRAMS**

APPROVED TRAINING PROGRAMS	FY2020	FY21 Qtr-1	FY21 Qtr-2
LTCA	147	149	150
HHA	0	0	0
DDDCA	11	11	11
RCA	0	0	0
ADC	0	0	0
CMA	46	47	47
CMA/Continuing Education Units(CEUs)	38	38	39
CMA/IA	26	27	27
CMA/GM	4	4	4
CMA/R	2	2	2
CMA/RG	29	31	31
CMA/G	1	1	1
<b>TOTALS</b>	<b>304</b>	<b>310</b>	<b>312</b>

ONSITE SURVEYS PERFORMED	FY2020	FY21 Qtr-1	FY21 Qtr-2
LTCA	82	0	0
HHA	0	0	0
DDDCA	9	0	0
RCA	0	0	0
ADCA	0	0	0
CMA	19	0	0
CMA / CEU	15	0	0
CMA/IA	8	0	0
CMA/GM	1	0	0
CMA/R	3	0	0
CMA/RG	9	0	0
<b>TOTALS</b>	<b>146</b>	<b>0</b>	<b>0</b>

<b>CURRENT TEMPORARY EMERGENCY WAIVERS</b>	<b>0</b>
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Now presumptively approved with waiver.

Exception Applications for The Emergency Waiver Training			
	1,967	received	
	1,198	processed	
	766	pending	

**Health Facility Systems  
Report  
Prepared for**

**Wednesday, April 14, 2021  
Española Bowen, MCJA, M.Ed.  
Administrative Program Manager**

**For questions regarding LTC Licensure:  
call (405) 426-8175**

**Health Facility Systems**

Health Facility Systems continues to renewal LTC licensure applications.

From July 1, 2020 through March 31, 2021. We have processed over (56) Standard CNs and (3) Psychiatric CNs. For the Past (5) years we have averaged around 60 CNs a year.

We currently have (2) pending CNs in the pipeline. (1) Standard (1) Psychiatric.

There are a couple of things, I would like to request of the facilities, which would make the application process go smoother:

- 1.) To make sure the application and the payment together, also make sure the facility Name and Facility Number are on the check and application.
- 2.) We cannot stress enough that all facilities submit a notice of change when have has been a change in the following: Administrator, DON, Fax, Email, Phone and physical address.
- 3.) The administrator **cannot** sign the application, unless you have sent in an authorization/ documentation show she can sign the application.

## Oklahoma National Background Check program (OK-SCREEN) Data comparison for the last six (6) years.

	SFY15	SFY16	SFY17	SFY18	SFY19	SFY20
<b>Eligible Background Checks Completed</b>	36,241	33,060	23,345	30,302	26,453	25,367
<b>Ineligible Background Checks Completed</b>	303	439	319	300	420	388
<b>Connected Applications*</b>	28,799	30,328	36,236	40,618	42,096	42,885
<b>Appeals Completed</b>	44	92	136	149	163	162
<b>Appeals Granted</b>	24	62	86	73	79	100
<b>Appeals Denied</b>	21	30	50	55	84	64
<b>Appeals Withdrawn</b>	1	14	21	21	28	21
<b>Applicants with In State Charges</b>	3,668	3,788	3,812	3,485	3,353	2,909
<b>Applicants with Out of State Charges</b>	1,634	1,814	2,313	2,079	1,955	1,825
<b>Rap Backs** Rap Backs Disqualifying Applicant</b>	1,190 5	3,013 16	521 42	433 42	608 86	524 58

**Barry Edwards | Program Manager**  
 Protective Health | ONBC Program (OK-Screen)  
 Oklahoma State Department of Health  
 p. 405-426-8145 | f. 405-900-3611  
[onbc.health.ok.gov](http://onbc.health.ok.gov) | [okscreen@health.ok.gov](mailto:okscreen@health.ok.gov)