

The Home Care and Hospice Advisory Council  
Special Meeting  
Tuesday, July 29, 2014 at 2:00 p.m.

Meeting Location: OSDH, 1000 NE 10<sup>th</sup> Street, Room 1102, Oklahoma City, OK 73117-1299

MEETING MINUTES  
*Approved 10/29/2014 with corrections*

The Home Care and Hospice Advisory Council special meeting notice was posted on the OSDH website located at <http://mfs.health.ok.gov> as well as the Secretary of State's website located at [www.sos.state.ok.us](http://www.sos.state.ok.us) on Monday, July 08, 2014. The agenda for this Special Meeting was posted on the OSDH (Oklahoma State Department of Health) website and the building's front entrance on Monday, July 22, 2014.

**1. Call to Order**

Lee Martin called the meeting to order at approximately 2:07 p.m.

**2. Introductions**

Lee Martin welcomed everyone to the first meeting of The Home Care and Hospice Advisory Council. The members were appointed as follows in accordance with House Bill 1467, which became effective November 1, 2013.

Ms. Karmaria Kuehn and Ms. Tamra Moore were both appointed by Governor Mary Fallin. Mr. Greg McCortney and Ms. Rayetta Dominguez were appointed by the President Pro Tempore of the Senate, Mr. Brian Bingman. Mr. David Gibson and Ms. Michelle Fox were appointed by the Speaker of the House of Representatives-Mr. T. W. Shannon. Ms. Lavane Vowell was appointed by the Oklahoma State Board of Health.

**3. Roll Call**

Devyn Tillman called roll. The following members were present: Lavane Vowell; David Gibson; Michelle Fox; Karmaria Kuehn; Tamra Moore; Rayetta Dominguez and Greg McCortney.

**Identified OSDH staff members present were:** LaTrina Frazier-Home Services Division; Devyn Tillman-Medical Facilities Service; Lee D. Martin, Jr., MSM-Services Director of Medical Facilities Service; James Joslin-Services Director of Health Resources Development Service; Vicki Kirtley-Nurse Aide Registry; John Judge, Jr.-Home Care Administrator Registry; Walter Jacques-Oklahoma National Background Check Program; Lynnette Jordan- Occupational Licensing Division.

**Identified guests present were:** Karen Brown-Accentra Home Health; Vicki Russell Myers-Russell-Murray Hospice; Crystal Mappes-Oklahoma Association of Health Care Providers; Dennis Teal-Integrus Health Care; Doug Miller-OK Association for Home Care & Hospice; Annette Mays-OK Association for Home Care & Hospice.

**4. Membership Update**

Mr. Martin reported that this Council's membership is complete. The two appointees from the Governor's represent one council member representing a licensed Hospice and one member representing a licensed home health agency. The two appointees from the President Pro Tempore of the Senate represent one owner or administrator of a licensed Hospice and one owner or administrator of a licensed Home Health Agency. The two appointees from the Speaker of the House of Representatives represent one member representing the public who is or was a legal guardian of a recipient of hospice services and one member representing the public who is or was a legal guardian of services from a home health agency. The State Board of Health appoints one member representing an association which advocates on behalf of home care or hospice issues.

**5. Election of a Chair**

*Lavanne Vowell made a motion to nominate Greg McCortney as Chair. Rayetta Dominguez seconded. The motion carried.*

<i>Aye: 6</i>	<i>Abstain: 1</i>	<i>Nay: 0</i>	<i>Absent: 0</i>
<i>Lavane Vowell</i>	<i>Aye</i>	<i>Tamra Moore</i>	<i>Aye</i>

David Gibson	Aye	Rayetta Dominguez	Aye
Michelle Fox	Aye	Greg McCortney	Abstain
Karmaria Kuehn	Aye		

**6. Election of a Vice-Chair**

Rayetta Dominguez made a motion to nominate Tamra Moore as the Council Vice-Chair. Michelle Fox seconded. The motion carried.

Aye: 6	Abstain: 1	Nay: 0	Absent: 0
Lavane Vowell	Aye	Tamra Moore	Abstain
David Gibson	Aye	Rayetta Dominguez	Aye
Michelle Fox	Aye	Greg McCortney	Aye
Karmaria Kuehn	Aye		

**7. Election of a Secretary**

Michelle Fox made a motion to nominate Lavane Vowell as the Council Secretary. Rayetta Dominguez seconded. The motion carried.

Aye: 6	Abstain: 1	Nay: 0	Absent:
Lavane Vowell	Abstain	Tamra Moore	Aye
David Gibson	Aye	Rayetta Dominguez	Aye
Michelle Fox	Aye	Greg McCortney	Aye
Karmaria Kuehn	Aye		

**8. Reports – Health Department Programs:**

- **Home Services Division** –Lee Martin, Services Director presented the Council with current survey and certification statistics for Home Health and Hospice Divisions. For a copy of this report, *please see attachment A.*
- **Nurse Aide Registry and Certification** – Vicki Kirtley, Administrative Program Manager of the Nurse Aide Registry presented the Council with current Home Health Aide statistics. For a copy of this report, *please see attachment B.*
- **Home Care Agency Administrator Certification** – John Judge, Administrative Program Manager *Please see attachment C.*

**9. Discussion related to current requirement for listing Medical Director on the Home Health Application (ODH-757, rev. 05-2013).**

Dennis Teal spoke regarding the current requirement of whether or not to continue requesting this information on the home health application form. There was a brief discussion on the pros and cons of requesting this information. There is currently no rule or statutory requirement to collect this information. The state agency does not have the technical ability to track this information. The information is available in the file for the public to view should it be requested.

**10. Discussion and approval of final special meeting date for CY 2014.**

The next special meeting date will be determined by email poll conducted by Devyn Tillman in the following week.

**11. Public Comment**

James Joslin, Services Director for Health Resources Development Service spoke briefly to the group about the agency's National Background Check Program.

Annette Mays, Executive Director of the Oklahoma Association for Home Care and Hospice, spoke briefly about the possibility of developing a certification process for Hospice Administrators. She would like to see the Hospice Care Act amended to include this requirement for hospice administrators.

**12. Adjourn**

Medical Facilities Service

July 29, 2014

- New Administrative Programs Manager for Home Health/Hospice/ESRD:
    - LaTrina Frazier MHA, RN-CPC
    - Administrative Programs Manager
    - Home Services Division
    - Protective Health Services
    - Oklahoma State Department of Health
    - 1000 NE 10<sup>th</sup> Street
    - Oklahoma City, OK 73117
    - [latrinaf@health.ok.gov](mailto:latrinaf@health.ok.gov)
    - [405/271-6576](tel:4052716576)
  - Hospice Alternate Administrative Office (AAO) Fees.
    - 310:661-2-1(f)
    - 310:661-2-4(b)
  - We have begun emailing renewal packets. Please notify of email updates.
    - Please make sure your licensed entity is registered and in good standing with the Oklahoma Secretary of State each year before renewal time.
    - Please be sure to mail license renewal packet with filing fee to the PO Box listed on the updated renewal application forms.
    - You may also download the renewal application forms and regulations from the Department's website at [www.health.ok.gov](http://www.health.ok.gov)
  - Top 10 deficiencies for FFY 2014 (Home Health and Hospice)
  - 5 year Workload Report (Home Health and Hospice)
- \*NEW \* Home Health Civil Money Penalty Sanctions effective July 1, 2014
- S&C Letter 14-14 (from CMS)
  - Any recertification or complaint survey finding condition level deficiencies on or after July 1<sup>st</sup>
  - listing of available sanctions in SOM Chapter 10
- Enforcement letter for condition level deficiencies will look slightly different:
    - Notice of Sanctions being recommended to CMS by the State Agency
    - Notice of right to hearing
    - Notice of right to IDR (Informal Dispute Resolution)

## Hospice Alternate Administrative Office Fees

### **310:661-2-1. Licensure**

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#### **(f) Eligibility for license.**

(1) A hospice making appropriate application that has been determined to be compliant with this Chapter and the Act is eligible for a license.

(2) A hospice may operate alternate administrative offices under one (1) license as long as the following requirements are met:

(A) The offices shall be located within a geographical area with a radius of no more than fifty (50) miles from the main hospice.

(B) The mileage limit used for approval of each administrative office shall be the mileage between town centers of the parent location town and the proposed administrative office location town as reported by the Oklahoma Department of Transportation as approximately the shortest route between town centers utilizing both State Highways System (free) and State Turnpike System (toll) roads.

(C) The offices shall be operated under the same administration and governing body as an extension site for services of the main hospice. These offices shall operate under the same name(s) as the licensee.

(D) An application for license, or renewal thereof, to establish or operate each hospice alternate administrative office of an agency licensed in the State of Oklahoma shall be accompanied by a nonrefundable licensing fee of five hundred dollars (\$500.00) and application at least thirty (30) days before beginning operations.

### **310:661-2-4. Transfer of ownership of a licensed hospice**

(a) The license of a hospice shall not be subject to sale, assignment, or other transfer, voluntary or involuntary.

(b) If an entity is considering acquisition of a licensed hospice, an application for first-year license with an initial application fee of five hundred dollars (\$500.00) and a first-year license fee of one thousand five hundred dollars (\$1500.00) and five hundred dollars (\$500.00) for each alternate administrative office operated by the agency shall be submitted to the Department at least thirty (30) days prior to the effective date of the change. A copy of the executed sales agreement shall be provided to the Department.

(c) The following actions shall not be considered a transfer of ownership or change in control requiring this subsection to apply:

(1) Change of a corporate or limited liability company licensee's name through amendments of the articles of incorporation or membership agreement.

(2) Sale of stock of a corporation.

(3) Sale or merger of a corporation that owns the hospice operating entity.

(4) Sale of membership interest of a limited liability company.

## License Renewal Packets Tips to Expedite the Licensure Process

Alphabet designations (for Home Health and Hospice):

Facility DBA names:

**A through H** – Rod Taft                      [rodriickt@health.ok.gov](mailto:rodriickt@health.ok.gov)                      405/271-6576

**I through Z** – Courtney Finney              [courtneyf@health.ok.gov](mailto:courtneyf@health.ok.gov)                      405/271-6576

1. Provide a copy of your entity and dba (doing business as name/trade name), with the application, showing the entity and trade name are registered and active with Oklahoma Secretary of State:

Email: [www.sos.ok.gov](http://www.sos.ok.gov) Phone: 405/522-2520

Oklahoma Statutes Title §18-2004 – Limited Liability Company  
Oklahoma Statutes Title §18-1130 through 1139 – Foreign Business Entities  
Oklahoma Statutes Title §18-1140 – Trade Name Registration

2. You must notify the Department of all demographic information changes on the application form:
  - a. Name (dba) changes
  - b. Address changes (30 days prior notice required)
  - c. Administrator changes
  - d. Phone numbers/email addresses

3. Mail your completed renewal packet and filing fee (together) to:

Financial Management-Receipting Unit/OSDH  
PO Box 268823  
Oklahoma City, OK 73126-8816

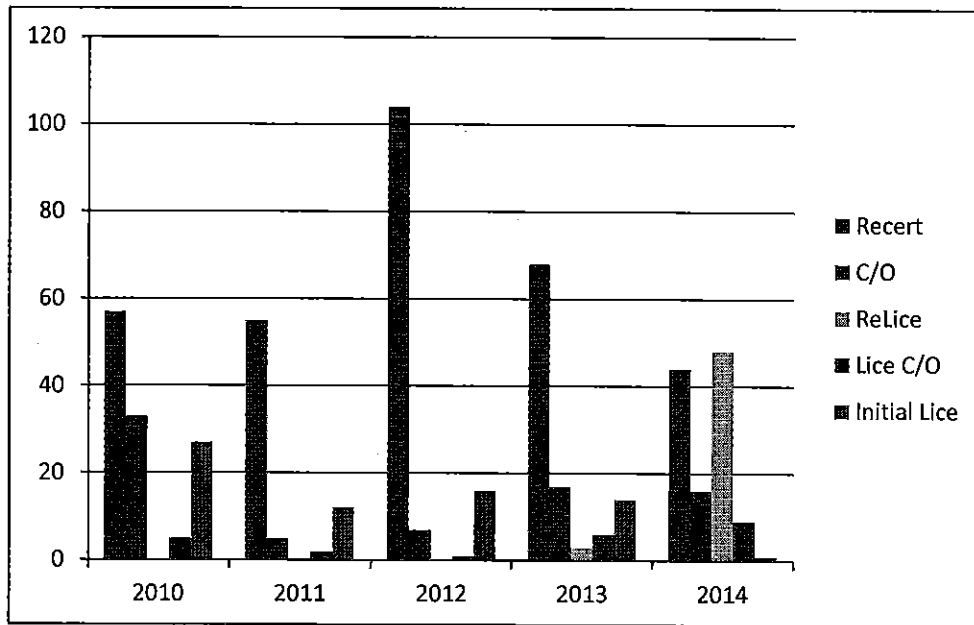
4. You may download the renewal application forms from the Department website:

[http://www.ok.gov/health/Protective\\_Health/Medical\\_Facilities\\_Service/Home\\_Services\\_Division/index.html](http://www.ok.gov/health/Protective_Health/Medical_Facilities_Service/Home_Services_Division/index.html)

5. Complete the forms in its entirety and provide a response to all questions/fields on the application.

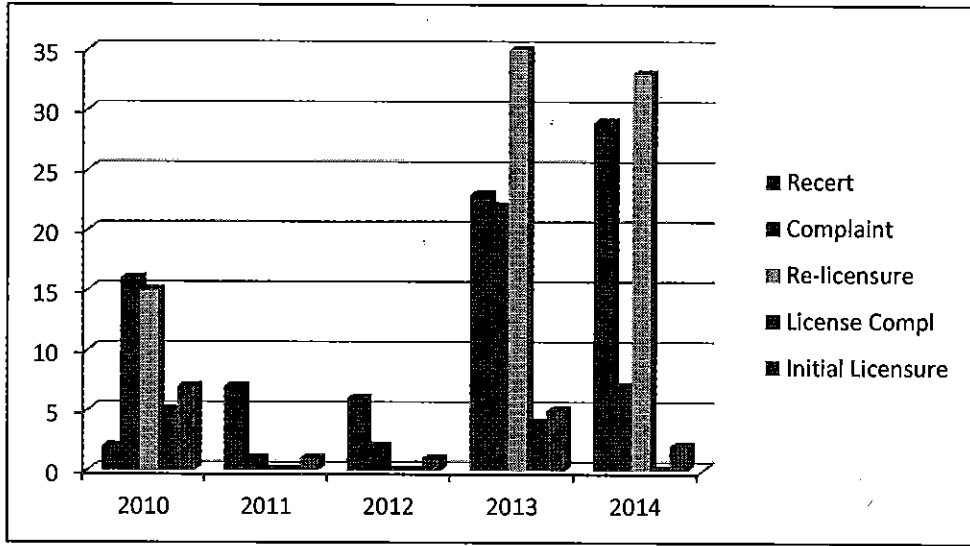
6. Signature of the Owner or Officer is required on the application.

## 5 Year Overview of Survey Workload Home Health



	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Recertification	57	55	104	68	44
Complaint	33	5	7	17	16
ReLicensure				3	48
License Compl	5	2	1	6	9
Initial Licensure	27	12	16	14	1

5 Year Overview of Survey Workload  
Hospice



	2010	2011	2012	2013	2014
Recert	2	7	6	23	29
Complaint	16	1	2	22	7
Re-licensure	15	0	0	35	33
License Compl	5	0	0	4	0
Initial Licensure	7	1	1	5	2



Protective  
Health Services

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Oklahoma State  
Department of Health

# **Home Care Administrator Registry Statistics**

**Prepared for**

**Home Care and Hospice Advisory Council  
Tuesday, June 29, 2014**

**John W. Judge, Jr.  
Administrative Program Manager**

**For questions regarding:  
Home Care Administrator Registry, call (405) 271-6868 Ext. 57273**



## Home Care Administrator Registry Statistics

### Active Certifications on the Home Care Administrator Registry As of July 29, 2014

Active Provisional Certifications (6 months)	Active Initial Certifications (1 <sup>st</sup> year)	Active Renewed Certifications	Total Active Certifications
20	48	304	799

### Calendar Year 2014

Month	Provisional Certifications	Initial Cert. Deeming	Initial Cert. Preparedness Program	Tested for the OHCAPA	Passed	Failed	Renewals Issued
January	4	2	2	8	8	0	1
February	1	5	4	6	5	1	1
March	3	1	2	10	10	0	0
April	0	10	1	11	11	0	3
May	0	0	3	14	14	0	19
June	4	2	4	13	13	0	108
July	5	5	6	8	8		262
August							
September							
October							
November							
December							
<b>Total</b>	<b>17</b>	<b>25</b>	<b>22</b>	<b>70</b>	<b>69</b>	<b>1</b>	<b>304</b>

## Home Care Administrator Registry Statistics

### Active Certifications on the Home Care Administrator Registry As of December 31, 2013

Active Provisional Certifications (6 months)	Active Initial Certifications (1 <sup>st</sup> year)	Active Renewed Certifications	Total Active Certifications
18	16	800	834

**Calendar Year 2013**

<b>Month</b>	<b>Provisional Certifications</b>	<b>Initial Cert. Deeming</b>	<b>Initial Cert. Preparedness Program</b>	<b>Tested for the OHCAPA</b>	<b>Passed</b>	<b>Failed</b>	<b>Renewals Issued</b>
January	7	4	3	11	11	0	4
February	1	2	3	11	11	0	9
March	3	4	1	6	6	0	2
April	2	6	3	11	11	0	27
May	2	4	3	12	12	0	16
June	2	7	1	6	6	0	69
July	1	4	2	6	6	0	345
August	2	10	4	9	9	0	129
September	4	4	1	3	3	0	53
October	1	3	0	6	6	0	5
November	2	2	2	1	1	0	4
December	2	2	2	8	8	0	1
<b>Total</b>	<b>29</b>	<b>52</b>	<b>25</b>	<b>90</b>	<b>90</b>	<b>0</b>	<b>664</b>

**Active Certifications on the Home Care Administrator Registry**  
**As of December 31, 2012**

<b>Active Provisional Certifications (6 months)</b>	<b>Active Initial Certifications (1<sup>st</sup> year)</b>	<b>Active Renewed Certifications</b>	<b>Total Active Certifications</b>
14	68	694	776

**Calendar Year 2012**

<b>Month</b>	<b>Provisional Certifications</b>	<b>Initial Cert. Deeming</b>	<b>Initial Cert. Preparedness Program</b>	<b>Tested for the OHCAPA</b>	<b>Passed</b>	<b>Failed</b>	<b>Renewals Issued</b>
January	1	1	3	0	0	0	1
February	2	1	6	6	6	0	1
March	4	4	6	7	7	0	1
April	4	0	0	6	6	0	33
May	3	0	2	11	11	0	16
June	1	3	3	7	7	0	68
July	5	2	8	14	14	0	376
August	1	5	1	11	11	0	163
September	8	6	1	1	1	0	24
October	4	4	1	4	4	0	9
November	7	2	2	7	7	0	2
December	0	3	4	16	16	0	0
<b>Totals</b>	<b>40</b>	<b>31</b>	<b>37</b>	<b>69</b>	<b>69</b>	<b>0</b>	<b>694</b>



Nurse Aide Registry

Oklahoma State  
Department of Health

## **Nurse Aide Registry Statistics**

Prepared for

**Home Care & Hospice Advisory Council**

**Tuesday, July 29, 2014**

**Vicki Kirtley, Director  
Nurse Aide Registry**

**For questions regarding:  
Nurse Aide Registry, call (405) 271-4085**



## Home Care and Hospice Advisory Council

**July 29, 2014**

Types of Certifications	Certifications that are not Expired	Certifications Eligible for Renewal	Total Certifications
Home Health	14,943	37,206	52,150
Long Term Care	40,022	81,428	121,454

### **310:677-9-2(b) Deemed to meet state certification requirements**

(b) An individual who is listed in the nurse aide registry as a long term care aide may be employed by a home care agency upon successful completion of a Department approved home care skills examination and at least sixteen (16) hours of orientation specific to the employer's population. The individual will be placed on the registry as being certified as a Home Health Aide after successfully passing the examination.

### **Initial Home Health Nurse Aide Certifications Added for FY2014**

Added For FY2014	Home Health Aide By Reciprocity	Deemed to Home Health	Total Certifications & Registrations
<b>Totals</b>	<b>1</b>	<b>2800</b>	<b>2801</b>

### **Substantiated Abuse by Home Health Aides – FY2014**

Added Per Quarter	Physical	Sexual	Verbal	Mistreatment	Neglect	Misappropriation of Property	Total
1 <sup>st</sup>	0	0	0	0	0	0	0
2 <sup>nd</sup>	0	0	0	0	0	0	0
3 <sup>rd</sup>	0	0	0	0	0	0	0
4 <sup>th</sup>	0	0	0	0	0	0	0

### **Pending Abuse by Home Health – FY2014**

Added Per Quarter	Physical	Sexual	Verbal	Mistreatment	Neglect	Misappropriation of Property	Total
1 <sup>st</sup>	0	0	0	0	0	1	0
2 <sup>nd</sup>	0	0	0	0	0	0	0
3 <sup>rd</sup>	0	0	0	0	0	2	2
4 <sup>th</sup>	0	0	0	0	1	1	2