Board of Long-Term Care Administrators

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 200
Henrico, Virginia 23233-1463
Board Room #4

September 22, 2015
10:00 a.m.

AGENDA

CALL TO ORDER

ORDERING OF AGENDA

PUBLIC COMMENT PERIOD

ACCEPTANCE OF MINUTES – Tab 1

- Minutes of Board Meeting – December 16, 2014
- (2) Formal Hearings – April 16, 2015

INFORMAL CONFERENCES HELD

- (1) December 16, 2014
- (2) January 30, 2015
- (2) May 11, 2015
- (1) June 9, 2015

AGENCY DIRECTOR'S REPORT – Dr. David Brown, DC

EXECUTIVE DIRECTOR'S REPORT – Lisa R. Hahn - Tab 2

PRESENTATION – Randy Lindner, President & CEO of NAB

- Health Services Executive (HSE) – a New Vision for LTC Leadership.

NEW BUSINESS

- Legislative & Regulatory Reports – **Elaine Yeatts – Tab 3**
- Election of Officers

ADJOURNMENT

Tab 1

UNAPPROVED MINUTES
VIRGINIA BOARD OF LONG TERM CARE ADMINISTRATORS
MEETING MINUTES

The Virginia Board of Long Term Care Administrators convened for a board meeting on Tuesday, December 16, 2014 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #4, Henrico, Virginia.

The following members were present:

Tom Orsini, NHA, Chair
Karen Stanfield, NHA, Vice-Chair
John Randolph Scott, NHA, ALFA
Marj Pantone, ALFA
Amanda Gannon, NHA
Warren Koontz, MD, Citizen Member

The following member was absent for the meeting:

Doug Nevitt, ALFA
Derrick Kendall, NHA
Shervonne Banks, Citizen Member

DHP staff present for all or part of the meeting included:

Lisa R. Hahn, Executive Director
David Brown, DC, Agency Director
Elaine Yeatts, Senior Policy Analyst
Lynne Helmick, Deputy Executive Director
Missy Currier, Deputy Executive Director

Quorum:

With 6 members present a quorum was established.

Guests Present:

Judy Hackler, VALA
Dana Parsons, VANHA

CALLED TO ORDER

Mr. Orsini called the Board meeting to order at 10:20 a.m.

PUBLIC COMMENT PERIOD

No regulatory comments could be accepted regarding the Petition for Rulemaking because the comment period had closed.

No other comments were received

ACCEPTANCE OF MINUTES

Upon a motion by Randy Scott and properly seconded by Karen Stanfield, the board voted to accept the following minutes:

- Minutes of Board Meeting – June 24, 2014
- Formal Administrative Hearing – June 24, 2014
- Telephonic Conference – July 18, 2014
- Formal Administrative Hearing – September 9, 2014
- Formal Administrative Hearing – September 9, 2014

The motion passed unanimously.

Mr. Orsini reported that the following informal conferences were held since the board last met and that the minutes were posted on the LTC website and Regulatory Townhall:

- (2) June 25, 2014
- (4) September 10, 2014
- (1) October 15, 2014

AGENCY DIRECTOR'S REPORT – Dr. David Brown, D.C.

Dr. Brown shared that DHP had outsourced their Human Resource Department to the Department of Human Resource Management (DHRM) in an effort to streamline HR functions while realizing a significant cost savings to the Agency.

Dr. Brown mentioned that DHP would be presenting a Bill during the 2015 GA Session to allow the Board of Nursing to conduct background checks on LPN's and RN's. He stated that if the Bill passes, the Agency would use the experience in evaluating the requirement for other Health Regulatory Boards.

Dr. Brown spoke about the Governor's Task Force addressing the serious epidemic of overdose deaths in Virginia caused by prescriptions drugs and Heroin. He stated that several work groups had been formed and they were meeting later that day to discuss preliminary recommendations to bring to the 2015 General Assembly.

Ms. Hahn confirmed that the minutes of the Task Force meetings would be posted on DHP's website.

EXECUTIVE DIRECTOR'S REPORT – Lisa R. Hahn

Ms. Hahn reported on the following:

Budget

- Cash Balance as of June 30, 2014 $(368,103)
- YTD FY15 Revenue $20,346
- Less direct and In-Direct Expenditures $123,039
- Cash Balance as of Sept. 30, 2014 $(470,797)

Ms. Hahn explained the the financial reports were running behind because of newly installed software in the Accounting Department. Revenue would increase during March 2015 renewals which will include the new fees and the shortfall assessment.

Fee Increase

- Became effective on October 22, 2014
- Process has gone smooth with no complaints received to date by board staff
- Everyone was notified by email or mail of the increase
- Expect during the March renewals when the shortfall fee is assessed that we may get a few unhappy phone calls.
- As you know the assessment was as alternative measure to having a larger and more permanent fee increase.

Licensee Statistics

ALF

- 646 ALF Administrators
- 107 AIT's (average around 80 – increase may be an indication that people are finding Preceptors)
- 6 "Acting" AIT
- 198 Preceptors

NHA

- 883 Nursing Home Administrators
- 82 Nursing Home AIT's (increase from 67 in June 2014)
- 244 NHA Preceptors

Discipline Statistics

- **38 open cases:**
  - 20 cases in Investigations
  - 10 in Probable Cause
  - 0 in APD
  - 7 at Informal Stage
  - 1 at Formal Stage (Respondent just signed a Consent Order)

19 LTC Compliance Cases being monitored

Historical Case Data

- **FY 2012**
  - 63 cases received
  - 57 cases closed
  - 9 (16%) of closed cases went to IFC
- **FY 2013**
  - 45 cases received
  - 56 cases closed
  - 6 (11%) of closed cases went to IFC
- **FY 2014**
  - 47 cases received
  - 38 cases closed
  - 5 (13%) of closed cases went to IFC
- **1st quarter FY15**
  - 25 cases received
  - 17 cases closed

Informal Conferences Held Calendar Year 2014

- By the end of the year we will have had 9 Informal Conferences:
  - 6- ALFA Hearings
  - 3- NHA Hearings
  - 1 case was closed with no violation at IFC
  - 6- Orders with Terms were issued
  - 2 will be heard today

Formal Hearings Held Calendar Year 2014

- 1 NHA summary suspension
- 4 Formal hearings
  - 2 ALFA formal hearings
    - 1 revoked right to renew license
    - 1 license suspended
  - 1 NHA Formal hearing – license revoked
  - 1 ALFA Formal hearing pending

Breakdown of Cases Received Calendar Year 2014

- 27 ALFA
- 26 NHA

Virginia Performs (Patient Care Cases) – First Quarter 2015

- Clearance Rate – 60%
- Age of Pending caseload older than 250 days – 4%
- % of Cases closed within 250 days – 67%
- Customer Satisfaction-98.5% FY14

  - Q1 2015 Caseloads: received=10, closed=6
    Pending over 250=1
    Closed within 250=4

Board Business

- We plan to request again during renewals for volunteers willing to add their name to the Preceptor List in an effort to obtain additional names. We are going to start 2015 with a fresh list since it appears that some of the contact information initially provided to us was outdated.

- Share Point – board portal; Pilot program has been discontinued as the process was not an effective and efficient way of sharing electronic information with board members. IT will continue to look for alternative solutions.

- Missy Currier and Lynne Helmick attended the December 10th ALF Stakeholders meeting. Both VALA and VANHA requested that the board request that SHEV notify colleges about the licensure process for someone enrolled in Healthcare Administration Program. Many students are under the impression that once they graduate, they can be licensed and are ready to be an Administrator.

Board Presentations

- 7/31/2014 - VCAL Symposium – Missy Currier
- 10/17/2014 – vaLTC Fall Conference – Missy Currier

Board Communications

- If you have a change of address, email address, cell phone number, please remember to contact us so that we have the most current information.

2015 Board Meeting Schedule

- Please reserve the following dates for the entire day: These dates are also used for our Formal Hearings. It is imperative that you commit to these dates.
  - March 10th
  - June 16th
  - September 22nd
  - December 15th

PRESENTATION - WORKFORCE STUDY SURVEY RESULTS –Justin Crowe

Justin Crowe, Deputy Executive Director for the Virginia Healthcare Workforce Data Center shared the draft version of the August 2014 Nursing Home Administrator and Assisted Living Facility Administrator Workforce Study Results. Mr. Crowe was pleased to share that they received over 1000 responses which compromised 78% of the Licensees. Other key points shared were the average retirement age and the average income levels for each profession. Mr. Crowe asked that the board review the drafts and let him know if they had any questions or suggestions before they publish the report in January 2015.

Ms. Hahn as well as the board members thanked Mr. Crowe for the useful information.

A motion was then made by Karen Stanfield and properly seconded by Randy Scott to accept the 2014 Work Force Data Reports. The motion passed unanimously.

NEW BUSINESS

Report of Regulatory Actions – Elaine Yeatts

Ms. Yeatts stated that the regulations for a fee increase became final on October 22, 2014 and then shared the following:

Chapter	Action / Stage Information	
Regulations Governing the Practice of Nursing Home Administrators [18 VAC 95 - 20]	Action:	Report from NPDB for applicants
	Stage:	Fast-Track - *At Governor's Office for 90 days*
Regulations Governing the Practice of Assisted Living Facility Administrators [18 VAC 95 - 30]	Action:	Oversight of acting administrators in an AIT program
	Stage:	Final - *At Governor's Office for 90 days*
Regulations Governing the Practice of Assisted Living Facility Administrators [18 VAC 95 - 30]	Action:	Regulatory reform changes Fast-Track Became Final 11/20/14
	Stage:	Fast-Track - *Register Date: 10/6/14*

Petition for Rule-making

After much discussion, a motion was made by Karen Stanfield and properly seconded by Randy Scott to deny the petition for rulemaking and to retain the current requirements. The board agreed there was value in keeping the face to face contact with other administrators, to be able to share knowledge and experiences.

The motion passed by a unanimous vote with Dr. Warren Koontz voting nay.

ADJOURNMENT

Mr. Orsini adjourned the meeting at 11:20 a.m.

Thomas J. Orsini, NHA, Chair

Lisa R. Hahn, Executive Director

Date

Date

UNAPPROVED

VIRGINIA BOARD OF LONG-TERM CARE ADMINISTRATORS
FORMAL ADMINISTRATIVE HEARING

April 16, 2015	Department of Health Professions 9960 Mayland Drive, Suite #300	Henrico, Virginia

CALL TO ORDER:	A panel of the Board was called to order at 9:38 a.m.
MEMBERS PRESENT:	Tom Orsini, NHA, Chair Marj Pantone, ALFA Doug Nevitt, ALFA Derrick Kendall, NHA Shervonne Banks, Citizen Member Dr. Warren Koontz, Citizen Member
MEMBERS ABSENT:	Amanda Gannon, NHA
BOARD COUNSEL:	Erin Barrett, Assistant Attorney General
STAFF PRESENT:	Lisa R. Hahn, MPA, Executive Director Missy Currier, Deputy Executive Director
COURT REPORTER:	Crane Snead & Associates
PARTIES ON BEHALF OF COMMONWEALTH:	David Kazzie, Adjudication Specialist
MATTER SCHEDULED:	**John Andrew Byrd, NHA, ALFA** **License No.: 1701-001710** **1703-001009** **1706-000030** **1707-000012** **Case No.: 144003**
ESTABLISHMENT OF A QUORUM:	With six (6) members of the Board present, a quorum was established.
CLOSED SESSION:	Upon a motion by Derrick Kendall, and duly seconded by Dr. Warren Koontz, the Board voted to convene a closed meeting at 1:32 p.m., pursuant to §2.2-3711.A(7) of the Code of Virginia, for the purpose of consultation with the

provision of legal advice by Board Counsel in the matter of John Andrew Byrd. Additionally, he moved that Ms. Hahn, Ms. Barrett, and Ms. Currier attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE: Upon a motion by Derrick Kendall, and duly seconded by Doug Nevitt, the Board voted to re-convene at 11:40 a.m.

CERTIFICATION: Mr. Kendall certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, with the Board certifying unanimously.

DECISION: Upon a motion by Mr. Kendall, and duly seconded by Dr. Koontz, the Board accepted the proposed settlement agreement which SUSPENDS Mr. Byrd's licenses for a period for no less than two (2) years with certain terms and conditions.

VOTE: The vote was unanimous.

ADJOURNMENT: The Board adjourned at 11:45 a.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.

Thomas Orsini, NHA, Chair	Lisa R. Hahn, MPA, Executive Director
Date	Date

UNAPPROVED

VIRGINIA BOARD OF LONG-TERM CARE ADMINISTRATORS
FORMAL ADMINISTRATIVE HEARING

April 16, 2015	Department of Health Professions 9960 Mayland Drive, Suite #300	Henrico, Virginia

CALL TO ORDER:	A panel of the Board was called to order at 1:30 p.m.
MEMBERS PRESENT:	Tom Orsini, NHA, Chair Marj Pantone, ALFA Doug Nevitt, ALFA Derrick Kendall, NHA Shervonne Banks, Citizen Member Dr. Warren Koontz, Citizen Member
MEMBERS ABSENT:	Amanda Gannon, NHA
BOARD COUNSEL:	Erin Barrett, Assistant Attorney General
STAFF PRESENT:	Lisa R. Hahn, Executive Director Missy Currier, Deputy Executive Director
OTHERS PRESENT:	Jennifer Butts Whittney Granderson Sara Dunham Shahin Sayani Susan Lentini
COURT REPORTER:	Crane Snead & Associates
PARTIES ON BEHALF OF COMMONWEALTH:	David Kazzie, Adjudication Specialist
PARTIES ON BEHALF OF THE RESPONDENT:	Lisa Leiner, Esq.
MATTER SCHEDULED:	**Shri Gandhi, ALFA** **License No.: 1706-000030** **Case No.: 155396**

ESTABLISHMENT OF A QUORUM:	With six (6) members of the Board present, a quorum was established.
DISCUSSION:	Mr. Gandhi appeared before the Board in accordance with the Board's Amended Notice of Formal Hearing dated February 25, 2015, and was represented by Lisa Leiner, Esq. The Board received evidence and sworn testimony from the parties called by the Commonwealth and Mr. Gandhi, regarding the matters as set forth in the Statement of Particulars.
CLOSED SESSION:	Upon a motion by Derrick Kendall, and duly seconded by Marj Pantone, the Board voted to convene a closed meeting at 4:05 p.m., pursuant to §2.2-3711.A(27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Shri Gandhi, ALFA. Additionally, he moved that Ms. Hahn, Ms. Barrett, and Ms. Currier attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.
RECONVENE:	Upon a motion by Derrick Kendall, and duly seconded by Doug Nevitt, the Board voted to re-convene at 4:55 p.m.
CERTIFICATION:	Mr. Kendall certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code of Virginia, the Board reconvened in open session.
DECISION:	Upon a motion by Mr. Kendall, and duly seconded by Dr. Koontz, the Board moved to place Mr. Gandhi's license on INDEFINITE PROBATION with certain terms and conditions.
VOTE:	The vote was unanimous.
ADJOURNMENT:	The Board adjourned at 5:03 p.m.

The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.

Thomas Orsini, NHA, Chair

Lisa R. Hahn, Executive Director

Date

Date

Tab 2

Virgina Department of Health Professions
Cash Balance
As of June 30, 2015

	114- Long Term Care Administrators
Board Cash Balance as of June 30, 2014	$ (368,103)
YTD FY15 Revenue	667,921
Less: YTD FY15 Direct and In-Direct Expenditures	430,342
Board Cash Balance as of June 30, 2015	$ (130,525)

Virginia Department of Health Professions
Board of Long-Term Care Administrators
Revenue Report
July 1, 2014 through June 30, 2015

Revenue	Revenue Operating Budget	Jun-15	TOTAL	(Over) Under Revenue Operating Budget	% of Budget Remaining
2401 · Application Fee	27,225.00	10,905.00	86,305.00	-59,080.00	-217%
2406 · License & Renewal Fee	351,450.00	805.00	575,340.00	-223,890.00	-64%
2407 · Dup. License Certificate Fee	105.00	50.00	130.00	-25.00	-24%
2409 · Board Endorsement - Out	875.00	105.00	1,865.00	-990.00	-113%
2421 · Monetary Penalty & Late Fees	4,795.00	50.00	4,130.00	665.00	14%
9084 · Refund- Prior Yr Disb	0		150.59	-150.59	
Total Revenue	**384,450.00**	**11,915.00**	**667,920.59**	**-283,470.59**	**-74%**

Expenditures	Operational Budget	Jun-15	Current Year Expenditures	(Over) Under Operational Budget	% of Budget Remaining
Employer Retire Contrb-Def Ben	9,951.00	418.42	8116.47	1834.53	18.4%
Salary Social Securty&Medicare	6,175.00	240.97	5021.83	1153.17	18.7%
Group Life Insurance	1,066.00	40.38	794.47	271.53	25.5%
Employer Health Ins Premium	18,348.00	717.25	13714.81	4633.19	25.3%
Retiree Health Ins Cr Premium	945.00	35.63	699.4	245.6	26.0%
VSDB & Longterm Disability Ins	590.00	22.40	356.49	233.51	39.6%
Salaries, Classified	80,702.00	3,393.56	68686.68	12015.32	14.9%
Deferred Comp Match Payments	696.00	14.00	441	255	36.6%
Salaries, Annual Leave Balance	0.00	-	694.86	-694.86	0.0%
Salaries, Sick Leave Balances	0.00	-	1400.39	-1400.39	0.0%
Express Services	142.00	11.62	135.41	6.59	4.6%
Postal Services	1,500.00	318.41	2785.76	-1285.76	-85.7%
Printing Services	500.00	23.44	165.31	334.69	66.9%
Telecom Services (VITA)	1,320.00	117.23	1322.65	-2.65	-0.2%
Telecom Services (Non-State)	0.00	15.76	378.24	-378.24	0.0%
Inbound Freight Services	0.00	-	5.61	-5.61	0.0%
Organization Memberships	1,200.00	-	1555	-355	-29.6%
Employee Trainng/Workshop/Conf	200.00	-	0	200	100.0%
Employee Tuition Reimbursement	802.00	-	0	802	100.0%
X-Ray & Laboratory Services	110.00	-	0	110	100.0%
Fiscal Services	7,990.00	388.22	10499.53	-2509.53	-31.4%
Management Services	6.00	3.28	15.3	-9.3	-155.0%
Public Info&Public Relatn Srvc	0.00	21.00	101.75	-101.75	0.0%
Legal Services	150.00	-	405	-255	-170.0%
Custodial Services	0.00	12.21	61.75	-61.75	0.0%
Electrical Repair & Maint Srvc	17.00	-	14.81	2.19	12.9%
Equipment Repair & Maint Srvc	0.00	-	2.23	-2.23	0.0%
Clerical Services	1,027.00	-	0	1027	100.0%

Food & Dietary Services	683.00	174.90	826.02	-143.02	-20.9%
Laundry & Linen Services	0.00	-	8.73	-8.73	0.0%
Manual Labor Services	2,182.00	-	213.79	1968.21	90.2%
Production Services	2,960.00	-	4079.59	-1119.59	-37.8%
Skilled Services	4,408.00	-	130.11	4277.89	97.0%
Travel, Personal Vehicle	4,680.00	(195.92)	1793.53	2886.47	61.7%
Travel, Public Carriers	300.00	-	-35.08	335.08	111.7%
Travel, Subsistence & Lodging	800.00	-	0	800	100.0%
Travel, Meal Reimb-Not Rpt Irs	400.00	-	-9	409	102.3%
Office Supplies	400.00	66.66	534.04	-134.04	-33.5%
Stationary & Forms	100.00	-	1.03	98.97	99.0%
Gasoline	0.00	-	14.6	-14.6	0.0%
Building Repair & Maint Materl	0.00	-	31.76	-31.76	0.0%
Custodial Repair & Maint Matrl	0.00	-	1.93	-1.93	0.0%
Electrcal Repair & Maint Matrl	2.00	-	1.69	0.31	15.5%
Food & Dietary Supplies	81.00	-	0	81	100.0%
Personal Care Supplies	0.00	-	10.24	-10.24	0.0%
Computer Operating Supplies	0.00	-	6.38	-6.38	0.0%
Premiums	300.00	-	0	300	100.0%
Unemployment Comp Reimbursemt	100.00	-	0	100	100.0%
Property Insurance	25.00	21.81	42.93	-17.93	-71.7%
Equipment Rentals	0.00	1.03	4.12	-4.12	0.0%
Bldg Rental-NonState DGS Adm	7,896.00	526.95	7816.46	79.54	1.0%
General Liability Insurance	91.00	78.28	154.1	-63.1	-69.3%
Surety Bonds	6.00	4.62	9.09	-3.09	-51.5%
Reference Equipment	36.00	0.00	36.72	-0.72	-2.0%
Office Appurtenances	17.00	0.00	0	17	100.0%
Office Machines	100.00	0.00	0	100	100.0%
Total Expenditures	**$159,004.00**	**$6,472.11**	**133,047.53**	**25,956.47**	**16.3%**

Allocated Expenditures	**FY15 Budget**	**Jun-15**	**Current Year Expenditures**	**(Over) Under Operational Budget**	**% of Budget Remaining**
9206 · Funeral\LTCA\PT	85,130.41	3,967.51	84,819.57	310.84	0.4%
9301 · DP Operations & Equipment	73,109.40	4,353.91	60,332.43	12,776.97	17.5%
9302 · Human Resources	11,590.08	815.10	10,496.38	1,093.70	9.4%
9303 · Finance	19,299.62	(413.80)	18,263.78	1,035.84	5.4%
9304 · Director's Office	11,715.46	626.55	10,586.94	1,128.52	9.6%
9305 · Enforcement	80,751.72	4,292.14	71,548.31	9,203.41	11.4%
9306 · Administrative Proceedings	14,093.16	347.16	20,884.72	(6,791.56)	-48.2%
9307 · Impaired Practitioners	164.16	-	-	164.16	100.0%
9308 · Attorney General	8,726.88	-	7,446.24	1,280.64	14.7%
9309 · Board of Health Professions	6,513.96	289.45	6,014.34	499.62	7.7%
9310 · SRTA		-	-	-	
9311 · Maintenance and Repairs	404.88	-	-	404.88	100.0%
9313 · Emp. Recognition Program	319.56	11.44	230.30	89.26	27.9%
9314 · Conference Center	212.88	116.69	415.22	(202.34)	-95.1%
9315 · Pgm Devlpmnt & Implmentn	6,799.95	306.97	5,126.21	1,673.74	24.6%
Cash Trsfr Out- Appr Act Pt. 3	1,271.77	1,130.05	1,130.05	141.72	11.1%
Total Allocated Expenditures	**320,103.89**	**15,843.19**	**297,294.52**	**22,809.37**	**7.1%**

Open Case Report

As of September 2015:

21 cases in Investigations
12 cases in Probable Cause
4 cases in APD
5 cases at Informal Stage
0 cases at Formal Stage
42 Total Open Cases

9 LTC cases being monitored for compliance

As of September 2014:
13 cases in Investigations
10 in Probable Cause
0 in APD
2 at Informal Stage
2 at Formal Stage
27 Total Open Cases

19 LTC cases being monitored for compliance

As of September 2013:

18 cases in Investigations
4 in Probable Cause
4 in APD
2 at Informal Stage
0 at Formal Stage
28 Total Open Cases
20 Cases being monitored for compliance

Long Term Care Administrators

License Count Report

As of:	*09/2015*	*9/2014*	*9/2013*
NHA Administrator in Training	*95*	*67*	*75*
ALF Administrator in Training	*118*	*88*	*81*
"Acting" ALF Administrator in Training	*6*	*4*	*5*
Nursing Home Administrator	*845*	*842*	*847*
Assisted Living Facility Administrator	*610*	*614*	*617*
Nursing Home Preceptor	*225*	*233*	*238*
Assisted Living Facility Preceptor	*196*	*182*	*180*
Total	***2,095***	***2,030***	***2,043***

Virginia Department of Health Professions

Patient Care Disciplinary Case Processing Times: Quarterly Performance Measurement, Q4 2011 - Q4 2015

David E. Brown, D.C.
Director

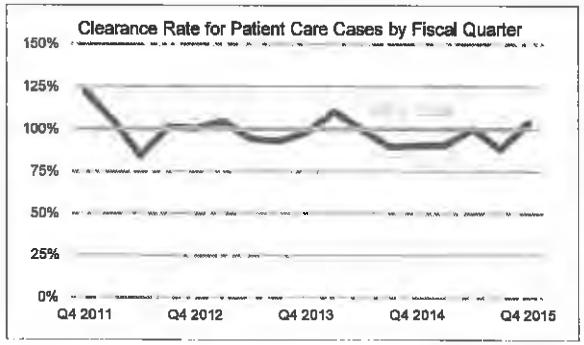
"To ensure safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to health care practitioners and the public."
DHP Mission Statement

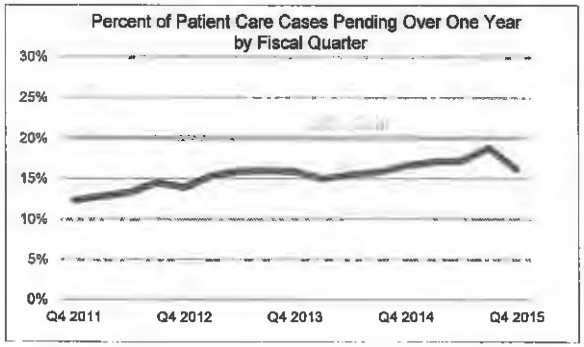
In order to uphold its mission relating to discipline, DHP continually assesses and reports on performance. Extensive trend information is provided on the DHP website, in biennial reports, and, most recently, on Virginia Performs through Key Performance Measures (KPMs). KPMs offer a concise, balanced, and data-based way to measure disciplinary case processing. These three measures, taken together, enable staff to identify and focus on areas of greatest importance in managing the disciplinary caseload; Clearance Rate, Age of Pending Caseload and Time to Disposition uphold the objectives of the DHP mission statement. The following pages show the KPMs by board, listed in order by caseload volume; volume is defined as the number of cases received during the previous 4 quarters. In addition, readers should be aware that vertical scales on the line charts change, both across boards and measures, in order to accommodate varying degrees of data fluctuation.

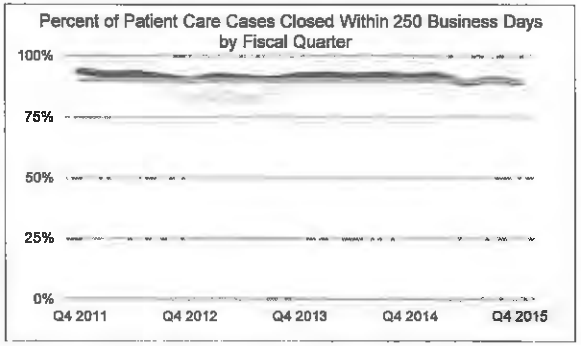
Clearance Rate - the number of closed cases as a percentage of the number of received cases. A 100% clearance rate means that the agency is closing the same number of cases as it receives each quarter. DHP's goal is to maintain a 100% clearance rate of allegations of misconduct through the end of FY 2016. The current quarter's clearance rate is 104%, with 849 patient care cases received and 882 closed.

Age of Pending Caseload - the percent of open patient care cases over 250 business days old. This measure tracks the backlog of patient care cases older than 250 business days to aid management in providing specific closure targets. The goal is to maintain the percentage of open patient care cases older than 250 business days at no more than 20% through the end of FY 2016. That goal continues to be achieved with 16% percent of patient care cases pending over 250 business days. For the last quarter shown, there were 2,168 patient care cases pending, with 351 pending over 250 business days.

Time to Disposition - the percent of patient care cases closed within 250 business days for cases received within the preceding eight quarters. This moving eight-quarter window approach captures the vast majority of cases closed in a given quarter and effectively removes any undue influence of the oldest cases on the measure. The goal is to resolve 90% of patient care cases within 250 business days through the end of FY 2016. The current quarter shows 90% percent of patient care cases being resolved within 250 business days with 864 cases closed and 773 closed within 250 business days.







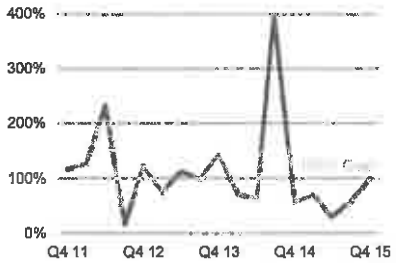
Submitted: 7/6/2015

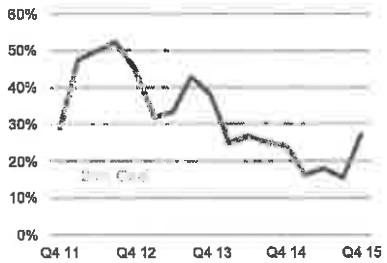
Prepared by: VisualResearch, Inc.

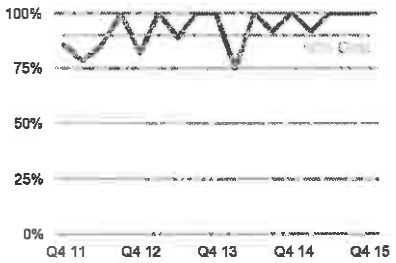
Virginia Department of Health Professions - Patient Care Disciplinary Case Processing Times, by Board

Clearance Rate | **Age of Pending Caseload** (percent of cases pending over one year) | **Percent Closed in 250 Business Days**

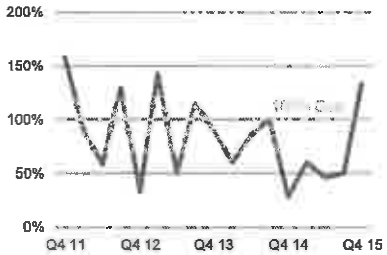
Psychology - In Q4 2015, the clearance rate was 100%, the Pending Caseload older than 250 business days was 27% and the percent closed within 250 business days was 100%.
Q4 2015 Caseloads:
Received=5, Closed=5
Pending over 250 days=13
Closed within 250 days=2

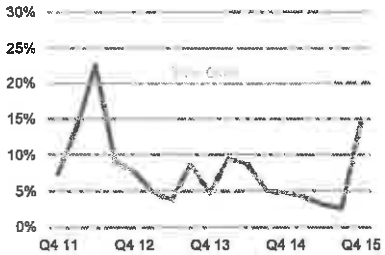


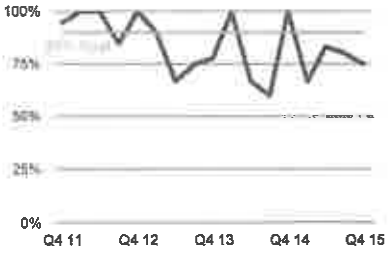




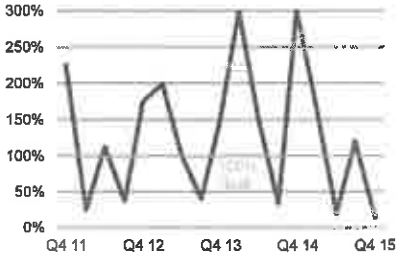
Long-Term Care - In Q4 2015, the clearance rate was 133%, the Pending Caseload older than 250 business days was 14% and the percent closed within 250 business days was 75%.
Q4 2015 Caseloads:
Received=3, Closed=4
Pending over 250 days=2
Closed within 250 days=3

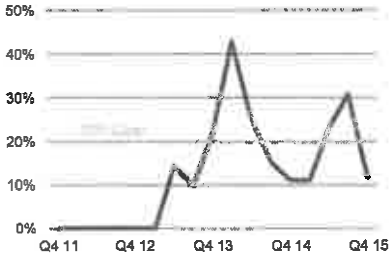


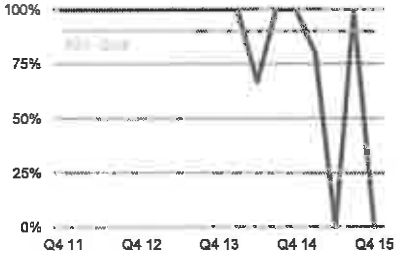




Optometry - In Q4 2015, the clearance rate was 14%, the Pending Caseload older than 250 business days was 12% and the percent closed within 250 business days was 0%.
Q4 2015 Caseloads:
Received=7, Closed=1
Pending over 250 days=2
Closed within 250 days=0







Note: Vertical scales on line charts change, both across boards and measures, in order to accommodate varying degrees of data fluctuation.

Submitted: 7/6/2015

Prepared by: VisualResearch, Inc.

Virginia Department of Health Professions

APPLICANT SATISFACTION SURVEY RESULTS

APPROVAL RATE

FISCAL YEAR 2015, QUARTER ENDING 6/30/2015

Quarter Breakdown	
Quarter 1	July 1st - September 30th
Quarter 2	October 1st - December 31st
Quarter 3	January 1st - March 31st
Quarter 4	April 1st - June 30th

***Applicant Satisfaction Surveys are sent to all initial applicants. The survey includes six categories for which applicants rate their satisfaction on a scale from one to four, one and two being degrees of satisfaction, three and four being degrees of disatisfaction. This report calculates the percentage of total responses falling into the approval range. An "n/a" is used if no response was received for that board during the specified timeframe.**

Board	CURRENT 06/30/15	03/31/15	12/31/14	09/30/14	06/30/14	03/31/14	12/31/13	09/30/13	06/30/13	03/31/13	12/31/12	09/30/12
Audiology/Speech Pathology	86.7%	100.0%	83.3%	89.6%	100.0%	100.0%	85.7%	94.8%	100.0%	100.0%	100.0%	97.0%
Counseling	80.8%	83.9%	91.1%	83.3%	92.8%	87.7%	83.2%	80.1%	76.3%	69.9%	78.0%	60.3%
Dentistry	93.3%	100.0%	91.7%	86.3%	88.9%	92.3%	95.9%	90.9%	94.7%	98.7%	94.1%	92.9%
Funeral Directing	97.0%	100.0%	100.0%	N/A	100.0%	88.9%	100.0%	100.0%	100.0%	n/a	100.0%	100.0%
Long Term Care Administrator	96.3%	100.0%	100.0%	100.0%	100.0%	88.9%	100.0%	100.0%	n/a	100.0%	100.0%	100.0%
Medicine	89.6%	84.8%	81.2%	92.2%	95.0%	92.2%	91.8%	91.1%	87.5%	94.4%	86.2%	93.9%
Nurse Aide	98.9%	88.9%	97.3%	95.6%	100.0%	96.5%	99.7%	97.2%	99.1%	97.6%	96.8%	97.1%
Nursing	97.2%	98.1%	94.9%	95.6%	94.5%	94.5%	96.4%	94.3%	96.5%	94.4%	93.7%	95.7%
Optometry	66.7%	N/A	100.0%	100.0%	N/A	N/A	100.0%	100.0%	100.0%	n/a	n/a	n/a
Pharmacy	99.5%	100.0%	98.3%	98.8%	99.1%	97.6%	98.1%	97.7%	97.3%	97.5%	98.8%	97.5%
Physical Therapy	100.0%	100.0%	97.3%	94.3%	90.5%	100.0%	98.7%	96.9%	98.6%	100.0%	96.6%	95.3%
Psychology	84.9%	90.0%	76.8%	89.6%	96.0%	88.9%	92.6%	88.6%	99.1%	89.6%	78.7%	92.8%
Social Work	92.6%	90.7%	92.0%	92.0%	88.5%	95.8%	90.7%	86.6%	94.9%	84.7%	87.3%	84.2%
Veterinary Medicine	91.7%	N/A	100.0%	100.0%	100.0%	100.0%	100.0%	97.4%	93.3%	83.3%	100.0%	100.0%
AGENCY	*93.9%*	*95.1%*	*92.5%*	*94.2%*	*95.1%*	*94.2%*	*95.0%*	*93.6%*	*93.5%*	*93.5%*	*91.9%*	*94.7%*

Virginia Department of Health Professions

APPLICANT SATISFACTION SURVEY RESULTS

APPROVAL RATE*

LAST FIVE FISCAL YEARS

Quarter Breakdown	
Quarter 1	July 1st - September 30th
Quarter 2	October 1st - December 31st
Quarter 3	January 1st - March 31st
Quarter 4	April 1st - June 30th

*Applicant Satisfaction Surveys are sent to all initial applicants. The survey includes six categories for which applicants rate their satisfaction on a scale from one to four, one and two being degrees of satisfaction, three and four being degrees of disatisfaction. This report calculates the percentage of total responses falling into the approval range. "N/A" indicates that no response was received for that board during the specified timeframe.

Board	FY15	FY14	Change Between FY15 & FY14	FY13	Change Between FY14 & FY13	FY12	Change Between FY13 & FY12	FY11	Change Between FY12 & FY11
Audiology/Speech Pathology	86.9%	94.0%	-7.6%	98.7%	-4.8%	90.5%	9.1%	91.8%	-1.4%
Counseling	83.9%	84.9%	-1.1%	72.5%	17.1%	74.3%	-2.4%	75.7%	-1.8%
Dentistry	92.1%	91.8%	0.3%	94.8%	-3.2%	92.9%	2.0%	95.7%	-2.9%
Funeral Directing	98.3%	97.0%	1.4%	100.0%	-3.0%	100.0%	0.0%	95.2%	5.0%
Long Term Care Administrator	98.0%	98.5%	-0.5%	n/a	100.0%	96.3%	-100.0%	94.4%	2.0%
Medicine	89.0%	92.0%	-3.3%	90.3%	1.9%	96.5%	-6.4%	94.1%	2.6%
Nurse Aide	97.3%	98.3%	-1.0%	97.8%	0.5%	97.9%	-0.1%	97.5%	0.4%
Nursing	96.0%	94.9%	1.2%	95.2%	-0.3%	96.3%	-1.1%	94.8%	1.6%
Optometry	91.7%	100.0%	-8.3%	92.9%	7.6%	100.0%	-7.1%	100.0%	0.0%
Pharmacy	98.9%	98.0%	1.0%	97.9%	0.1%	96.8%	1.1%	97.7%	-0.9%
Physical Therapy	96.3%	97.2%	-0.9%	96.8%	0.4%	97.6%	-0.8%	95.3%	2.4%
Psychology	83.9%	91.5%	-8.3%	91.3%	0.2%	84.6%	7.9%	88.1%	-4.0%
Social Work	91.9%	89.1%	3.1%	88.2%	1.0%	85.5%	3.2%	90.6%	-5.6%
Veterinary Medicine	95.4%	99.3%	-4.0%	95.8%	3.7%	97.6%	-1.8%	97.7%	-0.1%
Agency Total	93.8%	94.3%	-0.5%	93.5%	0.8%	95.3%	-1.8%	94.5%	0.7%

COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

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Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

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MEMORANDUM

TO: Members of Boards at the Department of Health Professions

FROM: David E. Brown, D.C., Director DB

DATE: April 3, 2015

RE: Board Member Development Day – September 28, 2015

As a former member of the Board of Medicine, I am well aware of the commitment of time and energy you devote to serving as a member of one of our regulatory boards at the Department. We are incredibly grateful for the time you take from your professional and personal lives to serve the Commonwealth in this capacity.

We offer new board member training as an orientation to the work of boards and the Department. However, I believe as you actually experience the policy and disciplinary workload, additional training would be beneficial in helping you become more effective in conducting and participating in meetings and hearings. For this reason, we are having a Board Member Development Day to provide more in-depth training, especially on conflicts of interests, conducting disciplinary proceedings, deliberations, making findings of facts and conclusions of law.

With this advance notice, I hope you will set aside September 28, 2015 on your calendar to participate in board member development. All of the attorneys general who provide counsel to the Boards will be involved in the training, as will our Executive Directors and others in the agency. More information and a detailed schedule will follow.

If any of you have topics or questions you would like to have addressed in the training, please send them directly to me at: david.brown@dhp.virginia.gov. We want to enhance your experience as a board member, so we would appreciate hearing any of your suggestions.

Thank you again for all you do for our boards and for the Commonwealth. I hope to see you on the 28th

COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

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September 4, 2015

Dear New Board Members,

Congratulations on your appointment to one of the 13 health regulatory boards that together compose the Department of Health Professions (DHP). As a former member of the Board of Medicine, I can tell you that serving on one of our boards can be deeply rewarding and is absolutely worth the time commitment. Your work is essential to the functioning of our Department and is of direct benefit to the citizens of the Commonwealth of Virginia.

You are invited to attend this year's New Board Member Orientation on **Friday, October 16th, from 9:30 am – 2:20 pm**. This training is designed to give you a broad understanding of how our agency and boards function as well as specific information to help you be an effective board member. During this interactive session, you will:

- Receive an overview of our agency and be introduced to key staff
- Learn about the roles and responsibilities of a board member and the hallmarks of an outstanding member
- Become aware of the roles of the Attorney General's office in prosecuting cases, providing counsel and defending appeals
- Understand the Freedom of Information Act and Conflicts of Interest statutes
- Receive an overview of the Licensing, Disciplinary and Policy-making Board processes
- Learn about the Prescription Monitoring Program, the Health Practitioners' Monitoring Program and the Healthcare Workforce Data Center.

A continental breakfast and lunch will be served.

Also, a "Development Day" is scheduled on Monday, September 28th for returning board members. This is a separate meeting to address conducting and participating in meetings and hearings. The annual New Board Member Orientation is specifically designed to meet the needs of new members, but both meetings are open for your participation.

I look forward to seeing you on October 16th. This meeting will be held in the Conference Center on the second floor of the Perimeter Center Building at 9960 Mayland Drive, Henrico, Virginia.

Thank you for the time you take from personal and professional lives to keep the people of Virginia safe through your service on a health regulatory board.

Sincerely,

David

David E. Brown, DC
Director, Virginia Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Richmond, Virginia 23233
(804) 367-4648
(804) 527-4434 fax
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Tab 3

Regulatory Activity

Actions Underway | Petitions for Rulemaking | Legislative Mandates | Periodic Reviews | General Notices

What is an Action?

Board	Board of Long-Term Care Administrators

Chapter	Action / Stage Information	
Regulations Governing the Practice of Assisted Living Facility Administrators [18 VAC 95 - 30]	Action:	Oversight of acting administrators in an AIT program
	Stage:	Final - *Register Date: 10/5/15*

Governor's Review	*Review Completed: 9/4/2015* *Result: Approved*
Virginia Registrar	Submitted on 9/8/2015 The Virginia Register of Regulations Will be published on 10/5/2015 Volume: 32 Issue: 3
Comment Period	A public comment forum will open on 10/5/2015 and remain open through 11/4/2015
Effective Date	11/4/2015