

**IDAHO BOARD OF EXAMINERS OF RESIDENTIAL CARE FACILITY
ADMINISTRATORS
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063**

Board Meeting Minutes of 2/18/2022

BOARD MEMBERS PRESENT: Linda L Simon - Chair
Chuck Bosen
Kristen E Hyde
Mary Zarybnisky

DIVISION STAFF: Anne Lawler, Bureau Chief
Kent Absec, Licensing Program Manager
John Price, Investigative Unit Manager
Nicholas Krema, General Counsel
Eric Nelson, Board Prosecutor
Cesley Metcalfe, Board Support Supervisor
Bonnie Dodson, Board Support Specialist
Christian Runnalls, Board Support Specialist
Allegra Earl, Licensing Specialist

OTHERS PRESENT: Gloria Keathley, Department of Health and Welfare

The meeting was called to order at 1:02 PM MST by Linda L Simon.

INTRODUCTIONS

Ms. Lawler introduced herself as the Executive Officer for the Board and the Bureau Chief for the Occupational Licenses Bureau of the Division of Occupational and Professional Licenses; Nicholas Krema as General Counsel; John Price as the Investigative Unit Manager; Kent Absec as the Licensing Program Manager; Cesley Metcalfe as the Board Support Supervisor; Bonnie Dodson and Christian Runnalls as Board Support Specialists; and Allegra Earl as a Licensing Specialist.

APPROVAL OF MINUTES

Mr. Bosen made a motion to approve the minutes of 9/28/2021. It was seconded by Ms. Zarybnisky. Motion carried.

LAWS AND RULES

Ms. Lawler presented a legislative update. She explained the history and purpose of Zero-Based Regulation (ZBR). Ms. Lawler stated that the Board will not conduct its rule chapter review this year and will present its proposed rules in the 2024 Legislative Session.

All regulatory boards will also be undergoing a sunrise or sunset review on their statutes over the next five years, but a schedule for that has not yet been provided.

DIVISION UPDATES

Ms. Lawler reviewed the third organization chart showing all employees of the Division. She stated that the Division should be moved into its permanent building by July 1, 2022.

SET QUARTERLY MEETINGS

The Board scheduled its 2022 quarterly meetings:

Tuesday, May 3, 2022, at 9:00 AM MDT
Tuesday, July 12, 2022, at 9:00 AM MDT
Wednesday, October 12, 2022, at 9:00 AM MDT

BOARD MEMBER TRAINING

Board member training was deferred until the next Board meeting.

APPLICATION APPROVAL PROCESS

Ms. Lawler discussed Board governance versus daily operations in relation to documents for Board review from staff.

The Board discussed its current application approval process and options for delegating approval to Division staff.

Mr. Bosen made a motion to delegate authority to Division staff to review and approve applications for licensure that include a criminal background with a felony over ten years old. It was seconded by Ms. Hyde. Motion carried.

CONTINUING EDUCATION AUDIT APPROVAL PROCESS

The Board discussed its current approval process for continuing education audits and options for delegating this task to Division staff.

Mr. Bosen made a motion to delegate authority to Division staff to review and approve continuing education audits that are approved by the administrative rules. It was seconded by Ms. Hyde. Motion carried.

CONFERENCE ATTENDANCE REQUESTS

The Board discussed the National Association of Long-Term Care Administrator Boards' (NAB) Annual Meeting in June 2022. No action was taken.

BOARD ELECTIONS

The Board deferred elections until the next meeting.

COMPLAINT MEMORANDUM

Mr. Price gave the investigative report, which is linked above.

EXECUTIVE SESSION

Ms. Hyde made a motion that the Board enter executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Mr. Bosen. The vote was: Ms. Simon, aye; Mr. Bosen, aye; Ms. Hyde, aye; and Ms. Zarybnisky, aye. Motion carried.

Mr. Bosen made a motion to leave executive session. It was seconded by Ms. Hyde. Motion carried.

DISCIPLINE

Ms. Hyde made a motion to close case number RCA-2022-1 with an advisory letter. It was seconded by Mr. Bosen. Motion carried.

Ms. Hyde made a motion to accept the Stipulation and Consent Order in case number RCA-2021-3 and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Bosen. Motion carried.

Ms. Hyde made the motion to approve the complaint memorandum as written and to close case number I-RCA-2019-18. It was seconded by Ms. Zarybnisky. Motion carried.

Ms. Hyde made a motion to approve the Findings of Fact, Conclusions of Law, and Final Order in case number RCA-2022-5 and to allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Bosen. Motion carried.

APPLICATIONS

Mr. Bosen made a motion to deny applicant 901174244 based on Idaho Code § 54-4211 because the applicant has already been issued one provisional permit. It was seconded by Ms. Zarybnisky. Motion carried.

ADJOURNMENT

Ms. Simon adjourned the meeting at 3:31 PM MST.