

**NEVADA BOARD OF EXAMINERS
FOR
LONG TERM CARE ADMINISTRATORS**

QUARTERLY BOARD MEETING

April 26, 2016

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**STATE OF NEVDA
BOARD OF EXAMINERS FOR LONG-TERM CARE ADMINISTRATORS
3157 North Rainbow Boulevard, #313
Las Vegas, Nevada 89108
Telephone: 702-486-5445 Fax: 702-486-5439
Website: www.beltca.nv.gov
E-mail: beltca@beltca.nv.gov**

MEETING NOTICE AND AGENDA

Date & Time: Tuesday, April 26, 2016 – 9:30 a.m.

Place of Meeting: Sawyer State Office Building
555 East Washington Avenue
Room 4412
Las Vegas, Nevada 89102
and

Video Conferencing: Legislative Counsel Bureau
401 South Carson Street
Room 3138
Carson City, Nevada 89701

All times are approximate. The Board reserves the right to take items in a different order, items may be combined for consideration by the Public Body and items may be pulled or removed at any time to accomplish business in the most efficient manner.

In certain situations, the option exists to declare the meeting on that agenda item to be a Closed (Executive) Session per NRS 241.030.

I. OPEN MEETING

II. ROLL CALL

III. PUBLIC COMMENTS

This item is to receive comments, limited to five (5) minutes, on any issue and any discussion of those items. However, no action will be taken on an item raised during Public Comments. Comments based on viewpoint are welcome.

IV. SECRETARY'S REPORTS:

- a. Approve Minutes of January 27, 2016 Meeting "for possible action".

V. ADMINISTRATIVE REPORT

VI. ADMINISTRATOR LICENSES ISSUED MUST RECEIVE FINAL BOARD APPROVAL WHEN ALL REQUIREMENTS HAVE BEEN MET.

- a. Nursing Facility Administrator Licenses Issued "for possible action".

- (1) Jeffers, Timothy
- (2) Smith, Samuel
- (3) Stokes, Samuel
- (4) De Luca, Tobias
- (5) Langevin, Scott
- (6) Alexander, Anthony
- (7) Wester, Zachery

- b. Residential Facility Administrator Licenses Issued "for possible action".

- (1) Bovill, Cipriana
- (2) Johansen, Tyler
- (3) Benton, Pamala
- (4) Brooks, Thomas
- (5) Meyers, Theresa

- c. Inactive Requests "for possible action".

- (1) Acoba, Orcas - RFA
- (2) Panos, Angela - NFA
- (3) Del Rosario, Theresa – RFA
- (4) Arciaga, Joel – RFA
- (5) Simons, Wenette – RFA
- (6) Doran, Mary – RFA
- (7) Sullivan, James – NFA
- (8) Caudill, Ruth

- d. Approve/Deny NFA Application** (Board may go into Closed Session) "for possible action"

- (1) Garber, Lee

VII. UNFINISHED BUSINESS:

- a. RCAL AIT Program Reports "for possible action"
- b. NFA lack of AIT opportunities, and formalize training for preceptors "for possible action"
- c. Regulation Workshop "for possible action"

VIII. NEW BUSINESS:

IX. DEPUTY ATTORNEY GENERAL'S REPORT

X. BOARD MEMBER COMMENTS

XI. PUBLIC COMMENTS

This item is to receive comments, limited to five (5) minutes, on any issue and any discussion of those items. However, no action will be taken on an item raised during Public Comments. Comments based on viewpoint are welcome.

XII. TIME/DATE/LOCATION OF NEXT REGULAR QUARTERLY MEETING(S) "for possible action"

XIII. ADJOURNMENT

****Pursuant to NRS 241.030(1), The Nevada State Board of Examiners for Long Term Care Administrators may conduct a closed meeting to consider the character, allegations of misconduct, professional competence, or physical and mental health of a person.**

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary please notify the Board of Examiners for Long Term Care Administrators by calling the Board Office at 702-486-5445, or by e-mail at: beltca@beltca.nv.gov.

Anyone desiring additional information regarding the meeting, including information on how to obtain supporting board meeting material is invited to call Sandy Lampert, Executive Director, at (702) 486-5445.

Copies of BELTCA's Meeting Minutes are available at no charge at BELTCA's web site at:
beltca.nv.gov

**The Agenda was posted at the following locations:
BELTCA'S website: www.beltca.nv.gov**

Grant Sawyer State Office Building
555 East Washington Ave.
Las Vegas, NV 89101
Fax: 702-486-2012

ADSD
3416 Goni Rd., Building – D 132
Carson City, NV 89706

ADSD
1860 East Sahara Ave.
Las Vegas, NV 89104

Fax: 775-687-0574

DPBH
727 Fairview Dr., Suite E
Carson City, NV 89706
Fax: 775-684-1073

ADSD
445 Apple Street
Reno, NV 89502
Fax: 775-688-2969

Carson City Courthouse
100 Stewart St.
Carson City, NV 89701
Fax: 775-887-2146

Fax: 702-486-3572

DPBH
4220 S. Maryland Pkwy.
Suite 810, Bldg. D
Las Vegas, NV 89119
Fax: 702-486-6520

Public Library
Sierra View Branch
Fax 775-827-8792

Clark County – Las Vegas Library
732 North Las Vegas Blvd.
Las Vegas, NV 89101
Fax: 702-507-3598

By E-Mail

Sue Levinsky, ADSD, LV
Paul Shubert, DPBH, LV
Carrie Embree, ADSD
Charles Perry
Jennifer Williams-Woods - ADSD
Theresa Brushfield
Susan Magluilo, Administrator
Minou Nelson, DPBH

Jill Berntson, ADSD, Reno
Teresa Stricker, ADSD, LV
E. Beck (Grant Sawyer State Office Bldg)
Daniel Mathis, NVHCA
Shawn McGivney
Mark McBride, Administrator
Donald Sampson, DPBH

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**STATE OF NEVADA
BOARD OF EXAMINERS FOR LONG-TERM CARE ADMINISTRATORS**

Draft Minutes of Regular Quarterly Board Meeting

January 27, 2016

12:30 p.m.

**Nevada Aging and Disability Services
Desert Regional Center
1391 S. Jones Boulevard
Training Room
Las Vegas, Nevada 89146
and
Video Conferencing
Nevada Early Intervention Services
2667 Enterprise Road
Reno, Nevada 89701**

- I. Chair, Margaret McConnell called the meeting to order at 12:35 p.m.
- II. Executive Director, Sandy Lampert called the roll and a quorum was present.

Board Members:

Margaret McConnell, Chair
Terry Clodt, Sec/Treas.
Jane Gruner, ADSD
Lilia Sioson

Mary Ellen Wilkinson, Vice Chair
Lindsay Hansen, M.D.
Linda Gelingier

Staff:

Sophia Long, Deputy Attorney General

Sandy Lampert, Executive Director

Guests:

Jennifer Fuller, NHA
Timothy Jeffers
Dan Braescu
Jennifer Williams, ADSD

Scott Langevin
Nicoleta Pop
Volha Loi

III. PUBLIC COMMENTS –

IV. APPROVAL OF THE FOLLOWING PROPOSED DISCIPLINARY ACTION** (Board may go into closed session) “for possible action”

- a. Jane Micali – The Bride of Paradise Valley – Case No. B-36105
- b. Maria Fe Lelix – Infinite Care – Case No. B-36129

Chair, Margaret McConnell, advised the Board that Item a, Jane Micali, has been removed. She then called for a motion. Jane Gruner moved to approve the Disciplinary Actions excluding Jane Micali. Mary Ellen Wilkinson seconded. Motion carried. Terry Clodt abstained.

V. SECRETARY'S REPORTS:

- a. Approval of the Minutes of October 29, 2015 Meeting – Terry Clodt moved to approve. Mary Ellen Wilkinson seconded. Motion carried.

VI. ADMINISTRATIVE REPORT: Executive Director, Sandy Lampert, reported that the office should be paperless by mid-year.

VII. ADMINISTRATOR LICENSES ISSUED MUST RECEIVE FINAL BOARD APPROVAL WHEN ALL REQUIREMENTS HAVE BEEN MET.

- a. Nursing Facility Administrator Licenses Issued “for possible action”.
 - (1) Bryson, Stephanie
 - (2) Hunt, Johnny

Chair, Margaret McConnell, called for a motion. Mary Ellen Wilkinson moved to approve the Nursing Facility Administrator Licenses. Linda Gelingher seconded. Motion carried.

- b. Residential Facility Administrator Licenses Issued “for possible action”.
 - (1) Hallmark, Maria
 - (2) Kaufer, Cynthia
 - (3) Conaway, David

Chair Margaret McConnell, called for a motion. Terry Clodt moved to approve the Residential Facility Administrator licenses. Lindsey Hansen seconded. Motion carried.

- c. Inactive Requests “for possible action”.
 - (1) Shaffer, Mark – RFA
 - (2) Garner, Erin – RFA
 - (3) Haack, Cher – RFA
 - (4) Borbon, Joy - RFA

Chair, Margaret McConnell, called for a motion. Mary Ellen Wilkinson moved to approve the Inactive License Requests. Terry Clodt seconded. Motion carried.

- d. Approve/Deny NFA Application “for possible action”
 - (1) Langevin, Scott – Chair, Margaret McConnell, asked Mr. Langevin to explain the incidents reported. After some discussion, Chair, Margaret McConnell, called for a motion. Terry Clodt moved to allow Mr. Langevin to proceed with licensure. Linda Gelingher seconded. Motion carried.

- (2) Jeffers, Timothy - Chair, Margaret McConnell, asked Mr. Jeffers to explain the incidents reported. After some discussion, Chair, Margaret McConnell, called for a motion. Lindsey Hansen moved to allow Mr. Jeffers to proceed with licensure. Linda Gelingher seconded. Motion carried.

- (3) Garber, Lee - Executive Director, Sandy Lampert, notified the Board that Mr. Garber will be rescheduled for the next Board Meeting.

- e. Approve/Deny RFA Application “for possible action”
 - (1) Pop, Nicoleta – Chair, Margaret McConnell, asked Ms. Pop to explain the incidents reported. After some discussion, Chair, Margaret McConnell, called for a motion.

Terry Clodt moved to allow Ms. Pop to proceed with licensure. Lilia Sioson seconded. Motion carried.

(2) Loi, Volha – Chair, Margaret McConnell, asked Ms. Loi to explain the incidents reported. After some discussion, Chair, Margaret McConnell, called for a motion. Linda Gelinger moved to allow Ms. Loi to proceed with licensure with the understanding that she would not transport residents for a period of 1 year. Mary Ellen Wilkinson seconded. Motion carried.

VIII. UNFINISHED BUSINESS:

a. RCAL AIT Program Report – Executive Director, Sandy Lampert, reported that since the last meeting we have received 5 new applications. That brings the total for this fiscal year to 19. We have issued 8 new licenses and currently have 22 candidates going through the program; 4 need to complete the 60 Hour Introductory Course, 7 are working on the Nevada Best Practices Training, 3 are currently doing their AIT and 8 are ready to take the NAB Exam. Ms. Lampert also reported that since 2014 approximately 10% of the applicants do not complete the program and allow their applications to become void. We will also need to schedule mentor training classes in both the North and South.

b. NFA Lack of AIT Opportunities – Chair, Margaret McConnell reported that NAB has developed a Preceptor Training program that will be available to State Boards at no cost. When the program is available, the Board will require this training for our Preceptors. Mary Ellen Wilkinson informed the Board that NAB is looking into the issue of payment for AITs.

c. Regulation Workshop – Discussion to be addressed at the Workshop following the meeting.

IX. NEW BUSINESS:

X. DEPUTY ATTORNEY GENERAL'S REPORT: Deputy Attorney General, Sophia Long informed the Board that she drafted a Public Records Request Policy for the Board.

XI. BOARD MEMBER COMMENTS:

XII. PUBLIC COMMENTS:

XIII. TIME/DATE/LOCATION OF NEXT REGULAR QUARTERLY MEETING: The next meeting will be held on Tuesday, April 26, 2016 at 9:30 a.m.

XIV. ADJOURNMENT: Meeting was adjourned at 2:08 p.m.

Respectfully submitted:

Sandy Lampert

Sandy Lampert
Executive Director

Attested by:

Terry Clodt

Terry Clodt
Secretary/Treasurer

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APPROVE/DENY NFA APPLICATIONS

Lee Garber

Mr. Garber answered "YES" to Item IV.2 of the Application for Licensure.
His explanation and court documents follow.

December 17, 2015

**Nevada State Board of Examiners
For Long Term Care Administrators
3157 NM. Rainbow Blvd. #313
Las Vegas, Nevada 89108**

Re: Application of Reciprocity Licensure

To Whom It May Concern:

This is in response to item IV-2: a,b,c,d on page 3 of the Application for Licensure.

On March 19 of 2012, I was pulled over and given 4 citations for the same event. Copies enclosed.

The four citations were:

- 1. DUII...Completed 16-week diversion course. Attached is documentation of completion of course.**
- 2. Endangerment...this charge was dropped**
- 3. Reckless Driving...this charge was dropped**
- 4. Criminal mischief 2...plead guilty...completed 2 days work crew, paid restitution, and fine. Attached is copy of court order document.**

All requirements and condition have been completed or satisfied.

Any additional information that is required please notify me immediately via email [REDACTED] or by cell phone [REDACTED].

Lee Garber



NOTICE OF SCHEDULED COURT PROCEEDING IN

Eugene Municipal Court
777 Pearl Street, Room 104
Eugene, OR 97401
(541) 682-5400



Defendant:

LEE JAHN GARBER
[REDACTED]
[REDACTED]

Charge	Status	Docket #	Case/Cit.#
ICV DUI	CONT DISP	1205256	1204707
ICV RECKLESS DRIVING	CONT DISP	1205257	1204707
ICV RECKLESSLY ENDANGERING	CONT DISP	1205258	1204707
ICV CRIMINAL MISCHIEF-2	CONT DISP	1205259	1204707

Scheduled Proceeding: Disposition hearing
Date: Wednesday, May 9, 2012
Time: 9:00 AM
Room: Check in at the Front Counter

IMPORTANT NOTICE: PLEASE READ

1. If you have or retain an attorney, give the attorney this notice. The attorney is to notify the court that you are represented.
2. Failure to appear may result in action against your driver's license, a warrant, a finding of Guilty by Default, or a forfeiture of any monies paid.
3. Please deposit your base fine/security amount listed on your citation with a cashier at the front counter.

DATED: April 25, 2012

Defendant's Signature

Address

Phone

City, State, Zip Code

OREGON UNIFORM CITATION AND COMPLAINT

☐ CRIMINAL ☐ MANDATORY APPEARANCE (SEE BACK.) ☐ NON-TRAFFIC
☐ VIOLATION ☐ OPTIONAL APPEARANCE (SEE BACK.) ☐ TRAFFIC

STATE OF OREGON ☐ Municipal ☐ Juvenile—2727 Centennial Blvd.
 CITY OF EUGENE ☐ Circuit—125 E. 8th Ave. See (Reverse Side.) Zip: 97401
 COUNTY OF LANE ☐ Central Lane Justice—220 5th, Spfld ☐ Other court, see below

THE UNDERSIGNED CERTIFIES AND SAYS THAT:

NAME: LAST FIRST MIDDLE
 CARBER 166 3444

DATE OF BIRTH 10/28/88 RACE SEX HEIGHT WEIGHT HAIR EYES
 10/28/88 UP PASSENGER

OFFENSE DATE MONTH DAY YEAR TIME
 ON OR ABOUT: 3 19 12 12:08 PM
 AT OR NEAR LOCATION: RIVER RD / BOUT CUL

DID OPERATE THE FOLLOWING VEHICLE ON A HIGHWAY/PREMISES OPEN TO THE PUBLIC:
 VEHICLE LICENSE NO. STATE DRIVER NOT REG. OWNER ACCIDENT: PERSONAL INJURY PROPERTY DAMAGE
 VEH. YR. MAKE MODEL STYLE COLOR
 PUC NO. PEDESTRIAN HAZ MAT BICYCLE CDL RELATED

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):
 1. VIOLATED (CITE ORS/ORD.RULE) 4.728 CHARGE PRES. FINE/SEC.
 2. VIOLATED (CITE ORS/ORD.RULE) CHARGE PRES. FINE/SEC.
 3. VIOLATED (CITE ORS/ORD.RULE) CHARGE PRES. FINE/SEC.

VEHICLE

OFFENSE(S)

I CERTIFY UNDER ORS 153.045 AND 153.990 THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE MENTIONED PERSON COMMITTED THE ABOVE OFFENSE(S) AND I HAVE SERVED THE PERSON WITH THIS COMPLAINT.

03/19/12 DATE ISSUED 1702 BFG C OFFICER'S SIGNATURE 36 OFFICER ID
 NAME OF ARRESTING PERSON, IF NOT OFFICER COMPLAINT / INFORMATION FILED AT TIME OF CITATION?

YOUR COURT APPEARANCE DATE, TIME, AND LOCATION

MO	DAY	YEAR	TIME	LOCATION (IF NOT LISTED ABOVE):
4	10	12	8:30	

OREGON UNIFORM CITATION AND COMPLAINT

☐ CRIMINAL ☐ MANDATORY APPEARANCE (SEE BACK.) ☐ NON-TRAFFIC
☐ VIOLATION ☐ OPTIONAL APPEARANCE (SEE BACK.) ☐ TRAFFIC

STATE OF OREGON ☐ Municipal ☐ Juvenile—2727 Centennial Blvd.
 CITY OF EUGENE ☐ Circuit—125 E. 8th Ave. See (Reverse Side.) Zip: 97401
 COUNTY OF LANE ☐ Central Lane Justice—220 5th, Spfld ☐ Other court, see below

THE UNDERSIGNED CERTIFIES AND SAYS THAT:

NAME: LAST FIRST MIDDLE
 CARBER 166 3444

DATE OF BIRTH 10/28/88 RACE SEX HEIGHT WEIGHT HAIR EYES
 10/28/88 UP PASSENGER

OFFENSE DATE MONTH DAY YEAR TIME
 ON OR ABOUT: 3 19 12 12:08 PM
 AT OR NEAR LOCATION: RIVER RD / BOUT CUL

DID OPERATE THE FOLLOWING VEHICLE ON A HIGHWAY/PREMISES OPEN TO THE PUBLIC:
 VEHICLE LICENSE NO. STATE DRIVER NOT REG. OWNER ACCIDENT: PERSONAL INJURY PROPERTY DAMAGE
 VEH. YR. MAKE MODEL STYLE COLOR
 PUC NO. PEDESTRIAN HAZ MAT BICYCLE CDL RELATED

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):
 1. VIOLATED (CITE ORS/ORD.RULE) 4.728 CHARGE PRES. FINE/SEC.
 2. VIOLATED (CITE ORS/ORD.RULE) CHARGE PRES. FINE/SEC.
 3. VIOLATED (CITE ORS/ORD.RULE) CHARGE PRES. FINE/SEC.

VEHICLE

OFFENSE(S)

I CERTIFY UNDER ORS 153.045 AND 153.990 THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE MENTIONED PERSON COMMITTED THE ABOVE OFFENSE(S) AND I HAVE SERVED THE PERSON WITH THIS COMPLAINT.

03/19/12 DATE ISSUED 1702 BFG C OFFICER'S SIGNATURE 36 OFFICER ID
 NAME OF ARRESTING PERSON, IF NOT OFFICER COMPLAINT / INFORMATION FILED AT TIME OF CITATION?

YOUR COURT APPEARANCE DATE, TIME, AND LOCATION

MO	DAY	YEAR	TIME	LOCATION (IF NOT LISTED ABOVE):
4	10	12	8:30	

CHG#1
CHG#2
CHG#3

CHG#1
CHG#2
CHG#3

OREGON UNIFORM CITATION AND COMPLAINT

☒ CRIMINAL	☒ MANDATORY APPEARANCE (SEE BACK.)	☐ NON-TRAFFIC
☐ VIOLATION	☐ OPTIONAL APPEARANCE (SEE BACK.)	☒ TRAFFIC

STATE OF OREGON ☒ Municipal ☐ Juvenile—2727 Centennial Blvd.
 CITY OF EUGENE ☐ Circuit—125 E. 8th Ave. See (Reverse Side.) Zip: 97401
 COUNTY OF LANE ☐ Central Lane Justice—220 5th, Sp1d ☐ Other court, see below

THE UNDERSIGNED CERTIFIES AND SAYS THAT:

NAME: LAST FIRST MIDDLE
 GARBERG LBB JAHU

ADDRESS: [REDACTED] PHONE: [REDACTED]

DATE OF BIRTH: [REDACTED] SEX: [REDACTED] MARITAL STATUS: [REDACTED]

DRIVER LICENSE NO.: [REDACTED] PASSENGER

AT THE FOLLOWING TIME AND PLACE IN THE ABOVE MENTIONED STATE AND COUNTY:

OFFENSE DATE MONTH DAY YEAR TIME ☐ AM ☒ PM
 ON OR ABOUT: 3 19 12 12:08

AT OR NEAR LOCATION: RIVER RD / BRITAIN

DID OPERATE THE FOLLOWING VEHICLE ON A HIGHWAY/PREMISES OPEN TO THE PUBLIC:

VEHICLE LICENSE NO.	STATE	☐ DRIVER NOT REG. OWNER	ACCIDENT:	☐ PERSONAL INJURY	☐ PROPERTY DAMAGE
VEH. YR.	MAKE	MODEL	STYLE	COLOR	
07	GMC	S10K	PV	BLK	

PUC NO. ☐ PEDESTRIAN ☐ HAZ MAT ☐ BICYCLE ☐ CDL RELATED

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

1. VIOLATED (CITE ORS/ORD.RULE)	☐ VIO. BASIC RULE ☐ VIO. DES SPD	ALLEGED SPD	ZONE/PSTD SPD	☐ RADAR ☐ LIDAR ☐ PACE
CHARGE	PRES. FINE/SEC.			
813.010	540-			

2. VIOLATED (CITE ORS/ORD.RULE) CHARGE PRES. FINE/SEC.

3. VIOLATED (CITE ORS/ORD.RULE) CHARGE PRES. FINE/SEC.

I CERTIFY UNDER ORS 153.045 AND 153.090 THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE MENTIONED PERSON COMMITTED THE ABOVE OFFENSE(S) AND I HAVE SERVED THE PERSON WITH THIS COMPLAINT.

03/19/12 DATE ISSUED 1708BARG OFFICER'S SIGNATURE 365 OFFICER ID

NAME OF ARRESTING PERSON, IF NOT OFFICER ☐ COMPLAINT / INFORMATION FILED AT TIME OF CITATION?

YOUR COURT APPEARANCE DATE, TIME, AND LOCATION

MO	DAY	YEAR	TIME	LOCATION (IF NOT LISTED ABOVE):
4	10	12	8:30 PM	

CHG#1
CHG#2
CHG#3

OREGON UNIFORM CITATION AND COMPLAINT

☒ CRIMINAL	☒ MANDATORY APPEARANCE (SEE BACK.)	☐ NON-TRAFFIC
☐ VIOLATION	☐ OPTIONAL APPEARANCE (SEE BACK.)	☒ TRAFFIC

STATE OF OREGON ☒ Municipal ☐ Juvenile—2727 Centennial Blvd.
 CITY OF EUGENE ☐ Circuit—125 E. 8th Ave. See (Reverse Side.) Zip: 97401
 COUNTY OF LANE ☐ Central Lane Justice—220 5th, Sp1d ☐ Other court, see below

THE UNDERSIGNED CERTIFIES AND SAYS THAT:

NAME: LAST FIRST MIDDLE
 GARBERG LBB JAHU

ADDRESS: [REDACTED] PHONE: [REDACTED]

DATE OF BIRTH: [REDACTED] SEX: [REDACTED] MARITAL STATUS: [REDACTED]

DRIVER LICENSE NO.: [REDACTED] PASSENGER

AT THE FOLLOWING TIME AND PLACE IN THE ABOVE MENTIONED STATE AND COUNTY:

OFFENSE DATE MONTH DAY YEAR TIME ☐ AM ☒ PM
 ON OR ABOUT: 3 19 12 12:08

AT OR NEAR LOCATION: RIVER RD / BRITAIN

DID OPERATE THE FOLLOWING VEHICLE ON A HIGHWAY/PREMISES OPEN TO THE PUBLIC:

VEHICLE LICENSE NO.	STATE	☐ DRIVER NOT REG. OWNER	ACCIDENT:	☐ PERSONAL INJURY	☐ PROPERTY DAMAGE
VEH. YR.	MAKE	MODEL	STYLE	COLOR	
07	GMC	S10K	PV	BLK	

PUC NO. ☐ PEDESTRIAN ☐ HAZ MAT ☐ BICYCLE ☐ CDL RELATED

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

1. VIOLATED (CITE ORS/ORD.RULE)	☐ VIO. BASIC RULE ☐ VIO. DES SPD	ALLEGED SPD	ZONE/PSTD SPD	☐ RADAR ☐ LIDAR ☐ PACE
CHARGE	PRES. FINE/SEC.			
811.110	540-			

2. VIOLATED (CITE ORS/ORD.RULE) CHARGE PRES. FINE/SEC.

3. VIOLATED (CITE ORS/ORD.RULE) CHARGE PRES. FINE/SEC.

I CERTIFY UNDER ORS 153.045 AND 153.090 THAT I HAVE SUFFICIENT GROUNDS TO AND DO BELIEVE THAT THE ABOVE MENTIONED PERSON COMMITTED THE ABOVE OFFENSE(S) AND I HAVE SERVED THE PERSON WITH THIS COMPLAINT.

03/19/12 DATE ISSUED 1708BARG OFFICER'S SIGNATURE 365 OFFICER ID

NAME OF ARRESTING PERSON, IF NOT OFFICER ☐ COMPLAINT / INFORMATION FILED AT TIME OF CITATION?

YOUR COURT APPEARANCE DATE, TIME, AND LOCATION

MO	DAY	YEAR	TIME	LOCATION (IF NOT LISTED ABOVE):
4	10	12	8:30 PM	

CHG#1
CHG#2
CHG#3

IN THE MUNICIPAL COURT FOR THE CITY OF EUGENE, LANE COUNTY

City of Eugene

VS.

LEE JAHN GARBER

Docket: 1205256

Diversion Dismissal Order

THIS MATTER COMING BEFORE THE COURT:

The Court finds that the above-named defendant has successfully completed the DUI Diversion Program. It is hereby ordered that the above-named case is dismissed.

Dated May 13, 2013 at City of Eugene, Oregon.

Eugene Municipal Court Judge

January 22, 2013

To Whom it May Concern:

Lee Garber enrolled in alcohol and drug treatment on 07/02/12.
He was successfully discharged on 11/19/12.

During this time he attended an assessment, 16 group sessions, an individual appointment and a discharge. His groups met one time per week for 2 hours each time. He provided 9 urinalyses that were returned negative for all substances.

If I can be of any further assistance, please don't hesitate to contact me at 541-687-9139, ext 308.

Sincerely,



Theresa Slocum, CADCI

1461 Oak Street
Eugene, OR 97401

541.687.9139
541.802.1874 fax

www.emergence.com

C e r t i f i c a t e o f C o m p l e t i o n

emergence
addiction and behavioral therapies

This Certifies That

Lee Garber

*Has earned special recognition and is hereby
granted this Certificate of Completion for*

Discovery

Given this 19th day of November 2012

[Signature]

Board of Directors

[Signature] [Signature]

Counselor

Executive Director

CITY OF EUGENE

JUDGMENT AND SENTENCE ORDER

Plaintiff,

vs.

Defendant

DOCKET NO.

1205259

Defendant has been convicted of the offense of Crim Misd. This being the time set for imposition of sentence, the City appearing by Barndick, City Prosecutor, and the Defendant appearing in person and by attorney Frederick, and the Court being fully advised:

IT IS HEREBY ORDERED THAT:

(X) Imposition of sentence is hereby suspended and Defendant is placed on probation for a period of 1 (months)(years) on the Terms and Conditions set forth below.

TERMS AND CONDITIONS:

- (X) (1) Defendant shall report to the Adult Corrections Facility as indicated in your commitment order, on _____ to serve 2 days in custody of the sheriff () with credit for time served, () without credit for time served.
- () (2) Satisfactory completion of Community Service Program as follows: _____ hours by _____ which includes _____ hours adult work crew and payment of an initial set up fee to the Community Services Division. Defendant is to call within 72 hours and set up an appointment (telephone 541-682-2105).
- () (3) Defendant shall timely enroll, participate and successfully complete an alcohol or substance abuse treatment program; and report within seven calendar days in person to the Alcohol and Drug Evaluation Services (ADES) provider, and at the defendant's own expense, timely comply with the entire treatment or education program designated by that agency.
- () (4) Defendant shall submit to a chemical test to analyze breath or blood when requested by a police officer when such officer reasonably suspects the defendant is operating a motor vehicle while under the influence of intoxicants.
- () (5) Not drive a vehicle until or unless licensed by the State of Oregon and covered by all insurance required by law.
- () (6) Attend Victim Impact Panel on: _____.
- () (7) Defendant is prohibited from entering into the area outlined in exhibit A for a period of _____ days/months/year(s) with exception of defendant living within the boundaries mentioned and _____ () Defendant received a copy of Exhibit A - Map of Area. _____ (Initial)
- (X) (8) Not become convicted of or involved in any similar offense or _____.
- () (9) Not enter premises at: _____.
- () (10) No contact or attempt to contact _____.
- () (11) _____.
- (X) (12) Defendant is further ordered to inform the clerk of this court of any change of address or name, in writing, within five days of such change.
- (X) (13) Money judgment is entered against Defendant, the JUDGMENT DEBTOR and in favor of the City of Eugene, the JUDGMENT CREDITOR, and shall be recovered by the City. Defendant SHALL PAY itemized amounts below to: Eugene Municipal Court, 1102 Lincoln Street, Eugene, OR 97401.

Fine	\$ <u>300</u>	DUI Conviction Fees	\$ _____	Warrant Fee	\$ _____
County Assessment	\$ _____	Probation Monitoring Fee	\$ <u>100</u>	Attorney Costs	\$ _____
Unitary Assessment	\$ _____	Suspension Fee	\$ _____	Other	\$ _____
Restitution	\$ <u>118.94</u>	to be disbursed by the court clerk to:			

DATED this 8th day of August, 2012

Municipal Court Judge

I understand that failure to abide by these conditions will result in revocation of my probation or execution of the suspended sentence.

Defendant

Street and Mailing Address (Including City, State and Zip)

Telephone or Message Number

Clerk
Eugene Municipal Court
1102 Lincoln St.
Eugene, OR 97401
(541) 682-5402

TERMINAL L.D.: 001734000002211999408

MERCHANT #: 0022119994

UISA
*****3019

SALE
RECORD #: 1 INV: 000001
DATE: AUG 08, 12 TIME: 10:00
BATCH: 568

AUTH: 005770

TOTAL \$518.94

PLANCE: \$0.00

GARBER

I AGREE TO PAY ABOVE TOTAL AMOUNT
ACCORDING TO CARD ISSUER AGREEMENT
(MERCHANT AGREEMENT IF CREDIT VOUCHER)

CUSTOMER COPY

Lane County Sheriff's Office

Alternative Program Manager

Furlough Release - Sheriff Work Crew Program (541) 682-2117

Sheriff of a County in which a defendant is confined in the county jail by sentence or a condition of the defendant upon pass, furlough, leave, work or educational release unless otherwiseistrate."

ane County Sheriff the inmate named in this document is granted a release from the Lane County ugh for the purpose of participating in the marked program and is subject to all conditions

LEE JAHN

DOB

		Court	Case #	Length	Type
4.782	CRIMINAL MISCHIEF-2	Eugene Police Dept	EGM 12-05259	2	CC

You are directed to complete TWO (2) DAYS. Your sentence has already been adjusted for Time Served, Good Time, and Work Credit.

CONDITIONS: The inmate is to report on the dates marked below.

September 04, 2012 (Tue)

September 05, 2012 (Wed)

Release: Your projected release date is 9/12/2012. The actual release date is contingent on the completion of your sentence.

Report to the Road Crew Assembly Area at 0730 on your scheduled days.

****NO cell phones, pagers, MP3 players, etc.****

The Jail Management System is the final authority on all jail lodgings.

Although furloughed from the Lane County Adult Corrections Facility, the inmate remains subject to direction by the Lane County Sheriff's Office. This furlough does not terminate the sentence that has been ordered by the court and is subject to cancellation requiring the remaining balance of the sentence be completed in the custody of the Lane County Adult Corrections Facility. Failure to report on the dates and times specified in this document may result in the notification of the sentencing court and could lead to additional criminal charges. FAILURE TO COMPLY WITH ALL CONDITIONS AND DIRECTIVES OF THE INMATE FURLOUGH PROGRAM MAY RESULT IN REVOCATION OF THIS FURLOUGH AND LOSS OF GOOD TIME AND OR WORK CREDIT.

By: Supervising Authority Approval

For: Thomas M. Turner, Lane County Sheriff

Date

Inmate Signature

Date

Lane County
working
for you

Lane County Sheriff's Office
SHERMAN CENTER (541) 682-2200
101 West 5th Ave.
Eugene Oregon, 97401

EUGENE MUNICIPAL COURT
1102 LINCOLN ST EUGENE OR 97401 PHONE: (541) 682-5400

RECEIPT#: 559 / 10090 POSTED: UPD: X DT/TM: 08/08/12 @ 10:08 AM

DOCKET#: 1205259 CITE/CASE#: 635518 EGP INI: VKA VOID:

NAME: GARBER LEE JAHN DOB: [REDACTED] AIRS: 514949

VIOLATION: CRIMINAL MISCHIEF-2 E1420 ORIGINAL COURT DATE: 04/10/12

FUNDS: VIC REST 118.94 CRIMINAL 60.00 PROB FEE 100.00

FINE 240.00

CASH: CHK/MO: CRED CARD: 518.94 AMT PAID: 518.94

NEXT CRT DATE: AT CHANGE:

COMMENT: CCR: BALANCE DUE:

PAID BY:

Date: 8/8/2012 Time: 10:08:58 AM

4

**PROPOSED REGULATION OF THE BOARD OF EXAMINERS
FOR LONG-TERM CARE ADMINISTRATORS**

LCB File No. R030-16

April 15, 2016

EXPLANATION – Matter in *italics* is new; matter in brackets [~~emitted material~~] is material to be omitted.

AUTHORITY: §1, NRS 654.110 and 654.150; §2, NRS 654.110, 654.140 and 654.150; §3, NRS 654.110, 654.150 and 654.170; §4, NRS 654.110, 654.140 and 654.155; §5, NRS 654.110, 654.155 and 654.170; §6, NRS 654.110; §§7-9, NRS 654.110 and 654.190.

A REGULATION relating to long-term care administrators; revising the qualifications for licensure as an administrator; revising the requirements for continuing education for licensed administrators; revising the grounds for disciplinary action against licensed administrators; revising the limitations on the administration of multiple facilities by licensed administrators; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law sets forth certain qualifications for a person to obtain a license as a nursing facility administrator or an administrator of residential facilities for groups and authorizes the Board of Examiners for Long-Term Care Administrators to develop, impose and enforce standards which must be met by persons to obtain those licenses. (NRS 654.110, 654.150, 654.155) Existing law also provides that the Board may, after notice and an opportunity for a hearing, impose certain disciplinary action against certain licensees. (NRS 654.190) This regulation revises the qualifications for licensure as an administrator and the provisions governing disciplinary action against licensees.

Under existing regulations, to obtain a license as a nursing facility administrator, an applicant must meet certain educational and training requirements. In addition, under existing regulations, a program of training to qualify for a license must require a licensed nursing facility administrator to supervise the training of each person in the program. (NAC 654.100) **Section 1** of this regulation: (1) increases from 1,000 hours to 1,200 hours the number of hours of training that must be completed by a person who seeks to qualify for a license by having a baccalaureate or master's degree in a field other than health care or nursing facility administration; (2) requires a program for training administrators to be completed in a nursing facility that has 40 or more

beds; and (3) requires a licensed nursing facility administrator who supervises a person in a program of training to complete a mentor training program approved by the Board.

Under existing regulations, to obtain a license as an administrator of a residential facility for groups, an applicant must have certain experience in residential caregiving, the management or administration of a residential facility for groups or the field of health care. (NAC 654.1505) **Section 4** of this regulation revises this requirement to provide that an applicant may qualify for a license by having a certain amount of experience in long-term care or by having certain education in combination with a lesser amount of experience in long-term care. **Section 4** also defines the type of work that qualifies as experience in long-term care.

Existing law requires an applicant for a license as a nursing facility administrator or an administrator of a residential facility for groups to submit with the application a complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report on the applicant's background. (NRS 654.150, 654.155) **Sections 2 and 4** of this regulation require an applicant for a license to submit either the complete set of fingerprints or a written verification, on a form prescribed by the Board, stating that the fingerprints of the applicant were taken and directly forwarded electronically or by other means to the Central Repository for a background investigation.

Existing law and regulations provide that to renew his or her license, a person licensed as a nursing facility administrator or an administrator of a residential facility for groups must complete a certain number of hours of continuing education in a program approved by the Board. (NRS 654.170; NAC 654.130, 654.154) **Sections 3 and 5** of this regulation provide that the Board will not approve more than 8 hours of continuing education credit earned in a 24-hour period.

Existing law and regulations authorize the Board to impose an administrative fine of not more than \$10,000 on a person licensed as a nursing facility administrator or an administrator of a residential facility for groups for each violation of certain regulations adopted by the Board. (NRS 654.190; NAC 654.181, 654.210, 654.250) **Sections 7-9** of this regulation authorize the Board to take disciplinary action against a licensee who fails to pay certain fines imposed by the Board in accordance with the terms of the written notice to the licensee of the fine. **Section 8** of this regulation also reorganizes the list of grounds for disciplinary action.

Existing regulations establish limits on the ability of a person licensed as a nursing facility administrator or an administrator of a residential facility for groups to be the administrator of record for more than one facility. (NAC 654.250) **Section 9** of this regulation prohibits a person who holds both licenses and who is the administrator of record for more than one facility from being the administrator of record for more than a total of 150 beds located in all facilities for which he or she is the administrator of record.

Section 1. NAC 654.100 is hereby amended to read as follows:

654.100 1. In addition to the requirements set forth in NRS 654.150 and 654.180, an applicant for a license as a nursing facility administrator must submit evidence satisfactory to the Board that the applicant:

(a) Is 21 years of age or older;

(b) Has one of the following:

(1) A baccalaureate or master's degree in the administration of nursing facilities or ~~related~~ *the field of health care* from a college or university recognized by the United States Department of Education and has successfully completed at least 1,000 hours:

(I) In a program for training administrators approved by the Board or the National Association of Long Term Care Administrator Boards; or

(II) In an internship or residency program in a facility providing long-term nursing care;

(2) A baccalaureate or master's degree in any field from a college or university recognized by the United States Department of Education and has successfully completed at least ~~1,000~~ *1,200* hours in a program for training administrators approved by the Board or the National Association of Long Term Care Administrator Boards; or

(3) A certificate issued by the American College of Health Care Administrators for the completion of the program for the certification of nursing home administrators;

(c) Has completed 8 hours of training concerning the statutes and regulations relating to long-term care and any other standards of care which apply to nursing facility administrators that is approved by the Board; and

(d) Is not the subject of any disciplinary proceeding.

2. A program for training administrators described in subsection 1 must *be completed in a nursing facility that has 40 or more beds and must* require a person in the program to complete:

(a) All the activities and forms provided in *The NAB Five-Step Program Administrator-in-Training Internship Manual for Nursing Home Administrators* published by the National Association of Long Term Care Administrator Boards; ~~{and}~~

(b) At least 1,000 hours of training in a period of not less than 20 weeks and include training in the following areas:

- (1) Administration of nursing facilities;
- (2) Personnel management of nursing facilities;
- (3) Nursing;
- (4) Rehabilitation of patients in nursing facilities;
- (5) Management of medical records in nursing facilities;
- (6) Activities for patients of nursing facilities;
- (7) Social services for patients of nursing facilities;
- (8) Admission of patients of nursing facilities;
- (9) Management of a business office;
- (10) Dietary needs of patients of nursing facilities;
- (11) Housekeeping and laundry services provided in nursing facilities; and

(12) Maintenance and environmental management of nursing facilities ~~{-}~~; and

(c) If the applicant is required to complete 1,200 hours of training pursuant to subparagraph (2) of paragraph (b) of subsection 1, 200 hours of training as follows:

(1) Sixty-five hours of training on resident care;

(2) Forty-five hours of training on personnel management;

(3) Twenty-five hours of training on financial management;

(4) Twenty-five hours of training on maintenance, housekeeping and laundry; and

(5) Forty hours of training on administration.

3. In addition to the requirements set forth in subsection 2, a program for training administrators described in subsection 1 must require ~~{-}~~ *a preceptor to supervise each person receiving the training set forth in subsection 2. The preceptor must:*

(a) ~~{A}~~ *Be a licensed nursing facility administrator* ~~{who is licensed in this State, is}~~ in good standing with the Board ~~{and has}~~;

(b) *Have practiced as* ~~{an}~~ *a nursing facility administrator for at least 2 of the preceding 5 years* ~~{to supervise the training of each person in the program in the areas set forth in subsection 2;~~

~~{(b) The administrator to determine}~~;

(c) *Have completed a mentor training program approved by the Board;*

(d) *Determine* the order in which the training will be provided to each person he or she supervises; and

~~{(e) The administrator to record}~~

(e) *Record* the dates and times that each person he or she supervises completes the training required in each area set forth in subsection 2.

4. Evidence of the successful completion of a program for training administrators submitted pursuant to subsection 1 must be a certificate of completion that is:

- (a) On a form provided by the Board; and
- (b) Signed by the ~~{administrator}~~ *preceptor* who supervised the applicant.

5. A program for training administrators completed in another state must be equivalent to those programs approved in this State.

6. Before an applicant for a license as a nursing facility administrator may begin a program for training administrators described in subsection 1, the applicant must obtain approval from the Board to do so.

7. A person or entity must obtain approval of the Board to provide a program for training administrators described in subsection 1. The person or entity seeking approval must submit to the Board a description of the training program and any additional information required by the Board.

Sec. 2. NAC 654.110 is hereby amended to read as follows:

654.110 In addition to the requirements of NRS 654.150 and 654.180 and NAC 654.100, an applicant for a license as a nursing facility administrator must:

- 1. Provide a statement to the Board indicating that to the best of the applicant's knowledge he or she is of good health and free from contagious disease;
- 2. Indicate whether the applicant suffers from any mental impairment that would affect his or her ability to perform the duties of a nursing facility administrator;

3. Be able to communicate adequately in the English language both verbally and in writing;

4. Indicate whether the applicant has been investigated or is being investigated for misconduct or had a license or certificate revoked, modified, limited or suspended, or whether any other disciplinary action or proceeding has been instituted against him or her by any authority in any state; ~~and~~

5. Provide a statement to the Board indicating whether since the age of 18 years the applicant has ever been:

- (a) Charged with any misdemeanor, gross misdemeanor or felony; or
- (b) Convicted of any misdemeanor, gross misdemeanor or felony ~~[-]~~ ; *and*

6. *Submit to the Board:*

(a) A complete set of fingerprints and written permission authorizing the Board or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; or

(b) Written verification, on a form prescribed by the Board, stating that the fingerprints of the applicant were taken and directly forwarded electronically or by another means to the Central Repository and that the applicant has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for a report on the applicant's background and to such other law enforcement agencies as the Board deems necessary.

Sec. 3. NAC 654.130 is hereby amended to read as follows:

654.130 1. A program of study to train and qualify applicants for a license as nursing facility administrators offered by any accredited university or college is acceptable and approved for such a purpose.

2. Except as otherwise provided in NAC 654.169, to renew his or her license, a licensee must have, in the 2 years immediately preceding the date for renewal of the license, completed 30 continuing education units in a program approved by the Board pursuant to subsection 5. Two of the continuing education units must be in professional ethics and two of the continuing education units must be in training concerning the statutes and regulations relating to long-term care and any other standards of care which apply to nursing facility administrators.

3. Subject to the approval of the Board, not more than a total of 10 continuing education units may be obtained by:

(a) Except as otherwise provided in subsection 4, having an article published in a publication concerned with health care, with 10 continuing education units allowed for each published article containing at least 1,500 words;

(b) Except as otherwise provided in subsection 4, having an article published in a publication concerned with health care, with 1 continuing education unit allowed for each hour spent writing the article; or

(c) Presenting a paper at a meeting of an organization concerned with long-term care, with 1 continuing education unit allowed for each hour spent presenting the paper.

4. If an article is self-published by a nursing facility administrator, the nursing facility administrator may not receive the continuing education units that are described in paragraphs (a) and (b) of subsection 3.

5. The Board will approve programs for continuing education units for organizations, groups or persons that sponsor educational programs which meet certain criteria as the Board may prescribe. Special forms for requesting approval must be used and are available from the office of the Board. Topics for programs for continuing education units must be related to the domains of practice in the field of long-term care.

6. The Board will not approve more than 8 continuing education units earned in any 24-hour period.

Sec. 4. NAC 654.1505 is hereby amended to read as follows:

654.1505 In addition to the requirements of NRS 654.155 and 654.180, an applicant for a license as an administrator of a residential facility for groups must:

1. Possess a high school diploma, general equivalency diploma or degree from an accredited institution of higher learning;
2. Pass an examination administered by the National Association of Long Term Care Administrator Boards;
3. Complete a program of training approved by the Board concerning the statutes and regulations relating to residential group care and any other standards of care which apply to operators of residential facilities;
4. Provide a statement to the Board indicating that to the best of the applicant's knowledge he or she is of good health and free from contagious disease;
5. Indicate whether the applicant suffers from any mental impairment that would affect the ability to perform the duties of an administrator of a residential facility for groups;
6. Be able to communicate adequately in the English language both verbally and in writing;

7. Indicate whether the applicant has been investigated for misconduct or had a license or certificate revoked, modified, limited or suspended, or whether any other disciplinary action or proceeding has been instituted against him or her by any authority in any state;

8. Provide a statement to the Board indicating whether since the age of 18 years the applicant has ever been:

- (a) Charged with any misdemeanor, gross misdemeanor or felony; or
- (b) Convicted of any misdemeanor, gross misdemeanor or felony; ~~{and}~~

9. *Submit to the Board:*

(a) A complete set of fingerprints and written permission authorizing the Board or its designee to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; or

(b) Written verification, on a form prescribed by the Board, stating that the fingerprints of the applicant were taken and directly forwarded electronically or by another means to the Central Repository and that the applicant has given written permission to the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for submission to the Federal Bureau of Investigation for a report on the applicant's background and such other law enforcement agencies as the Board deems necessary; and

10. Provide proof that he or she ~~{has:}~~

(a) ~~{At least:}~~ *Has:*

(1) ~~{Two}~~ *At least 2* years of experience in ~~{residential caregiving or as a manager of a residential facility for groups or an administrator of a residential facility for groups}~~ *long-term*

care, including management and supervision, within the 6-year period immediately preceding the date on which he or she submits his or her application; ~~or~~

(2) ~~{One}~~ *An associate's degree and at least 1 year of experience in ~~the field of health care;~~ long-term care, including 6 months of management and supervision, within the 6-year period immediately preceding the date on which he or she submits his or her application;*
or

(3) *A bachelor's degree, master's degree or doctoral degree and at least 6 months of experience in long-term care, including management and supervision, within the 6-year period immediately preceding the date on which he or she submits his or her application;*

(b) Completed 100 hours of study or training approved by the Board in the domains of practice in the field of operating a residential facility for groups; and

(c) Completed 40 hours of study under the supervision of a mentor who has been approved by the Board pursuant to NAC 654.156.

↪ As used in this subsection, "experience in long-term care" means full-time, or equivalent hourly experience, working in a licensed residential facility for groups.

Sec. 5. NAC 654.154 is hereby amended to read as follows:

654.154 1. Except as otherwise provided in NAC 654.169, to renew his or her license, in the 2 years immediately preceding the date for renewal of the license, an administrator of a residential facility for groups must have completed 16 continuing education units in programs approved by the Board pursuant to subsection 2. Two of the continuing education units must be in professional ethics and two of the continuing education units must be in training concerning

the statutes and regulations relating to residential group and any other standards of care which apply to operators of residential facilities.

2. The Board will approve programs for continuing education units for organizations, groups or persons that sponsor educational programs which meet certain criteria as the Board may prescribe. Special forms for requesting approval must be used and are available from the office of the Board. Topics for programs for continuing education units must be related to the domains of practice in the field of long-term care.

3. An administrator of a residential facility for groups who is approved by the Board to serve as a mentor pursuant to NAC 654.156 may receive credit for not more than 10 continuing education units during each renewal period by supervising the study of an applicant for a license as an administrator of a residential facility for groups. One continuing education unit will be awarded for each 4 hours of actual supervision.

4. The Board will not approve more than 8 continuing education units earned in any 24-hour period.

Sec. 6. NAC 654.156 is hereby amended to read as follows:

654.156 1. A person who wishes to mentor an applicant for a license as an administrator of a residential facility for groups as required for such applicants pursuant to paragraph (c) of subsection ~~9~~ 10 of NAC 654.1505 must meet the requirements set forth in subsection 2 and be approved to serve as a mentor by the Board.

2. The Board may approve a person to serve as a mentor if the person completes an application provided by the Board and demonstrates that he or she:

(a) Holds a license issued by the Board as an administrator of a residential facility for groups;

(b) Has at least 2 years of experience as an administrator of a residential facility for groups;
(c) Has completed a course that has been approved by the Board for the training of mentors;
and

(d) Is able to communicate effectively orally and in writing.

3. The Board may deny approval for a person to serve as a mentor if:

(a) The person has been the subject of a disciplinary action brought by the Board; or

(b) The person has been the administrator of record of a residential facility for groups that has been the subject of an action brought by the Division of Public and Behavioral Health of the Department of Health and Human Services against the holder of the license to operate the facility.

Sec. 7. NAC 654.181 is hereby amended to read as follows:

654.181 1. Each person licensed as a nursing facility administrator or an administrator of a residential facility for groups shall notify the Board, in writing:

(a) Of any change in his or her residential address, telephone number, electronic mail address or other contact information within 15 days after such a change;

(b) Any time the person becomes *or terminates his or her position as* the administrator of record of a ~~{different}~~ facility within 15 days after such an event; or

(c) Of any change in the number of beds authorized in the facility of which the person is the administrator of record.

2. If the Board imposes an administrative fine on a licensee for a violation of subsection 1, the amount of the fine will be at least \$500 for a first violation and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

3. If the Board imposes an administrative fine pursuant to subsection 2, and the fine is not paid in accordance with the terms of the written notice to the licensee of the fine, the Board will refer the matter to an investigator and the legal counsel for the Board to initiate disciplinary action against the licensee pursuant to NAC 654.210.

Sec. 8. NAC 654.210 is hereby amended to read as follows:

654.210 In addition to the reasons set forth in NRS 654.190, the Board may bring disciplinary action against a licensee or deny the issuance of or refuse to renew a license as a nursing facility administrator or an administrator of a residential facility for groups if the Board finds that the applicant or licensee:

1. Is guilty of fraud or deceit in procuring or attempting to procure a license pursuant to this chapter.
2. Is guilty of unprofessional conduct, including, without limitation:
 - (a) Providing services to a patient or resident which the applicant or licensee is not capable of providing with reasonable skill and safety because of his or her use of alcohol or drugs, or because of lack of adequate training, skill or knowledge;
 - (b) Gross or repeated negligence in providing services;
 - (c) Willful noncompliance with any order of the Board or any other enforcement authority;
 - (d) ~~[Conviction for violation of any federal or state law or regulation governing the prescription, possession, distribution or use of a controlled substance or any dangerous drug as defined in chapter 454 of NRS, within the past 7 years;~~

~~—(e)~~ Failure to notify the Board of the loss of a license issued by the Bureau of Health Care Quality and Compliance of the Division of Public and Behavioral Health of the Department of Health and Human Services;

~~[(f)]~~ (e) Failure to notify the Board of a change in circumstances as required pursuant to NAC 654.181;

~~[(g)]~~ (f) Paying or giving, or causing to be paid or given, a fee, commission or other valuable consideration, inducement or incentive for the solicitation or procurement of a patient or resident;

~~[(h)]~~ (g) Paying or giving, or causing to be paid or given, a fee, commission or other valuable consideration, inducement or incentive for referring a patient or resident to a facility;

~~[(i)]~~ (h) Providing or giving, or causing to be paid or given, any financial incentive, including, without limitation, a discount on rent or other fees, to a patient, resident, or family member of or responsible party for a patient or resident, to fund a payment to a person or entity for referring the patient or resident to a facility;

~~[(j)]~~ (i) Engaging in fraudulent, misleading or deceptive advertising;

~~[(k)]~~ Receiving a conviction in any jurisdiction for a felony or for any offense involving moral turpitude, including, without limitation:

~~—(1) Murder, voluntary manslaughter or mayhem;~~

~~—(2) Assault with intent to kill or to commit sexual assault or mayhem;~~

~~—(3) Sexual assault, statutory sexual seduction, incest, lewdness, indecent exposure or any other sexually related crime;~~

~~—(4) Soliciting or engaging in prostitution;~~

- ~~— (5) Except as otherwise provided in paragraph (1), domestic violence;~~
- ~~— (6) Abuse or neglect of a child or contributory delinquency;~~
- ~~— (7) A violation of any provision of NRS 200.50955 or 200.5099;~~
- ~~— (8) Any offense involving fraud, theft, embezzlement, burglary, robbery, fraudulent conversion or misappropriation of property, within the immediately preceding 7 years; and~~
- ~~— (9) Any other felony involving the use of a firearm or other deadly weapon, within the immediately preceding 7 years;~~
- ~~— (1) Receiving a conviction in any jurisdiction for a misdemeanor for domestic violence within the immediately preceding 7 years;~~
- ~~— (m) Receiving a conviction in any jurisdiction for:~~
 - ~~— (1) Any offense which is substantially related to the practice of an administrator; or~~
 - ~~— (2) Any offense for driving under the influence of intoxicating liquor or a controlled substance;~~
- ~~— (n) (j) Failing to protect the privacy of a resident or patient;~~
- ~~[(e)] (k) Violating the confidentiality of a resident or patient;~~
- ~~[(p)] (l) Failing to maintain records as required by law;~~
- ~~[(q)] (m) Falsifying or altering the records of a resident or patient;~~
- ~~[(r)] (n) Failing to protect a resident or patient from the incompetent, abusive or illegal practice of any person;~~
- ~~[(s)] (o) Engaging in sexual contact with a resident or patient;~~

~~[(t)]~~ (p) Engaging in conduct which endangers the safety of the general public, patients, residents, clients or employees by making actual or implied threats of violence or carrying out such threats;

~~[(u)]~~ (q) Abusing, exploiting, isolating, ~~[or]~~ neglecting *or abandoning* a resident or patient as defined in NRS 200.5092 ~~[(v)]~~, *as amended by section 3 of Assembly Bill No. 223, chapter 174, Statutes of Nevada 2015, at page 804; or*

~~[(v)]~~ (r) Willfully or repeatedly violating the provisions of this chapter.

3. *Is convicted in any jurisdiction of:*

(a) A felony or any offense involving moral turpitude;

(b) Any offense listed in paragraph (a) of subsection 1 of NRS 449.174;

(c) Any violation of NRS 200.5091 to 200.50995, inclusive, as amended by sections 2 to 13, inclusive, of Assembly Bill No. 223, chapter 174, Statutes of Nevada 2015, at pages 804-13;

(d) Any offense which is substantially related to the practice of an administrator; or

(e) Any offense for driving under the influence of intoxicating liquor or a controlled substance.

4. Has a record of any disciplinary, civil or criminal action taken against the applicant or licensee that has been reported to or is required pursuant to the law of any jurisdiction to be reported to the Healthcare Integrity and Protection Data Bank maintained by the Health Resources and Services Administration of the United States Department of Health and Human Services which the Board determines is contrary to the qualifications of an applicant or licensee.

5. *Fails to pay an administrative fine levied by the Board pursuant to this chapter or NRS 654.190.*

Sec. 9. NAC 654.250 is hereby amended to read as follows:

654.250 1. Except as otherwise provided in subsection ~~{7,}~~ 8, a person licensed as a nursing facility administrator may not be the administrator of record of more than one nursing facility at the same time for more than 90 days in a calendar year.

2. If a person licensed as a nursing facility administrator is the administrator of record of more than one nursing facility, the person must:

(a) Immediately notify the Board that he or she is the administrator of record of more than one nursing facility; and

(b) Obtain a secondary administrator's license for each additional nursing facility for which he or she is the administrator of record by paying a nonrefundable fee of \$100 for each license.

➡ The Board may impose an administrative fine on a licensee for failure to comply with paragraph (a). The amount of such a fine will be at least \$500 for a first violation and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

3. Except as otherwise provided in subsections 4 and ~~{7,}~~ 8, a person licensed as an administrator of a residential facility for groups *who is the administrator of record for more than one facility* may be an administrator of record for not more than 150 beds located in not more than five residential facilities for groups.

4. If a person licensed as an administrator of a residential facility for groups operates more than one residential facility for groups, the administrator must:

(a) Immediately notify the Board that he or she is operating more than one residential facility for groups; and

(b) Obtain a secondary administrator's license for each additional residential facility for groups that he or she is operating by paying a nonrefundable fee of \$100 for each license.

➡ The Board may impose an administrative fine on a licensee for failure to comply with paragraph (a). The amount of such a fine will be at least \$500 for a first violation and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

5. Each license and secondary license issued by the Board must include the name of the nursing facility or the residential facility for groups for which the license or secondary license was obtained. The Board will label each secondary administrator's license issued pursuant to subsection 2 or 4 as an "A," "B," "C" or "D" license.

6. *A person licensed as a nursing facility administrator and as an administrator of a residential facility for groups who is the administrator of record for more than one facility may be an administrator of record for not more than 150 beds located in all facilities for which he or she is the administrator of record.*

7. A nursing facility administrator or an administrator of a residential facility for groups shall surrender and return a license to the Board not later than 15 calendar days after:

(a) Relinquishing his or her responsibilities at the nursing facility or residential facility for groups for which the license was obtained; or

(b) The closure of the nursing facility or residential facility for groups for which the license was obtained.

➡ The Board may impose an administrative fine on a licensee for failure to comply with this subsection. The amount of such a fine will be at least \$500 for a first violation and at least \$1,000 for a second or subsequent violation, but will not exceed \$10,000 for each violation.

~~{7.}~~ 8. Upon application to the Board, a nursing facility administrator or an administrator of a residential facility for groups may, at the discretion of the Board, receive a waiver for a specified period of time from the limitations imposed by this section.

9. *If the Board imposes an administrative fine pursuant to subsection 2, 4 or 7 and the fine is not paid in accordance with the terms of the written notice to the licensee of the fine, the Board will refer the matter to an investigator and the legal counsel for the Board to initiate disciplinary action against the licensee pursuant to NAC 654.210.*