



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

4201 Patterson Avenue • Baltimore, Maryland 21215-2299

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

State Board of Examiners of Nursing Home Administrators

Patricia A. Hannigan, Executive Director

September 16, 2011

Honorable Thomas M. Middleton, Chair
Senate Finance Committee
3 East, Miller Senate Building
Annapolis, MD 21401

Honorable Peter A. Hammen, Chair
Health and Government Operations
House Office Building, Room 241
6 Bladen Street
Annapolis, MD 21401

Re: State Board of Examiners of Nursing Home Administrators – Sunset Extension and Program Evaluation

Dear Sirs:

The State Board of Examiners of Nursing Home Administrators (the “Board”) has been extended for four years with the passage of Senate Bill 93 and House Bill 64 (2011). The preliminary evaluation of the Board was conducted by the Department of Legislative Services (DLS), and it was recommended that the Board be waived from full evaluation, extended to July 1, 2017, and required to submit a follow-up report by October 1, 2011.

We would like to outline the Board’s actions on the following recommendations contained in the Preliminary Evaluation report:

- A plan to improve the timeliness and functioning of its disciplinary process, including the complaint investigation process;

As recommended by DLS and later mandated by HB 114 (2010), a Disciplinary Subcommittee was established to review and process complaints and the results of nursing home surveys conducted by the Office of Health Care Quality resulting in G level deficiencies or higher. The Subcommittee first met on May 6, 2010, and since that time has been handling all complaints, survey results and positive responses to character and fitness questions contained in applications for licensure and license renewal. Also, in

410-764-4750 • Fax 410-358-9187

Toll Free 1-877-4MD-DHMH • TTY for Disabled – Maryland Relay Service 1-800-735-2258

Web Site: www.dhmh.state.md.us/bonha/



February of 2011, the Board acquired the services of a Health Occupations Investigator. All outstanding investigations for the Board have been completed.

- A review of trends in licensing, with a focus on new licenses issued, the stability of renewal of licenses, and licenses on inactive status;

The Executive Director reports the issuance of new licenses, license renewals and licensees on inactive status to the Board during each open session. There are currently 234 licensed comprehensive care facilities in Maryland and 542 licensed Nursing Home Administrators. The Board tracks the administrative changes in the facilities, and will continue to monitor the trends. The number of licensees who have opted to put their license on an inactive status has remained relatively low, with the range from the current 46 to a high of 50 in 2009.

- Implementation of the planned database to track deficiency survey reports;

The Board was fortunate to have a consumer member who is an Information Technology professional assist the office in establishing the database. Staff has taken training, and the in-house IT staff has indicated they will provide technical support. All deficiencies resulting in a G level or higher deficiency will be added to this database with the starting date of July 1, 2011.

- Implementation of new and revised regulations proposed through the Regulatory Review and Evaluation Process in 2009, with a particular emphasis on those relating to the AIT program, the disciplinary process, and new causes for disciplinary action;

New regulations were promulgated on January 25, 2010 resulting from a complete review of each of the Board's regulations. The Administrator-In-Training program, preceptor certification requirements, continuing education approval, and the disciplinary section were all amended. The Board also promulgated additional amendments on March 21, 2011 which allowed for a part-time training program option. Sanctioning guidelines were developed by the Disciplinary Subcommittee. These guidelines and all the disciplinary sections of the regulations have been restructured, and should be processed through the Department by the end of this calendar year.

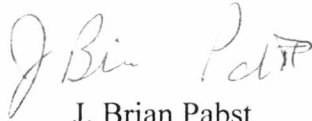
- Additional revenue generated from alterations to the fee structure through the proposed regulatory changes.

The new fee structure became effective January 25, 2010. Fees for biennial license renewal, reinstatement, duplicate of original license or license renewal, inactive, biennial inactive renewal, reactivation application, and fine for failing to notify the Board's office of change in employment or address were doubled. For fiscal year 2009, the Board generated \$41,930 in revenue. The fees were increased in the middle of the next fiscal year, and in fiscal year 2011, the Board generated \$63,785 in revenue. This increases the Board's contribution to the general fund by \$21,855.

Honorable Thomas M. Middleton, Chair
Honorable Peter A. Hammen, Chair
September 16, 2011 – Page 3

The staff and Board include a dynamic and interested group of individuals who are focused on improving the training and licensure of nursing home administrators, and are committed to the field of long term care. We are excited to be part of this team and are proud of what has been accomplished so far.

Sincerely,



J. Brian Pabst
Chairman of the Board



Patricia A. Hannigan
Executive Director