



## South Dakota Board of Nursing Facility Administrators

P.O. Box 340, 1351 N. Harrison Ave. Pierre, SD 57501

Ph.: 605-224-1721

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E-mail: [SDNFA@midwestsolutionssd.com](mailto:SDNFA@midwestsolutionssd.com)

[doh.sd.gov/boards/nursingfacility](http://doh.sd.gov/boards/nursingfacility)

### NOTICE OF MEETING

Board Meeting Agenda

Tuesday April 19, 2016

1:00-5:00pm Central

South Dakota Housing Development Authority Board Room

3060 E. Elizabeth Street, Pierre SD

The public is welcome

- 1) Call to Order
- 2) Open Forum – *5 minutes for the public to address the Board.*
- 3) Approval of Minutes – *September 21, 2015*
- 4) Adoption of Agenda
- 5) Financial Report
- 6) License Applications – *Please see enclosed excel list.*
- 7) New Business
  - a. AIT Program Approval
  - b. Petition for Examination Reconsideration
  - c. Adult Services and Aging Update – *Justin Williams and Beth Dokken 2:00pm*
  - d. Ombudsman Update – *Donna Fischer 2:00pm*
  - e. Department of Health Update – *Todd McCaskell 2:30pm*
  - f. 2016 Legislative Session – SB 54
  - g. Preceptors
  - h. Continuing Education Guidelines
  - i. Elections
  - j. Board Appointment: Approval of Continuing Education
  - k. Board Appointment: Approval of Applications
  - l. Publicly Disclosable Database Items
  - m. NAB Meeting - *June 8-10, 2016 in Cleveland and November 9-11, 2016 in Atlanta*
  - n. 2017 Spring Board Meeting (Early April)
- 8) Executive Session -1-25-2 (3) and (4)
- 9) Announcements: Next Meeting – September 6, 2016 1-3pm Central
- 10) Adjourn



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South Dakota Board of Nursing Facility Administrators  
Board Meeting  
September 21, 2015

President Diekman called the meeting to order at 1:05 pm Central.

Present: Board Members - Loren Diekman, Talli Raske, Bob Stahl, Tom Richter, and Mark Burket; Board Staff - Brittany Novotny and Lisa Harsma; Legal Counsel - Jim Carlon and Grant Flynn.

Diekman called for public testimony during the open forum. There was no public testimony.

Motion to approve the minutes of April 21, 2015 by Burket. Second by Richter. Motion carried.

The Board reviewed the current financial report.

Motion to approve the Nursing Facility Administrator licenses for Philip Preston, Lindsey Olson, Jane Gullickson, Becky Stocker, Carole Maymon, Joshua Hofmeyer, Richard Cartney, Jeremy Klinkhammer and Emergency Permits for Rick Freeman, Chris Hansen, Joshua Dorn, Dan Stockdale, Carole Maymon, April Long, Timothy Peek, Peter Stygar and Kayla Evans by Richter. Second by Raske. Motion carried.

Novotny provided an office update.

Motion to approve the Records Retention Policy as presented by Stahl. Second by Burket. Motion carried.

Novotny provided the board with an update on the Department of Labor and Regulation (DLR) Data Elements Project.

The Board discussed the annual evaluation of services and asked Stahl to conduct the evaluation.

Motion to approve travel for one person to attend the National Association of Long Term Care Administrator Boards (NAB) 2015 Mid-Year Meeting by Burket. Second by Richter. Motion carried.

The board scheduled meetings for April 19, 2016 and September 6, 2016.

Motion to adjourn the meeting at 1:50 pm by Raske. Second by Stahl. Motion carried.

Respectfully Submitted,

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Bob Stahl  
Vice President

# Remaining Authority by Object/Subobject

Expenditures current through 04/02/2016 10:22:02 AM

HEALTH -- Summary

FY 2016 Version -- AS -- Budgeted and Informational

FY Remaining: 24.7 %

09207 Subobject	Board of Nursing Home Admin - Info Operating	Expenditures	Encumbrances	Commitments	Remaining	PCT AVL
<b>EMPLOYEE SALARIES</b>						
5101030 Board & Comm Mbrs Fees	2,117	300	0	0	1,817	85.8
<b>Subtotal</b>	<b>2,117</b>	<b>300</b>	<b>0</b>	<b>0</b>	<b>1,817</b>	<b>85.8</b>
<b>EMPLOYEE BENEFITS</b>						
5102010 Oasi-employer's Share	180	25	0	0	155	86.1
<b>Subtotal</b>	<b>180</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>155</b>	<b>86.1</b>
<b>51 Personal Services</b>						
<b>Subtotal</b>	<b>2,297</b>	<b>325</b>	<b>0</b>	<b>0</b>	<b>1,972</b>	<b>85.9</b>
<b>TRAVEL</b>						
5203030 Auto-priv (in-st.) H/rte	1,000	539	0	0	461	46.1
5203100 Lodging/in-state	360	0	0	0	360	100.0
5203120 Incidentals-travel-in St.	88	0	0	0	88	100.0
5203130 Non-employ. Travel-in St.	500	375	0	0	125	25.0
5203140 Meals/taxable/in-state	50	33	0	0	17	34.0
5203150 Non-taxable Meals/in-st	50	0	0	0	50	100.0
5203260 Air-comm-out-of-state	185	0	0	0	185	100.0
5203280 Other-public-out-of-state	50	0	0	0	50	100.0
5203300 Lodging/out-state	200	0	0	0	200	100.0
5203320 Incidentals-out-of-state	50	0	0	0	50	100.0
5203350 Non-taxable Meals/out-st	100	0	0	0	100	100.0
<b>Subtotal</b>	<b>2,633</b>	<b>947</b>	<b>0</b>	<b>0</b>	<b>1,686</b>	<b>64.0</b>
<b>CONTRACTUAL SERVICES</b>						
5204020 Dues & Membership Fees	1,500	1,500	0	0	0	0.0
5204080 Legal Consultant	4,000	2,540	0	0	1,460	36.5
5204090 Management Consultant	39,254	24,908	15,131	0	-785	0.0
5204160 Workshop Registration Fee	50	0	0	0	50	100.0
5204200 Central Services	700	369	0	0	331	47.3
5204204 Central Services	300	122	0	0	178	59.3
5204207 Central Services	600	84	0	0	516	86.0
5204360 Advertising-newspaper	100	0	0	0	100	100.0
5204510 Rents-other	300	0	0	0	300	100.0
5204530 Telecommunications Srvc	1,500	0	0	0	1,500	100.0
5204550 Garbage & Sewer	0	2	0	0	-2	0.0
5204590 Ins Premiums & Surety Bds	2,300	0	0	0	2,300	100.0

# Remaining Authority by Object/Subobject

Expenditures current through 04/02/2016 10:22:02 AM

HEALTH -- Summary

FY 2016 Version -- AS -- Budgeted and Informational

FY Remaining: 24.7 %

<b>Subtotal</b>	<b>50,604</b>	<b>29,525</b>	<b>15,131</b>	<b>0</b>	<b>5,948</b>	<b>11.8</b>
<b>SUPPLIES &amp; MATERIALS</b>						
5205020 Office Supplies	0	2	0	0	-2	0.0
5205310 Printing-state	500	0	0	0	500	100.0
5205320 Printing-commercial	500	0	0	0	500	100.0
5205350 Postage	800	405	0	0	395	49.4
5205390 Food Stuffs	50	0	0	0	50	100.0
<b>Subtotal</b>	<b>1,850</b>	<b>407</b>	<b>0</b>	<b>0</b>	<b>1,443</b>	<b>78.0</b>
<b>52 Operating</b>						
<b>Subtotal</b>	<b>55,087</b>	<b>30,879</b>	<b>15,131</b>	<b>0</b>	<b>9,077</b>	<b>16.5</b>
<b>Total</b>	<b>57,384</b>	<b>31,204</b>	<b>15,131</b>	<b>0</b>	<b>11,049</b>	<b>19.3</b>

SDNFA Board Meeting

**Initial Licensure that has been issued since 9/15/2015**

First Name	Last Name	Nat. Score	State Exam	Baccalaureate Degree/Transcript	Basis of Licensure
Billjean Lee	Moerman	114	96	BA or BS Diploma/Degree	AIT
Nicholas	Brandner	126	100	MA or MS Diploma/Degree	AIT
Tracey	Hughes	113	96	MA or MS Diploma/Degree	AIT
Christopher	Hansen	126	96	MA or MS Diploma/Degree	AIT

**Reciprocity that has been issued since 9/15/2015**

First Name	Last Name	Nat. Score	State Exam	Baccalaureate Degree/Transcript	Basis of Licensure
Timothy	Peek	115	84	BA or BS Diploma/Degree	Reciprocal
Robert	Sheckler	113	100	BA or BS Diploma/Degree	Reciprocal
Bradley	Cheek	123	96	BA or BS Diploma/Degree	Reciprocal
Gail	Blocker	118	88	BA or BS Diploma/Degree	Reciprocal
Paul	Hubbelling	118	92	MA or MS Diploma/Degree	Reciprocal
Matthew	Trammel	129	96	BA or BS Diploma/Degree	Practicum
Chad	Ketcham	128	100	BA or BS Diploma/Degree	Reciprocal
Ryan Gary	Brinkerhoff	118	96	BA or BS Diploma/Degree	Reciprocal

**Emergency Permits that have been issued since 9/15/2015**

First Name	Last Name	Facility Name	Expiration Date	Denotes 2nd EP
Wade	Rhodes	Fountain Springs Healthcare	10/8/2016	
Penny	Sproul	Golden Living Center Prairie Hills	9/30/2016	
Rick	Freeman	Golden Living Center Covington Heights	9/3/2016	*
Schlomer	Tiffany	Golden Living Moberge	8/25/2016	
Karen	Fleming	Golden Living Armour	8/25/2016	
Brian	Casey	Southridge HealthCare	8/19/2016	
Michael	Coyle	Tekakwitha Living Center	8/16/2016	
Candace	Dvorak	Lake Andes Senior Living	7/15/2016	
Dawn	Rithmiller	Bethesda Home	7/12/2016	
Joseph	Mason	Aurora- Brule Nursing Home	7/8/2016	
Lisa	Loring	Golden Living- Covington Heights	7/5/2016	
Hunter	Winklepleck	Hudson Care & Rehab Center	6/29/2016	
Bruce	Bowersox	Golden Living Prairie Hills	6/18/2016	*
Peter	Stygar	Golden Living Center Madison	6/8/2016	*
Kayla	Evans	Prairie View Care Center	6/8/2016	*
Jeanne	Magnuson	Northeast Care Rehabilitation Center	6/2/2016	
Melody	Johnson	Parkview Care Center	5/17/2016	
Rita	Kling	Five Counties Nursing Home	5/10/2016	
Mina	Iskandr	Good Samaritan Society- Canistota	5/9/2016	
Jessie	Jorgenson	Centerville Care & Rehab Center	4/20/2016	*
Christina	Malvern	Golden Living Prairie Hills	4/14/2016	
Teena	Dailey	Golden Living Center Pierre	3/28/2016	
Nicholas	Brandner	Freeman Regional Health Services DBA Oakview Terrace	3/24/2016	*

Please see the included summary of the NAB Five-Step Program Administrator-In-Training Internship Manual. This summary includes:

- A description of the five steps
  1. Initial interview
  2. Self-Assessment
  3. Design the AIT Program
  4. The Internship Experience
  5. Certification of Program Completion
- An example of each Form
  1. Preliminary AIT Program Worksheet
  2. Final AIT Program Worksheet
  3. AIT Progress Report Form
  4. Certificate of Program Completion
- An overview of each department
  1. Administration
  2. Personnel
  3. Nursing
  4. Rehabilitation
  5. Medical Records
  6. Activities
  7. Social Services/ Admissions
  8. Business Office
  9. Dietary
  10. Housekeeping/ Laundry
  11. Maintenance
  12. Other
- Areas of Knowledge and Skill Expected of the Nursing Home Administrator

This is not the complete manual. The complete manual also includes related questions and possible activities for each department.

## SD Board of Nursing Facility Adm.

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**From:** Wade Rhodes <wade.rhodes@welcov.com>  
**Sent:** Friday, April 08, 2016 3:38 PM  
**To:** SDNFA@midwestsolutionsd.com  
**Cc:** Marty Davis  
**Subject:** Exam

To whom it may concern:

My name is Wade Rhodes I am currently the Interim Administrator at Ft Springs Welcov in Rapid City. I would like to petition the Board to take the NAB exam again. I have taken the exam four times with the first time being in 2007 and the last time was in 2011. The first couple of times that I attempted the exam I did not put in the proper study time in order to pass the test. The last time I took test I unfortunately missed by 2 points. I do get extremely nervous when taking tests which has in my opinion contributed to my last two failed exams. I have recently rejoined the Health Care arena again and have been presented with a fantastic opportunity to help operate Ft Springs facility on a full time basis. I would sincerely appreciate your consideration in allowing me to retake the exam so that I may continue with my career as an Administrator.

Respectfully,

Wade Rhodes

## SENATE BILL 54 – Talking Points

An Act to adopt the Elder Abuse Task Force’s statutory recommendations in order to protect South Dakota seniors and adults with disabilities from abuse, neglect, and exploitation.

### A Summary of the Task Force’s Creation and Work:

- The “Elder Abuse Task Force” was created by Senate Bill 168, proposed during last year’s session.
- The legislation specified that seventeen members would serve on the Task Force, with three Senators (Senators Bradford, Rampelberg, and Novstrup) and three Representatives (Representatives Gosch, Langer, and Schoenbeck). The other members provided experience and expertise from the health care sector, our financial institutions, our social welfare providers, and the legal profession. The Task Force also obtained the regular input of representatives from the Departments of Health, Social Services, and Human Services.
- The Task Force met six times as a group, and the four committees that comprised the Task Force met via teleconference multiple times between those six meetings. We took public comment at all of these meetings and learned a great deal about the concerns and dynamics surrounding elder and vulnerable adult abuse in South Dakota.
- The Task Force’s efforts resulted in a final report with sixteen recommendations, ten of which are incorporated into SB 54. These recommendations call for:
  - broader criminal protections;
  - broader civil remedies;
  - improved safeguards in guardianships, conservatorships and powers of attorney; and
  - new policies for state government to implement.

### A Summary of Specific Bill Provisions:

- Criminal protections are covered in sections one through three of the bill.
  - Section one adds a definition of emotional and psychological abuse to our criminal statutes.
  - Section two establishes emotional and psychological abuse as a Class 1 misdemeanor, thereby adding South Dakota to the list of 38 states that criminalize these criminal acts.
  - Sections one and three clarify that a person can commit neglect or theft by exploitation by voluntarily assuming the role of caretaker, and not just by becoming a caretaker through contract or court order.
  - All three provisions expand or clarify our criminal statutes to fill gaps in protecting our most vulnerable adults and provide guidance to law enforcement in prosecuting these crimes.
  
- Sections three through twenty detail a new protection order remedy for elders and adults with a disability who are unable to protect themselves.
  - The procedure is modeled off our current domestic abuse and stalking protection procedures.
  - It is a straightforward procedure, with the UJS supplying forms for those who are self-represented, but also allowing elders and adults with a disability on a fixed income who want to hire an attorney to recoup attorney's fees and costs.
  - Relief under this procedure, as provided in sections thirteen and fourteen, includes removing the abuser from the domicile of the elder or adult with a disability, as well as prohibiting the abuser from exercising any control over the elder's person or property.
  - This legislation was intended to provide relief in those domestic, non-institutional settings in which most elder abuse arises.
  
- Sections twenty-eight through thirty-three provide an additional civil remedy that targets financial exploiters, not just caretakers or those living with the elder or adult with a disability.
  - The procedure allows a petitioner to recoup attorney's fees and court costs to provide the petitioner an incentive to bring these cases, while also permitting compensatory and punitive damages to a successful petitioner.
  - In addition to the financial exploitation remedies provided in the civil protection order proposal, Section 29 permits removal of the exploiter

from any power of appointment granted by, or joint account held with, the victim.

- The Task Force proposed this relief because financial exploitation is the most prevalent form of elder abuse in our country, and because improving access to our courts and providing additional remedies for exploitation will help address this harm.
- The criminal punishments and civil remedies are bolstered by improvements in the abuse reporting system outlined in sections twenty-two through twenty-seven.
  - These sections clarify how mandatory reporting is accomplished in large entities. They also provide that financial exploitation is reportable, that certain information should be obtained in a report where possible, that the Office of the Attorney General shall serve as the repository of all abuse reports that meet the threshold of reasonable suspicion, and that the state's financial institutions may report suspected abuse, thereby freeing them from federal privacy constraints that restricted their reporting in the past.
  - Each of these provisions will facilitate the sharing of information on suspected elder abuse, increasing the likelihood that criminal protections and civil relief will have their intended effect.
- The remainder of the legislation relates to guardianships, conservatorships, and powers of attorney—those legal devices that help elders and adults with disabilities manage their care, affairs, and assets when they are most vulnerable.
  - Section 34 establishes, for the first time, the requirement that a power of attorney be signed by the elder or the elder's designee and the signature be witnessed by two other adults. This corrected oversights that in our Code that are necessary to protect the integrity of these important documents.
  - Sections 35 and 36 resolve a longstanding legal conflict between guardianships and conservatorships versus powers of attorney. Because guardianships and conservatorships are responsible to the court for their actions, while powers of attorney are only responsible to the elder or adult with a disability, these sections specify that a

guardianship or conservatorship trumps a conflicting power of attorney because of the additional court oversight.

- Section 38 establishes a training requirement for newly-appointed guardians and conservators, with materials graciously provided free of charge by the State Bar of South Dakota. This provision was added in response to widespread anecdotal evidence of guardians and conservators lacking knowledge of their statutory duties.
- Section 39 imposes new restrictions on who may serve as a guardian or conservator—restricting out those who may have a conflict of interest or who committed a felony—as well as imposing background check requirement. Each of these requirements, however, may be waived by a court if the court finds there is good cause for the waiver or the waiver is in the best interest of the protected person.
- Section 40 requires that where a court imposes a surety bond on a guardian or conservator, the surety bonding company must alert the parties and the court whenever that bond lapses prior to the termination of the guardianship or conservatorship.
  
- Each of these provisions is intended to protect an elder, adult with a disability, or minor whenever another person is given such important authority over their lives, their finances, and their well-being. Each provision also arises out of public comments received by the Task Force.



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### CONTINUING EDUCATION GUIDELINES

A minimum of 40 hours of continuing education pertaining to health care, healthcare administration or business administration is required biennially for renewal of license. The Board does not limit the number of online courses that a licensee can take. The following continuing education courses are accepted by the South Dakota Board of Nursing Facility Administrators:

- Academic courses pertaining to health care, healthcare administration or business administration offered through a higher education institution accredited by an organization recognized by the Council for Higher Education Accreditation.
- The Board will accept programs approved or provided by:
  - Other state licensing boards for nursing facility administrators
  - National Association of Long Term Care Administrator Boards (NAB)
  - American College of Healthcare Executives (ACHE)
  - American College of Health Care Administrators (ACHCA)
  - American Health Care Association (AHCA) and State Affiliates
  - American Hospice Foundation
  - American Hospital Association (AHA) and State Affiliates
  - American Medical Directors Association
  - Catholic Health Association
  - Centers for Medicare and Medicaid Services (CMS)
  - Leading Age (formerly AAHSA) and State Affiliates
  - National Rural Health Association
  - Systems of care that operate South Dakota nursing home facilities (such as: Avera, Sanford, Welcov, Ev. Good Samaritan Society, Tealwood, Golden Living, Rapid City Regional Health)

The Board does not accept courses specific to your facility's computer programs and/or software.



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### Database Categories the Board of Nursing Facility Administrators Collects Publicly Available Information

1. License Number
2. **Registration Number – Confidential (Historic Information)**
3. **Notes – Confidential**
4. First Name
5. Last Name
6. Formerly Known As (Name)
7. **E-mail – Confidential**
8. **Home Address – Confidential**
9. Home City
10. Home State
11. Home Zip
12. **Home Phone – Confidential**
13. **Social Security Number – Confidential**
14. **Date of Birth – Confidential**
15. Facility Name
16. Facility Address
17. Facility City
18. Facility State
19. Facility Zip
20. Facility Phone
21. Original Issue Date
22. **Renewed Date - Confidential**
23. License Valid Through Date
24. **Date Expired for Archiving – Confidential**
25. **Date Inactivated License - Confidential**
26. **Date Reactivated License - Confidential**
27. Initial Preceptor Date
28. Preceptor Valid Through Date
29. **Education - Confidential**
30. **NAB Scale Score - Confidential**
31. **NAB Test Date – Confidential**
32. **State Score - Confidential**
33. **State Test Date – Confidential**
34. **Complaint Filed Date – Confidential**
35. **Disciplinary Action or Dismissal – Confidential**
36. **Criminal History – Confidential**
37. **Gender - Confidential**

- 38. Employment Status – Part Time, Full Time, Temporary, Retired/Not Working - Confidential**
- 39. Basis of Licensure
- 40. Training Organization Name - Confidential**
- 41. Training Organization End Date - Confidential**
- 42. Training Organization City - Confidential**
- 43. Training Organization State - Confidential**
- 44. Training Organization Zip Code - Confidential**