

ALABAMA BOARD OF HOME MEDICAL EQUIPMENT

Post Office Box 240636 · Montgomery, Alabama 36124-0636

Phone: (334) 215-3474 · Fax (334) 215-3457

www.homemed.alabama.gov

MINUTES

Board Meeting

April 26, 2017

The Alabama Board of Home Medical Equipment met on Wednesday, April 26, 2017, at the Board's office located at 2777 Zelda Road in Montgomery for the purpose of conducting Board business. Board members in attendance were Ms. Lisa Wells (Board Chair), Ms. Melissa Mann (member), Mr. Vernon Johnson (member), Mr. Bruce Ovitt (member), and Mr. Jonathan Temple (member). Board members not in attendance were Mr. Wayne Lewis, Ms. Missy Fields and Mr. Kent Crenshaw. Others present were Mr. Keith Warren (Executive Director), Mr. Cameron McEwen (General Counsel), Ms. Hope Childers (Board Administrator), Mr. Mike James (Investigator/Inspector) and Ms. Renee' Reames (Executive Secretary to Mr. Warren and serving as recording secretary).

The meeting was called to order at 10:25 a.m. by Ms. Wells and a quorum was present. Public notice of this scheduled meeting was advertised on the Board's web site at www.homemed.alabama.gov, and published on the Secretary of State's web site at www.sos.alabama.gov, in accordance with the requirements of the Alabama Open Meetings Act.

The minutes from the August 24, 2016 meeting were presented to the Board for their review. A copy of the minutes was provided to the Board members prior to the meeting. Mr. Ovitt made a motion to accept the August minutes as presented. The motion was seconded by Ms. Mann and unanimously approved by the Board, with none voting "nay" (minutes available for viewing in the Board's Official Book of Minutes and on the Board's website).

Ms. Wells reported on an exemption request from a company repairing specialty powered chairs and was placing them in the patient's home. She explained that this office location would like to discontinue public access to the office. The Board attorney recommended the Board's statute be adhered to, along with the Board-approved supplier standards, requiring the HME provider office be open to the public 30 hours per week. It was the consensus of the Board members that the Board did not have the authority to make an exception to the law.

Mr. Warren presented the Executive Director Report, which included financial information and a detailed line item report of expenditures as of March 31, 2017. Also included in his report were the number of active licensees, number of inspections conducted to-date during fiscal year 2017, along with the number of complaints received during FY 2017.

Ms. Childers reported on the Administrator's report, which included staff performance activities and the number of licensee documents processed during the period of October 1, 2016 to present (reports available for viewing in the Board's Official Book of Minutes).

Mr. Temple made the motion to approve the financial report as presented. The motion was seconded by Ms. Mann and unanimously approved by the Board, with none voting "nay".

Mr. McEwen presented the General Counsel Report, to include a Consent Agreement concerning case 2017-01 for the Board's approval, which included a probationary period and \$1500 fine, that had been paid by the Respondent in the case. Ms. Mann made a motion to approve the Consent Agreement as presented, which included a two-year probation and disciplinary fine as assessed. The motion was seconded by Mr. Temple and unanimously approved by the Board, with none voting "nay".

Mr. McEwen presented a formal request for exemption. He explained that the exemption for licensing was included in the Board statute, but as a licensing Board, exemption letters were not issued by the Board. Mr. McEwen indicated that he would respond in writing to the request about the Board's position in not issuing letters of exemption.

Mr. McEwen requested information about future training and conferences concerning HME provider laws and regulations for the Board attorney and Board inspector/investigator to consider for educational purposes.

Mr. Mike Hamilton with the Alabama DME Association indicated that he knew of candidates interested in serving on the Board and had reviewed this matter with Mr. Warren.

The Board discussed the physician term on the Board and needing to obtain nominees for appointment from the Medical Association. Mr. Warren indicated that the status of Dr. Hunker's resignation would be reviewed, and Ms. Well reported that Hospice should be contacted for recommendations of nominees to serve on the Board.

The Board discussed providing more clarification in defining HME services in a residential setting and services that support the use of the equipment in a patient's residence.

Mr. Warren requested the Board approve the renewal of the Administrative Services Contract. He explained that the current contract could be renewed annually up to 5 years, and expired annually on April 30th, which was in its second contract year. Mr. Temple made a motion to approve the renewal of the Administrative Services Contract with Warren and Company for another year effective May 1, 2017, with no additional changes. The motion was seconded by Ms. Mann and unanimously approved by the Board, with none voting "nay".

Ms. Wells presented four (4) meeting dates in 2017 for the Board's approval. Following discussion by the Board, it was the consensus of the Board to meet on July 25th, September 26th and November 14th. Mr. Warren indicated that reminder notices would be sent to the Board members prior to each meeting date.

Ms. Wells reported that the annual election of officers was due. Mr. Temple made a motion to elect Ms. Lisa Wells as Board Chair. The motion was seconded by Ms. Mann. There were no additional nominations from the floor and the Board voted unanimously to approve the motion, with none voting "nay".

The Board discussed the position of Vice Chair and Mr. Lewis' interest in continuing to serve.

Ms. Wells called a recess of the Board at 11:26 a.m. for approximately 5 minutes.
The business meeting was reconvened at 11:35 a.m. and called to order by Ms. Wells.

Mr. Ovitt made a motion to elect Mr. Wayne Lewis as Board Vice Chair. The motion was seconded by Mr. Temple. There were no other nominations from the floor, and the Board voted unanimously to approve the motion, with none voting "nay".

The next meeting of the Board is scheduled July 25, 2017.

There being no further business, Ms. Wells adjourned the meeting at 11:37 a.m.

Respectfully Submitted,



Lisa Wells
Chair



Keith E. Warren
Executive Director

/rr