

ALABAMA BOARD OF HOME MEDICAL EQUIPMENT

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MINUTES

Board Meeting

SEPTEMBER 26, 2017

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

The meeting was called to order at 10:15 a.m. by Ms. Wells and a quorum was present comprised of 4 members of 7 active members currently on the Board. Four members had resigned. 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 23, 2017 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 Mr. Crenshaw 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, Board Chair, indicated that she had no new information at this time to report to the Board.

Ms. Childers, Board Administrator, presented the Executive Director Report, which included financial activities by the Board as of August 31, 2017, along with a report on the number of active licensees, number of inspections conducted to-date, and number of complaints received during FY 2017 (report available for viewing in the Board's Official Book of Minutes).

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

Mr. McEwen indicated that he had no new items to report for the Legal Counsel's Report.

Ms. Wells reported that she had no new ADMEA information to report at this time to the Board.

Ms. Wells reported that an application from Pinnacle Medical Solutions was presented for the Board's consideration. Mr. McEwen reported that representatives from the company were present at the meeting, and Mr. Kevin Wood, Senior Sales Manager, and Mr. Kelly Coleman, Alabama representative, were introduced. Mr. Mike James, Board Inspector, reported on his discovery process in preparing for a

pre-licensure site inspection and findings in this matter. Ms. Wells called for comments from the company representatives regarding the application under consideration by the Board and Mr. Wood commented on Mr. James' findings concerning a previous lawsuit against the company that resulted in a settlement by the previous owners. He indicated that these owners were no longer involved in the company, except for one of the investors who currently owned the company. Mr. Wood explained that he was not employed with the company at the time of the lawsuit and that the company's license issued by the Board had lapsed when the Board's statute changed, and the company was reapplying for licensure. Following some questions and discussion by the Board, Mr. Wood explained that the company was not currently a provider/participant in any insurance plans in Alabama, but currently participates as a mail-order provider for federally-funded insurance plans. Mr. McEwen asked about the lack of information on the application in reporting the past legal matters. Mr. Wood indicated that he was not involved in the completion of the application, and he offered to update the information on the application.

Mr. Ovitt made the motion for the Board to enter into an Executive Session for approximate 15 minutes to consider the application for licensure by Pinnacle and discuss the good name and character of the individuals involved. The motion was seconded by Mr. Crenshaw. The Board Chair called for a roll call vote by the members: Mr. Vernon Johnson voted "aye," Mr. Bruce Ovitt voted "aye," and Mr. Kent Crenshaw voted "aye," and the Board entered into an Executive Session at 10:48 a.m.

Mr. Ovitt made a motion to exit the Executive Session. The motion was seconded by Mr. Crenshaw. The Board Chair called for a roll call vote by the members: Mr. Vernon Johnson voted "aye," Mr. Bruce Ovitt voted "aye," and Mr. Kent Crenshaw voted "aye," and Ms. Wells reconvened the open business meeting at 11:15 a.m.

Mr. McEwen reported that the had Board decided to hold an Administrative Hearing before the Board members on the matter of Pinnacle Medical Solutions' application for licensure, and that proper notification would be prepared.

Ms. Wells indicated that the renewal of the Legal Services Contract was due. Mr. McEwen indicated that there were no changes to the contract for the new fiscal year period of one year. Mr. Ovitt made a motion to approve the Legal Services Contract renewal at the current rate with no changes. The motion was seconded by Mr. Crenshaw and unanimously approved by the Board, with none voting "nay."

Ms. Wells asked if there was any new business to report and there being none, she asked the Executive Director's office to poll the members about a date to hold the Administrative Hearing and having the business meeting immediately following the hearing.

There being no further business, Ms. Wells adjourned the meeting at 11:26 a.m.

Respectfully Submitted,

Lisa Wells

Chair

Lisa Wells

Keith E. Warren

Executive Director

[Signature]