



STATE OF NEVADA  
BOARD OF EXAMINERS  
FOR LONG TERM CARE ADMINISTRATORS

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KENNY C. GUINN  
Governor

January 11, 2007

MR. LORNE J. MALKIEWICH  
DIRECTOR  
LEGISLATIVE COUNSEL BUREAU  
401 SOUTH CARSON STREET  
CARSON CITY, NV 89701-4747

RE: DISCIPLINARY ACTIONS TAKEN/LICENSEE ACTIVITY REPORT – SECOND QUARTER

Dear Mr. Malkewich:

Pursuant to compliance with NRS 622.100, this is to advise that there was a disciplinary action taken during the second quarter, October 1, 2006 through December 31, 2006 of fiscal 2006 – 2007 by this board. A summary of the action is attached.

Additionally, enclosed is a copy of the Quarterly Summary and Comparison report of Licensee Activity for the second quarter of fiscal 2006 – 2007.

This board meets quarterly. The last meeting was held on November 28, 2006. The next meeting is scheduled for February 27, 2007.

Our next quarterly report will be sent to your office at the close of the second quarter of fiscal 2006 – 2007

Please contact the board office at (702) 486-5445, if you have any further questions.

Sincerely,

  
(Ms.) Terry Pedrotti,  
Executive Secretary

Cc: Deputy Chief of Staff/General Counsel, Office of the Governor  
Carla Watson, Budget Division  
Margaret A. McConnell, Chairperson  
Donna J. Rose, Secretary-Treasurer  
All Board Members  
File



**NEVAD BOARD OF EXAMINERS  
FOR  
LONG TERM CARE ADMINISTRATORS  
SUMMARIES  
OF  
DISCIPLINARY ACTION**

**June 28, 2006:**

**Delfina Sambas, licensed Residential Facility Administrator, License No. 5628** was found guilty of a charge relating to Elder Neglect by District Court Judge Valorie J. Vega of one (1) count of Duty with Disregard of Safety (NRS 202.595(1)). The case was presented by the Attorney General's Medicaid Fraud Control Unit (MFCU) Office. Ms. Sambas entered a no contest plea to the charge.

Originally the 67 year old Delfina Sambas, who had no prior convictions, was facing a potential penalty of 1 year in jail and a \$2,000.00 fine.

This Board also pursued an investigation and determined that since Ms. Sambas' license had expired on February 28, 2006, Ms. Sambas would be required to reapply as though she were a new applicant (NAC 654.155) and would be required to appear before the Board. The Board would pronounce its position at its quarterly meeting on May 23, 2006 in Reno, Nevada.

In as much as Ms. Sambas' license through the Board had expired and Ms. Sambas was found guilty by the District Court, BELTCA's Case, No. B359828, was closed.

**August 17, 2006:**

**Barbara Lawrence, Residential Facility Administrator, License #8071**, was brought before the Board for a Complaint consisting of:

**First Cause of Action – Failure to Protect:**

As Administrator of Golden Age Guest Home, Ms. Lawrence failed to protect the resident, including failing to provide basic care to the residents of the facility through failure by caregivers who were not working under supervision and not properly trained and not properly checked for background, medical and age-qualifications.

Ms. Lawrence breached her duties as Administrator by failing to meet State regulations regarding caregivers' competence in providing first aid and CPR.

Ms. Lawrence was in violation by failing to protect residents from incompetent, abusive or illegal practice.

**Second Cause of Action – Verbal Abuse:**

Ms. Lawrence breached her duties as Administrator by verbally engaging in conduct that endangered the safety of patients/residents, general public/clients/employees by making actual or implied threats.

**Third Cause of Action – Neglecting a Patient:**

Ms. Lawrence breached her duties as Administrator by neglecting to supervise caregivers who were not qualified and who neglected and subjected residents to unsanitary bodily conditions and unsanitary surroundings that are necessary to maintain the physical or mental health of older or vulnerable persons.

**Fourth Cause of Action – Unprofessional Conduct:**

Ms. Lawrence breached her duties as Administrator by failing to be available when two residents were being transported to emergency; failing to cooperate and communicate with the Ombudsman during the investigation, and willful noncompliance with other enforcement authority.

In summary, Ms Lawrence's failure to protect the residents from incompetent, abusive or illegal practices caused her to face disciplinary action

The Board ordered that Barbara Lawrence:

- Have her license revoked for one year with the possible reinstatement of her license by applying as a new applicant, taking the National Examination, paying the required fees and showing completion of appropriate CEU's for the two years preceding reapplication (NAC 654.155);
- Surrender all licenses held by Ms. Lawrence as Administrator;
- Pay partial costs of investigation and legal fees in the amount of \$2,500.00 within (1) year commencing September 16, 2006 through September 16, 2007.

**November 1, 2006:**

**Ken Sinang, RFA License No. 5623, BELTCA Case No. B35830.**

A complaint was issued stating that Mr. Sinang had allegedly violated the provisions of NRS 654.190, NAC 654.210 and NAC 654.220 as follows:

**First Cause of Action:**

Mr. Sinang violated NAC 654.210(2)(n) and NAC 654.210(2)(o) by failing to maintain proper patient and employee files as indicated in the General Allegations section of the Complaint: i.e., employees had not read or understood the applicable statutes and regulations; lack of employee files, residents hired the caregivers; residents' files were in disarray; admitted forgeries as to doctors' certificates and other forged information in employees' files; no fingerprinting; and repeated offenses;

**Second Cause of Action:**

Mr. Sinang violated NAC 654.210(2)(s) by neglecting residents for whom he assumed responsibility of providing food, shelter, clothing, and/or other services: i.e., residents cooked for themselves and hired caregivers; there were no evacuation drills; fire extinguishers were not recently checked; unlocked medical containers; residents did not have tuberculosis immunization; disrepair of building; employees did not have tuberculosis immunization, caregivers were verbally abusive to residents; caregiver made obscene gestures in front of the facility; and lack of medical testing of the residents prior to being placed within the facility.

**Third Cause of action:**

Mr. Sinang violated NAC 499.199 by not ensuring sufficient caregivers at the facility, leaving residents unattended and unsupervised when one resident was blind and another had suffered a stroke; the Reno Police Department was called because of erratic behavior of a caregiver and fear for the residents' safety.

A hearing was set for December 18, 2006 for disciplinary action to be taken by the Board for repeated problems with Mr. Sinang and the facilities at which he was the designated administrator.

On January 3, 2007, Mr. Sinang signed a Settlement Agreement, agreeing to the charges, the return of his license "A" and "B", and to paying an Administrative Fee of \$2,500.00 in installments of \$209.00 commencing on January 15, 2007 and ending December 15, 2007. The Settlement Agreement will be brought to the Board at its quarterly meeting on February 27, 2007 for its position on the matter.