



Jeffrey A. Meyers
Commissioner

Marilyn G. Doe
Director

STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF THE COMMISSIONER

BUREAU OF HUMAN RESOURCE MANAGEMENT

129 PLEASANT STREET, CONCORD, NH 03301-3857
603-271-9344 1-800-852-3345 Ext. 9344
Fax: 603-271-4810 TDD Access: 1-800-735-2964 www.dhhs.nh.gov

February 13, 2018

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

For consideration on the Consent Calendar, authorize the Department of Health and Human Services, to enter into an educational tuition agreement and to pay said costs in an amount of \$840.00 as follows:

Institution: New Hampshire Technical Institute
30 College Drive
Concord, NH 03301

Course Title(s): Business Organizations and Bankruptcy
Legal Nurse Consultant

Course Date(s): Begin: 3/9/2018
End: 5/14/2018

Employee: Debora Lee Wyman

Funding Source: 05-95-95-953010-56770000-066-500544

Total Cost of Course(s): \$840.00

State Share: \$840.00

Source of Funds: Employee Training, 100% General

LB
max

EXPLANATION

The Department of Health and Human Services encourages and supports employees who wish to further their professional growth through continuing education in disciplines that are mutually advantageous.

The employee has worked as a Licensing and Evaluation Coordinator with the Department of Health and Human Services for 10 years. Her duties include; analysis of medical or nursing records with direct observation to evaluate the care received by patients or residents in various health care settings. She analyzes and interprets medical records and nursing notes to ensure that patient care plans are accurate and up to date. Prepares deficiency reports based on inspection and review of records for health care providers using established principles of documentation for legal proceedings. Represents the Department or the Center for Medicare Medicaid Service's at Administrative hearings and court cases, and testifies regarding the interpretation of federal and state regulations to support licensure or certification decisions. She reviews various contracts that the providers use within their facilities. Reviews, monitors, and then approves or disapproves the nursing component of corrective action plans, or develops the nursing component of a directed corrected action plan when the provider is unwilling or unable to develop a corrective action plan.

Taking the Business Organizations and Bankruptcy is a course that will further enhance her ability to examine the legal foundations that the facilities can take for their different disciplinary actions. It will increase her ability to understand the legal foundations of the different elements of when a facility needs to reorganize or dissolves a corporation, to maintain compliance with state filing requirements.

Legal Nurse Consultant is a course that will further her skills in that it examines issues of current health care and nursing law, as well as the judicial system. This course provides the comprehensive principles and practices of Legal Nurse Consulting.

These courses will further develop her ability to gather information through interviews, maintain files and to trace evidence back to the cause of the deficient practice. If the facilities want to dispute a finding, this course will teach her how to gather the information in the correct manner and how to maintain a legally sufficient file system in case the facilities request an appeal to the court.

This course will not be taken on State time.

Attached is a fully executed Tuition Agreement for your review.

Respectfully submitted,



Approved by: Jeffrey A. Meyers
Commissioner



THE STATE OF NEW HAMPSHIRE
EDUCATIONAL TUITION AGREEMENT

Agreement dated this 16 day of February 2018 by and through the Department of Health and Human Services (hereinafter referred to as the "State) and Debora Wyman(hereinafter referred to as the "Recipient"). The State and the Recipient do hereby mutually agree as follows:

- 1. The State shall pay to the named institution the sum of 840.00, which monies shall be used for the purpose of enrolling the Recipient in: Business Organizations and Bankruptcy and Legal Nurse Consultant (course name), which course(s) is being offered by New Hampshire Technical Institute and which course(s) shall commence on March 9 2018 and terminate on May 14 2018.
2. The Recipient shall complete and achieve a passing grade in each course named in paragraph 1.
3. Should the Recipient fail to complete or achieve a passing grade in each course named in paragraph 1, the Recipient shall pay to the State the sum set forth in paragraph 1, provided, however, that if more than one course is named in paragraph 1, the amount which shall be paid to the State shall be calculated on a pro rata basis.
4. Upon the satisfactory completion of the courses named in paragraph 1, the Recipient shall continue in the employ of the State in his/her current position (or in such other position, at equal or greater compensation, to which he/she may be assigned) for a period of six (6) months.
5. The Recipient shall work in any area of the State to which he/she may be assigned, provided that such assignment will not constitute a severe hardship to said Recipient.
6. Should the Recipient breach any of the conditions set forth in paragraphs 4 and 5, the Recipient shall pay to the State a sum equal to all monies previously paid by the State for the Recipient pursuant to the Agreement, provided, however, that the Recipient shall receive a credit for each month in which he/she is employed by the State subsequent to the date upon which the named course(s) are satisfactorily completed, the value of said credit to be calculated on a pro rata basis.
7. The Recipient shall not raise any setoff or counterclaim against the State in any action brought by the State to collect any amount due under this agreement.
8. Should any amount be found to be due the State in any action brought against the Recipient pursuant to this Agreement, the State shall, in addition to said amount, be entitled to an award of costs and a reasonable amount in "attorney" fees.

IN WITNESS WHEREOF the representatives of the State, in his/her official capacity only, and without personal liability, and the Recipient, have hereunto set their hands on the date first above written.

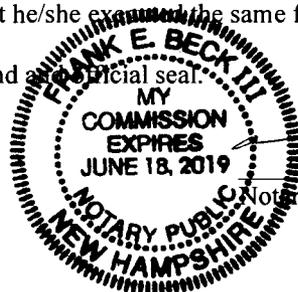
RECIPIENT
(signature) [Handwritten Signature]
(printed name) Debora Wyman

THE STATE OF NEW HAMPSHIRE
(signature) [Handwritten Signature]
(printed name, title) Lon Weaver Associate Commissioner

State of New Hampshire, County of Merrimack;

On this the 16 day of Feb, 2018, before me, Frank Beck, the undersigned officer, personally appeared, Debora Wyman (recipient) known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes herein contained.

In witness whereof I hereunto set my hand and official seal.



[Handwritten Signature]
Notary Public/Justice of the Peace