

**BEXAR COUNTY BOARD OF TRUSTEES FOR  
MENTAL HEALTH MENTAL RETARDATION SERVICES d/b/a  
THE CENTER FOR HEALTH CARE SERVICES**

Regular Board Meeting  
Tuesday, October 11, 2016  
Central Administration Offices  
3031 IH 10 West  
San Antonio, Texas 78201  
6:00p.m.

**TRUSTEES PRESENT:** Daniel T. Barrett, Chairman  
Charles S. Bowker, Vice Chairman  
Graciela A. Cigarroa, Secretary  
Margaret Kelley, M.D., Treasurer  
Mary Rose Brown  
Polly Jackson Spencer, Ret. Judge  
Richard Usatine, M.D.  
Donnie W. Whited

**TRUSTEES ABSENT:** Margaret M. Vera

**STAFF PRESENT:** Leon Evans, President/Chief Executive Officer  
Robert Guevara, Chief Operating Officer  
Roberto L. Jimenez, M.D., Chief Medical Officer  
April Johnson-Calvert, Chief Financial Officer  
Sheila Marlow Due, Chief Development Officer  
Cynthia Martinez, Chief Strategic Officer  
Marshall Millard, General Counsel  
Scott Ackerson, Vice President/Transformational Services  
Allison Greer, Vice President/Communications  
Melissa Tijerina, Vice President/Children's BH Services  
Tom Cobb, Director/Financial Planning & Analysis  
Teshina Hibler, Sr. Director/Community & Transformational Services  
Eduardo Jimenez, Director/Legal Counsel of Human Resources  
Corrine LeVasseur, Director/Facility & Fleet Maintenance  
Martiza Farias, Administrative Services Supervisor  
Linda Rodriguez, Senior Executive Assistant/Board Liaison

**GUESTS PRESENT:** Louie Heerwagen, Sales VP, Aetna Public Sector  
Shana Robinson, Chief of Growth/Sales, Baptist Health System

The regular meeting of the Bexar County Board of Trustees for Mental Health Mental Retardation Services d/b/a The Center for Health Care Services was held on Tuesday, October 11, 2016, at 3031 IH 10 West, San Antonio, Texas.

**CALL MEETING TO ORDER  
CERTIFICATION OF QUORUM**

Mr. Barrett called the meeting to order at 6:01 p.m., with the following trustees present: Ms. Brown, Jackson-Spencer, Whited, Messrs. Barrett and Bowker, and Drs. Kelley and Usatine, thereby establishing a quorum. (Ms. Cigarroa arrived after the certification of a quorum).

**PLEDGE OF ALLIGIANCE** - Led by Chairman Daniel T. Barrett

**CITIZENS TO BE HEARD** – No citizens presented to be heard.

**1. APPROVAL OF MINUTES**

Mr. Bowker moved that the Board approve the Minutes from the August 2, 2016 meeting. Dr. Kelley seconded the motion; motion carried.

**2. IN RECOGNITION OF MR. RUBEN D. ZAMORA FOR HIS LEADERSHIP AND SERVICES AS A MEMBER OF THE CENTER'S BOARD OF TRUSTEES**

Mr. Barrett acknowledged Mr. Ruben Zamora for his dedication, leadership and service to the Center's Board of Trustees. Mr. Zamora served on the Board from September 2009 through June 2016 and as Chairman from August 2013 through August 2014.

**3. REPORT FROM THE NOMINATIONS COMMITTEE – Mary Rose Brown**

A Nominations Committee was appointed by Mr. Barrett to propose a slate of officers for the period July 1, 2016 – June 30, 2017. Board members appointed to this committee were Ms. Mary Rose Brown as committee chair, Ms. Graciela Cigarroa and Dr. Richard Usatine.

Ms. Brown reported that the committee had met via teleconference on October 3, 2016 and were recommending the following slate of officers for the period July 1, 2016 – June 30, 2017:

Chairman	- Daniel T. Barrett
Vice Chairman	- Charles "Sam" Bowker
Secretary	- Graciela Cigarroa
Treasurer	- Dr. Margaret Kelley

Judge Polly Jackson Spencer moved that the Board of Trustees accept the slate of officers as proposed by the Nominations Committee; Dr. Kelley seconded the motion. Motion carried unanimously.

**EXECUTIVE SESSION (DISCUSSION ONLY; CLOSED TO THE PUBLIC)**

At 6:10 p.m. Mr. Barrett announced an amendment to the order of the agenda and moved the Board into Executive Session for discussion, deliberation and consultation per Texas Government Code Sections:

551.071(2) (Consultation with General Counsel): On matters in which the duties of the General Counsel to the Center under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with Chapter 552 of the Texas Government Code

551.074(a) (Personnel Matters): For the purpose to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee

- Consultation Agreement for the Provision of Services to the Center by the Incumbent Chief Executive Officer upon his retirement

## **OPEN SESSION**

The Chairman opened the meeting to the public at 6:40 p.m. and announced that no action had been taken in Executive Session.

Dr. Usatine moved that the Board of Trustees approve a consultant contract with the incumbent Chief Executive Officer Leon Evans upon his retirement from The Center for Health Care Services in April 2017, to serve as a guiding mentor for the new CEO and to continue helping guide the world of mental health forward in all the positive ways that we have seen during his tenure with the organization.

Ms. Brown seconded the motion; motion carried unanimously.

## **5. PRESIDENT/CHIEF EXECUTIVE OFFICER'S REPORT**

- President/CEO's Report of Activities for the months of June & July 2016

Mr. Evans briefly reported that staff has been very busy working with the legislative delegation and testifying on behalf of behavioral health. He made reference to a testimonial report that Bren Managh gave to the Senate Finance Committee last month in regards to the implementation of Health & Human Services Commission Rider 50.

He also reported meeting with H&HS Deputy Commissioner Gary Jessee in regards to a White Paper emulating the Virginia waiver model for Texas.

- Chief Medical Officer's Report – Dr. Roberto Jimenez

Dr. Jimenez stated that his report was included in the packet. However, he wanted to expand on the following items:

- Development/ownership of the Center's own laboratory not only to serve our patients and employees but also to contract with external providers. This could be a very profitable venture.
- Working with the University of the Incarnate Word Medical School to attract family physicians to the behavioral health field.

- Development of a geriatric clinic at The Restoration Center.
- Development of a women's health care clinic.
- Pilot program regarding research on schizophrenia.

In regards to the lab, Ms. Brown asked what the cost of purchase would be. Dr. Jimenez responded that they had two options but would be vetting this venture through the procurement process.

In regards to the recruitment of providers, Dr. Jimenez stated that he was working with Mr. Evans, Mr. Guevara and Ms. Greer to develop a competitive and intensive marketing recruitment process.

- Contracts Executed by the President/CEO over \$50,000 and under \$100,000 for the months of August & September 2016
- HR Metrics Report for the months August & September 2016

#### **CONSENT AGENDA**

Dr. Usatine moved for approval of the Consent Agenda as presented; Dr. Kelley seconded the motion. Motion carried unanimously.

Mr. Barrett acknowledged Judge Spencer and the members of the Planning & Operations Committee for their hard work in reviewing all of the contracts brought forth.

#### **6. PLANNING & OPERATIONS COMMITTEE**

1. Ratification of the "Bexar CARES" System of Care Interlocal Agreement with the City of San Antonio – Melissa Tijerina
2. Ratification of the Contract Renewal Amendment with the Texas Department of Assistive and Rehabilitative Services (DARS) for the provision of Early Childhood Intervention (ECI) Services – Melissa Tijerina
3. Ratification of the Contract Renewal Amendment with the Texas Department of State Health Services (DSHS) for the provision of Treatment Youth (TRY) Services – Melissa Tijerina
4. Ratification of the Contract with the Texas Department of State Health Services (DSHS) for the provision of Mental Health First Aid Services – Melissa Tijerina
5. Ratification of the Contract with the Texas Department of Family and Protective Services (DFPS) for the provision of Residential Child Care/Child Placing Agency Services – Melissa Tijerina

6. Ratification of the Contract with the Texas Department of Family and Protective Services (DFPS) for the provision of Residential Child Care/Emergency Shelter Services – Melissa Tijerina
7. Ratification of the Contract Renewal Amendment with the Texas Department of State Health Services (DSHS) for the provision of Treatment Adult (TRA) Services – Cynthia Martinez
8. Ratification of the Contract Renewal Amendment with the Texas Department of State Health Services (DSHS) for Co-occurring Mental Health and Substance Abuse Services (SA/TCO-COPSD) and Treatment Adult Services for Females (TRF) – Cynthia Martinez
9. Ratification of the Contract Renewal Amendment with the Texas Department of State Health Services (DSHS) for the provision of Outreach, Screening, Assessment and Referral (OSAR) Services – Cynthia Martinez
10. Ratification of the Contract Renewal Amendment with the Texas Department of State Health Services (DSHS) for the provision of HIV Early Intervention Services – Frederick Courtois
11. Ratification of the Contract Renewal Amendment with the Texas Department of State Health Services (DSHS) for the provision of HIV Outreach Services – Frederick Courtois
12. Ratification of the Contract Renewal Amendment with the Texas Department of State Health Services (DSHS) for the provision of Projects for Assistance in Transition from Homelessness (PATH) Services – Teshina Carter
13. Ratification of the Contract Renewal Amendment with the Texas Department of State Health Services (DSHS) for the provision of Recovery Support (SA-RSS) Services – Teshina Carter
14. Ratification of the Fiscal Year 2017 Mental Health Performance Contract with the Texas Department of State Health Services (DSHS) for the provision of Mental Health Services (Adult and Child Outpatient Services, Crisis Services, Consumer Operated Services, Outpatient Competency Restoration Services, Psychiatric Emergency Services Center, Private Psychiatric Beds, Residential Treatment Center Integration, Supportive Housing, Veterans' Services, and Pre-admission Screening and Residential Review) – Bren Manaugh
15. Ratification of the Contract with the Texas Department of State Health Services (DSHS) for the provision of Coordinated Specialty Care (CSC) Services – Bren Manaugh

**7. FINANCE COMMITTEE (Charles "Sam" Bowker, Chair)**

1. Acceptance of the 2016 Second Quarter Performance Report of the Center's 401(a) and 457(b) Accounts from Morgan Stanley – Robert Guevara
2. Approval of the Center's Board Policy on Investments – Justin Marshall
3. Approval to Authorize the President/CEO to negotiate and execute a contract with Safe Site, Inc. for the provision of medical and administrative records off-site storage services for the Center facilities – Cynthia Cannon
4. Approval of a Resolution Authorizing the President/CEO and the Step Down Director of Transformational Services to request "Reservation System Participant" (RSP) status from the Texas Department of Housing and Community Affairs (TDHCA) by which to access "HOME" funds – Robert B. Scott
5. Approval of the Texas Council of Community Centers FY 2017 Commitment of Dues for the Center – April Johnson-Calvert

**INDIVIDUAL ITEMS FOR REPORT, DISCUSSION & APPROPRIATE ACTION**

**9. FINANCE COMMITTEE (Charles "Sam" Bowker, Chair)**

Mr. Jimenez provided the Board with a detailed presentation on the Center's employee benefits which included the following items #9.4, #9.5 and #9.6.

He reported that the Center's cost in 2015 was \$6.9 million vs. a projected cost for 2016 of \$10.1 million. Staff participation for 2016 was 55% in the buy-up plan, 28% in the base plan, and 17% waived participation.

Although there will be an increase in the deductibles and premiums, he outlined some of the benefits that employees will have through Aetna:

- Access to sixteen Health Texas Clinics
- Urgent clinics
- An on-site Center clinic in partnership with Baptist Health Systems
- An on-site pharmacy

He additionally reported that MetLife would continue to be the provider for employee vision and dental benefits with no increase in premiums. Unum would also continue to provide other ancillary benefits such as disability, life, accident, group, and an employee assistance program. The enrollment process will be conducted by Agora Benefits Solution.

Questions arose regarding the Center employee clinic and Mr. Jimenez responded that the clinic would be staffed by a nurse practitioner under the supervision of a medical provider.

Cost to employees would be \$10 vs. \$30 at another clinic. Employees would also be able to take their family members to this clinic. They also anticipate sending workers comp and employee testing to this clinic as well. A location has not yet been determined but staff is considering the same location where we currently have our pharmacy services.

Upon further discussion, Mr. Barrett thanked the Selection Committee for their hard work in making such a difficult decision.

*Dr. Usatine left at this time.*

4. Approval for the President/CEO to enter into negotiations and contract with Aetna to be the Center's Third Party Administrator for the provision of Medical and Pharmacy Plans for the Center's employees – Eduardo Jimenez

Mr. Bowker moved that the Board of Trustees approve the President/CEO to enter into negotiations and contract with Aetna to be the Center's Third Party Administrator for the provision of medical and pharmacy plans for Center employees.

Ms. Cigarroa seconded the motion, and the motion carried with Mr. Barrett abstaining.

5. Approval for the President/CEO to enter into negotiations and contract with MetLife and UNUM to be the Center's Third Party Administrators for the provision of Ancillary Health and Insurance Plans for the Center's employees – Eduardo Jimenez

Mr. Bowker moved that the Board of Trustees approve the President/CEO to enter into negotiations and contract with MetLife and UNUM as the Center's Third Party Administrators for the provision of ancillary health and insurance plans for the Center's employees.

Ms. Brown seconded the motion; motion carried.

6. Approval for the President/CEO to enter into negotiations and contract with Baptist Health System to staff and administer a Medical Services Clinic uniquely for the Center's employees – Eduardo Jimenez

Mr. Bowker moved that the Board of Trustees approve the President/CEO to enter into negotiations and contract with Baptist Health System to staff and administer a Medical Services Clinic uniquely for Center employees.

Ms. Whited seconded the motion; motion carried.

#### 4. BOARD CHAIRMAN'S REPORT

- Mr. Barrett acknowledged the reappointments of the following board members to a two-year term (July 2016 – June 2018):

Place 6            Graciela Cigarroa – Appointed by the University Health System  
Place 8            Dr. Richard Usatine – Appointed by the University Health System

- Report from the Search Committee – Mary Rose Brown

Ms. Brown reported that she was in the process of posting the President/CEO position and was working with Mr. Evans to identify organizations to post.

- Communications/Legislative Report – Allison Greer

- Ms. Greer reported that the Center would be holding its annual Legislative Summit this coming Friday, October 14<sup>th</sup> at the Northwest Clinic located at Legacy Oaks, 5372 Fredericksburg Road from 9:00 a.m. – 2:00 p.m. A total of forty-two persons have registered to attend including various representatives from area hospitals. Summit discussions will focus on funding crisis stabilization needs and restoring civil beds among other matters.

- The Center's website is now up and running upon in completion of Phase II.

- The Mental Health & U content is also just about complete. It is now being marketed and has been sold to several states.

- CHCS Foundation/Fundraising Activities – Sheila Marlow Due

- Ms. Due announced that the 50<sup>th</sup> Anniversary Gala was coming up on November 2<sup>nd</sup> at the Henry B. Gonzales Convention Center. She acknowledged Ms. Brown for her tireless efforts in helping to make this happen. The Foundation's goal is to raise \$300,000.

- The United Way Campaign's goal was \$50,000. The Center has reached 110% of that goal with about 29% participation from staff.

- Construction/Financing on the Inner City Clinic – Robert Guevara

Mr. Guevara reported that the Center was moving forward with construction and invited the board to attend the October 18<sup>th</sup> Commissioners Court meeting where the agreements will be presented for approval.



At this time, Judge Spencer requested to go back to Item #9.6, noting that if the Board was only giving the Executive Director authorization to negotiate twenty (20) hours with the Baptist Health System for a health clinic, then the recommendation sheet should reflect that correctly as it currently states 40 hours. Mr. Jimenez responded that the initial RFP indicated forty hours. However, upon reviewing the pricing with Baptist Health System, staff felt it was out of the Center's range so they negotiated for twenty hours at a better rate.

- 1115 Waiver Update – Robert Guevara

Mr. Guevara reported that the Board had received a very detailed report on the 1115 Waiver at their last meeting. Today, the Center has met all of its metrics in order to draw down approximately \$28 million next February. There are two category 3 metrics that are at risk, both in the Children's Division. Staff is currently reviewing the data on those. He stated that there were two possibilities: 1) to roll over into the next year (DY6); or 2) to draw down a percentage based on where our metric falls within the target range. Total amount at risk - \$405,000.

Additionally, he reported that after review with HHSC, it was determined that we had not met one of our metrics in DY4 and were asked to pay back about \$15, 840. However, the metric was met in DY5 so now they are going to return the funds to the Center.

## **INDIVIDUAL ITEMS FOR REPORT, DISCUSSION & APPROPRIATE ACTION**

### **9. FINANCE COMMITTEE (Charles "Sam" Bowker, Chair)**

1. Acceptance of the Center's Financial Statements for the periods ending July 31, 2016 and August 31, 2016 – Tom Cobb

Mr. Cobb reported that the Center's financial statements ending August 31, 2016 had closed with a positive contribution to fund balance of \$3,394,742; bringing the year-to-date total to a positive contribution of \$307,131. All of the revenue to date has been recognized, which includes General Revenue on hold in the amount of \$2.5 million and \$13,903,010 in 1115 waiver funding. Days of operation without further funding were reported at approximately 81 days.

Mr. Bowker moved that the Board of Trustees accept the Center's Financial Statements as presented; Dr. Kelley seconded the motion. Motion carried.

2. Approval of the Center's FY 2017 Budget and Staffing Plan – Tom Cobb

Mr. Bowker reported that the Vice Presidents of Operations had previously presented their projected budget summaries to the board.

Although the State General Revenue allocations for FY 2017 will remain the same, the Center's budget will be reduced to \$96,914,870, a decrease of \$7.3 million. FTE's for FY 2017 were reported at 1,141.21, a decrease of 158.79. FTE reduction was due to the rightsizing in April 2016 and the closing of two programs in the Transformational Division.

Upon conclusion of the budget presentation, Mr. Guevara informed the board that staff was considering the development of a wait list pending the implementation of a restructure by the Chief Medical Officer.

After further discussion, Mr. Bowker moved that the Board of Trustees approve the Center's FY 2017 budget and staffing plan as presented; Ms. Brown seconded the motion. Motion carried.

3. Approval to Authorize the President/CEO to sign the Alliance Benefit Group (ABG) Pre-approved Retirement Benefits Plan and the Completed IRS Form 8905 as an "intended adopter" of the Plan – Eduardo Jimenez

Mr. Bowker moved that the Board of Trustees approve to authorize the President/CEO to sign the Alliance Benefit Group (ABG) pre-approved retirement benefits plan and the completed IRS form 8905 as an "intended adopter" of the plan.

Ms. Brown seconded the motion; motion carried.

7. Ratification of the Lease Agreement with LCJ Group LLC for the commercial property located at 1007 Paulsun Street, San Antonio, Texas – Corrine LeVasseur

Mr. Bowker moved that the Board of Trustees ratify the lease agreement for the commercial property located at 1007 Paulsun Street, San Antonio, Texas, for the provision of office and warehouse space for the Center's Facilities, Fleet and Maintenance (FFM) Department. The lease is for a term of two (2) years, effective September 1, 2016.

Ms. Brown seconded the motion; motion carried.

10. **APPROVAL TO AUTHORIZE THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE A LEASE FOR OFFICE SPACE AT THE ONE PARK TEN, SOUTH BUILDING, FOR CENTRAL ADMINISTRATION, ON COMMERCIALY REASONABLE TERMS AND CONDITIONS, AND SUBJECT TO LEGAL REVIEW AND APPROVAL BY GENERAL COUNSEL – Robert Guevara**

Ms. Johnson-Calvert presented the Board with a detailed overview of the proposed location, its amenities, lease details and floor plans. If approved, this lease will begin effective February 1, 2017. We are expected to vacate the current location by February 15, 2017.

Ms. Cigarroa moved that the Board of Trustees approve the authorization of the President/CEO to negotiate and execute a lease for office space at the One Park Ten, South Building, for Central Administration, on commercially reasonable terms and conditions, and subject to legal review and approval by General Counsel.

Judge Spencer seconded the motion; motion carried unanimously.

- 11. APPROVAL TO AUTHORIZE THE PRESIDENT/CEO TO TAKE ALL NECESSARY ACTIONS TO MOVE FORWARD ON THE BUILDING OF THE INNER CITY CENTER, INCLUDING BUT NOT LIMITED TO NEGOTIATING AND EXECUTING AGREEMENTS AS REQUIRED BY THE COUNTY OF BEXAR, AND NEGOTIATING AND EXECUTING SUCH CONTRACT AMENDMENTS, SETTLEMENTS AND PAYMENT SCHEDULES WITH RETAINED VENDORS, AS MAY BE NECESSARY TO COMPLETE CONSTRUCTION, ENSURE OCCUPANCY AND OPERATIONAL READINESS OF SUCH CENTER, AND SUBJECT TO LEGAL REVIEW BY GENERAL COUNSEL – Robert Guevara**

Mr. Guevara reported that the County had provided the Center with three different agreements and proceeded to report on each in detail. The ground lease actually allows us to lease the property for the course of thirty years or as we pay the debt service. The bonding/development agreement allows the County to fund this project on behalf of the Center. The property/operative agreement is the one we spent the most time reviewing and that one states that we are the sole operator of the property. It also states what services we can and cannot provide.

The County is proposing to not fund the \$1.4 million contract for jail diversion services. Instead, they have put in a very specific scope of services into the property/operative agreement outlining what type of services the Center can provide to include jail diversion services. This would be in lieu of paying the debt service. However, to provide those services would cost the Center more than \$1.4 million. We are going to make a determination on what the value on the scope of services would be and use that as a starting point in our negotiations. He additionally stated that the Center would give priority access to beds but would not hold beds for access (detox, sobering, etc.), similarly to the UHS funding agreement. In conclusion, he indicated that this agreement would not lock the Center into that specific scope of services.

After much discussion, Ms. Brown moved that the Board of Trustees authorize the President/CEO to take all necessary actions to move forward on the building of the Inner City Center, including but not limited to negotiating and executing agreements as required by the County of Bexar, and negotiating and executing such contract amendments, settlements and payment schedules with retained vendors, as may be necessary to complete construction, and ensure occupancy and operational readiness of such center, and subject to legal review by General Counsel.

Judge Spencer seconded the motion; motion carried.

**REPORT ON THE ACTIVITIES OF THE TEXAS COUNCIL OF COMMUNITY MHMR CENTERS, INC. BOARD – Charles “Sam” Bowker**

Mr. Bowker announced that he and Allison Greer would be visiting with legislative staff on Friday, October 28<sup>th</sup>, delivering Bexar County’s message.

**REPORT ON THE ACTIVITIES OF THE TEJAS HEALTH MANAGEMENT BOARD – Robert Guevara**

Mr. Guevara reported that the Tejas Board was scheduled to meet on November 9, 2016.

**REPORT ON THE ACTIVITIES OF THE TEXAS COUNCIL RISK MANAGEMENT FUND BOARD – Robert Guevara**

Mr. Guevara reported that the Risk Management Fund Board was scheduled to meet sometime in November 2016.

**8. EXECUTIVE COMMITTEE (Daniel T. Barrett, Chair)**

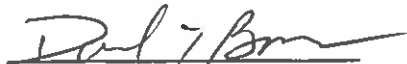
**Review and Approval of the FY 2017 Board Calendar of Activities**


Mr. Bowker moved that the Board of Trustees approve the FY 2017 Board and Committee meeting schedule as presented; Judge Spencer seconded the motion. Motion carried.

**ADJOURNMENT**

There being no further business to discuss, Mr. Barrett called for a motion to adjourn. Judge Spencer moved for adjournment and the meeting was concluded at 9:10 p.m.

Passed and approved this 13<sup>th</sup> day of December 2016.

  
Daniel T. Barrett  
Board Chairman

  
Graciela A. Cigarroa  
Board Secretary