

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

Regular Board Meeting

Tuesday, December 12, 2017
Administrative Offices
6800 Park Ten Blvd., Suite 200-S
San Antonio, Texas 78213
6:00p.m.

TRUSTEES PRESENT: Daniel T. Barrett, Chairman
Graciela A. Cigarroa, Secretary
Margaret Kelley, M.D., Treasurer
Laura L. Parker, Judge
Richard Usatine, M.D.
Margaret M. Vera

TRUSTEES ABSENT: Mary Rose Brown, Vice Chairman
Polly Jackson Spencer, Ret. Judge
Donnie W. Whited

STAFF PRESENT: Jelynn LeBlanc Burley, President/Chief Executive Officer
Robert Guevara, Chief Operating Officer
April Johnson-Calvert, Chief Financial Officer
Tremaine Butler, Chief Information Officer
Sherry Bailey, VP/IDD & Long Term Care/Compliance
Teshina Carter, Interim VP/Restoration & Transformation
Allison Greer, VP/External Communications
Cynthia Martinez, VP/Strategic Planning
Juanita Rodriguez-Cordero, Interim VP/Adult Behavioral Health
Melissa Tijerina, Vice President/Child Behavioral Health
Tom Cobb, Director/Financial Planning & Analysis
Sylvia Soriano, Project Manager/People & Culture
Marshall Millard, General Counsel
Maritza Farias, Administrative Services Supervisor
Linda Rodriguez, Senior Executive Assistant/Board Liaison

GUESTS PRESENT: Patrick Bernal, Partner/Denton, Navarro, Rocha, Bernal & Zech, P.C.
Mike Goetz, Account Executive/Arthur J. Gallagher & Co.

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, December 12, 2017, at the Administrative Offices located at 6800 Park Ten Blvd., Suite 200-S.

**CALL MEETING TO ORDER
CERTIFICATION OF QUORUM**

The meeting was called to order by the Chairman of the Board, Mr. Dan Barrett, at 6:13 p.m., with the following trustees present: Mses. Cigarroa, Parker and Vera; Drs. Kelley and Usatine; thereby establishing a quorum.

PLEDGE OF ALLIGIANCE - Led by Mr. Barrett

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

1. APPROVAL OF MINUTES

Mr. Barrett called for a motion to approve the minutes of the October 10, 2017 board meeting as presented. Dr. Usatine moved for approval; Dr. Kelley seconded the motion. Motion carried.

EXECUTIVE SESSION (CLOSED SESSION)

At 6:14 p.m., Mr. Barrett moved to amend the order of the agenda in order to go into Executive Session and discuss the items agendized.

551.074 (a)(1) (Personnel Matters): For the purpose to deliberate the appointment, employment, evaluation reassignment, duties, discipline, or dismissal of a public officer or employee

Non-Qualified Deferred Compensation Plan for Jelynne LeBlanc Burley,
President/Chief Executive Officer

551.071 (2) (Pending Litigation): Receive Case Summaries Status Report and Advice from Attorney in pursuing trial strategy and mediation efforts for settlement purposes relating to:

Clayton Anderson v. The Center for Health Care Services
Cause No. 2016-CI-17155, 408th Judicial District Court, Bexar County, Texas

Daniel Willis and Yolanda Wolfdane, on behalf of themselves and all others
similarly situated v. The Center for Health Care Services
Civil No. 5:16-CV-00964-OLG

551.071 (Consultation with General Counsel): Advice on matters agendized in which the duty of the General Counsel to the Center under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 552 of the Texas Government Code

OPEN SESSION

The Board reconvened into Open Session at 7:22 p.m. where it was announced that no formal action had been taken in closed session.

Ms. Cigarroa moved that the Board of Trustees approve a one-time fund of \$15,750 for the non-qualified deferred compensation plan for Ms. Jelynn LeBlanc Burley, President/Chief Executive Officer; Dr. Usatine seconded the motion. Motion carried unanimously 6/0.

4. CONSENT AGENDA

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

PLANNING & OPERATIONS COMMITTEE (*Polly Jackson Spencer, Chair*)

1. Approval of the Proposed Appointment to the Public Network Advisory Committee (PNAC) – *Cynthia Martinez*
2. Approval of the Renewal of the Mommies Program Contract with the Bexar County Hospital District d/b/a University Health System – *Teshina Carter*
3. Approval for the President/Chief Executive Officer to negotiate and execute contracts with Baptist Medical Center, Nix Hospitals System, LLC, and Southwest General Hospital, LP for the provision of Adult Inpatient Psychiatric Services to the Center – *Teshina Carter*
4. Approval for the President/Chief Executive Officer to negotiate and execute a contract with Excel...Rise Above the Rest for the provision of Child Behavioral Health Outpatient Services to the Center – *Sherry Bailey*

FINANCE COMMITTEE (*Mary Rose Brown, Chair*)

1. Acceptance of the 2017 Third Quarter Performance Report of the Center's 401(a) and 457(b) Accounts from Morgan Stanley
2. Approval for the President/Chief Executive Officer to negotiate and execute a contract with TGW SuperiorCare MTS, LLC for the provision of Ambulance Transportation Services – *April Johnson-Calvert*
3. Approval for the President/Chief Executive Officer to negotiate and execute a contract with American Facility Services for the provision of Janitorial Services – *April Johnson-Calvert*
4. Ratification of the Lease Agreement with East Houston Street Partnership for 1219 McCullough, San Antonio, Texas; and Approval to extend the Lease Agreement for an additional Two-Year Period – *Robert Guevara*
5. Approval of the Frost Bank Revenue Anticipation Notes and Authorization for the President/Chief Executive Officer to execute all related documents on terms and

conditions acceptable to the Center and subject to legal review by General Counsel –
Robert Guevara

5. INDIVIDUAL ITEMS FOR REPORT, DISCUSSION & APPROPRIATE ACTION

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

1. Approval for the President/Chief Executive Officer to bind individual specific and aggregate Stop Loss Insurance with Aetna effective January 1, 2018 – *Jelynn LeBlanc Burley*

The committee recommends that the Board of Trustees approves for the President/Chief Executive Officer to bind individual specific and aggregate Stop Loss Insurance with Aetna effective January 1, 2018.

As approved by the Board at its last meeting, the Center conducted an RFP on stop loss insurance. The Center received proposals from three carriers; Aetna having the lowest bid for the same limits and deductibles as their current coverage. Aetna also estimates that the Center will have 12% less claims in PY 2018 than in PY 2017. Therefore, the Center will fund the 2018 plan in the amount of \$8.2 million; \$1.1 less than in 2017.

Dr. Usatine moved for approval as presented; Dr. Kelley seconded the motion. Motion carried.

2. Approval of the Restructure of the Integrated Treatment Program – *Jelynn LeBlanc Burley*

The committee recommends that the Board of Trustees approves the restructure of the Integrated Treatment Program in partnership with Haven for Hope and the City of San Antonio.

Ms. Burley provided an overview of the services that the Center manages and provides on the Haven for Hope campus - 238 beds supporting the In-House Wellness Program (IHWP) and the In-House Recovery Program (IHRP). However, she announced that the Texas Health and Human Services Medicaid 1115 Waiver would no longer be providing funding for residential services. This change will have an impact on the services being provided in the Wellness Program.

The Center is proposing a one-time contribution of \$408,426 for the remainder of FY 2018 to replace the 1115 waiver funding. In January 2018, the City of San Antonio is recommending to the City Council an award of \$233,333 to support the 98 beds being transitioned to Haven for Hope from February 1, 2018 – September 30, 2018. In FY 2019, City staff will recommend an award of \$408,426 to the Center to compliment current City funding in support of the residential beds in the Integrated Treatment Program. Additionally, in FY 2019, the City will propose to award \$350,000 to Haven for Hope to support the 98 residential beds on Haven campus. If approved, the new Integrated Treatment Program will go into effect February 1, 2018.

Upon further discussion, Dr. Usatine moved for approval of the restructure as presented; Ms. Vera seconded the motion. Motion carried.

3. Approval for the President/Chief Executive Officer to negotiate and execute a lease agreement for one of the following properties located at 8122 Datapoint Drive, San Antonio, Texas or 7500 Barlite Blvd., San Antonio, Texas – *Robert Guevara*

The committee recommends that the Board of Trustees approves the revised recommendation for the President/Chief Executive Officer to negotiate and execute a lease agreement for the property located at 8122 Datapoint Drive, San Antonio, Texas.

The initial recommendation presented to the Executive Committee on December 6, 2017 was recommending two properties. However, since then, the second property owner has decided to seek other opportunities. This property would house the Center Care Health and Wellness Clinic, a new program providing behavioral health care services to Bexar County employees through an Aetna provider agreement and to members of the Baptist Health Care network effective January 2018.

Dr. Usatine moved for approval as presented; Judge Parker seconded the motion. Motion carried.

4. Approval for the President/Chief Executive Officer to negotiate and execute a lease agreement for expansion premises at 6800 Park Ten Blvd, Suite 246-E, San Antonio, Texas – *Robert Guevara*

The committee recommends that the Board of Trustees approves for the President/Chief Executive Officer to negotiate and execute a lease agreement for expansion premises located at 6800 Park Ten Blvd, Suite 246-E, San Antonio, Texas.

This additional space would be used to house Utilization Management, Consumer Benefits, and NAMI.

Ms. Cigarroa moved for approval as presented; Judge Parker seconded the motion. Motion carried.

FINANCE COMMITTEE (*Mary Rose Brown, Chair*)

Acceptance of the Center's Financial Statements for the periods ending September 30, 2017 and October 31, 2017 – *Tom Cobb*

Mr. Cobb reported that the Center's financials for the month ending September 30, 2017 had ended with a positive contribution to fund balance of \$163,698; and a positive contribution of \$163,698 year-to-date. Unrecognized general revenue was reported at \$307,000; additional unrecognized revenue at \$133,000; and a health insurance adjustment of \$240,000; bringing the overall fund balance for the month of September to a positive \$792,000.

For the month ending October 31, 2017, the Center's financials ended with a negative contribution to fund balance of (\$299,390); and a negative contribution of (\$135,692) year-to-date. Unrecognized general revenue was reported at \$587,979; additional unrecognized revenue at \$266,000; another month of overstated health insurance claims of \$240,000; and \$225,000 in Debt Service revenue; bringing the total operating gain for the month of October to \$1.2 million.

Mr. Barrett inquired as to whether the Center was reserving any funds for future insurance needs. Staff responded that the Center has a large IBNR and continues to contribute at 125% of what the claims are. They are just trying to reduce it closer to what it actually is at.

Overall, Mr. Cobb reported that the Center was in a very healthy financial position.

Dr. Usatine moved for acceptance of the Center's financials as presented; Ms. Cigarroa seconded the motion. Motion carried.

Judge Parker left the meeting at this time.

3. PRESIDENT/CHIEF EXECUTIVE OFFICER'S REPORT

- Leadership Briefing

Ms. Burley reported on the following updates:

- J. Rick Brown, Vice President of People & Culture – start date January 8, 2018.
- Enjonli Hutchison, Safety Director in the People & Culture Division – start date January 2, 2018.
- Camille Casey, Project Manager in the Strategic Initiatives Department – start date January 16, 2018.
- Also working with Dr. Steven Pliszka, Chairman of the Department of Psychiatry at UTHSC-SA in regards to a possible contract for a Chief Medical Officer. The contract provisions have been completed and the job description reviewed. This person will supervise all of the Center's medical staff. Once this person has been selected, we will bring the contract to the board for approval.
- The next step will be to look at a residency program. This has been discussed briefly with UTHSC-SA staff. However, the Center also has a one year residency program with the University of Incarnate Word which is coming up for review in January. However, prior to any discussions on residency programs, she wants to ensure that the staffing levels are set in place and that is coming up for discussion later on in this report.

Ms. Burley proceeded to report on the Center's two councils. Both have representation from across the Center and their purpose is to look at policies and standards that we want to implement Center-wide.

Treatment and Care Council

- Recently introduced a Productivity Standard that went into effect December 4, 2018 for all of our direct care staff. They looked at best practices across the industry for caseloads, medical overrides, etc. Direct care staff will be held accountable for that productivity for the remaining nine months of the fiscal year. (Ms. Burley passed around the notice that was distributed to the direct care staff for the board to review).
- The next step will be to look at caseload size and adopt a standard for that. After that, it will be to determine what is the sufficient staffing to meet caseload and productivity rates. She anticipates having a recommendation from the council before the end of the year; then it will come to the board during next year's budget presentation.

Administrative and Policy Council

The council recently issued new policies on driver safety and vehicle use, travel authorization, and mobile device use. Coming up are a new corrective action policy and a work restructure policy which is geared towards handling employees when we have a program that loses or has a decrease in funding. The council will also be looking at quality and compliance, culture awareness and diversity, risk management, and a global accessibility plan.

- Medical Providers Update

As discussed earlier in the meeting, one of the areas of significant concern has been the medical provider area as it relates to productivity and staffing. Therefore, a new salary structure was created for our staff physicians based on their residency experience and board certification. Salary adjustments were made to respond to each of the levels established (Physician I, II, III, IV). An annual supervision stipend was also included in their base compensation as well as a CME stipend. This new structure will be implemented on the last pay period of December 2017.

Discussion ensued regarding board certifications and Ms. Burley stated that there was still much work to be done at all levels, i.e., moonlighting, contracts for on-call services, etc.

- Employee Picnic Update

A brief slideshow illustrating pictures from the Halloween Decorating Contest, the Employee Appreciation Party, and the Thanksgiving Potluck Luncheon held by the administrative staff was displayed for the board. The staff thanked Ms. Cigarroa for attending and participating in the Employee Appreciation Party.

Ms. Burley reported that during the United Way Campaign, the Restoration Center held a bake contest fundraiser. This evening's desert was provided by the contest winners and she acknowledged Ms. Penny Sower who won 1st place for the cake and Ms. Vivian Cortez who won 1st place for the cookies.

Ms. Greer provided a brief update on the United Way Campaign, indicating an 82% participate rate this year vs. 24.8% last year. The IT Department had a 100% participation rate. Last year, employees gave \$27,000 to the CHCS Foundation. This year, \$47,000 of the \$67,000 raised went to the CHCS Foundation. Grant requests for those funds are due today and the Employee Grant Committee will begin to review those requests. We will come back to the board in February to announce the winners.

- SB 292 & HB 13 Update

SB 292 (HB 12) - is a grant program for justice involved individuals and how we can intervene and direct them to the necessary services, reducing recidivism and frequency in arrests. It also focuses on reducing the total wait time for forensic commitment of individuals into a state hospital. Funding for FY18 is \$12.5 million and \$25 million for FY19.

A Bexar County collaborative was formed to include CHCS, UHS, Bexar County, COSA, Haven for Hope, STRAC/STCC, NAMI, UTHSC-SA, MHCM, Nix Health System, Southwest General Hospital, and Clarity Guidance Center to review the continuum of care in Bexar County, identify gaps in service, and establish treatment programs needed.

The proposed initiatives are as follows:

- 16 bed secure Crisis Stabilization Unit (CSU) at 711 E. Josephine
- Dedicate 4 beds for Competency Restoration Services
- To create a Forensic Assertive Community Treatment (FACT) Team
- Enhancement of our current Assertive Community Treatment (ACT) Team
- Addition of clinical staff at Central Magistrate to be fully staffed 24/7

Our proposal over the next two years is \$11.1 million (\$3.6 million for FY18 and \$7.4 million for FY19). The proposal was submitted on December 1, 2017 and we anticipate hearing something by December 15, 2017.

HB 13 - focuses on community programs that provide mental health services and treatment. It does require community collaboration and coordination for all of those services. Funding for FY18 is \$10 million and \$20 million for FY19.

LMHA proposal was submitted on November 29, 2017 to fund a Recovery Connections Clinic - a short term clinic that would help people transition from hospital-based psychiatric care to long term mental health care in the community. This clinic would be modeled after the current clinic housed at UTHSC-SA - the Transition Care Clinic, which primarily services only those patients being discharged from the University Health System. This would expand that recovery clinic beyond just those patients discharged from UHS. Our proposal is for \$1.3 million (\$437,000 for FY18 and \$875,000 for FY19).

HB 13 is divided into two parts - the first request had to come from a local mental health authority, the second would come from a non-profit. We have been working with our

non-profit community in preparation of the second phase submittal. We just went through a ranking process to choose those non-profit programs that we will be sending forward. As the local MHA, we have to endorse those proposals.

The following initiatives are tentatively being discussed for this proposal:

- Mental health treatment services for those currently housed but in danger of losing housing
- Peer Support Specialists
- Community Health Navigators

Funding is \$2.5 million each for FY18 and FY19. Initially, proposals were due March 1, 2018; however, we have just been informed that proposals will now be due by January 1, 2018.

Ms. Burley stated that all of these proposals require 1:1 match. The Center currently provides services to Bexar County in exchange for their financing of the Inner City Clinic. They pay the debt services of about \$2 million annually. Staff did an analysis on the services associated with the current agreement with the County and assessed the value of services at \$1.1 million. We reserve that cash in the event that we are not able to meet those services. We have asked the County to consider giving us credit for those additional services that we are proposing in SB 292 in exchange for allowing us to use those reserves in our match for the state program.

Ms. Burley reviewed the proposal in detail, noting that we would increase our service delivery from 212 to 2200 with the value of services increasing from \$1.1 million to \$8.7 million. The County is willing to allow us to access those funds if we get funded by the state. However, if we get reimbursed at the current rate for inpatient contract beds, we will have a \$1.6 million gap and will need to go back to our partners and decide what in our proposal we can afford to fund or we will need to find the \$1.6 million. The Center has entered into an MOU with the County and University Health System that we will commit to once we receive word on the funding. However, we may have more work to do once we hear back from the State.

In closing, she reported that Bartlett Cocke had provided the Center with some estimates on the renovation of the Josephine location and staff was currently looking at the budget.

- Center Care Update

This item was discussed under Item 5.3

- Adult Behavioral Health Presentation

This presentation was provided to the Finance Committee as a result of a request from Dr. Kelley.

Mr. Guevara reported that in 2014, the Adult Behavioral Health Program had implemented Open Access Scheduling. These are unscheduled blocks of time that allow for same day or next day appointments based on acuity and prescriber recommendation.

Traditional appointments are still available but by implementing Open Access, the program has actually seen a significant decrease in no-show rates. The program did have to modify Open Access in order to meet the need for appointments which were being scheduled three days out.

Mr. Guevara reviewed the scheduling process, current appointment availability, and prescriber staffing/capacity. Board members expressed concern regarding the wait time for appointments and discussion ensued regarding the availability of clinicians, prioritization of state and local hospital referrals, and crisis case needs.

Ms. Burley noted that all of these concerns revolve around the work that is currently being done around caseload standardization, productivity standards, staffing and compensation for prescribers, etc.

Ms. Rodriguez-Cordero added that targets change/increase and capacity overload forces us to place consumers on wait list. We expect additional funding from the state but that funding has not yet been released. However, when those funds are released, we also anticipate changes in targets. Staff is attempting to identify those folks that are stable and refer them to the new Center Care Clinic for maintenance so that the clinics can continue to care for the more acute patients. This is a work in progress.

- Contracts executed by the President/CEO over \$50,000 and under \$100,000 for the months of October & November 2017

REPORTS

- Texas Council Risk Management Fund Board – *Robert Guevara*

Mr. Guevara reported the following as a result of the November 17th Fund Board meeting:

- Three new trustees were elected.
- A surplus of \$24.9 million was reported as of August 2017
- Increase of \$1.5 million in comparison to the previous report
- Received an unqualified opinion on the Fund's financial audit
- Overall return on investments was reported at \$4.75 million
- Next meeting February 1, 2018 in Pflugerville, Texas.

- Tejas Health Management Board – *Robert Guevara*

No report at this time.

- Texas Council of Community MHMR Centers, Inc. Board – *Daniel T. Barrett*

Mr. Barrett reported on his attendance to the November 4th Council Board meeting as follows: As a result of Texas not properly funding Medicaid and in order to balance the budget, we underfunded as much as \$4 billion. In addition to that, he reported on additional losses. Overall, we are in a deficit of approximately \$18 billion. The real issue

being what gets pushed down to the local level. We have a year and a half to figure this out. He also reported that 1115 waiver was going to get more difficult and only those that can manage will even be considered. There was discussion about some sort of 1115 waiver for as much as five years to come.


ADJOURNMENT

There being no further business to discuss, Mr. Barrett called for a motion to adjourn. Dr. Usatine moved to adjourn, Ms. Cigarroa seconded the motion. The meeting was adjourned at 9:15 p.m.

Passed and approved this 13th day of FEBRUARY, 2017.



Daniel T. Barrett
Board Chairman



Graciela A. Cigarroa
Board Secretary