

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

Regular Board Meeting

Tuesday, February 13, 2018

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
Polly Jackson Spencer, Ret. Judge
Laura L. Parker, Judge
Richard Usatine, M.D.
Margaret M. Vera

TRUSTEES ABSENT:

Mary Rose Brown, Vice Chairman
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
Rick Brown, VP/People & Culture
Teshina Carter, Interim VP/Restoration & Transformation
Allison Greer, VP/External Communications
Cynthia Martinez, VP/Strategic Planning
Juanita Rodriguez-Cordero, Interim VP/Adult Behavioral Health
Tom Cobb, Financial Planning & Analysis Director
Enjonli Hutchison, Safety Director
Corrine LeVasseur, Facilities, Fleet Maintenance Director
Justin Marshall, Accounting Director
Dr. Ruth Morgan, PCY Integrated Care Medical Director
Cynthia Cannon, HIM Senior Program Manager/Privacy Officer
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.
Alberto Pena/Denton, Navarro, Rocha, Bernal & Zech, P.C.
Rene Gonzalez, Partner, Garza/Gonzalez & Associates
Kimberly Lopez-Gonzales, Partner, Garza/Gonzalez & Associates

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, February 13, 2018, at the Center's 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. Daniel T. Barrett, at 6:08 p.m., with the following trustees present: Mses. Cigarroa, Jackson-Spencer, Parker and Vera; and 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

The minutes of the December 12, 2017 regular board meeting were approved as presented.

At this time, Mr. Barrett moved to amend the order of the agenda as follows:

4. INDIVIDUAL ITEMS FOR REPORT, DISCUSSION & APPROPRIATE ACTION

1. Review and Acceptance of the Center's Independent Financial Audit Report for Fiscal Year 2017 - *Kimberly Lopez- Gonzales, Garza/Gonzalez & Associates*

Ms. Lopez-Gonzales reported that the Center's financial statements for the period ending August 31, 2017 had been audited in accordance with generally accepted auditing standards, Government Auditing Standards, Uniform Guidance, and the State of Texas Single Audit Circular.

An unmodified opinion was issued in that all financial statements presented fairly in all material respects. There were no material weaknesses or deficiencies to be noted. However, there was one instance of noncompliance in the internal control over financial reporting in regards to procurement. This has been an ongoing matter which still requires some issues to be addressed.

There were three major Federal programs and two State programs audited. An unmodified opinion was also issued in that the Center complied in all material aspects, with the types of compliance requirements of each major federal and state program required by the Uniform Guidance and the State of Texas Single Audit Circular.

Findings and deficiencies as noted in the Report of Conduct of Audit were reported as follows: In the Internal Control and Other Matters, there were two comments - one current and one previous year: 1) Employee Status Forms; and 2) AmeriCares Inventory. In the Internal Control over State and Federal Requirements, there were two comments for the current year: 1) Drawdown Requests; and 2) Unsupported Payment. Recommendations were made to the

Center on those matters and the Center's management response was also distributed for review by the board.

Dr. Kelley moved that the Board of Trustees accept the Center's Independent Financial Audit Report for FY 2017 as presented; Judge Spencer seconded the motion. Motion carried unanimously.

At 6:18 p.m., the Board moved into Executive Session.

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

The Board reconvened into Open Session at 7:07 p.m. where it was announced that no formal action had been taken in closed session.

2. BOARD CHAIRMAN'S REPORT

- Board of Trustees Annual Center Training and Certification

Members of the board received their annual training on the following:

- Supporting Consumer Rights, Prevention of Abuse, Neglect, Exploitation & Confidentiality/HIPAA Privacy
- Cultural Competency
- Ethical Conduct/Corporate Compliance

Board members also received the Annual Board Self-Assessment and Annual Board Assessment forms to be filled out as required for CARF accreditation.

3. PRESIDENT/CHIEF EXECUTIVE OFFICER'S REPORT

- Leadership Briefing

Ms. Burley introduced Rick Brown, the new Vice President of People & Culture, and Enjonli Hutchison, Safety Director. She anticipates announcing a new Chief Medical Officer by the end of the month and also the Vice Presidents for Adult Behavioral Health and Children's Behavioral Health.

- Safety Presentation

Ms. Hutchison provided the board with a synopsis of the Center's safety message, an analysis of the safety and vehicular incidents for FY 2017, and the target goals for the next three years, noting that the Center was adopting a zero tolerance philosophy. She also reported on the safety initiatives for 2018.

- Announcement of the Rededication of the Elizondo Clinic
One Year Countdown

Ms. Burley announced the one year countdown celebration of the new adult behavioral health

clinic at 928 W. Commerce. The event is scheduled for Thursday, February 22, 2018 beginning at 3:30 p.m. Staff will also be asking the board to approve a resolution later on this evening to rededicate the existing clinic located at 806 S. Zarzamora to the new location at 928 W. Commerce as the Paul Elizondo Westside Clinic.

- CenterCare Health and Wellness Clinic Update

Ms. Burley announced the newest clinic, CenterCare Health and Wellness. This clinic was initially being funded by 1115 waiver funding and is in a transitional mode. The clinic is currently located at 1123 N. Main but will be relocating to 8122 Datapoint Drive. Center clients are already being seen there and they do accept Medicaid, Medicare and other private insurance. Projected move-in date to new location is June 1, 2018.

- SB 292/HB 13/SASH Update

Ms. Burley reported that the Center had received notice that we were a grant awardee for SB 292 and HB 13 funding. Staff participated in a brief conference call yesterday with HHSC officials to discuss preliminary numbers. In this call, we were told that we would need to resubmit a budget and work plan for a five month period for both of the proposals by Thursday, February 15th. We have since scheduled an urgent meeting with our stakeholders for tomorrow afternoon to discuss the funding and determine how we will move forward with the proposals.

Our initial proposal for SB 292 was \$11.1 million (\$3.6 million for FY18 and \$7.4 million for FY19). However, it is anticipated that we will only receive \$4.5 million for FY19 leaving us with a gap of \$3 million. We are also making adjustments for a five month budget.

Our initial proposal for HB 13 was \$1.3 million (\$437,000 for FY18 and \$875,000 for FY19). We have also been asked to revise our budget for five months.

The Center is also a participant in the San Antonio State Hospital (SASH) workgroup which recently received \$1 million in funding for the pre-planning activities associated with the reconstruction of the state hospital. The workgroup is currently planning a series of community stakeholder sessions to gather input on mental health services in the SASH catchment area, and the Center is responsible for developing a SWOT analysis on mental health services.

- Employee Giving Society Awards

Ms. Burley reported that employee donations had raised \$47,000 as part of the 2017 United Way Campaign. \$27,000 of those donations was designated toward the Center's Foundation. The Foundation's Grant Committee has received seventeen (17) requests for funding. However, she is currently reviewing the list as some of those requests should have been included in the budget. Other requests include therapeutic books, utility assistance, bus passes, prescription assistance, and undergarments for consumers.

- Contracts executed by the President/CEO over \$50,000 and under \$100,000 for the months of December 2017 & January 2018

4. INDIVIDUAL ITEMS FOR REPORT, DISCUSSION & APPROPRIATE ACTION

2. Approval of a Resolution by the Board of Trustees for an Electronic Line Right-of-Way Agreement – *Jelynne LeBlanc Burley*

Judge Spencer moved that the Board of Trustees approve a resolution for an Electronic Line Right-of-Way Agreement in favor of the City Public Service Board of San Antonio, a municipal board of the City of San Antonio. This agreement would be necessary to bring electrical and related power services to the projected Paul Elizondo Westside Clinic located at 928 W. Commerce.

Dr. Usatine seconded the motion; motion carried.

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

1. Approval for the President/Chief Executive Officer to negotiate and execute the Second Amendment to the Memorandum of Understanding for Local Match between University Health System (UHS) and The Center for Health Care Services – *Robert C. Guevara*

Judge Spencer moved that the Board of Trustees approve for the President/Chief Executive Officer to negotiate and execute the Second Amendment to the Memorandum of Understanding for Local Match between the University Health System (UHS) and The Center for Health Care Services.

The FY 2018 local match contribution from the University Health System is \$2,465,925 as required by the Center's FY 2018 HHSC Performance Contract. This is the same as last fiscal year's local match. However, we did receive additional dollars for equity which will require local match and an amendment for \$147,000.

Dr. Usatine seconded the motion; motion carried.

2. Approval of a Resolution to Authorize Jelynne LeBlanc Burley to negotiate and execute contracts with the Texas Health and Human Services Commission (HHSC) on behalf of the Center – *Robert C. Guevara*

Dr. Usatine moved that the Board of Trustees approve a resolution authorizing Jelynne LeBlanc Burley to negotiate and execute contracts with the Texas Health and Human Services Commission (HHSC) on behalf of the Center. This is just a formality that the State requires to have on file.

Ms. Cigarroa seconded the motion; motion carried.

3. Approval of a Resolution to Rededicate the Paul Elizondo Westside Clinic currently located at 806 S. Zarzamora to the Paul Elizondo Adult Behavioral Health Clinic located at 928 W. Commerce – *Jelynne LeBlanc Burley*

Judge Spencer moved that the Board of Trustees approve a resolution rededicating the existing Paul Elizondo Westside Clinic to a new clinic called the Paul Elizondo Adult Behavioral Health

Clinic to be located at 928 W. Commerce. Ms. Cigarroa seconded the motion; motion carried.

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

1. Ratification of the 2018 Contract Renewal Amendment with the Texas Health and Human Services Commission (HHSC) for the provision of HIV Prevention Services – *Teshina Carter*

Judge Spencer moved that the Board of Trustees ratify the 2018 Contract Renewal Amendment with the Texas Health and Human Services Commission (HHSC) for the provision of HIV Prevention Services; Dr. Usatine seconded the motion. Motion carried.

2. Ratification of the Immediate Services Program Contract with the Texas Health and Human Services Commission (HHSC) – *Robert Guevara*

Judge Spencer moved that the Board of Trustees ratify the Immediate Services Program Contract with the Texas Health and Human Services Commission (HHSC); Dr. Kelley seconded the motion. Motion carried.

3. Approval of the Proposed Membership Appointment of Ms. Kathryn Jones-Lopez to the Public Network Advisory Committee (PNAC) – *Cynthia Martinez*

Dr. Usatine moved that the Board of Trustees approve the proposed membership appointment of Ms. Kathryn Jones-Lopez to the Public Network Advisory Committee (PNAC); Judge Spencer seconded the motion. Motion carried.

FINANCE COMMITTEE (*Mary Rose Brown, Chair*)

1. Acceptance of the Center's Financial Statements for the period ending November 30, 2017 and December 31, 2017 – *Tom Cobb*

Mr. Cobb reported that the Center's financials for the month ending November 30, 2017 had ended with a negative contribution to fund balance of (\$51,372); and a negative contribution of (\$187,064) year-to-date. 1115 waiver revenue recognized was \$2,856,456; unrecognized general revenue was reported at \$842,133 including a debt service reserve of \$337,662; overstated health insurance claims of \$240,000; expected portion of new General Revenue to be received this fiscal year - \$400,000 ; bringing the total operating gain for the month of November to \$1,295,069.

For the month of December 2017, the Center's financials ended with a positive contribution to fund balance of \$93,670; and a negative contribution of (\$93,394). 1115 waiver revenue recognized was \$3,852,513. The Center also received a net payment of \$12,300,000 for 1115 waiver outcomes for prior years; this will be recognized in next month's financials. Unrecognized general revenue was reported at \$1,127,047; the debt service reserve though December is \$533,333 bringing the total operating gain for the month of December to \$1,566,986. It was noted that the health insurance expense was not being recorded at actual claims value.

Judge Parker moved for acceptance of the Center's Financial Statements as presented; Dr. Usatine seconded the motion. Motion carried.

2. Approval for the President/Chief Executive Officer to negotiate and execute a contract with Mallinckrodt LLC d/b/a SpecGX LLC, for the purchase of pharmaceutical products – *April Johnson-Calvert*

Dr. Kelley moved that the Board of Trustees approve for the President/Chief Executive Officer to negotiate and execute a contract with Mallinckrodt LLC d/b /a SpecGX LLC, for the purchase of MAT-related pharmaceutical products.

Dr. Usatine seconded the motion; motion carried.

REPORTS

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

Mr. Barrett briefly reported on the meeting of the Texas Council Board that took place January 19th – 20th, commenting that there were many moving pieces at the state level right now in relation to the upcoming elections.

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

Mr. Guevara reported on the meeting of the Risk Fund Board of February 1st and 2nd, announcing the election of new officers; fifty-three (53) Harvey claims projected at about \$1 million; Border Region BH Center joining the Fund; and reserves were reported at \$26 million.

- Tejas Health Management Board – *Robert Guevara*

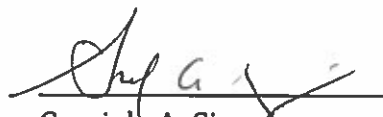
Mr. Guevara reported that there have been no meetings of the Tejas Board.

ADJOURNMENT

There being no further business to discuss, Mr. Barrett called for a motion to adjourn. Dr. Kelley moved to adjourn, Judge Spencer seconded the motion; and the meeting was adjourned at 8:38 p.m.

Passed and approved this 10th day of April, 2018.


Daniel T. Barrett
Board Chairman


Graciela A. Cigarroa
Board Secretary