

Southwest Michigan

BEHAVIORAL HEALTH

Draft Board Meeting Minutes December 14, 2018 9:30 am-11:30 am 5250 Lovers Lane, Suite 200, Portage, MI 49002

Members Present: Tom Schmelzer, Nancy Johnson, Susan Barnes, Robert Nelson, Moses Walker, Patrick Garrett, Tim Carmichael, Mary Myers

Guests: Bradley Casemore, Executive Officer, SWMBH; Tracy Dawson, Chief Financial Officer, SWMBH; Mila Todd, Chief Compliance and Privacy Officer, SWMBH; Anne Wickham, Chief Administrative Officer, SWMBH; Jonathan Gardner, Director of QAPI, SWMBH; Mary Ann Bush, Senior Operations Specialist/Project Coordinator, SWMBH; Dr. Robert Hill, Physician Advisor, SWMBH; Jon Houtz, Pines Behavioral Health Alternate; Karen Lehmann, Woodlands Alternate; Deb Hess, Van Buren Community Mental Health; Susan Germann, Pines Behavioral Health; Ric Compton, Riverwood; Jeff Patton, Kalamazoo CMHSP; Brad Sysol, Summit Pointe; Kris Kirsch, St. Joseph Community Mental Health & Substance Abuse Services; Richard Thiemkey, Barry County Community Mental Health; Mike Kenny, NAMI; Roger Jones

Guests on phone: Kathy Sheffield, Woodlands BH

Welcome Guests

Tom Schmelzer called the meeting to order at 9:30 am, introductions were made, and Tom welcomed the group.

Public Comment

None

Agenda Review and Adoption

Motion Tim Carmichael moved to accept the agenda as presented.
Second Mary Myers
Motion Carried

Consent Agenda

Motion Robert Nelson moved to approve the Consent Agenda as presented.
Second Patrick Garrett
Motion Carried
Mila Todd commented that there were no new disclosures.

Operations Committee

Operations Committee Minutes October 17, 2018

Tom Schmelzer asked for comments or questions. Minutes accepted.

Ends Metrics

None

Board Actions to be Considered

SWMBH Bylaws Revisions

Tom Schmelzer requested a poll from the Board as to their respective Boards' preliminary position and questions regarding the proposed SWMBH Bylaws change. All eight Board members were polled. Consensus was the CMHSP Boards had discussed the changes, some had additional questions, none were adamantly opposed to the revisions. Concerns included financial risk, administrative resources, and identified partnerships.

Brad Casemore informed the Board that a discussion had been held at the November Operations Committee meeting where the poll resulted in 1 yes vote for approving the revisions and 7 votes for more information. Brad Casemore has offered to meet with each CMH Board to answer questions and review the changes.

New information includes the Department of Health and Human Services has announced that the Request for Proposal for the 298 Unenrolled program will be out in January. Additional information included the position of the Community Mental Health Association of Michigan stating that they are opposed to the State plan to use a PIHP for the 298 Unenrolled individuals.

Brad reviewed the PowerPoint which detailed the driving force for considering changes to the SWMBH Bylaws. The current environment of the public behavioral health system has created possible opportunities for SWMBH to move into additional services. The benefits to SWMBH CMHSPs and Communities include improvement of health to individuals, acquired knowledge of best practices, influence in state policy, strengthened interactions within the health care system, enhanced taxpayer value, and potential for shared financial rewards.

Approving the SWMBH Bylaws amendments allows SWMBH to be better prepared for federal and state changes in the future. Brad recommended that SWMBH be prepared to be responsive to new changes and opportunities. There is no direct cost in making the Bylaws provisions. If projects are pursued, limits can be placed on the costs.

Changes to the SWMBH Bylaws creates no risk of financial or other liabilities to the CMHSPs. Brad responded to the questions as to the utilization of the current SWMBH staff with the explanation that pursuit of a Partner would include the provision of administrative assistance. SWMBH Board membership would not be altered and no CMH would be added into Region 4 unless each Participant CMHSP approves the addition (if Bylaws are reused), otherwise a simple majority for 298 Unenrolled.

Brad stated that Partners are being considered with the criteria that the Partner not be a Michigan Medicaid Health Plan per DHHS. This roughly \$250M project would have little to no impact on the CMHSPs. CMHSPs would not be party to the contracts, nor required to provide clinical or administrative services. SWMBH would have opportunity costs which would require resource dedication and

prioritization of administration. The SWMBH Board would continue the oversight and monitoring of SWMBH.

If the 298 Unenrolled project is pursued, Brad would include in the RFP response an update status report to the Department regarding the ability for SWMBH to perform according to its Bylaws.

Discussion clarified that approving the amendments to the SWMBH Bylaws is not an endorsement to accept any project but allows the possibility to pursue future activities. Tom noted that no other PIHP has achieved the National Committee for Quality Assurance certification, placing us in a favorable standing. Accepting the amended Bylaws would open SWMBH to opportunities to provide more services to more people.

Brad repeated his offer to deliver a presentation to each CMHSP Board to explain the SMWBH Bylaws amendments. He noted that as a SWMBH Board member, their role was to facilitate the information and discussion at CMHSP Boards. Included is the legal opinion of SWMBH’s attorney, Roselyn Parmenter.

Tom noted that approval of a vote to pursue the 298 Unenrolled project would require 75% of the SWMBH Board members in attendance at that meeting, assuming a quorum is reached.

Motion Moses Walker moved to approve the SWMBH Bylaws amendments as presented.

Second Nancy Johnson

Discussion Discussion included the comments that these Bylaws changes are supportive to our organization.

Friendly Amendment

Section 2.1 and 2.2.2 to each include the phrase “or any other duly constituted legal entity”.

Section 3.5 to change wording to “New Participants may be admitted by “unanimous vote of the Participants”, removing “simple majority vote of the Participants”.

Motion Moses Walker accepted the Friendly Amendments.

Second Nancy Johnson

Roll Call Vote Tom Schmelzer – Yes Robert Nelson – Yes Nancy Johnson – Yes

Patrick Garrett – Yes Moses Walker – Yes Susan Barnes – Yes

Mary Myers – Yes Tim Carmichael – Yes

Unanimous Vote

Executive Officer Performance Evaluation

Tom Schmelzer reported that the Executive Committee comprised of Ed Meny, Susan Barnes and himself was charged with monitoring the Executive Officer’s performance for the fiscal year October 1, 2017 to September 30, 2018. Upon reviewing Policy EO-002 – Monitoring Executive Officer’s Performance, the Executive Committee finds that the Executive Officer has achieved 13 of 14 Ends Metrics or 93%. Not met was Medicaid Medical Loss Ratio as set by the Board at 85% - 87%. Status as of October 30, 2018 is 98.7%.

Review of the Executive Limitation Policies resulted in Executive Officer's compliance with 10 of 10 policies or 100%. The Committee also reviewed the Top Ten Accomplishments in 2018 as part of the total Successes and Accomplishments for SWMBH in 2018.

Tom commended Brad for a job well done. With faith in Brad as an Executive Officer, the Executive Committee wishes to retain Brad's services in the capacity of Executive Officer and compliment him for a job well done. We recommend a motion of the Board that the Executive Officer is in compliance with Policy EO-002 and the policy does not need revision.

Motion Tim Carmichael moved that the Executive Officer is in compliance with Policy EO-002 and the policy does not need revision.
Second Patrick Garrett
Motion Carried

Credentialing of Behavior Health Practitioners Policy

Mila reported as documented.

Motion Susan Barnes moved to accept the Credentialing of Behavioral Health Practitioners – SWMBH Policy 2.02 as presented.
Second Robert Nelson
Motion Carried

Motion Robert Nelson moved to accept the Credentialing of Organizational Providers – SWMBH Policy 2.03 as presented.
Second Mary Myers
Motion Carried

Financial Risk Management Plan Approval, Financial Management Plan Approval, Cost Allocation Plan Approval

Tracy Dawson reported as documented.

Motion Tim Carmichael moved to accept the Financial Risk Management Plan, the Financial Management Plan, and the Cost Allocation Plan as presented.
Second Susan Barnes
Motion Carried

Calendar Year 2019 Board Calendars – Meeting Calendar, Events Calendar, Policy Review Calendar

Brad reported as documented.

Motion Robert Nelson moved to accept the Meeting Calendar, Events Calendar, and Policy Review Calendar as presented.
Second Nancy Johnson
Motion Carried

Board Policy Review

BG-005 Chairperson's Role

Tom Schmelzer reviewed the policy noting that the SWMBH Board meetings follow the policy with special note to the section on deliberations to be fair, open, and thorough, but also timely and orderly. He noted that the policy does not need revision.

Motion Susan Barnes moved that regarding the policy BG-005, the Board is in compliance and the policy does not need revision.

Second Mary Myers

Motion Carried

BEL-003 Asset Protection

Tom Schmelzer reported that he had previously held discussions with Ed Meny regarding his review of Policy BEL-003, Asset Protection, and Ed stated that the Executive Officer is in compliance and the policy needed no revisions.

Motion Tim Carmichael moved that the Executive Officer is in compliance and the policy does not need any revision.

Second Susan Barnes

Motion Carried

Board Education

Fiscal Year 2019 Year to Date Financial Statements

Tracy Dawson reported as documented noting that she was still awaiting information from the Department. Tracy reported that the budget had been Board approved for 3 months and Brad and Tracy will be coming back in January for the next budget approval. Brad Casemore stated that SWMBH will continue to request additional funds.

Fiscal Year 2019 Quarter 2-4 Geographic Factor and Implications

Tracy reported as documented.

Managed Care Functional Review Utilization Management Update

Anne Wickham reported as documented.

Fiscal Year 2018 Customer Services Report

Sarah Ameter reported as documented.

Year End Accomplishments Summary

Jonathan Gardner reported as documented.

Communication and Counsel to the Board

January Executive Limitations Monitoring

Brad reported that at the January meeting Patrick Garrett would be presenting his review of BEL-001,

Budgeting

Board Membership Roster and Board Members' Attendance Roster

Brad reported as documented.

Updates

Mila Todd reported updates regarding 1) a civil rights complaint alleging discrimination against an individual based on their disability, and 2) a CMH litigation. Case #1 has been dismissed and case #2 is in process.

February Board Meeting – RSVPs

Brad Casemore requested each Board member to determine their availability for a February 2019 Board meeting. Based on the number of Board members who will be unavailable, Brad informed the Board that there would be no violation of the Bylaws if the February meeting was cancelled.

Motion Tim Carmichael moved to cancel the February 8, 2019 Board meeting.

Second Robert Nelson

Motion Carried

Public Comment

Mike Kenney of NAMI expressed his appreciation of the Board Members' diligence in serving. Mike also commented regarding the Bylaws change to always keep an exit strategy. He requested the opportunity for the President of NAMI to make a presentation to the Board, "Ending the Silence".

Robert Nelson congratulated Jon Houtz and Susan Barnes for their perfect attendance at the Board meetings this past year.

Adjournment

Motion Tim Carmichael moved to adjourn at 11:36 am.

Second Sue Barnes

Motion Carried