

**Northeast Michigan Community Mental Health Authority (NeMCMHA) Board
Board Meeting
January 12, 2023**

I. Call to Order

Chair Eric Lawson called the meeting to order in the Board Room at 2:59 p.m.

II. Roll Call and Determination of a Quorum

Present: Robert Adrian, Les Buza, Bonnie Cornelius, Lynnette Grzeskowiak, Charlotte Helman, Judy Jones, Terry Larson, Eric Lawson, Gary Nowak, Lloyd Peltier (joined at 3:04 p.m.), Terry Small

Absent: Pat Przeslowski (Excused)

Staff & Guests: Lisa Anderson, Carolyn Bruning, Connie Cadarette, Mary Crittenden, Mike DeCaire, Todd DeCaire, Erin Fletcher, Kristie Gallagher, Morgan Hale, Don Haske, Paula Haske, Nancy Kearly, Danielle Lahaie, Janice Lemmon, Brooke Paczkowski, Larry Patterson, Abbey Podbielski, Ethan Saile, Nena Sork, Connie Srebnik, Jen Walburn, Gwen Wiacek

III. Pledge of Allegiance

Attendees recited the Pledge of Allegiance as a group.

IV. Appointment of Evaluator

Charlotte Helman was appointed as evaluator for this meeting.

V. Acknowledgement of Conflict of Interest

No conflicts of interest were acknowledged.

VI. Information and/or Comments from the Public

Gwen Wiacek, Presque Isle County, stated contract rates are being reduced by up to 40% for AFC homes, and they cannot provide good care or support individuals at that rate. She has never seen contract rates reduced before. With an already short supply of AFC providers, Gwen doesn't know what will happen to individuals if the homes cannot afford to stay open. Board Chair Eric Lawson stated these concerns would be further discussed during his Chair's Report.

Lloyd Peltier joined the meeting at 3:04 p.m.

Janice Lemmon, Office of Public Guardians in Presque Isle County, stated her office has received numerous phone calls regarding clients' rates being reduced. Janice worries this will cause her clients to require new placements. She reported that Judge Eric Stone received a concerned phone call from Cam Cavitt, State Representative for District 106. Janice stated the AFC providers could make a lot more money if they contracted with a different CMH.

Mike DeCaire, Alpena County, is extremely concerned about homes closing due to decreased rates, as he doesn't know where individuals would then be placed.

VII. Approval of Minutes

Moved by Gary Nowak, supported by Terry Small to approve the minutes of the December 8, 2022 meeting. Motion carried.

VIII. Educational Session – Cultural Understanding and Advancement Committee

Mary Crittenden and Erin Fletcher presented an educational session on the Cultural Understanding and Advancement Committee (CUAC). The "hatch of CUAC" began in the Fall of 2020, after an exit interview with a staff member who recounted her experiences facing racism and bigotry in the community. Soon after, several staff members were awarded the chance to participate in the first Cultural and Linguistic Competency Learning Community (CLC-LC). Through participation in CLC-LC over six months, seven staff members learned how the Agency can better grow and support individuals served and staff. These staff members wanted to keep the momentum going after CLC-LC ended. CUAC held its first meeting in October 2021, with a focus on cultural advancement, training, and education. Their goal is to provide monthly

cultural and linguistic education for staff. CUAC's Purpose is to promote diversity and inclusion within the Agency, its Mission is to provide education, resources, and tools to enhance cultural competency amongst staff while fostering a supportive environment for all, and its Vision is to be a culturally proficient agency.

IX. Consent Agenda

1. GT Independence

The Board received a handout on GT Independence at the meeting.

Moved by Gary Nowak, supported by Terry Small, to approve the January Consent Agenda. Roll call: Ayes: Robert Adrian, Les Buza, Bonnie Cornelius, Lynnette Grzeskowiak, Charlotte Helman, Judy Jones, Terry Larson, Eric Lawson, Gary Nowak, Lloyd Peltier, Terry Small; Nays: None; Absent: Pat Przeslawski. Motion carried.

X. January Monitoring Reports

1. Budgeting 01-004

Connie Cadarette stated the financial auditors are currently on-site, and the final FY22 financials won't be available until the end of February. She reported on revenues on the Statement of Revenue and Expense and Change in Net Position for the month ending November 30, 2022. The line item for Interest Income will need to be adjusted to reflect the increased amount. Medicaid is underspent \$271,158 and Healthy Michigan is underspent \$124,678, for a total underspent amount of \$395,836. Local match funds take time to build up, so the number will be negative for a while, which is normal for this time of year.

Larry Patterson reviewed line items with negative variances on the Statement of Revenue and Expense and Change in Net Position for the month ending November 30, 2022. The negative variances on the line items for Pension, Office Supplies & Postage, Maintenance, and Telephone & Connectivity are due to timing issues and they will clear up. The line item for Contracted Inpatient is over budget due to a high cost individual with an extended stay in a state hospital. If the individual stays at the rate for much longer the line item will require an adjustment. The Professional Fees line item is over budget due to still clearing an overage of \$19,000 from the previous month. Expense Fiduciary is required to be on the report, though this line item is for consumer funds and will always show as an overage. With 16.67% of the year elapsed, the Agency is at 15.3% of expenses used for the fiscal year.

2. Emergency Executive Succession 01-006

Board members reviewed the Emergency Executive Succession monitoring report, which offers an interpretation and scenarios for the Emergency Executive Succession Policy. If Nena Sork is out for any length of time, Mary Crittenden acts as her designee. The Board discussed compensation of the individual who covers for the Executive Director in the case of an extended absence. Board members suggested additional compensation be considered if the Executive Director is gone for a period of more than two weeks, and to make the change retroactive. The Board asked that draft revisions to the monitoring report be presented at the February Board meeting.

Moved by Les Buza, supported by Lynnette Grzeskowiak, to approve the January Budgeting Monitoring Report. Motion carried.

Moved by Gary Nowak, supported by Terry Small, to table the discussion of the Emergency Executive Succession Monitoring Report until the February Board meeting. Motion carried.

XI. Board Policies Review

1. Emergency Executive Succession 01-006

The Board thinks the policy is still efficient, but would like to see the above-mentioned updates to the procedure.

2. Executive Director Role 03-001

Terry Small and Bonnie Cornelius feel the policy is appropriate and the Board is following it.

XII. Operations Report

Mary Crittenden reported on individuals served in the month of December 2022. There were 60 routine access screens, as well as one urgent access screen. There were 52 crisis contacts for the month, 66 prescreens were completed, and 15 individuals were admitted to private psychiatric hospitals. Overall, 1,035 individuals were served in December.

XIII. Chair's Report

1. CMHA PAC

Eric made another appeal for Board members to contribute to the CMHA PAC. Board members can write a check or complete their contribution online. Historically the Board has had 100% participation. Nena has offered to match Board member PAC contributions up to \$600. Eric thinks the CMHA PAC exhibits evenhanded and effective advocacy. Board members typically contribute a full per diem. Ways to donate to the PAC will be included in the February Board packet.

A handout was provided on the NMRE's November 2022 report on liquor tax funds available by county.

2. AFC Rate Concerns

Nena provided the Board with context for the concerns voiced during the opening public comments. The assessment tool used to determine individual contract rates for AFC providers has been used since 2011. The last assessments were completed in 2019, as COVID-19 pandemic restrictions did not allow onsite assessments to be completed again until this year. Contract rates were frozen in 2020 so rates wouldn't decrease during the pandemic. If an individual deteriorated, a phone assessment was completed in order to raise the rate and compensate for the increased level of care required. During this time of frozen rates, rates were not decreased if the required level of care went down.

Medical necessity has to be proven to justify the individual contract rates. At the time of assessments restarting in 2023, some individuals have improved and their assessment scores have decreased, warranting a lower rate. Some individuals scores have also increased and rates have been raised. Instead of contract AFC providers seeing a gradual decrease over the last four years if an individual requires a lower level of care, a larger decrease is being seen at one time. The Agency has increased the contracted rates for AFC providers by 3% across the grid.

Some individual's contract rates may decrease 40%, but the decision was made to cap the decrease to 15% for the year. Nena believed that approximately twenty-one contracts will have increased rates and fifteen contracts will have decreased rates. Nena explained having rates based on medical necessity allows them to be increased at times when a higher level of care is required, such as when an individual has had surgery or is experiencing increased behavior issues. During the preceding years of the COVID-19 pandemic, the Agency did not have a contractual obligation to raise the frozen rates, but the Agency did so when individuals decompensated. The Agency also provided stability payments to contract AFC providers at a rate of \$1,000 per bed when there were extra funds to do so. Medical necessity has to be established for all contracted rates or the Agency could face Medicaid waste, fraud, and abuse charges.

Nena, Morgan Hale, Contract Manager, Mary Crittenden, Chief Operations Officer, Erin Fletcher, Director of Clinical and Supportive Services, and Connie Cadarette, Accounting Officer, are currently meeting with all contract AFC providers. This is a scheduled time when the provider can review the new contracted rates, appeal the rate, and have a discussion with managerial staff about the scoring on the assessment tool.

Eric would like additional information collected and presented to the Board. A special Board meeting will be held to discuss the concerns. Robert Adrian requested additional information on how the contracts are billed and coded. The full Board will hold a special Board Meeting on Thursday, January 26 at 3:00 p.m.

XIV. Executive Director's Report

Nena reported on her activities for the last month. During the week of December 12, she continued working with the PCE CMHSP/PIHP User Group and met with Judge Alan Curtis and Alpena County Probate staff to

work on their process for court ordered mental health treatment. The following week she attended the NMRE OPS and NeMCMHA QI meetings. Management Team had to plan for a water shutoff (due to work being done on the old jail property) on December 27, and moved most operations to the Fletcher office for the day. During the week of January 2, Nena attended the CMHA meeting regarding MDHHS and Self-Determination, as well as a standard cost allocation meeting.

Nena reported the possible Alcona County rental property won't be available for a while, so she will continue to look for something else or look into the potential human services building project. She has started to brainstorm for the Agency's annual report, which is typically published in May. Nena would like the report to be finalized and published in April and she sought the Board's input on what they would like to be included. Sections to be included are the Agency's 5K in May, Eric and Nena's letter to the community, and a memorial for Roger Frye.

Staff did not receive a cost of living adjustment (COLA) at the beginning of the year, as Management Team wanted to wait until they knew what the financials would look like. Nena asked the Board for a 3% COLA for staff retroactive to October 1. The Board does not want to make a decision until the current discussions of AFC contract provider rates have been resolved. The COLA adjustment will be discussed at the February Board meeting.

XV. Information and/or Comments from the Public

Connie Srebnik, Presque Isle County, stated her home receives difficult individuals who require 24/7 care and the providers deserve a good contract to care for these individuals. She worries that if the rates go down too much, the individuals will have to be relocated downstate, which would be a waste as good providers are able to care for them here.

Danielle Lahaie, Presque Isle County, stated her AFC home has residents who have lived there since 1983. Danielle feels the purpose of the assessment wasn't made clear as it was being done. Home staff are accustomed to the residents' behaviors, and may rate them at a lower level than someone who isn't accustomed to them. Danielle requested the assessment be completed more like a Plan of Service meeting and that the assessments should be redone with more informed consent.

Gwen Wiacek reiterated that a new rate she received works out to \$3.83 an hour, and she doesn't think it possible to work within that rate.

Nena requested AFC providers send in their questions and concerns to be addressed by the Board and herself at the special Board meeting on January 26.

XVI. Information and/or Comments for the Good of the Organization

Bonnie reported she spoke with Diane Hayka, who is enjoying her retirement in Gulf Shores, Alabama.

XVII. Next Meeting

The next regularly scheduled meeting of the Northeast Michigan Community Mental Health Authority Board will be held Thursday, February 9, 2023 at 3:00 p.m.

A special Board meeting will be held on Thursday, January 26 at 3:00 p.m. to address the AFC contract rate concerns.

1. Set February Agenda

The proposed February agenda items were reviewed.

2. Meeting Evaluation

Charlotte Helman reported the meeting started on time and Board members definitely stepped away with new understanding from the CUAC educational sessions and that she was glad to see positive change come about after an employee exit interview. The majority of the Board participated in the meeting. Charlotte had her Board member orientation with Nena that afternoon and it was nice to have

an opportunity to revisit topics originally introduced when she previously worked in the mental health field.

XVIII. Adjournment

Moved by Les Buza, supported by Lynnette Grzeskowiak, to adjourn the meeting. Motion carried.
This meeting adjourned at 4:26 p.m.

[signed by Bonnie Cornelius March 9, 2023]

Bonnie Cornelius, Secretary

[signed by Eric Lawson February 9, 2023]

Eric Lawson, Chair

Rebekah Duhaime
Recorder