

ST. CLAIR COUNTY COMMUNITY MENTAL HEALTH AUTHORITY  
3111 Electric Avenue  
Port Huron, Michigan 48060

---

GROUP MEETING: SCC Community Mental Health Board  
SUBJECT: Regular Session  
PLACE: St. Clair County Community Mental Health  
3111 Electric Avenue, Port Huron  
DATE: November 5, 2019  
TIME: 6:00 p.m.  
PRESIDING: Nancy Thomson, Chairman

---

PRESENT: L. Ames, S. Armstrong (left at 7:00 pm), J. Bligh, A. Essian J. Jowett-Lee, M. Partipilo, M. Paulus,  
E. Priemer, M. Smith N. Thomson, S. White

CALL IN: No one

ABSENT: E. Rieves

ALSO PRESENT: Guest(s): R. Kiehler, IHDC  
Staff: D. Johnson, T. Pingitore, K. Farr, K. Gallagher, M. Measel-Morris, D. Hayes,  
L. Gauthier

I. CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Chairman Thomson.

II. CLOSED SESSION

Chairman Thomson stated that a motion is in order to move into Closed Session to discuss a matter of attorney/client privilege.

It was moved by Mr. Essian, seconded by Mr. Armstrong, to move into Closed Session. **MOTION CARRIED**

The Board moved into Closed Session at 6:02 pm.  
The Board resumed into Regular Session at 6:32 pm.

III. CITIZENS WISHING TO ADDRESS THE BOARD - None

IV. AGENDA CHANGES

V. PRESENTATION OF PREVIOUS MEETING MINUTES

It was moved by Mr. Essian seconded by Mr. Paulus, to approve the minutes of the September 10, 2019 regular meeting of the CMH Board, as presented. **MOTION CARRIED**

VI. PRESENTATION OF SEPTEMBER RECEIPTS/DISBURSEMENTS & ELECTRONIC TRANSFERS

It was moved by Mr. Priemer, seconded by Ms. Ames, to approve the September Receipts/Disbursements and Electronic Transfers, as presented. **MOTION CARRIED**

VII. PRESENTATION OF BILLS TO BE PAID

It was moved by Ms. Jowett-Lee, seconded by Ms. Ames, to approve the Bills to be Paid in the amount of \$4,358,101.83, as presented. **MOTION CARRIED**

VIII. ITEMS FOR ACTION

A. Region 10 PIHP/SCCCMHA FY 20 Medicaid Contract – T. Pingitore

Ms. Pingitore advised the Board that there are minimal changes in the FY 20 contract from the FY 19 contract and amendments. Provided to the Board was a copy of the cover page, table of contents and list of attachments for the contract. In the near future we are anticipating to receive contract language changes related to the Habilitation Supports Waiver and changes resulting from Region 10's recent HSAG audit. The name of the contract will be changing due to the approval of the 1115 Waiver and I Waiver, the new name will be Medicaid Managed Specialty Supports & Services Program.

It was moved by Ms. Partipilo, seconded by Mr. Essian, to approve the Region 10 PIHP/SCCCMHA FY 20 Medicaid Contract, as presented. **MOTION CARRIED**

B. Board Resolution Regarding Western Michigan Health Insurance Pool – T. Pingitore

Ms. Pingitore stated that the change in healthcare began last year with the Union voting to move away from our current insurance carrier, Meritain. In reviewing several healthcare options for 2020, we are recommending obtaining healthcare through the Western Michigan Health Insurance Pool. The Western Michigan Health Insurance Pool was formed in 2005 to reduce healthcare costs for schools originally and now has 99 members covering over 10,000 employees. Membership requires a three year minimum commitment. The coverage will be by Blue Cross/Blue Shield which is highly regarded by staff. Region 10 PHIP uses the Western Michigan Health Insurance Pool for their healthcare coverage and have been very pleased. There are four different healthcare plans that employees can choose from. The move was overwhelmingly endorsed by the Union membership.

Mr. Smith asked if there was any additional costs to moving to this insurance pool. Ms. Pingitore stated that because of Public Act 152 the employer is capped at what it can pay; therefore, any extra costs are assumed by the employee. For FY 20 our staff will have to pay extra to move away from being self-insured, but those extra costs would exist for the first year only when moving to any alternative insurance provider.

It was moved by Mr. Smith, seconded by Ms. Jowett-Lee, to endorse Resolution 2019-04 approving the three-year membership into the Western Michigan Health Insurance Pool, as presented. **MOTION CARRIED**

IX. INFORMATIONAL ITEMS

A. Finance – K. Farr

1. September Funding Bucket Report and Financial Statement

Presented by Ms. Farr was the preliminary September Funding Bucket Report. She reported that:

- Year-to-Date Expenditures are running approximately \$354,000 under the Projection
- Payroll costs are running approximately \$725,000 over the Projection due to the wage adjustment in September which was not included in the Projection
- Contractual costs are running approximately \$166,400 over the Projection, mainly in Autism area
- Non-OASIS Contracted Services are \$127,700 under budget, mainly due to the HIP and CCBHC
- Residential, Supported Housing and Self Determination are running approximately \$168,600 under the Projection

Ms. Farr stated that this is a preliminary report as they are preparing for the audit. However, she is not anticipating any significant changes. The only change that may come about is the shifting of allowable costs that are covered by the CCBHC so that we would not have to use our General Fund.

For the Region 10 PIHP Contract Funding, we are expecting a surplus of approximately \$250,088 which we had projected to come in at \$490,600.

Our General Fund is currently showing a surplus of \$21,000. There were some expenditures identified that we could not use Medicaid and needed to be covered by General Fund. The potential for carry forward is minimal; therefore we are looking closely at what is allowable for CCBHC to free up General Fund dollars.

St. Clair CMH Other Funding we are projecting to have a deficit in local funds. This is a result of a pay back to Medicaid of \$136,000 due to non-disclosure of private insurance.

Ms. Bligh asked if there isn't a way that we can check on insurance coverage. Ms. Gallagher stated that we do ask at the intake and annually. However, many times individuals think Medicaid is their primary insurance when in fact Medicaid is secondary and don't reveal that they have private insurance. She stated that we can look to see who has Medicaid, but not every private insurance. Ms. Farr stated that we are responsible for returning the Medicaid dollars; if there is a way to recoup any of those funds then we will need to obtain a financial payment agreement with the individual.

*Financial Statement:* This, too, is a preliminary statement. Our current assets are just under \$15 million which are sufficient to cover our liabilities that are just over \$8.7 million. Our current total net position is just over \$6 million. When you factor in the non-current assets, deferred inflow/outflow of resources and long-term liabilities leaves us at a net deficit of just under \$10 million.

At the Finance Officers Meeting, Ms. Farr reported that in the Governor's budget (Section 928) addresses the collection of local funds by the PIHP to match the additional drawdown of

Medicaid. Our commitment from St. Clair has been \$659,000 annually. In the budget language now they are phasing the local match requirement out over a five year period. We have a reduction from the Region 10 PIHP for FY 20 of 20% (\$333,000 local funds) that we will not have to send to the Region.

With regards to the rate increases projected by Milliman for FY 20 discussed at an earlier Board meeting, when Mr. Carpenter projected that for the Region it appeared we would have a \$28 million surplus. In the finance meeting yesterday, Mr. Carpenter stated that when looking at the payments that came in for October and projected that out the rates were significantly lower than originally stated by Milliman; we are now looking at a \$9 million surplus. Mr. Carpenter will be looking further into this with Milliman and the State.

2. Community Foundation 9 Month Report Ending September 30, 2019

In reviewing this fund statement it appears that we have earned just over \$16,000 and our expenditures were \$1,800 for the nine month period.

B. Program Operations – K. Gallagher/D. Johnson

1. Wellness Options

The CCBHC grant has allowed us to expand programming in this area. Currently we have two instructors for Trauma Informed Yoga that is offered to adults and children that we serve as well as our staff at no cost and the community. We are also expanding our InShape program which is an athletic program for those individuals with severe mental illness. We also have Health Matters and have added an additional trainer. Typically this program was only for those individuals with a preexisting chronic condition. We expanded the criteria to allow those individuals who are at risk of a chronic condition such as those individuals on Risperdal (anti-psychotic medication) to join the program. One of the side effects of this medication is weight gain therefore we have allowed them to join the InShape program before the weight gain has started.

We are also hiring a dietitian to help with nutrition efforts and will be starting a “Living with Health Conditions” group. This is an evidence-based practice and will hopefully begin within the next few weeks.

2. Naming Contest for New Group Home

We have a naming contest for the new group home on Lincoln Street. Suggested names are being accepted through Friday. We don't want to name any more homes after streets. Staff from CMH as well as Innovative Housing are taking part in the contest.

3. Agency In-Service

Our all staff Agency In-Service will be held on Friday, December 13<sup>th</sup> at the Blue Water Convention Center. The Agency will be closed that day.

4. CMHA “Partners in Excellence” Award Nomination – D. Johnson

At the CMHA Fall Conference during the Central Region Meeting, Ms. Johnson nominated our peers in recovery for the “Partners in Excellence Award.” This nomination was endorsed by the Central Region. Three of our original peers had previously received the “Power of Peer Support Presentation” award in February 2018 at the CMHA Winter Conference. This nomination is for current peers in Recovery and how they engage individuals into the treatment process focusing on those in recovery as well as recovery coaches. The award will be given out at the CMHA Winter Conference.

5. CMHA “Go to Bat” Award Nomination – D. Johnson

This award is for those individuals who have helped mental health system at a state-wide level. Our Judge Tomlinson won this award in the past for his involvement in the Mental Health Court and has done multiple presentations throughout the State on our Mental Health Court because of its success. Our nomination for this year is Senator Debbie Stabenow. If not for her we would not have the CCBHC funding and she is continuing to advocate for the continuation of this funding. She has been a huge advocate for the mental system for many years.

6. Employee and Team of the Month: August – D. Johnson

*Employee of the Month for August was Ms. Kathleen Gallagher.* Ms. Gallagher was nominated by a staff person in Operations for her willingness to listen to the concerns, ideas and suggestions of employees and is always available. She creates a welcoming environment for staff and always provides feedback and support.

*Team of the Month for August was the Case Management Unit.* In addition to their regular duties, individuals recently took on additional duties from piloting a different way to check out the vehicles and worked with each other on the coordination of the usage of the vehicles to assisting individuals in the community who experienced critical medical concerns completing urgent home moves to a more positive setting and provide services outside normal working hours.

C. Administrative Services – T. Pingitore

1. Corporate Compliance Annual Report FY 19

This report details activities over the past year in the areas of utilization management, grievance and appeals, complaints including fraud, waste and abuse and HIPAA concerns and contract monitoring. Also included are prevention activities which include: recipient rights refresher training provided to all staff at the July In-Service which included review of confidentiality and HIPAA requirements. Also conducted is a Risk Management Assessment which review of OASIS access levels, electronic health record use and security and enhancement of agency cyber security practices and follow up with a Risk Management Plan.

In reviewing the recommendations, Ms. Pingitore noted the increase in the training of staff in the area of Medicaid fraud waste/abuse and the importance of documentation services using actual start/stop times. There were nine (9) complaints filed in FY 19, five (5) were related to HIPAA privacy/security issues and police violations, one (1) was related to only policy

violations and three (3) were related to Medicaid fraud/waste/abuse issues. Of this six (6) were substantiated, one (1) was unsubstantiated and two (2) are pending.

The FY 19 goals we continue to do the quarterly program integrity reports and have also entered into a contract with Provider Trust; this agency helps in the monitoring of all privileged practitioners and organizations with regards to anything that would prevent them from being a provider under the federal healthcare guidelines.

2. Corporate Compliance Plan FY 20

Ms. Pingitore stated that much of the FY 20 Corporate Compliance Plan is a continuation of the FY 19 Corporate Compliance Plan with minor tweaks being made. The overall purpose of the Corporate Compliance Program is internal control, educate and train staff, protecting misconduct in the areas of fraud, waste and abuse as well as doing investigations. The FY 20 Goals are a continuation of the FY 19 Goals as well as to increase staff education.

*Mr. Armstrong left the meeting at 7:00 pm*

D. Contract Management – M. Measel-Morris

1. Policies Out for Review

There are three CMH Board policies currently going through the two week review process. They are: Board Member Per Diem & Travel Reimbursement – no recommended changes; Recipient Rights – minor wording and formatting changes and Housing Subsidy Limited Term Financial Assistance – updated procedures to be in compliance with Medicaid Provider Manual and minor grammatical changes.

E. Region 10 PIHP Update – E. Priemer

Mr. Priemer stated that the minutes of the September 30<sup>th</sup> PIHP Board meeting accurately reflect what occurred. The meeting was held later in the month due to the fact that the Region had not received the budget and it needed to be approved by the end of the month. The PIHP Board also met on October 18<sup>th</sup> and approved the Medicaid contract with the State. For FY 19, Mr. Priemer stated that the Region lapsed 1% back to the State or approximately \$2 million.

Mr. Priemer stated that with the Governor vetoing Section 298 the Department has announced the cancelling of the 298 pilot project. As such, Genesee Health System will remain with Region 10. Also the State's efforts to bypass the legislative process and privately contract out Lakeshore Regional Entity to Beacon Health has been delayed indefinitely.

The next meeting of the PIHP Board is November 15<sup>th</sup>.

F. FY 19 Agency Goals Year-End Report – D. Johnson

Overviewed by Ms. Johnson was the year-end status report of the FY 19 Agency Goals. She noted that all the goals were completed and no problem areas noted. FY 19 saw a lot occurring in the area of new program development and the CCBHC. We will also be undergoing a visit from CARF, our accrediting body, in FY 20 so that remains as a goal. Should Board members have any questions after further review, Ms. Johnson asked that they please contact her.

G. Executive Director Evaluation – N. Thomson

Provided to the Board were copies of the evaluation form for Ms. Johnson for 2019. Board members were asked to complete and submit no later than November 19 to allow time for aggregation and review by the Personnel Committee.

X. DIRECTOR'S REPORT – D. Johnson

A. Community Education/Public Relations & Upcoming Trainings

Highlights of the Community Relations Activity Report for October included: the Suicide Prevention's Walk 2 Remember Walk 2 Prevent which took place on October 13<sup>th</sup>. There was a short video of the balloon release on Facebook. Many individuals responded that they did not like the balloon release due to environmental concerns. Ms. Johnson noted that the balloons and string were biodegradable; they are looking into using something else for next year...possibly bubbles.

Other highlights included:

- The play "Fairy Tale Misfits" will be taking place November 8 & 9, 2019 at the Citadel Stage.
- Prolonged Exposure Therapy for Post-Traumatic Stress Disorder (PTSD) November 12-15<sup>th</sup> from 8:30 am to 5:00 pm here at CMH (26 social work CEs are offered & 26 children's hours).
- Child & Family Services Open House will be held on Wednesday, November 13<sup>th</sup> from 3:30 to 6:00 pm with a ribbon cutting taking place at 4:00 pm by the Blue Water Chamber of Commerce. Board members were encouraged to attend.
- Several newspaper articles.

Through the Adolescent Services Workgroup and with the use of CCBHC funds we will be starting mental health groups with Memphis Schools. Memphis Superintendent Brad Gudme has agreed to pilot this initiative and work with us.

Provided was the listing of Upcoming Trainings for Board members consideration. If interested please contact Ms. Tammy Lake at Administration to register.

B. Community Mental Health Association Business

1. Weekly Update

Ms. Johnson drew the Board's attention to page 7, announcing the Governor signing the LPC (Licensed Professional Counselors) which will allow them to continue to diagnose and treat patients. If this would not have passed it would have created a huge void in mental health care.

2. CMH-PAC Report

Provided was the financial status report for the period of July 26, 2019 through October 4, 2019. She noted that the PAC works with only \$10,000 which is extremely minimal in comparison to what the private healthcare plans have to work with.

Ms. Johnson stated that at the Fall Conference, MDHHS Director Gordon stated that he will be releasing the Department's vision for the integration of services within the next couple of weeks. He also stated that for integration to happen there needs to be integration at the funding level; Ms. Johnson stated that she believes this does not need to occur and that we will need to continue to fight against this. There are different integration models that were talked about at the Director's Forum; one of which has there could be a three way partnership between a PIHP, a CMH and a Health Plan; each have their own funding and the profits are shared. Ms. Johnson stated that she suggested to Mr. Gordon that he may want to have a meeting with those CMHs who are also CCBHCs to discuss integration prior to the release of the Department's Vision. Mr. Sheehan, CMHA Director, was working to facilitate this meeting.

3. Fall 2019 Public Policy Update

Provided for information was the Fall 2019 Public Policy Update created by Mr. Alan Bolter. This provides an update to the currently proposed FY 20 budget. Ms. Johnson stated that the legislature is willing to move all the supplemental budgets into 2020 IF the Governor does not use her executive power to move funding within the Departments. She vetoed 147 line items which was approximately \$1 billion (this is still being negotiated). The legislature did do a good job in appropriating funding to the mental health system this year. There was a 2.75% increase on the Medicaid side including Healthy Michigan and approximately a 6% increase on the Autism side.

The report also addresses Key Factors to Funding Crisis and Integration – Section 298 which also addresses integrated funding.

C. Children's Services Building Update

1. Fiber Optic- D. Hayes

When we learned of the potential purchase of the 24<sup>th</sup> Street location we quickly contacted RESA for the running of the fiber optic lines. Fiber optics allows a high speed secure network that all of our site are currently connected to each other through. RESA explained that the City was also planning a project to extend RESA fiber through industrial park which would make our cost significantly lower. To date, in talking with the City they are still making a decision on what to do and may not pursue until spring, if at all.

Currently we have Xfinity Business for internet services at the 24<sup>th</sup> Street location. We have asked RESA to requote the project to see if we could go underground with the fiber and not involve the City at all. Mr. Hayes stated that he just received the quote today to run the fiber underground and it came in at \$28,000 which is a substantial savings. As such we will move forward with this project.

3. Real Estate Purchase – D. Johnson

Ms. Johnson stated that we would like to add green space at the Children's Services building. The adjacent lots landowner has two lots that he is interested in selling. He had hoped to have this area rezoned to residential from commercial but this did not occur. Purchasing a lot will provide additional green space for the kids as well as additional parking. Ms. Johnson asked,

and received, Board support to make an offer on the property contingent upon Board approval and bring back a report at the December meeting.

4. Newsletters: Rights Champion Newsletter – October/In the Know – November

The Rights Champion Newsletter for October, 2019 was written by Ms. Telly Delor, Recipient Rights Director, and highlights the Rights Champion Program and its recipients over the last quarter. Other articles include: Home and Community Based Services Final Rule, Confidentiality and how to file a complaint.

In the Know Newsletter is written by Mr. Mark Hutchinson. This report is provided to each of our staff as well as contract agencies and highlights upcoming Agency happenings!

F. FY 20 Budget Update

This was an additional information on the FY 20 Budget Update as well as the press release announcing the Section 298 pilots coming to an end.

XI. BOARD FORUM

A. Advisory Council Meeting Minutes (09/25/19)

Provided for information were the September 25, 2019 Advisory Council Meeting minutes.

XII. CLOSED SESSION

Chairman Thomson stated that a motion is in order to move into Closed Session to discuss a matter of attorney/client privilege.

It was moved by Mr. Essian, seconded by Mr. Paulus, to move into Closed Session. **MOTION CARRIED**

The Board moved into Closed Session at 7:41 pm.  
The Board resumed into Regular Session at 8:05 pm.

Ms. Thomson announced the findings of the Appeal Hearing which was to affirm the decisions of the Personnel Committee. The investigation process is now completed.

XIII. ANY OTHER BUSINESS TO PROPERLY COME BEFORE THE BOARD

- Mr. Smith read his letter of resignation to the Board effective tonight as he has accepted a job in Florida.
- Board members were reminded of the Annual CMH Board/Management Team Christmas Dinner to be held prior to the regularly scheduled Board meeting at 5:00 pm on Tuesday, December 3, 2019.

XIV. ADJOURNMENT

It was moved by Mr. Essian, seconded by Ms. Jowett-Lee, to adjourn. **MOTION CARRIED.** With no further business to discuss the meeting was adjourned at 8:08 pm.

Respectfully submitted,

Lori Ballor-Gauthier  
Recording Secretary