

**MINUTES
BOARD OF MANAGERS
NUECES COUNTY HOSPITAL DISTRICT
REGULAR MEETING
MAY 18, 2021**

The Nueces County Hospital District Board of Managers met at 12:00 p.m., Tuesday, May 18, 2021 in the NCHD Board Room, at 555 N. Carancahua, Suite 950 – A, Corpus Christi, Texas.

HOSPITAL DISTRICT REPRESENTATIVES:

Jonny F. Hipp	Administrator/CEO
Belinda E. Chism	Assistant Administrator, Administrative Services
Donna Littlefield	Director, Accounting & Finance
Wm DeWitt Alsup	Attorney, Alsup Law Firm
Mary Esther Guerra	Assistant County Attorney – via Zoom
Melissa Quintanilla	Executive Assistant/Human Resources
Carmina Hernandez Moreno	Administrative Assistant

OTHERS PRESENT:

Becky Rios	Christus Spohn - via Zoom
Mark Hendrix	MHID – via Zoom
Andrea Kovarik	MHID – via Zoom
V. Camarillo	CC Caller Times – via Zoom
Richard Schechter	Attorney – via Zoom
Jodie Devine	- via Zoom

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1. WELCOME

2. ROLL CALL OF BOARD OF MANAGERS

X Daniel W. Dain, Chairman
Y Sylvia Tryon Oliver, Vice-Chairman
X Belinda Flores, RN
Y Vishnu V. Reddy, M.D.
Y John E. Valls, M.B.A.
X Mariana Garza, J.D.
Y Efrain Guerrero, Jr.

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**3. CALL TO ORDER, ESTABLISHMENT OF QUORUM, MEETING POSTING
CONFIRMATION, AND CLOSED MEETING NOTICE**

A. Call to order – Ms. Sylvia Tryon Oliver.

The meeting was called to order by Ms. Sylvia Tryon Oliver at 12:05 p.m.

B. Establish quorum – Ms. Oliver, Vice – Chairman

A quorum was present with four members in attendance.

Sylvia Tryon Oliver, Vice – Chairman – PRESENT

Vishnu V. Reddy, M.D., Member – PRESENT

John E. Valls, M.B.A., Member – PRESENT

Efrain Guerrero, Jr., Member – PRESENT

Daniel W. Dain, Chairman – ABSENT

Belinda Flores, RN, Member – ABSENT

Mariana Garza, J.B., Member – ABSENT

C. Confirm posting of Meeting's public notice in accordance with Texas Open Meetings Act, Texas Government Code, Chapter 551.

D. Public notice is hereby given that the Board of Managers may elect to go into Closed Meeting session(s) at any time during the meeting to discuss any matter(s) listed on the agenda when so authorized by the provisions of the Open Meetings Act, Texas Government Code, Chapter 551.

4. PUBLIC COMMENT - Persons attending in-person and wishing to comment on any item(s) on the agenda or any subject within the Board's responsibilities must sign-in on the "Agenda Item Request to Speak" form provided at the entrance of the Board meeting room at least five (5) minutes prior to commencement of the meeting. Persons attending via audio or video conference and wishing to comment on any item(s) on the agenda or any subject within the Board's responsibilities must verbally notify the presiding officer of their desire to comment when the officer calls for public comment from those attending via audio and video conference. Commenters shall limit their comments to three (3) minutes, except that Commenters addressing the Board through a translator shall limit their comments to six (6) minutes.

No one to speak for public comment.

5. CONSENT AGENDA - The Consent Agenda consists of those agenda items which are routine, administrative in nature, not in need of separate attention, and which a member of the Board has not requested be discussed separately. If requested to be discussed separately, that agenda item will be removed from the Consent Agenda by the presiding officer to the Regular Agenda and discussed as a part of the Regular Agenda at the appropriate time.

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All remaining items listed under the Consent Agenda will be voted upon in a single vote:

- A. Approve Board of Managers Regular Meeting minutes of April 19, 2021.
- B. Receive listing of new vendors as of May 13, 2021; listing provided pursuant to Board of Managers Bylaws, §2.1.B and Texas Local Government Code, Chapter 176.
- C. Receive hospital providers' quarterly reports relating to certain Indigent Care Affiliation Agreements associated with participation in the Texas Healthcare Transformation and Quality Improvement Program Medicaid 1115 Waiver for calendar quarter-ended March 31, 2021:
 1. CHRISTUS Spohn Health System Corporation Hospitals: Alice, Beeville, and Kleberg (Consolidated Report);
 2. Corpus Christi Medical Center; and
 3. Driscoll Children's Hospital.
- D. Receive summary payment information on Nueces County health care disbursements for Fiscal Year 2021 year-to-date:
 1. Salaries, benefits, supplies, and intergovernmental transfers at/for Corpus Christi/Nueces County Public Health Department;
 2. Emergency medical services provided in unincorporated areas of Nueces County;
 3. Supplemental and jail diversion program funding for Nueces Center for Mental Health and Intellectual Disabilities;
 4. Medical services provided at County correctional facilities:
 - a. Nueces County Jail; and
 - b. Nueces County Juvenile Detention Center;
 5. Funding for alcohol and drug abuse treatment programs:
 - a. Cenikor (Charlie's Place);
 - b. Council on Alcohol and Drug Abuse; and
 - c. Palmer Drug Abuse Program;
 6. Funding for diabetes prevention and supporting programs;
 7. Public health grants; and
 8. Legal and professional fees. (*Finance Committee*)
- E. Receive summary imputed claims information on medical and hospital care provided to the Nueces Aid Program population consistent with the CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement for fiscal year-to-date period-ended April 30, 2021. (*Finance Committee*)
- F. Receive fiscal year-to-date Specified Annual Percentage-related revenue reports; revenue receipts pursuant to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement, Section 5.03. (*Finance Committee*)

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G. Receive monthly statement of escrow amounts deposited and/or withdrawn by CHRISTUS Spohn Health System Corporation; deposits pursuant to and consistent with Schedule 1 to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement; receive statement for month-ended April 30, 2021. *(Finance Committee)*

H. Receive statement of amounts deposited to and/or withdrawn from Local Provider Participation Fund for fiscal year-to-date; deposits and withdrawals pursuant to Board of Managers Order authorizing participation in a health care provider participation program pursuant to Texas Health and Safety Code, Chapter 298C. *(Finance Committee)*

I. Receive summary report of year-to-date intergovernmental transfers made in support of local and other healthcare providers participating in Medicaid supplemental payment programs sponsored by the Texas Health and Human Services Commission. *(Finance Committee)*

1. Texas Healthcare Transformation and Quality Improvement Program (Medicaid 1115 Waiver):
 - a. Delivery System Reform Incentive Payment (DSRIP) pool; and
 - b. Hospital Uncompensated Care (UC) pool.
2. Disproportionate Share Hospitals (DSH) program;
3. Network Access Improvement Program (NAIP);
4. Uniform Hospital Rate Increase Program (UHRIP); and
5. Graduate Medical Education (GME). *(Finance Committee)*

Consent Agenda approved. Motion by Mr. Valls and seconded by Dr. Reddy. MOTION CARRIED.

6. **REGULAR AGENDA** - The Regular Agenda consists of those agenda items which are non-routine, not administrative in nature, or otherwise in need of separate attention. Each Regular Agenda item will be voted upon separately if action is required:

A. Indigent Health Care/Nueces Aid Program:

1. Discuss Nueces Aid Program, past and current enrollment data, income eligibility guidelines, effects of federal COVID-19 pandemic-related financial assistance and unemployment programs on Program eligibility and enrollment, and potential amendments to Program Handbook policies; authorize Administrator to amend Program Handbook policies to mitigate effects of the financial assistance and unemployment programs and adjust income sources for Program eligibility as needed to offset the Program's enrollment decline during the pandemic; and authorize Administrator to submit the Program Handbook amendments to CHRISTUS Spohn Health System for Membership Agreement-required approvals. **(ACTION)**

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**Motion by Mr. Valls and seconded by Dr. Reddy.
MOTION CARRIED.**

B. Finance Committee:

1. Receive and approve unaudited financial statements for the month and fiscal year-to-date period ended April 30, 2021. (*ACTION*)

**Motion by Dr. Reddy and seconded by Mr. Valls.
MOTION CARRIED.**

2. Receive reports relating to Nueces Aid Program enrollment for month-ended April 30, 2021. (*INFORMATION*)

C. Legislative Committee:

1. Receive update on 87th Texas Legislative Session Agenda matters. (*INFORMATION*)

D. Community Mental Health Initiatives:

1. Receive information from Nueces County's Director of Mental Health Programs on existing and prospective Hospital District-funded and other mental health programs. (*INFORMATION*)

E. Replacement Medical Examiner's Facility Site:

1. Discuss matters relating to proposed site for replacement medical examiner's facility. (*INFORMATION*)

F. Board of Managers Business:

1. Discuss and consider amending 2021 Board of Managers Regular Meeting schedule to change regular meeting day. (*ACTION*)

Dr. Reddy's recommendation to change the time for the Regular Board meeting to commence at 10:00 a.m., which Finance and Legislative meetings will also move to an earlier time.

**Motion by Dr. Reddy and seconded by Mr. Valls.
MOTION CARRIED.**

2. Board of Managers Chairman to appoint new Board member Efrain Guerrero, Jr. to one or more Board committees; Chairman's appointment(s) pursuant to Board of Managers Bylaws, §2.5.A. (*ACTION*)

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**Dr. Reddy recommended and nominated new Board member,
Efrain Guerrero, Jr. to the Quality Committee.**

**Motion by Dr. Reddy and seconded by Mr. Valls.
MOTION CARRIED.**

7. ADMINISTRATOR'S BRIEFING:

A. Next Board of Managers and Board Committee regular meetings (all meetings' dates, times, and locations subject to change):

1. Finance Committee: Tuesday, June 15, 2021, 11:15 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401;

2. Legislative Committee: Tuesday, June 15, 2021, 11:45 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401; and

3. Board of Managers: Tuesday, June 15, 2021, 12:00 Noon in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. (*INFORMATION*)

**Item 7. (A) 1 – 3 as per previous recommendation and approval
the time for each meeting above will change to earlier times.**

8. **CLOSED MEETING** - Public notice is hereby given that the Board of Managers may elect to go into closed meeting session(s) at any time during the meeting to discuss any matter(s) listed on the agenda, when so authorized by the provisions of the Open Meetings Act, Texas Government Code, Chapter 551 and the Board specifically expects to go into a closed session(s) on the matters listed below pursuant to the Act, §551.071 and §551.074. In the event the Board elects to go into closed session(s) regarding an agenda item(s), the section(s) of the Open Meetings Act authorizing the closed session will be publicly announced by the presiding officer. Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in closed session(s), then the final action, final decision, or final vote shall be either: (a) in the open meeting covered by the Notice upon reconvening of the public meeting; or (b) at a subsequent public meeting of the Board upon notice thereof, as the Board shall determine pursuant to applicable laws:

A. Consult with attorneys on matters relating to litigation against opioid drug manufacturers, promoters, and distributors responsible for causing and contributing to an epidemic of opioid addiction in Nueces County, including but not limited to Purdue Pharma, Endo Pharmaceuticals, Janssen Pharmaceuticals, Insys Therapeutics, the

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McKesson Corporation, Cardinal Health and AmerisourceBergen for violations of the Deceptive Trade Practices Act, fraud, unjust enrichment, negligence, violations of the

federal Controlled Substances Act, civil conspiracy and any other related causes of action, and related matters.

B. Consult with attorneys on matters related to Hospital District-owned real property.

C. Consult with attorneys on matters relating to Amended and Restated Membership Agreement between the Hospital District and CHRISTUS Spohn Health System Corporation.

D. Deliberate the appointment, employment, and duties of a Deputy Hospital District Administrator.

Ms. Oliver called for close session at 12:58 p.m.

9. **OPEN MEETING** - Following the Closed Meeting, the Board of Managers will reconvene the Open Meeting prior to taking any action(s) on matters considered in the Closed Meeting or adjourning the meeting.

Ms. Oliver called for open session at 1:43 p.m.

10. Consider final action, decision, or vote on matters considered in the Closed Meeting. (*ACTION AS NEEDED*)

No action taken.

11. **ADJOURN**

Motion to adjourn by Ms. Oliver. Motion by Mr. Valls and seconded by Dr. Reddy. Meeting adjourned at 1:43 p.m.

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PRESIDING OFFICER

Sylvia Tryon Oliver, Vice – Chairman
Nueces County Hospital District

ATTEST:

Jonny F. Hipp, Secretary
Board of Managers
Nueces County Hospital District

Wm Dewitt Alsup, General Counsel
Nueces County Hospital District