

**MINUTES
BOARD OF MANAGERS
NUECES COUNTY HOSPITAL DISTRICT
REGULAR MEETING
JULY 24, 2023**

The Nueces County Hospital District Board of Managers met at 12:15 p.m., Monday, July 24, 2023, 2023 in the NCHD Board Room at 555 N. Carancahua, Suite 950 – A Corpus Christi, Texas.

HOSPITAL DISTRICT REPRESENTATIVES:

Jonny F. Hipp	Administrator/CEO
Belinda Espinoza	Assistant Administrator, Administrative Services
Donna Littlefield	Director, Accounting & Finance
Mary Esther Guerra	Assistant County Attorney
Melissa Quintanilla	Executive Assistant/Human Resources
Carmina Hernandez Moreno	Administrative Assistant

OTHERS PRESENT:

John Martinez	County Government Officer
Kevin Kieschnick	Tax Assessor
Robin Oldham	Adelanto Healthcare Ventures
John Michael	Hanson – via Zoom
Jerry Kramer	CLK- via Zoom
Becky Rios	Corpus Christi Spohn Hospital – via Zoom
Craig Desmond	Corpus Christi Spohn Hospital – via Zoom
Ronica Hutchinson	Gjerset & Lorenz – via Zoom
Melanie McCammon	Adelanto Healthcare Ventures – via Zoom
Stephen King	Attorney – via Zoom
Colt Sullivan	Adelanto Healthcare Ventures – via Zoom
James Ragan	Attorney – via Zoom
Joel Vigil	- via Zoom
Alex Russell	- via Zoom
Richard Ford	- via Zoom

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1. WELCOME

2. ROLL CALL OF BOARD OF MANAGERS

- John E. Valls, MBA, Chairman
- Vishnu V. Reddy, M.D., Vice Chairman
- Sylvia Tryon Oliver
- Belinda Flores, R.N.
- Judge Mariana Garza
- Efrain Guerrero, Jr.
- Arthur Granado

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

- A. Call to order – Mr. John E. Valls, Chairman.
The meeting was called to order by Mr. Valls at 12:00 p.m.
- B. Establish quorum – Mr. Valls.
A quorum was present with all members in attendance.

**John E. Valls, MBA, Chairman – PRESENT
Vishnu V. Reddy, M.D., Vice Chairman – PRESENT
Sylvia Tryon Oliver, Member – PRESENT
Belinda Flores, R.N., Member – PRESENT
Judge Mariana Garza, Member – PRESENT
Efrain Guerrero, Jr., Member – PRESENT
Arthur Granado, Member – PRESENT**

- 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. ANNOUNCEMENT ON DISCLOSURE OF CONFLICTS OF INTEREST. Any Conflicts of Interest or Appearance of a Conflict of Interest with items on this agenda shall be declared at this time. Members with conflicts will refrain from voting and are asked to refrain from discussion on such items. Conflicts discovered later in the meeting shall be

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disclosed at that time.

5. 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 in Public Comment.

6. 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. 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 June 27, 2023.
- B. Receive listing of new vendors as of July 20, 2023; listing provided pursuant to Board of Managers Bylaws, §2.1.B and Texas Local Government Code, Chapter 176.
- C. Receive summary payment information on Nueces County health care disbursements for Fiscal Year 2023 year-to-date:
 - 1. Salaries, benefits, supplies, and intergovernmental transfers at/for City of Corpus Christi/Nueces County Public Health District;
 - 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;

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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.

D. 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 June 30, 2023.

E. 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.

F. 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 June 30, 2023.

G. 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, as amended.

H. Receive summary report of cumulative estimated provider payments and actual intergovernmental transfers made in support of local and other healthcare providers participating in Medicaid supplemental and directed payment programs sponsored by the Texas Health and Human Services Commission (HHSC):

- 1. Directed Payment Programs - Medicaid managed care organization payments to healthcare providers that support overall Medicaid program goals and objectives:
 - a. Comprehensive Hospital Increase Reimbursement Program (CHIRP);
 - b. Network Access Improvement Program (NAIP);
 - c. Texas Incentives for Physicians and Professional Services (TIPPS);

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d. Uniform Hospital Rate Increase Program (UHRIP); and

2. Supplemental Payment Programs - HHSC-directed payments made to hospitals for achieving certain goals or to support health care providers that see significant numbers of uninsured or persons without much money:

- a. Disproportionate Share Hospitals (DSH) program;
- b. Graduate Medical Education (GME);
- c. Hospital Uncompensated Care (UC) pool; and

3. Phase-Out Programs:

- a. Delivery System Reform Incentive Payment (DSRIP) pool.

I. Receive reports relating to Nueces Aid Program enrollment for the month-ended June 30, 2023:

1. Total Persons and Households Enrolled;
2. Enrollment Summary;
3. Denials;
4. Application Processing Summary; and
5. Enrollment by Zip Code.

J. Adopt Board of Managers Resolution amending listing of approved investment training sources to be effective August 1, 2023, pursuant to Chapter 2256, Government Code.

K. Receive notice of Administrator's reappointment by the Texas Conference of Urban Counties to the Department of State Health Service's Tobacco Settlement Permanent Trust Account Administration Advisory Committee for six-year term ending August 31, 2029.

Consent Agenda approved. Motion by Ms. Flores and seconded by Ms. Garza. MOTION CARRIED.

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

A. **Property Valuations**:

1. Receive and discuss information relating to 2023 Nueces County property valuations and discuss related matters; receive and discuss information from the

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Chief Appraiser of the Nueces County Appraisal District, or his designee.
(INFORMATION)

2. Receive and discuss information relating to 2023 Nueces County property valuations, tax assessments, and related matters; receive and discuss information from the Nueces County Tax Assessor-Collector, or his designee.
(INFORMATION)

Kevin Kieschnick presented.

B. Finance Matters:

1. Financial Statements:

a. Receive and approve unaudited financial statements for the month and fiscal year-to-date period ended June 30, 2023. *(ACTION)*

**Motion by Ms. Oliver and seconded by Dr. Reddy.
MOTION CARRIED.**

2. Fiscal Year 2024 Budget:

a. Discuss and consider a Nueces County request to commit Fiscal Year 2024 funding for reimbursement of County's funding of the Corpus Christi-Nueces County Public Health District during that period, and related matters. *(ACTION)*

**Motion by Ms. Garza and seconded by Mr. Granado.
MOTION CARRIED.**

b. Receive and review Nueces County's Fiscal Year 2024 budget planning calendar. *(INFORMATION)*

c. Discuss and consider Workshop Session on the Hospital District's Fiscal Year 2024 Budget (October 1, 2023 - September 30, 2024) and related matters; establish date and time. *(ACTION)*

Mr. Valls, Chairman motioned that Mr. Hipp is instructed to establish a workshop meeting with date and time. Motion by Ms. Flores and seconded by Mr. Guerrero. MOTION CARRIED.

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C. Depository:

1. Receive, open, and enter into the Board of Managers meeting minutes applications received for the Hospital District's depository for the period October 1, 2023 - September 30, 2027, pursuant to Chapter 116, Texas Local Government Code. (*ACTION*)

**Motion by Ms. Oliver and seconded by Dr. Reddy.
MOTION CARRIED.**

2. Establish an evaluation committee to review and evaluate the applications received for the Hospital District's depository and provide a selection recommendation to the Board of Managers at its next regular meeting. (*ACTION*)

**Mr. Valls, motioned to establish a committee
comprise with, Mr. Hipp, Belinda, Donna and
outside consultant, Linda Patterson.
Motion by Mr. Guerrero and seconded by Ms. Garza.
MOTION CARRIED.**

D. Health Care Provider Participation Program (Program):

1. Receive and discuss Chapter 298C, Texas Health and Safety Code relating to creation and operation of the Program, and related matters. (*INFORMATION*)

2. Confirm posting of public notice of public hearing on the rate of mandatory Program payments that the Board of Managers intends to require of each institutional health care provider located within the Hospital District's boundaries during Hospital District Fiscal Year 2024 (October 1, 2023 - September 30, 2024) and how the revenue derived from the payments will be spent. (*ACTION*)

**Motion by Ms. Oliver and seconded by Mr. Granado.
MOTION CARRIED.**

3. Confirm provision to each institutional health care provider within the Hospital District's boundaries of the public notice of public hearing on the rate of mandatory Program payments that the Board of Managers intends to require of each provider during District Fiscal Year 2024 and how the revenue derived from the payments will be spent. (*ACTION*)

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MOTION CARRIED.**

4. Adopt Board of Managers Order setting the rate of mandatory Program payments during Hospital District Fiscal Year 2024 at six percent (6%) of the net patient revenue of each institutional health care provider located within the Hospital District boundaries. (*ACTION*)

**Motion by Mr. Granado and seconded by Ms. Oliver.
MOTION CARRIED.**

5. Adopt Board of Managers Order amending Program rules and procedures to be effective August 1, 2023. (*ACTION*)

**Motion by Ms. Flores and seconded by Ms. Oliver.
MOTION CARRIED.**

E. Memorial Medical Center Demolition:

1. Receive, view, and discuss information on Memorial Medical Center demolition project being conducted by CHRISTUS Spohn Health System Corporation;

demolition project located at 2606 Hospital Boulevard, Corpus Christi, Texas:

a. Report from CHRISTUS Spohn's Architect and/or Owner's Representative; and

b. View CHRISTUS Health OxBlue Construction Time-Lapse Camera video feed. (*INFORMATION*)

**John Michael from Hanson and
Jerry Kramer from CLK updated.**

F. Automated External Defibrillators:

1. Receive and discuss information on automated external defibrillators recently installed in certain Hospital District offices and discuss related matters, including identification, locations, and training. (*INFORMATION*)

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G. Administrator's Actions:

1. Ratify Administrator's action(s) performed as part of his duties directing the affairs of the Hospital District and/or as required by the Board of Managers; duties established pursuant to Texas Health and Safety Code, §281.026(e):

a. Execution of Medicaid supplemental payment-related Network Access Improvement Program Intergovernmental Transfer Responsibility Contract (NAIP-IGT) with the Texas Health and Human Services Commission for benefit of CHRISTUS Spohn Health System; execution of NAIP-IGT HHSC Contract No. HHS001339400008 for the term September 1, 2023 - August 31, 2024. (*ACTION*)

**Motion by Ms. Oliver and seconded by Mr. Granado.
MOTION CARRIED.**

8. ADMINISTRATOR'S BRIEFING:

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

1. Board of Managers Workshop(s) on FY 2024 Budget: Date and time to be announced, in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. (*INFORMATION*)

2. Board of Managers Meeting: Tuesday, August 22, 2023, 12 Noon in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. (*INFORMATION*)

3. Board of Managers Meeting to Adopt FY 2024 Budget: Date and time to be announced, in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. (*INFORMATION*)

9. CLOSED MEETING - Public Notice is hereby given that the Board of Managers may 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. *To the extent there has been a past practice of distinguishing items for public deliberation and those for executive session, the public is advised that the Board is departing from that practice and reserves the right to discuss any*

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listed agenda items in a closed meeting when authorized by law to do so. When the Board goes 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. The Board specifically expects to go into a closed session(s) on the matters listed below pursuant to the Act, §551.071.

A. Consult with attorneys on matters relating to 2023 Nueces County property valuations, tax assessments, and related matters.

B. Consult with attorneys on matters relating to CHRISTUS Spohn Health System Corporation Membership Agreement-related annual Member Revenue Allocation Percentage for the period October 1, 2023 - September 30, 2024, and related matters.

C. Consult with attorneys on matters relating to the Hospital District's FEMA reimbursement-related arbitration case *CBCA 7792-FEMA; In the Matter of Nueces County Hospital District* pending before the United States Civilian Board of Contract Appeals, and related matters.

D. Consult with attorneys on matters relating to *Nueces County Hospital District, et. al. v. Purdue Pharma, Inc., et al.*, MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas, and related matters.

E. Consult with attorneys on matters relating to *Sundial Owner's Association, Inc. v. Nueces County, et. al.*, No. 13-21-00069-CV in the 13th Court of Appeals, and related matters.

Mr. Valls, Chairman called for Close Session at 1:22 p.m.

10. 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.

Mr. Valls, Chairman called for Open Session at 1:52 p.m.

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A. Consider final action, decision, or vote on matters considered in the Closed Meeting:

1. Adopt Board of Managers Resolution authorizing approval of proposed Texas Statewide Opioid Settlement Agreements regarding settlement offers in the matter of Texas opioid multi-district litigation, *Nueces County Hospital District et al. v. Purdue Pharma, Inc., et al.*, Multi-District Litigation (MDL) Pretrial Cause No. 2018-63587, in the 152nd District Court of Harris County, Texas; authorize the Administrator to execute Settlement participation and release forms regarding settlement offers from Walgreens, CVS, and Walmart in the matter of Texas opioid multi-district litigation in the 152d District Court of Harris County, Texas.

(ACTION)

**Motion by Mr. Granado and seconded by Ms. Garza.
MOTION CARRIED.**

2. Discuss and consider final action, decision, or vote on other matters considered in Closed Meeting. **(ACTION AS NEEDED)**

No Action taken.

11. ADJOURN

Motion adjourned by Mr. Valls, Chairman at 1:54 p.m.

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PRESIDING OFFICERS:

John E. Valls, MBA, Chairman

ATTEST:

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