

**MINUTES
BOARD OF MANAGERS
NUECES COUNTY HOSPITAL DISTRICT
REGULAR MEETING
AUGUST 3, 2021**

The Nueces County Hospital District Board of Managers met at 10:30 a.m., Tuesday, August 3, 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
Mary Esther Guerra	Assistant County Attorney – via Zoom
Melissa Quintanilla	Executive Assistant/Human Resources
Carmina Hernandez Moreno	Administrative Assistant

OTHERS PRESENT:

Gary Eiland	Attorney – via Zoom
Mike Pierce	CCRH – via Zoom
Aaron Diaz	Deputy Director of Mental Health - via Zoom
Richard Schecter	Attorney – via Zoom
Paul (IPAD)	- via Zoom
15125658528	- via Zoom
Chris Nicosia	Corpus Christi Medical Center
Robin Daniel	AHCV
Mark Hendrix	MHID
Mike Davis	MHID
Andrea Kovarik	MHID
Dr. X. Gonzales	Director of Mental Health

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1. WELCOME

2. ROLL CALL OF BOARD OF MANAGERS

Y Daniel W. Dain, Chairman
Y Sylvia Tryon Oliver, Vice-Chairman
Y Belinda Flores, RN

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- Vishnu V. Reddy, M.D.
- John E. Valls, M.B.A.
- Mariana Garza, J.D.
- Efrain Guerrero, Jr.

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

A. Call to order – Mr. Dainel W. Dain, Chairman
The meeting was called to order by Mr. Dain at 10:46 a.m.

B. Establish quorum – Mr. Dain
A quorum was present with six members in attendance.

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

Dr. Gonzales, NC Director of Mental Health

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

A. Approve revised Board of Managers Regular Meeting minutes of September 15, 2000.

(Amended year from 2000 to 2020 by Mr. Dain. Motion by Mr. Valls and seconded by Ms. Oliver. MOTION CARRIED.)

B. Approve Board of Managers Regular Meeting minutes of June 16, 2021.

C. Receive listing of new vendors as of July 29, 2021; listing provided pursuant to Board of Managers Bylaws, §2.1.B and Texas Local Government Code, Chapter 176.

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

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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 June 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*)

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 June 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 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);
- 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

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3. Phase-Out Programs: (To be discontinued by October 1, 2021).
 - a. Delivery System Reform Incentive Payment (DSRIP) pool. (*Finance Committee*)

**Consent Agenda 5. A-I approved by Mr. Valls
and seconded by Ms. Oliver. 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. Finance Committee:

1. Receive and approve unaudited financial statements for the month and fiscal year-to-date period ended June 30, 2021. (**ACTION**)
2. Receive Quarterly Investment Report for fiscal quarter-ended June 30, 2021. (**INFORMATION**)
3. Receive reports relating to Nueces Aid Program enrollment for month-ended June 30, 2021. (**INFORMATION**)
4. Adopt Board of Managers Resolution relating to annual review of investment policy and investment strategies; adopt changes to policy and strategies to be effective September 1, 2021; review and adoption pursuant to Texas Government Code, §2256.005(e). (**ACTION**)
5. Adopt Board of Managers Resolution relating to annual review and adoption of listing of qualified broker/dealers authorized to engage in investment transactions; adopt listing to be effective September 1, 2021; review and adoption pursuant to Texas Government Code, §2256.025. (**ACTION**)

**Regular Agenda 6. 1-5, although Action need only
to be taken for Items 1,4 & 5., all Items were
approved by Mr. Valls and seconded by Ms. Flores.
MOTION CARRIED.**

B. Health Care Provider Participation Program:

1. Consider actions necessary for the Board of Managers to activate, implement, and operate a health care provider participation program for Fiscal Year 2021 (October 1, 2020 - September 30, 2021) (“Fiscal Year 2021”); program and actions pursuant to Texas Health and Safety Code, Chapter 298C, as amended:

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- a. Confirm posting of public notice of public hearing on the amounts of mandatory health care provider participation program payments that the Board of Managers intends to require of each institutional health care provider located in the Hospital District's boundaries under the program during Fiscal Year 2021 and how the revenue derived from the payments will be spent;
- b. Confirm provision to each institutional health care provider of the public notice of public hearing on the amounts of mandatory health care provider participation program payments that the Board of Managers intends to require of each institutional health care provider located in the Hospital District's boundaries under the program during Fiscal Year 2021 and how the revenue derived from the payments will be spent;
- c. Adopt Board of Managers Order authorizing participation in a health care provider participation program, establishment of mandatory health care provider participation program payments for Fiscal Year 2021, establishment of local provider participation fund for the payments, and use of funds in the local provider participation fund for statutorily-permitted purposes; and
- d. Adopt Board of Managers Order implementing requirements, rules, regulations, and procedures for participation in a health care provider participation program for Fiscal Year 2021. (*ACTION*)

Motion to approve B. 1. a,b,c,d by Mr. Valls and seconded by Dr. Reddy. MOTION CARRIED.

C. Community Mental Health Initiatives:

1. Receive report from Nueces Center for Mental Health and Intellectual Disabilities (NCMHID) on activities performed under Interlocal Agreement between Nueces County, NCMHID, and Hospital District relating to diversion of persons from jails or other detention facilities, provision of crisis intervention teams, expansion of mobile crisis outreach, and development of jail-based competency restoration. (*INFORMATION*)

MHID members, Mike Davis, Mark Hendrix and Andrea Kovarik presented to the BOM an update on Mental Health Care Programs.

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2. Authorize Administrator to arrange services necessary to assess feasibility of renovating the Nueces Center for Mental Health and Intellectual Disabilities facility located at 1630 South Brownlee Boulevard, Corpus Christi, Texas for purposes of a Nueces County Diversion Center; authorize Administrator to negotiate and execute related agreements and documents. (***ACTION***)

Motion to approve to Table Item 2 based on the opinion of the County Attorney by Mr. Valls and seconded by Ms. Oliver. MOTION CARRIED.

D. Administrator's Actions:

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

- a. Confirmation of Hospital District's medical aid and hospital care-related obligations in Nueces County inmate housing Interlocal Agreements with:
 1. Aransas County; and
 2. Victoria County. (***ACTION***)

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

E. Board Business:

1. Authorize Board Chairman or Vice-Chairman to execute Amendment No.1 to Administrator's Employment Agreement relating to annual salary as of October 1, 2000 as authorized by Board of Managers on September 15, 2000. (***ACTION***) (**Amendment re: year instead of 2000 should be 2020 by Assistant County Attorney, Mary Esther Guerra is correct.**)

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

7. ADMINISTRATOR'S BRIEFING:

A. Fiscal Year 2022 Annual Budget (October 1, 2021 - September 30, 2022). (***INFORMATION***)

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

1. Finance Committee: August 18, 2021, 9:30 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401;

2. Board of Managers: August 18, 2021, 10:00 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. (**INFORMATION**)

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. 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

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.

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

Mr. Dain called for Closed Session at 12:25 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.

Mr. Dain called for Open Session at 12:56 p.m.

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

**Motion to approve to authorize CEO, Mr. Hipp to negotiate an amount up to \$75,000.00 with Christus Spohn as it relates to a potential site for a new medical examiner's office. by Mr. Valls and seconded by Ms. Oliver.
MOTION CARRIED.**

11. **ADJOURN**

Motion to adjourn by Mr. Dain. Motion by Mr. Valls and seconded by Ms. Oliver. Meeting adjourned at 12:56 p.m.

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PRESIDING OFFICER

Daniel W. Dain, Chairman

ATTEST:

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

ABSENT
Wm Dewitt Alusup, General Counsel
Nueces County Hospital District