

**MINUTES
BOARD OF MANAGERS
NUECES COUNTY HOSPITAL DISTRICT
REGULAR MEETING
NOVEMBER 16, 2021**

The Nueces County Hospital District Board of Managers met at 10:00 a.m., Tuesday, November 16, 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:

Dr. Xavier Gonzales	Director of Mental Health
Becky Rios	Christus Spohn Hospital – via Zoom
Paul Thurman	Comm. Asst. to Brent Chesney – via Zoom
Andrea Kovarik	MHID – via Zoom
Jenny Dorsey	Nueces County Attorney – via Zoom
Katelyn Papura	Consultant – via Zoom
Maggie Turner	Asst to Judge Canales – via Zoom
Linda Wertz	President of The Wertz Group LLC – via Zoom
Joe A. Gonzalez	County Commissioner – via Zoom
Adam Robison	Attorney – via Zoom

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1. WELCOME

2. ROLL CALL OF BOARD OF MANAGERS

Daniel W. Dain, Chairman
 Sylvia Tryon Oliver, Vice-Chairman
 Belinda Flores, R.N.
 Vishnu V. Reddy, M.D.
 John E. Valls, M.B.A.

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 Y__ Mariana Garza, J.D.
 Y__ Efrain Guerrero, Jr.

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

- A. Call to order – Mr. Daniel Dain, Chairman
The meeting was called to order by Mr. Dain at 10:30 a.m.
- B. Establish quorum – Mr. Dain
A quorum was present with seven members in attendance.

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

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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 Board of Managers minutes:

1. Regular Meeting of October 19, 2021; and
2. Special Meeting of October 26, 2021.

B. 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 September 30, 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.

C. 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 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;
5. Funding for alcohol and drug abuse treatment programs:
 - a. Cenikor (Charlie's Place);

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- 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*)

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 October 31, 2021. (*Finance Committee*)

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. (*Finance Committee*)

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 October 31, 2021. (*Finance Committee*)

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. (*Finance Committee*)

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. (*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 are otherwise in need of separate attention. Each Regular Agenda item will be voted upon separately if action is required:

Mr. Valls left the meeting at 10:35 a.m. but not before addressing Item G. (2) a., b., & c.

A. Finance Committee:

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

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

- 2. Receive reports relating to Nueces Aid Program enrollment for the month-ended October 31, 2021:
 - a. Total Persons and Households Enrolled;
 - b. Enrollment Summary;
 - c. Denials;
 - d. Application Processing Summary; and
 - e. Enrollment by Zip Code. (*INFORMATION*)

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B. Indigent Health Care Program:

1. Discuss and approve issuance of Request for Proposals for Development and Implementation of a Strategic Marketing Plan for Nueces Aid Program Enrollment Growth. (*ACTION*)

Motion to Table by Ms. Flores and seconded by Ms. Oliver. MOTION CARRIED.

C. Funding Requests Policy:

1. Discuss and consider adopting a Board of Managers Resolution approving a Board policy relating to funding opportunities, proposals, and/or requests presented to the Hospital District. (*ACTION*)

Table by Board Members to discuss this Item in Close session.

D. Medicaid 1115 Waiver:

1. Receive and discuss information presented by Linda K. Wertz, Regional Healthcare Partnership 4 Consultant and Technical Advisor on the Medicaid 1115 Waiver Texas Healthcare Transformation and Quality Improvement Program, including the related Delivery System Reform Incentive Payment (DSRIP) program; receive information on:
 - a. Status and possible future direction of the Texas Medicaid 1115 Waiver; and
 - b. DSRIP health quality measures (projects) currently performed through the City of Corpus Christi/Nueces County Public Health District. (*INFORMATION*)

E. COVID-19 Pandemic-Related Services Reimbursement:

1. Discuss and consider approving a Mutual Aid/Interlocal Cooperation Agreement with Nueces County related to the COVID-19 pandemic and related matters; Agreement relates to Nueces County reimbursement of past County-requested services provided by Accenture, L.L.P. and Texas Health Institute and paid by the Hospital District. (*ACTION*)

Motion by Ms. Flores and seconded by Dr. Reddy. MOTION CARRIED.

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F. Community Mental Health Initiatives:

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

Dr. Gonzales presented over item F.1.

2. 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; report for the period October 2020 - September 2021. (*INFORMATION*).

Andrea Kovarik from MHID presented over item F. 2.

3. Discuss and consider approving an Interlocal Agreement between Nueces County, Nueces Center for Mental Health and Intellectual Disabilities, and the Hospital District relating to the provision of Jail Diversion, Crisis Intervention, Expanded Mobile Crisis Outreach, and Jail-Based Competency Restoration Services for the period October 1, 2021 - September 30, 2022. (*ACTION*)

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

G. Board of Managers Business:

1. Receive Board of Managers reappointment notices from Commissioners Court for Daniel W. Dain and John E. Valls for individual three-year terms ending September 30, 2024; appointments pursuant to Texas Health and Safety Code, §281.021(a) and §281.022(b). (*INFORMATION*)

2. Discuss and consider actions relating to operations of the Board of Managers; actions to be effective December 1, 2021:

a. Elect Board of Managers Chairman and Vice-Chairman; elections pursuant to Board of Managers Bylaws, §2.2.A.1. (*ACTION*)

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Motion by Mr. Valls that Mr. Dain continues as Chairman and Ms. Oliver as Vice-Chairman, both accepted and seconded by Dr. Reddy. MOTION CARRIED.

b. Board Chairman to appoint Board of Managers Committees and related Chairmen; appointments pursuant to Board of Managers Bylaws, §2.2.B.2.(d). (*ACTION*)

As per Mr. Dain, Chairman of the Board designated that Committees remain the same with the same person appointed as Chairmen. Motion by Mr. Valls and seconded by Ms. Oliver. MOTION CARRIED.

c. Appoint/designate an alternate (to the Chairman) member of the Board of Managers to issue public statements relating to policy and official statements of the Board; appointment/designation pursuant to Board of Managers Bylaws, §2.1.E. (*ACTION*)

Motion by Mr. Valls that CEO, Jonny F. Hipp remain appointee/designated to issue public statements relating to policy and official statements of the Board pursuant to Board of Managers Bylaws. Seconded by Dr. Reddy. MOTION CARRIED.

3. Receive Board of Managers and Board Committee meeting schedules previously approved for Calendar Year 2022 and possibly consider amending the meeting dates and/or times. (*INFORMATION/ACTION*)

Committee decided to schedule meetings on the 4th Tuesday of the month and remaining with the same hours, for the exception of the months of October and November. Motion by Ms. Oliver and seconded by Mr. Guerrero. MOTION CARRIED.

4. Discuss and consider cancelling Board of Managers and Board Committee meetings scheduled during December 2021. (*ACTION*)

Motion by Ms. Flores and seconded by Dr. Reddy. MOTION CARRIED.

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H. 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. Execution of Texas Subdivision Election and Release Form relating to settlement of opioid-related litigation with Janssen (Janssen means Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc.). (***ACTION***)

Motion by Ms. Garza and seconded by Ms. Flores, that document was ratified and executed by Mr. Hipp. Seconded by Ms. Flores. MOTION CARRIED.

7. ADMINISTRATOR'S BRIEFING:

A. December 2021 Board of Managers and Board Committee regular meetings (all meetings' dates, times, and locations are subject to change):

1. Finance Committee: December 14, 2021, 9:30 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401; and

2. Board of Managers: December 14, 2021, 10:00 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. (***INFORMATION***)

B. January 2022 Board of Managers and Board Committee regular meetings (all meetings' dates, times, and locations are subject to change):

1. Finance Committee: January 18, 2022, 9:30 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401; and

2. Board of Managers: January 18, 2022, 10:00 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. (***INFORMATION***)

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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 establishment of a Board of Managers Policy relating to funding opportunities, proposals, and/or requests presented to the Hospital District and related matters.

B. Consult with attorneys on matters relating to reimbursement provided to Nueces County for the City of Corpus Christi/Nueces County Public Health District.

C. Consult with attorneys on matters relating to the Amended and Restated Membership Agreement with CHRISTUS Spohn Health System Corporation and the related 1996 Transaction Agreements entered and effective September 30, 1996, including the Master, Lease, and Indigent Care Agreements; and the Memorandum of Understanding dated November 18, 2015.

Mr. Dain called for Close Session at 11:37 a.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 12:15 p.m.

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

**Action was taken on Item 6. (C.) which was previously tabled to be discussed during close session. Item was passed and motion by Ms. Oliver and seconded by Ms. Flores.
MOTION CARRIED.**

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11. ADJOURN

Motion to adjourn by Mr. Dain. Motion by Ms. Garza and seconded by Dr. Reddy. Meeting adjourned at 12:18 p.m.

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PRESIDING OFFICER

Daniel W. Dain, Chairman

ATTEST:

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

Wm Dewitt Alsup, General Counsel
Nueces County Hospital District