

**MINUTES
BOARD OF MANAGERS
NUECES COUNTY HOSPITAL DISTRICT
REGULAR MEETING
MARCH 1, 2022**

The Nueces County Hospital District Board of Managers met at 10:00 a.m., Tuesday, March 1, 2022 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:

Simon Purnell	Griffin Purnell, LLC
Govind Nadkarni	Govind Development
Dr. Xavier Gonzales	Director of Mental Health
Mary Ann Carrion	Christus Spohn – via Zoom (Asst. to Becky Rios)
Mark Hendrix	NCMHID – via Zoom
Mike Davis	NCMHID – via Zoom
Andrea Kovarik	NCMHID – via Zoom
J. Gonzalez	County Commissioner – via Zoom
Sandra Santos	Asst. to Commissioner Gonzalez – via Zoom
Belinda Hinojosa-Persohn	Governmental Affairs – via Zoom
Kaylin Taylor	Hagerty Consulting – via Zoom
Ankit Sanghavi	Texas Health Institute – via Zoom
CMN 1043	165.214.1284 – 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.
- 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. Daniel W. Dain, Chairman
The meeting was called to order by Mr. Dain at 10:04 a.m.
- B. Establish quorum – Mr. Dain
A quorum was present with four members in attendance.

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

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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.

Govind Nadkarni introduced himself.

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 Regular Meeting minutes of January 25, 2022.

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 December 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.

C. Receive summary payment information on Nueces County health care disbursements for Fiscal Year 2022 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;

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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*)

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 January 31, 2022. (*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 January 31, 2022. (*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):

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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
3. Phase-Out Programs:
 - a. Delivery System Reform Incentive Payment (DSRIP) pool. (*Finance Committee*)

I. Receive information relating to U.S. Department of Health and Human Services (HHS) Poverty Guidelines:

1. Annual update of the HHS Poverty Guidelines from Federal Register, Vol. 87, No. 14, January 21, 2022, pp. 3315-3316; and
2. Prior HHS Poverty Guidelines and Federal Register References, 1982 - 2022. (**INFORMATION**)

J. Receive notice of annual increase adjustments of Nueces Aid Program's Eligibility Guidelines; adjustments effective March 1, 2022 for:

1. Household Resources as required by Program's Handbook Policy No. NA002, Attachment 2, Sections I-B, I-C-1, I-C-23, and I-F; and
2. Household Income as required by Program's Handbook Policy No. NA002, Attachment 4, Section I-F-3. (**INFORMATION**)

**Consent Agenda was approved, for the exception of
Items 5. I. & J. Motion by Mr. Valls
and seconded by Ms. Oliver.
Mr. Hipp explained Item 5. I. & J. which were informational
And items being related to each other. No action is needed.**

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:

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A. Finance Committee:

1. Receive and approve unaudited financial statements for the month and fiscal year-to-date period ended January 31, 2022. (*ACTION*)

**Motion by Mr. Valls and seconded by Ms. Flores.
MOTION CARRIED.**

2. Receive reports relating to Nueces Aid Program enrollment for the month-ended January 31, 2022:
 - a. Total Persons and Households Enrolled;
 - b. Enrollment Summary;
 - c. Denials;
 - d. Application Processing Summary; and
 - e. Enrollment by Zip Code. (*INFORMATION*)

B. Nueces County Judge/Nueces County Emergency Manager:

1. Receive information from Nueces County Judge, as Nueces County Emergency Manager, on matters relating to:
 - a. Recovery of COVID-19-related costs under the Federal Emergency Management Agency (FEMA) Public Assistance Program;
 - b. Social Determinants of Health; and
 - c. Youth Mental Health. (*INFORMATION*)

**Motion to table by Mr. Valls since Judge Canales
is not able to attend. Seconded by Ms. Flores
MOTION CARRIED.**

C. COVID-19 Pandemic:

1. Discuss and consider action relating to Professional Services Contract between Nueces County Hospital District and Hagerty Consulting, Inc. for disaster recovery administrative services for the term March 1, 2022 - January 31, 2024 with three one-year renewal options; and authorize Administrator to execute Contract and related documents. (*ACTION*)

**Motion to table by Mr. Valls and seconded by
Ms. Flores. MOTION CARRIED.**

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2. Discuss and consider action relating to December 6, 2021 payment request from Texas Health Institute concerning its dissemination and release of "Advancing Health Equity in Nueces County - Amid and Beyond the COVID-19 Pandemic"

Report during the period May - July 2021. (*ACTION*)

**No Action taken. Close item forsee to amicable terms.
Motion by Ms. Oliver and seconded by Mr. Valls.
MOTION CARRIED.**

D. Public Health:

1. Receive and discuss the Amended Cooperative Agreement for City-Operated Corpus Christi-Nueces County Public Health District. (*INFORMATION*)
2. Discuss and consider action relating to a request from Nueces County to reimburse their payout of unused vacation and sick leave for certain County employees working at the Corpus Christi-Nueces County Public Health District that will be transferred to the City of Corpus Christi as a result of the new Amended Cooperative Agreement for City-Operated Corpus Christi-Nueces County Public Health District, and related matters. (*ACTION*)

**Motion tabled by Mr. Valls, so Mr. Hipp and staff
can gather more information. Seconded by
Ms. Flores. MOTION CARRIED.**

E. 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 update.

F. Indigent Health Care:

1. Discuss development of Request for Proposals for Development and Implementation of a Strategic Marketing Plan for Nueces Aid Program Enrollment Growth (RFP); consider approving issuance of RFP. (*INFORMATION/ACTION*)

**Table by Mr. Valls and seconded by Ms. Oliver,
on other consideration. MOTION CARRIED.**

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G. Board of Managers Business:

1. Discuss and consider Nueces County Commissioners Court's February 23, 2022 nomination of Shah Islam, M.D. to the Hospital District for the District's consideration of nomination and appointment to the CHRISTUS Spohn Health System Corporation's (CSHS) Board of Directors for a three-year term commencing

January 1, 2022 and ending December 31, 2024; discuss and consider nomination and appointment of the Court's aforesaid nomination to the CSHS Board of Directors for the stated term, and/or discuss and consider nomination and appointment of a person other than the Court's aforesaid nomination to the CSHS Board of Directors for the stated term. Hospital District's nomination and appointment pursuant to CHRISTUS Spohn Health System Membership Agreement, Article IV, Section 4.01(b). (*ACTION*)

Motion by Mr. Valls as per Judge Canales' letter dated, February 24, 2022 nominated Dr. Islam to the Christus Spohn Health System, Place 3. Seconded by Ms. Oliver. MOTION CARRIED.

2. Discuss and consider approval of an agreement with drug manufacturers, promoters, and distributors Endo Pharmaceuticals, Teva Pharmaceuticals, AmerisourceBergen, Cardinal Health, and McKesson Corporation and their affiliated companies to resolve legal claims for their roles in the opioid epidemic in Nueces County, authorize Administrator to execute settlement documents, and consider related matters. (*ACTION*)

Motion by Mr. Valls and seconded by Ms. Flores. MOTION CARRIED.

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. Renewal of Pharmacy Benefit Administrative Services Agreement with Script Care, Inc. for second additional one-year term January 1, 2022 through December 31, 2022; second renewal exercises last of two optional one-year renewals. (*ACTION*)

Motion by Mr. Valls and seconded by Ms. Oliver. MOTION CARRIED.

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7. ADMINISTRATOR'S BRIEFING:

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

1. Finance Committee: March 22, 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: March 22, 2022, 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 the Amended Cooperative Agreement for City-Operated Corpus Christi-Nueces County Public Health District.

B. Consult with attorneys on matters relating to Nueces County's request to reimburse their payout of unused vacation and sick leave for certain County employees working at the Corpus Christi-Nueces County Public Health District that will be transferred to the City of Corpus Christi as a result of the new Amended Cooperative Agreement for City-Operated Corpus Christi-Nueces County Public Health District, and related matters.

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

D. Consult with attorneys on matters relating to litigation against opioid drug manufacturers, promoters, and distributors Endo Pharmaceuticals, Teva

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Pharmaceuticals, AmerisourceBergen, Cardinal Health, and McKesson Corporation and their affiliated companies, and related matters.

E. Consult with attorneys on matters relating to development of Request for Proposals for Development and Implementation of a Strategic Marketing Plan for Nueces Aid Program Enrollment Growth, and related matters.

F. Consult with attorneys on matters relating to December 6, 2021 payment request from Texas Health Institute, and related matters.

Mr. Dain called for Close Session at 10:15 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 11:53 a.m.

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

No Action taken.

11. ADJOURN

**Motion adjourn to adjourn by Mr. Dain.
Motion by Mr. Valls and seconded by Ms. Flores.
Meeting adjourned at 12:47 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