

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

The Nueces County Hospital District Board of Managers met at 10:00 a.m., Wednesday, June 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
Melissa Quintanilla	Executive Assistant/Human Resources
Carmina Hernandez Moreno	Administrative Assistant

OTHERS PRESENT:

Dr. Xavier Gonzales	Director of Mental Health
Becky Rios	Christus Spohn - via Zoom
Mark Hendrix	MHID – via Zoom
Andrea Kovarik	MHID – via Zoom
Eric Baggerman	CEO Amistad CAC – via Zoom
Belinda Hinojosa Persohn	Nueces County 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, RN
 Vishnu V. Reddy, M.D.
 John E. Valls, M.B.A.
 Mariana Garza, J.D.
 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.
- B. Establish quorum – Ms. Oliver, Vice – Chairman
A quorum was present with five members in attendance.

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

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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 May 18, 2021.
- B. Approve Legislative Committee Regular Meeting minutes of May 18, 2021.
- C. Receive listing of new vendors as of June 10, 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
 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

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year-to-date period-ended May 31, 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 May 31, 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*)

Consent Agenda 5. A-H approved by Ms. Flores and seconded by Dr. Reddy. MOTION CARRIED.

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); HHSC-funded Directed Managed Care Payment Programs allow Medicaid managed care organizations to make payments to healthcare providers that support overall Medicaid program goals and objectives; and HHSC-funded Supplemental Payments are made to hospitals for achieving certain goals or to support health care providers that see significant numbers of uninsured or persons without much money; and Phase-Out program to be discontinued by HHSC on October 1, 2021:

1. Directed Payment Programs:

- 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:

- a. Disproportionate Share Hospitals (DSH) program;

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- b. Graduate Medical Education (GME);
- c. Hospital Uncompensated Care (UC) pool; and

3. Phase-Out Program:

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

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 May 31, 2021. (***ACTION***)

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

- 2. Receive and discuss revenue, expense, and fund balance projections for Fiscal Year 2021 (October 1, 2020 - September 30, 2021) and subsequent Fiscal Years. (***INFORMATION***)

- 3. Receive reports relating to Nueces Aid Program enrollment for month-ended May 31, 2021. (***INFORMATION***)

- 4. Discuss and consider action relating to County Healthcare Expenditures for Fiscal Year 2021 (October 1, 2020 - September 30, 2021); authorize additional funding for:
 - a. County Juvenile and Adult Diabetes Program (\$10,000); and
 - b. Mobile Medical Clinic (\$30,000). (***ACTION***)

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

B. **Legislation:**

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

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C. Indigent Health Care:

1. Discuss Nueces Aid Program's past and current enrollment data, current income eligibility guidelines, effects of federal COVID-19 Pandemic-related financial assistance and unemployment programs on past and current Program eligibility and enrollment, and discuss and consider approval of changes to existing Program

Handbook policies to mitigate the enrollment reduction effects of the Pandemic-related financial assistance and unemployment programs.

(INFORMATION and/or ACTION)

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

D. Community Mental Health:

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)*

2. Discuss jail diversion program, components thereof, and related matters. *(INFORMATION)*

E. Medicaid 1115 Waiver:

1. Authorize Administrator to submit written public comments supporting extension of the Medicaid 1115 Transformation Waiver to prolong protection of the local and state health care safety net through 2030. *(ACTION)*

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

F. Replacement Medical Examiner's Facility Site:

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

G. Other Business:

1. Discuss and consider actions relating to in-person attendance of Board of Managers and Board Committee meetings, and adjustment of existing meeting precautions relating to spread of the COVID-19 Coronavirus. *(ACTION)*

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**Motion by Ms. Flores and seconded by Dr. Reddy.
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: July 20, 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: July 20, 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:

Ms. Oliver called for close session at 11:15 a.m.

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.

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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. Consult with attorneys on matters relating to jail diversion program and components thereof.

E. Consult with attorneys on matters relating to Board of Managers Bylaws.

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 12:18 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 Ms. Flores
and seconded by Mr. Guerrero. Meeting adjourned at 12:18 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