

DRAFT

**MINUTES
BOARD OF MANAGERS
NUECES COUNTY HOSPITAL DISTRICT
REGULAR MEETING
JANUARY 27, 2021**

The Nueces County Hospital District Board of Managers met at 12:00 p.m., Wednesday, January 27, 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:

Mark Hendrix	MHID – via Zoom
Mike Davis	MHID – via Zoom
Chris Nicosia	CCMC – via Zoom
Andrea Kovarik	MHID – via Zoom
Becky Rios	Christus Spohn Hospital – via Zoom
Jenny Dorsey	Nueces County Attorney – via Zoom
Gary Eiland	Consultant – via Zoom
Eric Evans	CCMC – via Zoom
Venesa Santos	Crosswinds – via Zoom
MK Trawick	via Zoom
Thomas Graham	Consultant – via Zoom
V. Camarillo	Corpus Christi Caller Times – via Zoom
IP address # 76.248.208.151	via Zoom
IP address # 107.77.218.82	via Zoom

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WELCOME

1. 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.

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

- A. Welcome new Board member Efrain Guerrero, Jr.
- B. Call to order – Mr. Dain, Chairman
The meeting was called to order by Mr. Dain at 12:55 p.m.
- C. Establish quorum – Mr. Dain.
A quorum was present with all members in attendance.

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

D. Confirm posting of Meeting's public notice in accordance with Texas Open Meetings Act, Texas Government Code, Chapter 551.

E. 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.

3. 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

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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.

4. **CONSENT AGENDA** - The Consent Agenda consists of those agenda items which are routine, non-controversial, 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 meeting minutes of December 15, 2020 Regular Meeting.

B. Receive annual listing of vendors as of December 31, 2020; 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 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*)

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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 December 31, 2020. *(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 December 31, 2020. *(Finance Committee)*

G. Receive fiscal year-to-date Local Provider Participation Fund activity report. *(Finance Committee)*

H. Receive summary report of year-to-date intergovernmental transfers made in support of local and other healthcare providers participating in Medicaid supplemental payment programs sponsored by the Texas Health and Human Commission. *(Finance Committee)*

1. Texas Healthcare Transformation and Quality Improvement Program (Medicaid 1115 Waiver):
 - a. Delivery System Reform Incentive Payment (DSRIP) pool; and
 - b. Hospital Uncompensated Care (UC) pool.
2. Disproportionate Share Hospitals (DSH) program;
3. Network Access Improvement Program (NAIP);
4. Uniform Hospital Rate Increase Program (UHRIP); and
5. Graduate Medical Education (GME). *(Finance Committee)*

Motion to approve 5.(A) – (C) and (E) – (H) by Mr. Valls and seconded by Ms. Oliver. MOTION CARRIED.

Item 5. (D) pulled by Ms. Oliver.

Ms. Oliver withdrew motion to pull Item 5 (D)

Motion to approve Item 5. (D) by Ms. Oliver and seconded by Mr. Valls. MOTION CARRIED.

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5. **REGULAR AGENDA** - The Regular Agenda consists of those agenda items which are non-routine, potentially controversial, 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 December 31, 2020. (*ACTION*)

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

2. Receive and approve Quarterly Investment Report for fiscal quarter-ended December 31, 2020 and ratify related investment transactions. (*ACTION*)

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

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

4. Receive reports relating to Nueces Aid Program enrollment for month-ended December 31, 2020. (*INFORMATION*)

B. Legislative Committee:

1. Receive update on legislative agenda for 87th Texas Session. (*INFORMATION*)

2. Discuss and consider revising adopted legislative agenda for 87th Texas Session. (*ACTION*)

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

3. Adopt Board of Managers Resolution supporting legislation to use certain funds for residents of the District. (*ACTION*)

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

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4. Adopt Board of Managers Resolution supporting legislation relating to use of tax-levied funds for indigent care and to fund health care services, including public health services, mental health and mental retardation services, emergency medical services, health services provided to persons confined in jail facilities, and for other health related purposes. *(ACTION)*

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

5. Adopt Board of Managers Resolution supporting legislation redefining a management contractor for tort claims liability purposes. *(ACTION)*

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

6. Adopt Board of Managers Resolution supporting legislation to extend expiration of the Nueces County Hospital District Health Care Provider Participation Program. *(ACTION)*

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

C. COVID-19 Pandemic:

1. Discuss and consider approval of terms for Letter of Agreement relating to establishment of a COVID-19-related Alternate Care Site for subacute inpatient hospital surge capacity in Nueces County at CHRISTUS Spohn Hospital Corpus Christi - Shoreline located at 600 Elizabeth Street, Corpus Christi, Texas; and authorize Administrator to prepare and execute Letter of Agreement. *(ACTION)*

Motion by Mr. Valls to table Item C. and seconded by Ms. Oliver. MOTION CARRIED.

D. Community Mental Health Initiatives:

1. Discuss and consider approval of Interlocal Cooperation Act Agreements with Nueces Center for Mental Health and Intellectual Disabilities for the term October 1, 2020 through September 30, 2021 and authorize Administrator to execute Agreements:

a. Forensic Assertive Community Treatment (Forensic ACT) Program not to exceed \$1,340,000;

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- b. Jail Diversion and Crisis Intervention Services not to exceed \$2,290,000; and
- c. Walk-In Crisis Clinic not to exceed \$570,000. (*ACTION*)

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

- 2. Receive update on interview/selection process for Nueces County's Director of Mental Health Programs position to be funded and co-supervised by Hospital District. (*INFORMATION*)

E. Medicaid 1115 Waiver:

- 1. Receive information relating to recent Federal extension of the Texas Healthcare Transformation and Quality Improvement 1115 Demonstration Waiver through September 30, 2030. (*INFORMATION*)

F. Other Business:

- 1. Discuss and consider reappointing Ms. Rachel Canales as Director to CHRISTUS Spohn Health System Corporation's Board of Directors for three-year term commencing January 1, 2021 and ending December 31, 2023; receive and consider Nueces County Commissioners Court's nomination of the aforesaid individual; concur with Court's nomination and appoint nominee for aforesaid term; Hospital District's appointment pursuant to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement, Article III, Section 3.01(b); and authorize Administrator to notify Commissioners Court and CHRISTUS Spohn Health System Corporation. (*ACTION*)

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

- 2. Discuss and consider approval of Amendment No. 3 to Personal Services Contract, as amended, between Nueces County, Nueces County Hospital District, and Thomas L. Graham; Amendment extends term and final website deliverable due date to March 31, 2021; and authorize Administrator to execute Amendment. (*ACTION*)

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

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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 District and/or as required by the Board of Managers; duties established pursuant to Texas Health and Safety Code, §281.026(e):

a. Ratify execution of Amendment to Interlocal Cooperation Act Contract with The University of Texas Medical Branch at Galveston to provide Health Care Services; Amendment extends term through August 31, 2020 and provides for automatic one-year renewals. (***ACTION***)

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

b. Ratify execution of Pharmacy Benefit Administrative Services Agreement with Script Care, Inc. for the term January 1, 2021 through December 31, 2021. (***ACTION***)

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

6. ADMINISTRATOR'S BRIEFING:

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

1. Finance Committee Regular Meeting: February 16, 2021, 11:00 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401;

2. Legislative Committee Regular Meeting: February 16, 2021, 11:30 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401; and

3. Board of Managers Regular Meeting: February 16, 2021, 12:00 Noon in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. (***INFORMATION***)

7. 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

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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 COVID-19-related Alternate Care Site at CHRISTUS Spohn Hospital Corpus Christi - Shoreline and associated matters.

Board Members did not call for Closed Meeting.

8. **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.

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

No Action Needed.

10. **ADJOURN**

Motion to adjourn by Mr. Dain. Motion by Mr. Valls and seconded by Ms. Flores. Meeting adjourned at 3:00 p.m.

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PRESIDING OFFICER

Daniel W. Dain, 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