



NUECES COUNTY HOSPITAL DISTRICT
Administrative Offices

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BOARD OF MANAGERS RESOLUTION
MAY 25, 2016

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR TO EXECUTE
AN IGT RESPONSIBILITY AGREEMENT WITH THE
TEXAS HEALTH AND HUMAN SERVICES COMMISSION
TO FACILITATE CHRISTUS SPOHN HOSPITAL CORPUS CHRISTI'S
PARTICIPATION IN THE NETWORK ACCESS IMPROVEMENT PROGRAM
ORGANIZED AND OPERATED BY THE COMMISSION**

WHEREAS, the Nueces County Hospital District ("Hospital District" or "District") is a body politic and corporate and a political subdivision of the State of Texas, established and created pursuant to the Texas Constitution, Article IX, Section 4 and the Texas Health and Safety Code (the "Health Code"), Chapter 281, and operated in accordance with the Health Code and other applicable laws of the State of Texas;

WHEREAS, the Hospital District's Board of Managers ("Board") have been duly appointed pursuant to Health Code, §281.021(a); and pursuant to collective authorities of Health Code, §281.047 and §281.048, the Board is the Hospital District's governing body and the Board has, and at the time of adoption of this Resolution had, full power and authority to manage, control, administer, and to adopt rules governing operation of the District;

WHEREAS, the 83rd Session, Texas Legislature, General Appropriations Act, Article II, Riders 79 and 80 ("83rd Session Article II Budget Riders"), expressed the Legislature's intent to the Texas Health and Human Services Commission ("HHSC") regarding the creation of a program to further the State's goal of increasing the availability and effectiveness of primary care for Medicaid beneficiaries by incentivizing public hospitals to provide quality, well-coordinated, and continuous care;

WHEREAS, in consideration of the 83rd Session Article II Budget Riders and the State's need for improved access to quality, coordinated care, the HHSC organized and operates a Medicaid managed care provider incentive program titled the "Network Access Improvement Program" ("NAIP") for the purposes of increasing Medicaid managed care members' access to primary and specialty care and related services from providers affiliated with public hospitals;

WHEREAS, CHRISTUS Spohn Hospital Corpus Christi ("Spohn Hospital Corpus Christi") is the sole public hospital in Nueces County as said hospitals are described in Texas Administrative Code, Title 1, Part 15, Chapter 355, Subchapter J, Division 4, Rule §355.8065(b)(46);

WHEREAS, implementation and continuation of the NAIP is conditioned on HHSC's receipt of monies received through intergovernmental transfers ("IGT") from or on behalf of public hospitals and others as contemplated by the 83rd Session Article II Budget Riders; and

WHEREAS, the Board desires to facilitate Spohn Hospital Corpus Christi's participation in the NAIP for the term September 1, 2016 – August 31, 2017, by transferring non-federal funds to HHSC for use as the non-federal share of the NAIP payments on behalf of Spohn Hospital Corpus Christi.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MANAGERS OF THE NUECES COUNTY HOSPITAL DISTRICT, THAT:

1. The Board hereby authorizes the Administrator to execute a NAIP IGT Responsibility Agreement with the HHSC to facilitate Spohn Hospital Corpus Christi's participation in the NAIP for the term **September 1, 2016 – August 31, 2017**, with the associated transfer of the Hospital District's non-federal funds to HHSC in an amount not to exceed **Twelve Million Fifty Thousand Five Hundred Dollars (\$12,050,500.00)** during said term for use by HHSC as the non-federal share of NAIP payments on behalf of Spohn Hospital Corpus Christi.

2. The Administrator shall be and is expressly authorized and directed to do and perform all acts, and to execute all instruments and other related documents, whether or not herein cited, as required to carry out the intent, terms, and provisions of this Resolution, such execution to be conclusively evidenced by the performance of such acts.

3. The Administrator, in his capacity as the Secretary of the Hospital District Board, be and is hereby legally authorized and empowered to perform all acts described above and certify these resolutions and that the provisions hereof are in conformance with the laws of the State of Texas and the Governing Board Bylaws of the Hospital District.

4. This Resolution shall take effect and be in full force and effect upon and after its passage.

5. The Board retains its right to amend or repeal this Resolution.

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**NUECES COUNTY HOSPITAL DISTRICT
BOARD OF MANAGERS**

Van Huseman
Chairman

Claude C. Jennings, C.P.A.
Vice Chairman

Rodney J. Hart, P.E.
Member

Irma Caballero
Member

Robert N. Corrigan, Jr.
Member

John E. Valls
Member

Ted A. Daniel
Member

CERTIFICATE OF SECRETARY

THE STATE OF TEXAS §
 §
 COUNTY OF NUECES §
 §
 NUECES COUNTY HOSPITAL DISTRICT §

THE UNDERSIGNED HEREBY CERTIFIES that:

1. The members of the Board of Managers (the "Board") of the Nueces County Hospital District (the "Hospital District") have been duly appointed pursuant to Texas Health and Safety Code (the "Health Code"), §281.021.
2. Pursuant to Health Code, §281.021(a), the Hospital District's Board of Managers (the "Board") have been duly appointed; pursuant to Health Code, §281.048, the Board is the governing body of the Hospital District; and pursuant to the collective authorities of Health Code, §281.047 and §281.048, the Board has, and the time of adoption of this Resolution had, full power and authority to manage, control, administer, and to adopt rules governing operation of the Hospital District.
3. On the **25th day of May, 2016** the Board convened in a special meeting at the Hospital District's regular meeting place (the "Meeting"), the duly constituted members and officers of the Board being as follows:

Van Huseman, Chairman
 Claude C. Jennings, C.P.A., Vice Chairman
 Rodney J. Hart, P.E.
 Irma Caballero
 Robert N. Corrigan, Jr.
 John E. Valls
 Ted A. Daniel

and all of said persons were present, except the following absentees:

and _____, thus constituting a quorum.

4. Among other business considered at the Meeting, the attached resolution entitled:

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is a true copy of a resolution introduced and submitted to the Board for consideration toward passage and adoption (the "Resolution"). After presentation and discussion, it was then duly moved and seconded that the Resolution be passed and adopted. The motion to pass and adopt the Resolution prevailed and carried by the following viva voce vote:

YEAS: _____
 NAYS: _____
 PRESENT NOT VOTING: _____
 ABSENT: _____

all as shown in the official Minutes of the Board for the Meeting.

5. The attached Resolution is a true and correct copy of the original on file in the official records of the Hospital District; the duly qualified and acting members of the Board on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the Board was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Resolution would be considered; and the Meeting and deliberation of the aforesaid public business, was open to the public and written notice of said meeting, including the subject of the Resolution, was posted and given in advance thereof in compliance with the provisions of Chapter 551, Texas Government Code, as amended.

6. I am the Secretary of the Board having been duly appointed pursuant to Health Code, §281.023(b).

7. The foregoing Resolution is in full force and effect; that the same has not been rescinded, nor has it been amended or modified in any way.

IN WITNESS WHEREOF, I have hereunto signed my name officially and affixed the seal of the Hospital District on this the **25th day of May, 2016**.

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

{HOSPITAL DISTRICT SEAL}