

**NEXT MEETING: JULY 25, 2024 – 7:00 P.M.
 TBHS TRAINING CENTER
 129 EAST BURNSIDE STREET, CARO MI
 IF UNABLE TO ATTEND CALL: 989.673.6191 OR 1.800.462.6814**

The regular meeting of the Tuscola Behavioral Health System's Board of Directors was called to order by Chairperson Snider on June 27, 2024 at 7:03 pm, at the TBHS Training Center, 129 East Burnside Street, Caro, MI.

BOARD ATTENDANCE:	Bardwell	Present	Helmbold	Present
	Bruno	Present	McNett	Present
	Fritz	Present	Moore	Present
	Griesing	Present	Partridge	Present
	Grimshaw	Present	Ryan	Present
	Harrington	Excused	Snider	Present
STAFF ATTENDANCE:	Majeske	Present	Canady	Present
	Dudewicz	Present	Mitchell	Present

ROLL CALL Cindy Mitchell, TBHS Administrative Support Specialist, conducted Roll Call in the absence of Secretary Harrington.

MEETING OPEN TO THE PUBLIC: No public in attendance.

GUESTS: TBHS Staff Cindy Opperman, Desiree Smith and AshLee Price.

Majeske acknowledged Cindy Opperman, Human Resources Supervisor on her retirement and thanked her for her 20+ years of service with TBHS and introduced Desiree Smith as the new Human Resources Supervisor. Opperman and Smith left the meeting at 7:05 pm.

COMMUNITY SUPPORTS AND RECOVERY SERVICES PRESENTATION BY PRICE:

AshLee Price, Supervisor of Community Supports and Recovery Services provided a presentation on the Community Supports and Recovery Services program of TBHS. Questions and answers were addressed during the presentation. Price left the meeting following the presentation at 7:25 pm.

DATE-NUMBER	BODY	ACTION
APPROVAL OF THE MINUTES:		
June 27, 2024 -- 1	Partridge moved and Fritz supported to approve the minutes of the May 23, 2024 meeting as mailed.	
		Motion Carried

CONTRACTS/AGREEMENTS REVIEWED BY DUDEWICZ:

June 27, 2024 - - 2

McNett moved and Griesing supported to approve the Contracts/Agreements listed on the Contract List Sheet(s) dated June 27, 2024 as presented.

Motion Carried

FINANCIAL STATEMENTS REVIEWED BY DUDEWICZ:

June 27, 2024 - - 3

Grimshaw moved and Partridge supported placing the Financial Statements on file.

Motion Carried

Dudewicz shared that also included in tonight's packet was a copy of the Compliance Report that was completed by the auditors.

CHIEF EXECUTIVE OFFICER'S REPORT BY MAJESKE:

- Medicaid/General Fund – CMHA is reporting the April 2024 Medicaid rate adjustments have not been sufficient to close the revenue gap that was projected months ago and will leave the CMHSP network short \$78,500,000. CMHA will be submitting the rate data and a request for another FY 24 rate revision prior to year-end.
 - At the request of the Operations Council, MSHN has agreed to develop a plan to phase out case rate funding for Autism and phase in sub-capitation funding, consistent with other revenue received; a Per Eligible Per Month (PEPM) payment. A five-year smoothing/implementation plan has been proposed and supported by the Operations Council (FY 25 – 80% case rate/20% capitation; FY 26 - 60%/40%; FY 27 - 40%/60%; FY 28 - 20%/80%; FY29 - All PEPM/capitation). At the current Medicaid rates, TBHS would receive approximately \$70,000 more per year over the next five (5) years. The revenue to MSHN will remain unchanged by this method of distribution to the CMHSPs, and MSHN will continue to be responsible for all medically necessary service costs.
 - TBHS continues to experience challenges with individuals being assigned incorrect Medicaid (i.e., Plan First) as well as being disenrolled, which is impacting General Fund expenditures. Outreach has been conducted with the Tuscola County Department of Health and Human Services as well as the Michigan Department of Health and Human Services (MDHHS) in Lansing in efforts to address these concerns.
 - Medicaid Eligibility Redeterminations – TBHS received the latest report of disenrollments representing the month of May, which included both Medicaid and Healthy Michigan beneficiaries. Tuscola County had 413 individuals disenrolled, representative of a 3.0% decrease in enrollees. Reasons indicated for Tuscola County disenrollments were as follows: Assets = 0, Income = 19, Administrative = 368, and Other = 26. The overall reduction in enrollees in the MSHN region since July is 103,441 enrollees: 20.5%.
 - TBHS Workforce Update - Two positions have been filled by external applicants since the May Board meeting: a Supports Coordinator/Case Manager and the Care Coordination Secretary. There was also one internal transfer to the part-time Outpatient Therapist position.
- TBHS has ten vacant positions: ACT Supervisor, ACT RN, ACT Team Coordinator, ACT Advocate, Supports Coordinator/Case Manager (2), Supports Coordinator/Self-Determination Coordinator, Case Manager/OBRA Coordinator, Children's Home-Based Clinician, and

Wellness Clinic RN. An intent to retire was also received from the TBHS Benefits Administrator, with a tentative retirement date of 12/13/24.

- Conflict Free Access and Planning (CFAP) Update – As reported at the May Board meeting, the MSHN Board of Directors passed a resolution in opposition to the MDHHS proposed structural strategies for compliance with federal CFAP rules. The MSHN Board of Directors requested MDHHS to reconsider its current decisions and to honor CMS waiver approval of procedural mitigation of conflict, and to pursue CMS approval of strengthened procedural safeguards against conflict of interest in Michigan. Since that time, several CMHSPs within the MSHN region, and across the State, have approved resolutions in opposition to CFAP. In follow up to last month’s discussion, a draft resolution has been provided for TBHS Board review should the Board want to reconsider the adoption of a resolution specific to CFAP.

June 27, 2024 -- 4

McNett moved and Partridge supported to adopt the resolution opposing MDHHS Plans to Implement New Conflict Free Access and Planning Strategies in Michigan with the correction of a typo in the second bullet by roll call vote.

Roll Call Vote:

Bardwell	Yes	Helmbold	Yes
Bruno	Yes	McNett	Yes
Fritz	Yes	Moore	Yes
Griesing	Yes	Partridge	Yes
Grimshaw	Yes	Ryan	Yes
Harrington	Absent	Snider	Yes

11 – Yes
1 – Absent

Motion Carried

- Waskul Settlement Agreement – TBHS received formal notice of the Proposed Settlement Agreement in the case of *Waskul, et al. v. Washtenaw County Community Mental Health, et al.* This notice is in recognition, by the courts and the plaintiffs, that the impact of this settlement is not limited to Washtenaw CMH nor the CMH Partnership of Southeast Michigan.

As indicated via the notice, this action, filed in March 2016, alleges that a 2015 change in budgeting procedures for Habilitation Supports Waiver (HSW) Self-Determination, Community Living Support Services (CLS) implemented by Washtenaw Community Health Organization, a predecessor to Defendant Washtenaw County Community Mental Health, caused plaintiffs to be unable to pay for the staff and other CLS services provided for in their individual plans of service. The change and its consequences are asserted to violate various federal laws, the Michigan Mental Health Code, and the HSW itself. Defendants deny these claims.

The settlement offer proposed by the State of Michigan would significantly increase the hourly rate for these services, a rate that covers the wages, benefits, supervision, travel and related costs, from the current rate paid by Washtenaw CMH of \$21/hour to \$31/hour. The State’s proposed increase would be provided only for Direct Care Workers serving persons on the Habilitation Supports Waiver who are also in Self-Determination/Self-Directed Budget arrangements. These increased dollars would not be available to other Direct Care Workers in the public mental health system, or in other systems, primarily aging and long-term care services.

CMHA will be filing an objection to the settlement by the July 15 deadline. Each PIHP and CMHSP also has the right to formally object to the settlement.

Grimshaw recommended and Snider agreed that we should involve TBHS legal counsel to review this settlement agreement to obtain their opinion on how we should proceed.

June 27, 2024 - - 5

Grimshaw moved and Moore supported to obtain legal counsel review and direction on the Waskul Settlement Agreement.

Motion Carried

- MDHHS is conducting its review of MSHN and Community Mental Health Service Program (CMHSP) operations for the Children’s Waiver Program, Habilitation Supports Waiver, Waiver for Children with Serious Emotional Disturbance, and the 1915(i) SPA. The review began May 28, 2024, and continues through July 31, 2024. TBHS is scheduled for review on July 17th and 18th, with a teleconference scheduled for July 23rd to discuss any potential findings and/or other feedback.
- TBHS has applied for mentorship compensation available through GST Michigan Works! and Thumb Community Health Partnership to support current staff who oversee student learners through preceptorship, clinical instruction, mentorship of apprentices, and oversight of internships/externships. These funds aim to offset the costs associated with the time mentors spend working with students and to acknowledge the additional workload they take on in supervising the students. The maximum amount that can be awarded to an organization for a one-year period is \$2,000.

ADOPTED CONFLICT FREE ACCESS AND PLANNING RESOLUTION:

June 27, 2024 - - 6

Grimshaw moved and McNett supported to rescind the adopted resolution opposing MDHHS Plans to Implement New Conflict Free Access and Planning Strategies in Michigan with the correction of a typo in the second bullet.

Motion Carried

Discussed the wording of the Resolution: Board recommended to make the following modifications to the resolution – correct typo in the second bullet, add Board Members names with their vote by roll call, add whereas the resolution will be sent to State representatives, State Senators, State Governor, and other governing agencies (list out names).

June 27, 2024 - - 7

Grimshaw moved and Partridge supported to adopt the modified resolution opposing MDHHS Plans to Implement New Conflict Free Access and Planning Strategies in Michigan by roll call vote.

Roll Call Vote:

Bardwell	Yes	Helmbold	Yes
Bruno	Yes	McNett	Yes
Fritz	Yes	Moore	Yes
Griesing	Yes	Partridge	Yes
Grimshaw	Yes	Ryan	Yes
Harrington	Absent	Snider	Yes

11 – Yes
1 – Absent

Motion Carried

Bardwell inquired if it would be beneficial for the Tuscola County Board of Commissioners to also adopt a resolution on Plans to Implement New Conflict Free Access and Planning Strategies in Michigan. Majeske agreed that this would be helpful. Bardwell and Majeske to discuss further arrangements.

COMMITTEE REPORTS:

Partridge reported on the Recipient Rights Advisory Meeting that was held on June 12, 2024. Reviewed activity report, incident report, budget, and reviewed policies.

June 27, 2024 - - 8 Partridge moved and Grimshaw supported to accept the Recipient Rights Advisory Committee Report as presented.

Motion Carried

The Staff Treatment Monitoring Committee (Partridge, Ryan, Helmbold, and Fritz) met prior to tonight's meeting. Partridge reported on the information presented at the committee meeting.

June 27, 2024 - - 9 Partridge moved and Griesing supported to accept the Staff Treatment Monitoring Committee Report as presented.

Motion Carried

BOARD ENDS POLICIES REVIEW:

Chairperson Snider reviewed each of the Board Ends Policies asking for the Board's comments/suggestions for each policy. No proposed changes or recommendations were presented.

June 27, 2024 - - 10 Snider moved and Grimshaw supported to approve the Board Ends Policies with no recommendations or changes.

Carried

OTHER BUSINESS:

Partridge, McNett, and Griesing shared what sessions/topics they found most interesting while attending the CMHA Summer Conference held June 11-12, 2024. Partridge shared that the CMHA Membership Dues for FY25 will be increasing by approximately \$3,000.00 due to being placed in a different classification.

Chairperson Snider appointed Griesing to the Contacts Committee to replace Szostak.

The handout of the Board Member Code of Ethics was provided in tonight's board packet.

BOARD'S SELF-EVALUATION: In compliance.

JULY MEETING AGENDA ITEMS: Board Self-Assessment form and Program Presentation.

MEETING OPEN TO THE PUBLIC: No public present.

NEXT MEETING: Thursday, July 25, 2024 – 7:00 pm at the TBHS Training Center, 129 East Burnside Street, Caro, MI 48723.

ADJOURNMENT: Chairperson Snider adjourned the meeting at 8:33 pm.

Cindy Mitchell
Cindy Mitchell
Recorder

Karen Snider
Karen Snider
Chairperson

Marianne Harrington
Marianne Harrington
Secretary