

DALLAS METROCARE SERVICES

**BOARD OF TRUSTEES
MEETING MINUTES OF**

April 26, 2007

METROCARE SERVICES

REGULAR MONTHLY MEETING of the BOARD OF TRUSTEES

MINUTES OF April 26, 2007

A Regular Meeting of the Board of Trustees of Metrocare Services convened at 1:30 p.m. in the Board Room on April 26, 2007 at 1360 River Bend Drive, Dallas, Texas.

I. **Call To Order/Roll Call**

Mr. Cooper, Chairperson of the Board, called the meeting to order at 1:30 pm. A quorum was present.

The following Trustees were present:

Mr. Cooper
Mr. Driver
Mr. Migl
Mrs. Noble
Ms. Walton-Brooks

Board Members Absent: Mr. Orr, Mrs. Ringle and Ms. Rodriguez

Staff Present: Dr. Baker, Linda Thompson, Dr. Graves, Kyle Munson and other Metrocare staff.

II. **CITIZENS' COMMENTS:** The procedure for public comments was available at the meeting for those interested. No public comment was received.

III. **ISSUES TO BE CONSIDERED:**

1. **Approval of the meeting Minutes of March 22, 2007 – Regular Board Meeting:**

Mr. Cooper, Chairperson, called for any comments or corrections to the meeting minutes of March 22, 2007. There were no comments or corrections presented. Mr. Driver made a motion to approve the minutes. The minutes were approved.

Approval of the Special Called Meeting Minutes of April 19, 2007. Mr. Cooper called for any comments or corrections to the Special Called Meeting Minutes of April 19, 2007. There were no comments or corrections presented. Mrs. Noble made a motion to approve the minutes. The minutes were approved.

2. **Chairman's Report**

- **Special Called Board Meeting:** Mr. Cooper referred to the minutes of the Special Called Meeting of April 19th with the Achievement Center of Texas and said that to date they have not accepted the Center's offer and they will drop off of the network as of May 1st. Because of the possibility that Achievement Center might file a lawsuit, Mr. Cooper did not wish to discuss this any further, unless the Board went into a Closed Meeting.

- **MR Planning Advisory Committee/Network Advisory Committee (MR PAC/NAC) Report:** Ms. Gracie Sifuentez, chairperson of the committee, said that the committee met on Tuesday, April 10th and Ms. Linda Thompson reviewed the proposed benefit array for FY08 noting amount of services being authorized for the remainder of the year and dollar amounts anticipated for FY08. A detailed explanation was given for training for Individual Service Coordinators to become Customer Service Coordinators being better educated and providing better education regarding Medicaid, Social Security Services and programs available in the community. An update was provided on the Authority's QM data regarding abuse and neglect, behaviors, restraints, injuries and deaths. Mr. David Aston provided an update on the Local Plan. It was noted that two forums were held at the Bachman Recreation Center and River Bend during the quarter for information gathering. Other information included updates on the Request For Proposal (RFP) to divest of the ICF/MR homes, the plan of improvement for the Early Childhood Intervention Program (ECI) high-risk status, and an update on the Career Design and Development Services by Cindy Higgs, program manager of this program. There were no questions posed for this item.

- **Texas Council of Community MHMR Centers Board Meeting Update:** Ms. Noble said that the meeting took place on April 14th in Austin and that it was excellent and very informative. This focused on the bills in the 80th Texas Legislative Session. Ms. Noble said that the MHMR Council is optimistic that new funds will be appropriated for community based mental health and mental retardation/developmental disability services.

At the meeting, Todd Smith of Impact Texas gave an overview of the political climate in Austin. Ms. Noble said that this is a different climate from the 79th Legislature and it is more favorable to getting more funding for public services.

Ms. Noble referred to handouts in the folder containing updates on bills in the Legislature from Suzanne Elrod, Associate Director of Developmental Disabilities and Joe Lovelace, Associate Director of Behavioral Health.

Also, in the folder there are copies of the reports and the contact names of the legislators and how to reach them.

Dr. Baker said he traveled to Austin with Ms. Ringle to educate legislators on some of the bills.

Ms. Noble said that Senate Bill 10 is about the privatization of the Mental Health System. Dr. Baker said Senate Bill 10 gives HHSC broad power to look for waivers to reform the Medicaid Program in the style that the state of Florida has done. The concern that advocates in this field have is that it would allow for a significant reduction in wrap-around services, that is, non-physician services, for people with developmental disabilities or people with mental health challenges. Ms. Noble said this passed the Senate and is in the House.

There were no questions posed for this item.

3. Chief Executive Officer's Report:

- **Success Story: Behavioral Psychiatric Services - BPS: (Jennifer Jimenez, presenter).** Dr. Baker said this program is a dual diagnosis program for consumers with mental health challenges and developmental disabilities and treats

both children and adults. He introduced Ms. Jimenez and asked her to present a case she has been successful with in this program.

Ms. Jimenez presented the case of an 18 year-old Hispanic female who presented to the clinic in her ninth month of pregnancy, estranged from her family due to the pregnancy, knowing that her child was going to be stillborn.

Ms. Jimenez and the consumer talked about childbirth and her living arrangements. Ms. Jimenez found out that the consumer would be going into respite care. Appointments were made twice weekly with the respite worker and she continued to come in and speak about what childbirth was going to be like. On Christmas Day she gave birth to a stillborn baby.

During the following counseling session they worked on grief, loss, self esteem issues and how to care for herself. Towards the end the consumer became more verbal and now is graduating from school in May.

There were no questions posed for Ms. Jimenez.

- **In the Spirit of Diversity: (Cindy Higgs, presenter).** Dr. Baker said the Center wanted to recognize the "Cinco de Mayo." He introduced Ms. Cindy Higgs, chairperson of this committee and presenter. Ms. Higgs said the common misconception is that the "Cinco de Mayo," is Mexico's Independence Day. In actuality Cinco de Mayo is the celebration of the victory of Mexican forces over the French occupational forces in the Battle of Puebla on May 5th, 1862. Mexico's Independence Day is on September 16th.

Cinco de Mayo celebrations usually include food, drinks, dancing and music. Celebrations are held across in Mexico and the United States with more recognition in areas of large Hispanic populations.

May is also Mental Health Awareness Month and this year May 5th will be a day for celebration for another group as well, the National Alliance on Mental Illness (NAMI). NAMI will host its annual NAMI Walk on May 5th in Fair Park. The 5K Walk will begin at 10:00 am. The day will be filled with activities, refreshments and prizes.

There were no questions posed for Ms. Higgs.

Consideration of Acceptance of Chief Executive Officer Report: Dr. Baker referred to page 9646 for his report. He said March was mainly focused on helping our stakeholders and families with the reductions in the benefits for consumers with developmental disabilities that are funded through General Revenue. We continue to hold meetings with families and providers and Linda and her group respond to phone calls as well. Dr. Baker said this seems to be settling and fiscally it seems to resolve for the Center in the short term.

There was a meeting held with potential bidders for the Intermediate Care Facility/Mental Retardation (ICF/MR) homes in response to the Request For Proposal (RFP) that was mailed out. They have until the end of May to respond.

The Center received a letter from the Department of Aging and Disability Services (DADS) regarding the administrative penalties associated with the Home Community Based Services (HCS) treatment plans. The essence of the letter was that they were reducing the penalty by \$30,000, but asked if the Center had any additional information. The Center is in the

process of submitting a second letter of appeal. A binder containing the additional information was put together and has been submitted.

Dr. Baker said they had a very positive review by DADS on the Mental Retardation Authority services (MRA). Staff from DADS met and spoke with ten of the families in our network and they received 10 out of 10 good reviews.

Dr. Baker said the Center is very excited about a couple of foundation grants requests. The transitional apartments received a visit from the Women's Foundation of Dallas and last month they also had one for the supported employment programs. Last week the Center had four volunteers come in to help stuff envelopes with the Center's fund-raising brochures, these ladies went back and told others of this Center's Mission and this week eighteen volunteers showed up to help. They were excited to be part of what this Center is trying to do.

ValueOptions (V/O) is struggling around Centers for Medicare and Medicaid Services (CMS) concerns. Dr. Baker said he feels that they will be nudged to go back to a fee-for-service model. Metrocare has been meeting with V/O to make this work and make it comfortable for V/O. He said it would not be problematic for us as long as the rates were related to cost.

There were no other questions posed for this item.

(Please refer to the April 26, 2007 Board packet for a detailed account of this report).

Mr. Cooper entertained a motion to accept this report. Ms. Walton-Brooks moved to accept the report. All were in favor, motion carried.

FISCAL MANAGEMENT REPORTS

Mr. Driver, vice chair of the Business and Finance Committee said the committee met on Thursday, April 19, 2007 and reviewed the following reports. Mr. Driver called on Mr. Munson to briefly summarize his report.

4. **Consideration of Approval of Financial Report for March 2007 (unaudited):** Mr. Munson referred to the page 9657 summary of revenues and expenses for the current month and year to date. He said for the current month the Center did exceed plan by approximately \$73K, we had a positive margin of \$240K and year to date we were at \$229K. Last month the Center did go into a negative position for year to date. A couple of issues were responsible: 1) the significant over-expenditure in General Revenues (GR) in the MR Services external provider network. The first changes went into effect March 1st. Additional changes in allowable expenses and authorization caps are going into effect April 1st. Mr. Munson said they anticipate this to slowly reverse and put us back into a breakeven position in General Revenue. The goal is not to under expend nor over expend. They have almost \$6M allocated to expend in the community with a variance of only 3 or 4% causing a problem; 2) the anticipation of the sale of the ICF/MR home currently vacant. Mr. Munson said that an open house was held for prospective buyers. This was a question and answer session with information regarding the programs and the homes followed with a tour of all of the eight homes. Ten different providers attended. Both Mr. Munson and Mr. Aston have received calls from entities interested in acquiring this sort of properties. May 31st is the deadline to submit their bids.

There were no questions posed for this item. (Please refer to the April 26, 2007 Board packet for a detailed account).

Mr Driver moved approval of the report on behalf of the committee. Mr Cooper noted that this was a committee recommendation and so required no second. All were in favor. Motion carried.

REPORT OF THE SERVICE AND PROGRAM COMMITTEE CHAIR:

Ms. Noble, chairperson of the Service and Program Committee said the committee met on Thursday, April 19th. She asked Dr. Graves to present a summary of his report.

SERVICE DELIVERY REPORTS

- 5. Consideration of Acceptance of Service Delivery Report for March 2007:** Dr. Graves presented a summary of his report:

ICF/MR: Dr. Graves said that two of these homes received re-certifications by DADS. MH Supported Employment is trying to associate themselves with a funding source in the Department of Assistive and Rehabilitative Services (DARS). He said they had initially run into some obstacles enrolling consumers into that program in a timely fashion, but Cindy Higgs, the program manager met with the program director for Region Two and successfully resolved obstacles to enrollment.

There is an intensive effort into monitoring our van fleet with weekly inspections taking place. Training occurred with managers responsible for vans. He said they want to make sure that these vans are safe for our consumers. There is a facilities improvement workgroup that has been meeting on a weekly basis. Small improvements are already being seen in our facilities.

Dr. Graves said that they started weekly audits of the medical staff documentation specifically around two areas. He said that in the medical record they have a copy-forward function so that the physician automatically forwards the last note. He said there was some concern on this function and they are looking at this. They are also looking at the implementation of the Texas Implementation of Medication Algorithms. They are looking at six areas that V/O has audited us on. There is improvement in these areas as well.

The minimum level of care hours continue to climb, but slowly, and they are presently at 75%. They are focusing on six teams that account for the majority of this lack of improvement.

Dr. Graves said they have reached a plateau on the improvement in the MH Chart Audits. They've crossed the 90% threshold, but the target is 95%. He said they are revamping the way they look at it. Instead of focusing on individual teams they are focusing on individual items and identifying organizationally where the deficits are and then try to do a mass education.

Dr. Graves said that the Early Childhood Intervention Program (ECI) was placed on high intensity monitoring. They now have metrics in place for each of the items in the audit that were identified as deficits. They are showing slow improvement, but David Aston and Dr. Graves are both working with this staff. He said they are now starting to document in the electronic medical record. He said that this program is struggling at this point.

Dr. Graves said that in the Treatment Foster Care Program (TFC) they now have a new requirement to have a licensed professional to make appropriate referrals into the homes. He said they have had several discussions with the Licensing Bureau and were advised not to be too concerned about this. A list of contractors were obtained from them and we are now in the process of making contact with them.

There were no questions posed for this item.

(Please refer to the April 26, 2007 Board packet for a detailed account).

Ms Noble moved approval of the report. Mr Cooper noted that since this was a committee recommendation, it required no second. All were in favor. Motion carried.

6. **Consideration of Approval of Revision to Board Policy 1.11:** Mrs. Thompson said that Board Policy requires review of the board policies every five years. The revisions to this policy reflects the name change of the Center, refinement of statutory references, Relationship to Mission/Goals/Values and updated name change for the Mental Health Authority for the NorthSTAR area referenced in this policy.

- Policy on Board Authority Functions – 1.11

Ms Noble moved approval of the report. Mr Cooper noted that since this was a committee recommendation, it required no second. All were in favor. Motion carried.

QUALITY MANAGEMENT REPORTS

❖ RECOMMENDATION(S) FOR APPROVAL:

After discussion and upon motion duly made the following item(s) were approved:

7. **Consideration of Acceptance of Quality Management Report for March 2007:**

Mrs. Thompson said that this report was presented in its entirety at the Service and Program Committee: Referencing page 9672 Mrs. Thompson said that in March DADS conducted their annual Quality Assurance Review of the Mental Retardation Authority. She said that Metrocare went from ranking in the bottom in the state centers to 2nd in the state centers from a year ago in encounter reporting. We continue to have issues with the person directed planning process, with the review and monitoring activities that are required under Service Coordination, with training issues with direct care staff, and with notifications in our Texas Home Living. A corrective action plan was submitted to the Department of Aging and Disability Services. The metrics data remains unchanged from what was presented in the committee meeting. Complaints were up due to the caps implemented in the authority services division. There were five injuries reported primarily in our group homes. Three involved a car accident. The outcomes data report stands as presented at the committee.

There were no questions posed for this item.

(Please refer to the Board packet of April 26, 2007 for a detailed account of this report).

Ms Noble moved approval of the report. Mr Cooper noted that since this was a committee recommendation, it required no second. All were in favor. Motion carried.

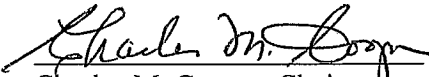
- **Committee Meetings:** Mr. Cooper said that next month our Committee meetings are scheduled to take place on Thursday, May 17th with the Board meeting on May 24th, which is right before Memorial Day. Mr. Cooper asked if there were any objections to combining all the meetings on May 17th. Mr. Cooper said he would work on this and be in touch.

IV. **EXECUTIVE SESSION:** There were no issues to discuss.

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V. **MEETING ADJOURNMENT:** There being no further business to come before the Board, on motion duly made, seconded and carried, the meeting adjourned at 2:15 pm.

Minutes approved by:


Charles M. Cooper, Chairperson

Minutes recorded, transcribed and distributed by:
Martha L. Toscano
Assistant to the CEO and DMS Board of Trustees

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