



Region 6 Behavioral Healthcare

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Behavioral Health Advisory Committee Meeting Minutes April 7, 2010

Advisory Members Present:

Mary Angus
Jo Lynn Coles
Ann Ebsen, Chair
Duane Wilcox
Michael Touzin

Advisory Members Absent:

Donna Mahlendorf
Brian Paulsen
Mike Smith

Region 6 Staff Present: Patti Jurjevich, Taren Petersen

Recorder: Amy Lett

1. Welcome, Roll Call, and Introductions

Ann Ebsen called the meeting to order at 9:05 a.m. Roll call was taken.

2. Approval of Meeting Minutes of February 3, 2010

Duane Wilcox made a motion to approve the minutes. Mary Angus seconded the motion. Approval of the meeting minutes from February 3, 2010, passed unanimously upon voice vote.

The March 2010 meeting was cancelled; no minutes to approve.

3. Approval of Agenda

Mary Angus made a motion to approve the BHAC Agenda for April 7, 2010. Duane Wilcox seconded the motion. Approval of the agenda passed upon voice vote.

4. Administrator's Report – Patti Jurjevich

Patti is a member of Lasting Hope Recovery Center's Continuum of Care Committee. This committee requested to look at acute care usage and a copy of the form that is being reviewed on a monthly basis by that committee has been included in BHAC member packets today. Ms. Jurjevich explained that due to the length of time that the FY11 budget will take up today, as well other items, we can postpone going over this document in more detail until next month's BHAC.

5. Election of BHAC Officers for 2010

a. Report from Nominating Committee

Mike Smith was not present and at this time there was no report from the nominating committee.

b. Election of Officers

A decision was made by all members in attendance to carry this item over to the May 2010 BHAC meeting.

6. Update on Lasting Hope Recovery Center (LHRC) Contract Transition Discussions – Patti Jurjevich

a. Review of Funding Options

An item about this was included in BHAC members' packets. Ms. Jurjevich reviewed the handout and noted the 3 central issues in the contract discussions are:

1. Payment method and consistency with the psychiatric facilities in Region 6 and other regions.
2. Guarantee of funding allocation
3. Access to additional revenue through Federal Disproportionate Share (DSH) with offset to state funds.

There are 4 options being considered in regards to whether or not Region 6 will take over the LRHC contract. The 4 options are listed on the handout. Ms. Jurjevich said it is still up in the air if it would be for 3 years...the \$6.55 million per year rate would go up if there is a rate increase.

Ms. Jurjevich noted option 3 is the most attractive of all the options. Ms. Ebsen asked if there will be more information available by the next BHAC meeting.

Ms. Jurjevich said DHHS expects Region 6 to make a decision this month.

Region 6 will have to enter into this with contingencies for our budget.

Mary Angus has many objections to LHRC by virtue of its structure – they have restraint capable beds in every unit and there are no doors on bathrooms. Mary would advise Region 6 do option 4 but her second choice would be to go with option 3.

Duane Wilcox asked if Region 6 does take on this contract, would we run the facility and/or have any oversight of operations. Ms. Jurjevich said we would have oversight like we do with our other Providers. Ms. Ebsen suggested that we could request LHRC make changes to the items that Mary Angus pointed out. It was noted we could have meetings with LHRC representatives to discuss these changes.

b. Recommendation to Regional Governing Board

Mary Angus made a motion to recommend option 3 to the Governing Board.

Duane Wilcox seconded the motion. The motion passed per roll call vote. Ms.

Angus asked Ms. Jurjevich to be sure to share her concerns with Governing Board members.

7. **Factors Impacting FY11 Region 6 Budget Plan**

a. **Revenue**

A handout was distributed at the February 2010 BHAC meeting but we are going over it again in preparation for today's budget.

Someone asked what "ASO" stood for in regards to the Magellan contract; it was noted that ASO is an abbreviation for Administrative Service Organization. Magellan has a contract with DHHS – there is no financial incentive to reduce funding.

Ms. Jurjevich reviewed the items that DHHS is to pay and noted that the remaining balance is the Regional Behavioral Health Authorities are given to work with. It was noted that in FY11 the left over amount is going to be \$74,511,509; this is a reduction of \$963,504 from FY10.

BHAC members asked that Region 6 find out what/how North East Panhandle Substance Abuse Center (NEPSAC) and Consumer/Family dollars are being used. Ms. Jurjevich noted that this fiscal year, Region 6 had a reduction of \$901,313 and when you add to that the reduction of funds from our secure residential program and the fact that \$1 of County Match for every \$3 (ask PJ). Regional Center transfer, 1083 dollars and other smaller pots of money.

The funding that was reduced in the dollars is not being matched.

DHHS did say that dollars could be reduced in both Mental Health and Substance Abuse programs...originally it was thought the funds would all have to be pulled out of funding for Mental Health programs.

Ms. Jurjevich noted the maintenance of effort is being tracked very closely by DHHS.

Ms. Angus made comments about keeping an eye out for a Federal Parody Law coming into effect in Jan. 2011.

b. **Acute Services**

Ms. Petersen said that in regards to Inpatient Services – either Emergency Protective Custody (EPC) or Post Commitment are taking the biggest cuts; she added these cuts were not made lightly. Region 6 looked at the history of how dollars have been used as well as the third party payments that they get back and send to us.

c. **Women's Set Aside Funds**

The other piece involved is Santa Monica's dollars. Region 6 has been working with Santa Monica to resolve site visit issues. Because of major problems identified in the site visit, Region 6 representatives met with Santa Monica Board members and staff to review the findings. The first plan of correction from Santa Monica was not acceptable. Region 6 provided feedback on the plan of correction and received a revised plan. Region 6 continues to have concerns with the revised plan that was submitted. Feedback on the revised plan regarding our concerns has been submitted to Santa Monica. At this time, Region 6 is not comfortable issuing the FY 11 budget plan with a full year of funding for Santa Monica. The state has allowed Region 6 to reserve 8 months of funding; we will allocate 4 months of funding to Santa Monica with the understanding that we will need to do on site reviews on a regular basis during the 4 months to see if changes are

implemented. Region 6 would move funds to another women's set aside service if changes are not properly implemented.

There is an extra special concern about this because SAMHSA is coming this fall to do their survey and this program is what DHHS has targeted to show SAMHSA representatives.

Ms. Jurjevich said there is always a danger that federal funding could be reduced based on what SAMHSA sees during their review.

Ann Ebsen asked if the reduction of dollars as mentioned above means that the counties will have to make up the difference in funding. Ms. Petersen said no, it means there will be a reduction to funds for the programs based upon past utilization.

8. FY11 Proposed Regional Budget Plan

a. Review of Proposed Funding and Budget Narrative

A copy of the FY11 Proposed Regional Budget Plan narrative and fiscal chart was provided in BHAC members' packets and copies were also available for all of those in attendance.

Ms. Petersen noted that the Federal Centers for Medicare and Medicaid (CMS) has approved funding for the Secure Residential program but there is still an Institute of Mental Disease (IMD) issue.

The minimum of county funds is not set in stone yet. Ms. Jurjevich said this impacts not only county revenue but that of the State's match. There is not a lot of wiggle room for the county's to match less than 4%.

Ann Ebsen noted the decrease in funding for Alegent and DCCMHC in EPC inpatient due to utilization and third party payments and asked if this is a reflection of the assistance given by the Mobile Crisis programs. Ms. Jurjevich and Ms. Petersen said not yet but there is hope the Mobile Crisis program will help reduce usage in the future.

It was noted the budget is due to DHHS by May 3, 2010. Region 6 hopes to get final approval by the Governing Board this month.

Ms. Petersen said in most cases, the reduction is based upon low utilization of the programs – the ability to expand is reduced. There were some carry over dollars in the Request for Proposals for Capital Expenditures – the \$3 million dollars was not sustainable.

Ms. Petersen asked for questions about the budget.

Ms. Ebsen stated that Ms. Petersen covered the review of the budget very well and although cuts are never ideal, to do it by looking at utilization was a good way to go about looking where to make cuts.

Mary Angus asked about access to DSH funds with LHRC. Ms. Jurjevich said the Federal dollars available to Disproportionate Share funds that hospitals can tap into for indigents they provide services to. Alegent participates but DCCMHC has a different pot of money for indigent care patients.

b. BHAC Recommendation to Regional Governing Board

Mary Angus made a motion to recommend this budget be approved by the Regional Governing Board. Jo Lynn Coles seconded the motion. The motion was unanimously passed upon roll call vote.

9. Request for Proposals (RFP) for Capital Expenditures Projects – Taren Petersen

a. Review of RFP Process and Funding Recommendation

Ms. Petersen noted that funding is specific to the particular projects and the specific locations identified in the proposals. Region 6's funding is contingent upon the agency's ability to successfully operationalize the projects.

Mary Angus questioned if the review committee remembered to keep in mind how/if persons with physical disabilities could access the sites. Ms. Petersen said yes, they did keep that in mind and all sites were accessible to persons with a physical handicap. It was noted that Nebraska Urban Indian Health Coalition (NUIHC) does not have an elevator but they do have a room on the first floor where therapists can meet with clients and large meetings can be held.

Jean Sassatelli of Catholic Charities noted that short-term residential services would be expanded. Their current facility was built through the use of tax credits so applicants must be NIFA eligible because of assets such as co-ownership of a house. This other pod would allow individuals who do not meet the NIFA restrictions but who otherwise qualify for services. The other funds for the project will come from donations and a capital campaign by Catholic Charities.

Ms. Petersen noted that \$518,000 of this RFP money must be used by June 30, 2010. Region 6 needed firm plans to pull funds down right away. Catholic Charities plans to do their construction project by June 2010.

As for the Heartland Family Service project, Region 6 will pay them out of dollars not needing to be used by June 2010 however they will still need to be used within a reasonable time period.

The Review Committee's recommendation is to fund Friendship Program \$87,000; The Center for Holistic Development \$38,700; NE Urban Indian Health Coalition \$250,000; Catholic Charities \$200,000 (a partial amount of their request); Lutheran Family Services \$250,000 (a partial amount of their request); and Heartland Family Service \$127,803 (a partial amount of their request).

Funding is specific to the particular projects and the specific locations identified in the proposals. Funding is contingent upon the agency's ability to successfully operationalize the projects. We reserve the right to negotiate the date of payment and the payout plan with each agency.

Mary Angus said she would like to see more people, like the practicum student and members of Ken Timmerman's Consumer Advisory Team, being involved in the RFP process. Ms. Angus said it is a good way to gain exposure to the process.

b. BHAC Recommendation to the Regional Governing Board

Mary Angus made a motion to accept the recommendations of the review committee and recommends the Governing Board should approve them. Duane Wilcox seconded the motion. Jo Lynn Coles and Michael Touzin abstained from voting due to a conflict of interest. The motion carried upon roll call vote.

10. Network System Coordination Update – Taren Petersen

See handout. Joe Kenney is to do quarterly trainings on the second round of the law enforcement trainings for utilization of the Douglas County Crisis Response Program. We will have an update on the Crisis Response Programs from Lutheran Family Services and Heartland Family Service at the May BHAC meeting. Ann Ebsen noted she asked Cass and Sarpy counties to send her their EPC listings. Mr. Kenney said he would appreciate any information that Ms. Ebsen wishes to share with him.

11. Status Reports for the Period Ending February 28, 2010

a. Network Contracts

Handouts were included in the packets for BHAC members. Ms. Petersen noted agencies should be at the 66.7% point in spending down their funding. BHAC members are welcome to contact Darren Weis or Taren Petersen with any questions that may come up.

These forms do not reflect any shifts/adjustments that Region 6 has requested of DHHS.

b. Mobile Crisis and EPC's

The Emergency System Report was available in packets for members' review.

12. Public Comment

- Mary Angus had an update on LB 771; she said the final version has been amended so it would not include those under Mental Health commitment...language around "intent" has been adjusted.
- Carole Boye, Community Alliance, stated she wished to preface her comments with respect from a budget aspect – she would not have approached it differently. That being said, Ms. Boye noted the term "utilization" is being used broadly and most would assume the demand for the service was not there. In Community Alliance's case, the numbers were not down but rather persons served that were Medicaid eligible was up. Ms. Boye said we have to be careful in how we understand and use the term "utilization." Ms. Boye added this is not a criticism but an observation. She wanted to also point out there is no longer any wiggle room for adjustments. Ms. Petersen added that Region 6 did ask Providers to plug in their estimated Medicaid use. Ms. Boye asked if there is any reconciliation to Region 6 on Medicaid match. Ms. Jurjevich stated that we do get a quarterly report.
- Marti Wilson, Lutheran Family Services (LFS), appreciates the comment from Ms. Boye. Substance abuse services are funded very differently today than back in 2006. They now get funds from Medicaid and also some insurance payments. Ms. Wilson said we should try not to over expand services to the point they have no funding. LFS served six clients in April that they will not get paid for their services. Ms. Angus advised Ms. Wilson to contact Kathy Hoell about advocating for a single waiver. Ms.

Wilson did note that LFS has been advocating for that for 3 years and that she would get Ms. Hoell's contact information at a later time from Ms. Angus.

- David Clute, Nebraska Urban Indian Health Coalition (NUIHC), thanked Region 6 for their support of their Request for Proposals.

13. Adjourn

Mary Angus made a motion to adjourn the meeting. Duane Wilcox seconded the motion. Meeting adjourned. Motion approved by a unanimous voice vote.

Prepared By: _____

Amy M. Lett

Date: 5/5/2010

Approved By: _____

A. E. Ebo

Date: 5/5/2010

