

TULE RIVER INDIAN HEALTH ADVISORY BOARD

TULE INDIAN RESERVATION

P.O. BOX 768

PHONE 784-2316

PORTERVILLE, CALIFORNIA 93258

BOARD MEETING

DATE: November 29th, 2006

TIME: 9:00 am

Minutes of Meeting

I. CALL TO ORDER:

The meeting was called to order by Chairman Neil Peyron at 9:37 am.

II. ROLL CALL:

Present:

Neil Peyron
Teri Carothers
Barbara Baga
Vincent Burrough
Veronica McDarment
Yolanda Gibson

Absent:

Patsy Vega (funeral)
Joseph Garfield (excused)

Others Present:

Vida Khow, Executive Director
Dr. Scott Devous, Medical Director
Francine Gibson, Contract Care Services
Don Hanson, CFO
Danièle Healy, Executive Assistant

III. APPROVAL OF AGENDA:

The agenda was approved with the following additions:

Add: Executive Meeting with Board at the end of Board Meeting

New Business -

#8 - Grievance committee, setting date

Under #1 Fiscal:

g. Overtime reports from Don

h. Million dollars - where do we stand?

MOTION #1: Vincent Burrough/Yolanda Gibson motioned to approve the agenda with the additions of #8 under New Business, and g. & h. under # 1 Fiscal. The vote was 5-0-0, motion carried

IV. APPROVAL OF MINUTES OF PREVIOUS MEETING

The minutes of November 1 Board meeting were approved with the following changes/additions:

(1) p.5, 4. Christmas & Thanksgiving: "The Board approved a \$30 gift certificate each for Thanksgiving and Christmas for each employee."

(2) p.5, 6. BOSOP job description, last line: "Neil affirmed that all new positions require approval of job description by the Board."

Chairman Neil Peyron left on an emergency at 9:50 am. The meeting was turned over to Vice-Chair, Teri Carothers.

MOTION #2: Barbara Baga/Veronica McDarment motioned to approve the minutes of the November 1st, 2006 board meeting with the following changes/additions:

(1) p.5, 4. Christmas & Thanksgiving: "The Board approved a \$30 gift certificate each for Thanksgiving and Christmas for each employee."

(2) p.5, 6. BOSOP job description, last line: "Neil affirmed that all new positions require approval of job description by the Board."

The vote was 3-0-1 - Yolanda Gibson abstained.

V. OLD BUSINESS:

1. Strategic Planning Activities

For information: The Strategic Planning Activities follow-up meeting is scheduled for December 15, 2006 starting at 8:30 am until 3:30 pm in the Bradford room at the Tribal Council. Jim Wiegel will facilitate developing the mission, vision, values statement in the first session. A representative of each committee will give an update on their progress.

2. Status of program policies

Alan Barlow is finalizing the Personnel section (#3). It will then be printed in a small booklet for each employee and will replace the one we currently have. The changes Alan suggests are highlighted in the hardcopy given to all board members at the meeting. A review meeting by Teri Carothers, Veronica

McDarmont, and Yolanda Gibson is scheduled for Friday, December 8 @ 8:30 am.

3. Outstanding travel

At a previous Board meeting there was an unanimous decision that Board members would pay for outstanding travel before approval of future travel activity. A report detailing outstanding travel was included in the Board binders. Members that owe outstanding travel claims need to either:

- a. Reimburse before the end of calendar year
- b. Have it taken out of per diem for meetings
- c. Cancel upcoming travel to Las Vegas.

All agreed to 1.

For Sacramento travel on 4/27/06, Teri will call the Holiday Inn for valet parking charges & estimate gas charges as she lost her receipts.

4. Payroll Tax Update - Don

Don reported that the IRS will probably charge us penalties but not interest on the outstanding taxes. We have already paid \$ 123K for State taxes; \$17K and change is left for penalties and interest. Melissa is working with IRS to reduce penalties and interest and find out the final numbers. Neil said that we need to use the \$1Million requested from the Tribe for any further back taxes reimbursements and \$123K already paid need to be billed back to the Million. Every day we are negotiating, we accumulate interest. We should pay what we owe now and have Melissa work with them on waiving interest.

Other consequences, the \$189K liability for taxes did not show in the last audit. Inger is coming to help Don do the adjustment. Neil recommends that Vida and/or Don write letter to Tribe to draw the money as soon as possible, to avoid accrual of interest penalties.

5. Personnel Listing - Don

Don provided a listing of all employees in his handout as of last Weds. Employees + hire date + contract employees and temps.

We currently have some vacant positions:

- a. 2 in Fiscal, Accounting Technician payables, and 1 AR manager - posted in house, will go outside.
- b. CHS, 2 referral clerks(Sunny May is leaving),
- c. Outreach, 2 transporters, and 1 CHR open positions

d. Medical, 1 physician.

Yolanda Gibson left the room 10:10

VI. NEW BUSINESS:

1. Fiscal - Don Hanson

(a) COLA: the last raise was in October 2005 (see report). The total cost for 2.7 % increase to all employees would be \$64K effective on the period 12/24/06 and payday 1/12/07. Don commented that our pay scale is out of date - people at the top of their pay scale might not really be. This is currently being reviewed by Don and Alan Barlow. Teri Carothers had concern re: BOSOP position salary scale. Don stated that he looked at different scales (IHS & CRIHB, and other local areas) and average all 3. Teri Carothers commented that the fact that we are not Metro area needs to be taken into consideration. Don is taking locality into consideration in his calculations. The BOSOP Coordinator position rate was below local hospitals, below CRIHB. It was decided to keep it at lower salary because it was new position and wanted time to evaluate progress.

Teri Carothers wants the information Don and Alan are working on (including salary scales) to go to the Personnel Committee.

Dr. Devous commented that "the single most important issue when we look at retention are the people. The cost to replace a CHR has nothing to do with salary; you cannot pay for what's in people's head. In healthcare it is different than other organizations. In a tribal organization we have to assume that the local people want to work here and we need to educate them".

Teri Carothers does not have a problem with COLA, but does have a problem with the salary scales.

MOTION #3: Barbara Baga/Vincent Burrough motioned to approve the COLA increase as presented. The vote was 4-0-0, motion carried.

Veronica returned at 10:30 am.

(b) - (d) Projected FY Budget, YTD Operating Expense reports, YTD 3rd Party Collections Don went thru his reports which are included in the Board binders.

Expenses projection is based on first quarter expenditures. Don mentioned that there have been coding problems, things omitted, and that these are generalized numbers.

CHS grant is the only one that comes out of the IHS grant (\$825K).

Don said that he hopes to have more accurate numbers by the January Board meeting.

All Dept Managers received a copy of this report at the last Department Heads meeting on 11/7/06. Don is currently giving Suzanne guidance on what her budget is.

Olga & Carrie's salaries, as well as training come out of SB52 and some other operating expenses.

The pharmaceutical portion includes June 06. Some bills from last year are coded to reflect that.

Department managers get monthly updates.

CHS is the only department that has an accurate budget. Some department heads are just learning what their grant requirements are - will adjust their budget.

Teri Carothers mentioned that she is happy to see a budget and wants to see year-to-date as part as Don's reports.

(f) Bank Account Balances report attached.

Don is transferring monies to Union Bank from Bank of the West and CD (4.6% interest vs. 2.7%). The Bank of the West accounts will be closed as soon as Don has confirmation that all monies from IHS are being deposited in the Union Bank Account.

Don needs to be added to the signature card on all bank accounts to allow him to transfer monies and stop payments on lost checks. Lori needs to be removed as authorized signature on all accounts.

MOTION #4: Barbara Baga/Veronica McDarment motioned to go ahead and allow transfer from Citizens Bank CD and Bank of the West funds transferred to the Union Bank for higher rate. The vote was 4-0-0, motion carried.

MOTION #5: Barbara Baga/Yolanda Gibson motioned to remove Lori Castello's name on all bank accounts and add Don Hanson's name. The vote was 4-0-0, motion carried

g. Overtime report. Don summarized his report which is included in the Board binder. Mainly patient registration incurred high overtime numbers; they are now caught up. Staff are not following policy of prior approval for overtime. Alan Barlow developed new policy (distributed at the meeting and copy of which is included with the minutes in the main Board Meeting Minutes binder.) Progressive disciplinary action can be taken for employees who do not follow policy (p.43). This policy needs to be approved today; it will be attached to each employee's paycheck this Friday, 12/1/06.

A discussion followed whether we should exclude checking in/out at lunch time.

Dr. Devous suggested to allow more flexibility in the clinic, even make it a 10 hour day. Because of the nature of seeing patients, it is important to see the patient first, second follow the rules. We want teams of professionals, who will see patients; give people that you consider professionals on an exempt (salaried) status. Will give more flexibility if we do more things like IHS standards. Teri Carothers said that this could be initiated down the road as long as patients needs are met first

Neil came back at 11:09 am.

MOTION #6: Barbara Baga/Vincent Burrough motioned to approve the policy requesting pre-approval for overtime. The vote was 4-0-0, motion carried.

h. \$1Million request from Tribe
As discussed earlier Don and Vida will send a letter to the Tribe to draw money for back taxes.

Break at 11:13 am - 11:28.

The meeting was turned back over to the chairperson, Neil Peyron

2. Administrative Issues - Dr. Scott Devous

Dr. Devous informed the board members that he wants to expand on his interview and let them know what he wants to accomplish. First, he wants to make sure that he, along with the Board and CEO are all going in the same direction - otherwise he is the wrong guy for this job. He likes the principles of "the One Minute manager" and encourages everyone to read the book.

We need to look at the clinic from the end, see how we want it to look and then come back to where we are to see how to get where we want to be.

- a. We are dependent upon funding, which the government has agreed to provide.
- b. We need to provide quality care to Indians and pay for it.
- c. There is a disparity in health care for Indians, which means that the average Indian does not receive as good medical care as the average American. IHS reported and agreed to this disparity, which means that we have failed to do our job of providing quality medical care to the Indians.
- d. Before medical care was delivered from "lust to dust" = birth to death. Now we provide pre-natal care and preventive medicine in addition to all other medical care. We do more with less money and less resources.
- e. Take home message = if we follow IHS, we will fail. But IHS is also a secret weapon = Diabetes.
- f. Administrators by definition should always be thinking about where the money will come from. Administrators have to think about money first and secondly, details. If the administrator is not concerned about program funding, then that person should be reassigned to different role.
- g. Boards of Directors have all the responsibilities - money, supervision, and ultimate responsibility for program success or failure. They need to obtain a good CEO and let the CEO do its job, which has been done well here.
- h. How can we pick good managers? Quoting IBM, the ability to plan is closely associated with the ability to plan for the future. Higher level managers plan more in the future.
- i. "I have details; I understand; I put about 400

- hours into this job and have only been here for one week. If you want the details, you have to be willing to hear them and then just ask for them.
- j. Back to the clinic: we have to increase revenue, decrease expenses, deliver quality care (be accredited, etc.) and we will need to make more net profit.
 - k. In order to improve efficiency of the clinic we need flexibility and capacity; we need excess capacity, especially while we are growing rapidly. We are losing patients and should re-open the Visalia clinic. Dr. Devous suggests immunization or other services in the Visalia clinic one day a week to start.
 - l. Our secret weapon is IHS - how can we do what IHS could not do: Retention of professionals. We have to work smarter = decrease expenses, increase income. The Federal Government has the ability to contract = Medicare MOA - need affiliation with a hospital. If we can set up an FQHC MOA system with a hospital we can receive more revenues. We have an FQHC number but are not billing with it.
 - m. Make sure we create policies that help retain people.
 - n. Teri mentioned that the Board's goals has been to cross-train all employees but have not had the time to do so because of turnover.
 - o. Don't concentrate on recruitment - Retention is much more important.
 - p. Our fees are too low. We should charge private practice rates. Dr. Devous is already working on it.
 - q. We as a 638 tribe have the ability to contract. An important law came out in 1966 stating we no longer have to provide service IN our facility, but THROUGH our facility. Dr. Devous already has a recommendation for a pharmacist. We are paying too much money for medications. Dr. Devous suggests we contract with Carlos (at Warnack) and put him on a salary. Carlos does about 1000 prescriptions for us. Carlos wants a long-term relationship with the Tribe. We would cut costs, get better meds and have the bulk of the money. We would order the meds, pay for them, Carlos would stock and dispense them.
 - r. We have to get CRIHB to support us.

Lunch break 12:12 pm - 12:45 pm.

- s. Teri asked Dr. Devous to put some of his report in writing for our next meetings.
- t. Can we have a decision or support in regards to Carlos by Dec 1, 2006?
- u. The decision to do 340B should already be done. It's a 2 step process: Step 1: Approval to write a procedure for how we are going to work with Carlos to met needs of patients. Step 2 will involve working on a contract to allow us to establish salary for Carlos and bill for revenue.
- v. Dr. Devous Suggests to go look at other clinics that are successful in working with outside vendors.
- w. Approve that we should be requiring that medicines are bought at the lowest possible price.
- x. Approve MOA with Melissa's help.

12:59 Yolanda left for another meeting.

- y. We will continue to get MediCare/MediCal meds from Warnack's.
- z. Francine questioned how would it service our direct care patients? Francine and Dr. Devous will meet separately.

Teri Carothers left the room at 1:02 pm

Clarification: FQHC = Federal Qualified Health Center

3. Re-opening of Satellite Clinic
Vida summarized her report in the binder. She proposed to reopen a clinic in either Visalia or Tulare. Tulare has cheaper real estate, but the majority of our patients are in N/E Visalia. We need to reactivate FQHC status which takes about 8 to 10 weeks time.
Approval to begin dialogue with hospital either in Tulare or Visalia for collaboration or contacting commercial realtor for commercial building suitable for a clinic.
No objections. Approved to start looking in **Visalia.**

1:14 - Teri Carothers returned.

4. Update of Legal Issue

Vida summarized her report. Three issues were discussed:

- a. Previous appeal hearing on 7/26/06 ruled employee is disqualified for unemployment was overturned. Cost of unemployment would be \$11,700. Per attorney, Melissa Schlichting, legal fees to pursue filing in superior court would be far greater than \$11,700.

MOTION #7: Vincent Burrough/Barbara Baga motioned to not pursue appeal in court and avoid more legal fees. The vote was 3-1-0, Teri Carothers opposed. Motion carried.
Item 2 - send letter

- b. Allstate Insurance claim regarding allocation of funds. If we pursued this, the 30K would be split and we would get \$6000 at most in our favor, however, the legal fees would far outweigh this amount. Vida to write letter that we do not intend to pursue.

MOTION #8: Veronica McDarment/Barbara Baga motioned to contact Allstate Indemnity Company and notify them in writing that we want to be let out of the suit. The vote was 4-0-0, motion carried.

- c. Review of status regarding Dr. Eddins non-payment of loan. Our attorney is sending a letter to Dr. Eddins' attorney asking for partial payment. Follow-up at January Board meeting.

5. Re-modeling Project

Three areas are being remodeled with modular systems & furniture:

- a. Fiscal - 3 additional positions - for space efficiency
- b. Patient registration - confidentiality issue - HIPPA compliance
- c. Medical - maximize space efficiency -5 positions vs 3 in Physicians of offices.

Webb & Sons will make some minor modifications in the Patients Registration area before the cabinets to come in.

Copies of the drawings are included in the Board binders.

6. Lighthouse Services Anonymous Hotline Service Agreement

Vida received a call on November 14th that we had an outstanding invoice since October 2006. Teri suggested not renewing.

Page 2 of the agreement, Reenewal, states that we have a 90 days cancellation clause. We can cancel for October 2007 but still need to pay for the year 2006, thru September 2007.

The board recommended that Vida send letter with the renewal fee check canceling our subscription as of October 2007, and to request them to send us a letter with any formal complaints filed year to date. If none to so state in writing. Teri requested to have Lyle pull any e-mail to Farrell Neeley and Cindy Lavers that would show any e-mail correspondence for complaints. Also have them send all reports to Vida's name.

Copies of e-mail correspondence is included in the Board binders.

7. 2007 Holiday Schedule

Vida presented the Holiday Schedule for 2007

MOTION #9 Teri Carothers/Veronica McDarment motioned to approve the 2007 Holiday Schedule. The vote was 4-0-0, motion carried.

VII. EXECUTIVE SESSION:

An Executive session started at 1:42 pm and ended at 3:29 pm.

VIII. AJOURNMENT:

The meeting adjourned at 3:30 pm