

TULE RIVER INDIAN HEALTH ADVISORY BOARD

TULE INDIAN RESERVATION

P.O. BOX 768

PHONE 784-2316

PORTERVILLE, CALIFORNIA 93258

14 MARCH 2012 BOARD MEETING MINUTES

I. **CALL TO ORDER:** Vice Chair Rhoda Hunter called the meeting to order at 9:23 a.m.

II. **ROLL CALL:** Secretary Gayline Hunter called Roll.

<u>Board Members:</u>		<u>Staff</u>	
Yolanda Gibson, Chair		L Zahid Sheikh	P
Rhoda Hunter, Vice-Chair		P Alicia Herrera	P
Christina Dabney-Keel, Treasurer		P Angelina Ignacio	P
Gayline Hunter, Secretary		P Danièle Healy	P
Alex Robles, Member arrived @ 11:08 a.m. & seated then.		L	
Barbara Baga, Member		P Michael Franks	P
Vincent (Mickey) Burrough, Member		A	
Betsey Foote, Alternate, seated at 9:25 a.m.		P	
Stephanie Gibson, Alternate seated @ 9:25 a.m.		P	

P=Present; A=Absent; I=Ill/Sick; L=Late; E=Excused; T=Travel; V=Vacation

Rhoda Hunter turned the meeting over to Christina Dabney-Keel, Treasurer @ 9:26 a.m. and left the room at that time.

III. APPROVAL OF AGENDA

Barbara Baga asked to add Crystal Nieto to Old Business #5.

Gayline Hunter asked to add Tribal Contributions Presentation to Council under Old Business #6.

MOTION # 1: Barbara Baga/Stephanie Gibson motioned to approve the agenda with 2 additions. The vote was 4-0-1, Rhoda Hunter abstained, motion carried.

IV. APPROVAL OF PREVIOUS BOARD MINUTES

1. February 1, 2012 Board meeting

Tabled until all the motions are filled in correctly.

2. February 27, 2012 Special Board meeting

MOTION #2: Gayline Hunter/Barbara Baga motioned to approve the minutes of 22 February 2012 Special Board meeting with corrections. The vote was 4-0-1, Rhoda Hunter abstained (still out), motion carried.

3. February 29, 2012 Special Board meeting

MOTION #3: Stephanie Gibson/Betsey Foote motioned to approve the minutes of February 29, 2012 with corrections. The vote was 4-0-1 Rhoda Hunter abstained, motion carried.

V. OLD BUSINESS

1. Board Follow-up Items

Committee Meeting minutes: all agree that Danièle Healy should take minutes of all committee meetings, including personnel; meeting minutes are turned in within 48 hours by Danièle; last year we had basically no committee meeting minutes.

Rhoda Hunter rejoined the meeting at 9:49 a.m. - moved to #V-4 - Elizabeth Perez.

10:10 - back to #1: Mobile van: we need to strengthen our services here first before we expand or purchase a mobile van. North Valley is part of our service area. Margaret Hernandez, DPA is reaching out to patients in North County; 197 registered patients are coming to our clinic from Tulare according to Margaret; they are being transported to the clinic. Christina Dabney-Keel asked what can we do to have patients come during Diabetic Day = communication with CHRs. We have limited funding (\$5K for meds); we need to help them get alternate resources. We are also contacting pharmacies under the 340B contract.

Side note: Mr. Sheikh met a retired doctor regarding sharing a medical clinic - one exam room in order to rent a space instead of renting the whole building. A lot of solo practices are going out of business because they only take private pay or insurance.

#2: Grievance log - Angie continues to input grievances into Access. - Closed

#3: Appeal process: HR revised and separated patients vs. employees - policy needs to be approved at next Board meeting.

#4: Strengthening Internal Control Process: Our Financial

Consultant Michael Franks is working on this. 2 CPAs from Albonico are working with Michael Franks and Alicia Herrera updating GL, reconciling balances for the next couple of weeks to get financials caught up for the annual audit. Michael Franks will then be working on our performance based budget and P&Ps. Good news: the money is still there because no-one has been doing draw-downs on grants. No one logged on the website to draw down expenses since Larry Anderson left. Michael is working on it making sure everything is classified correctly; this will free-up 3rd party revenue. A draft budget for next year will be ready by end April.

NOTE: The only job Rhoda Hunter was able to pull up from our website is the CFO position, not the others. Mr. Sheikh asked Lyle Martin to find a web site developer who would also maintain the site.

#6: Updates on Patients: move up #2 and close.

#7: P&Ps - see report from Medical/Clinical. Dental policies are still being modified and second dentist will lighten Dr. Newman's workload.

#8: Results of clinical audits - Closed, presented in February.

#9: Christina Dabney-Keel (CDK) talked to different clinics; in general they do not see patients outside their CHSDA. In emergency case, yes, otherwise CHSDA natives only. IHS is very vague in their statement that CHSDA is all of CA. We need to make a decision whether we will cut off the patients outside of our CHSDA. Mr. Sheikh will take on this issue if he has the Board's support. Per IHS PL 638 we should see every Native patient. CDK does not want to write a policy that will undermine us and get us in trouble with IHS. *Native Americans enrolled in a tribe, living in California.* We will need clarification by the next Board meeting.

Alex Robles arrived at 11:08 a.m. and was seated at that time.

#10: Employee Liability insurance: is Liability insurance that employees need in case they transport patients. Closed.

#11: Organization chart: should be combined with #13, pay scale and #19 Employee handbook & P&P. Angie will discuss the organization with Department Managers and it will be presented at the May 2012 Board meeting. Michael Franks will help Angie with the pay scale.

- #15: Tribal Contributions: Closed
- #17: Women's Journey Books: Angelina delegated this to CHR Christina Aguilar who has been delivering books during her down time. Stephanie Gibson and CDK received version 2; they need to receive version 1. The fire department only wants one delegated person to receive the list of houses to deliver to.
- #18: Casino Bus: Angie talked to the Casino manager; they are looking at where the bus would stop; she will give us an update on this. It will not be made mandatory to all employees as Willie Carrillo requested, it will be an option. Angie will find out if employees are eligible and interested.
- #20: French Drain: Done - getting prices for office floor - closed.
- #21: Fly CHSO position: Done. Alex Robles said that the job description should have been brought back to the full Board. The Personnel committee went over the job description for 3 hours and approved it. Gayline Hunter stated that changes to the job description should have come back to the full Board. Rhoda Hunter agreed that Committees are not supposed to make decisions like this. GED or equivalent & Masters in Business Administration; supervisory and management experience were some of the additions.

Barbara Baga left the room at 11:29 a.m. and returned at 11:35 a.m.

- #23: Board reports need to be in binders: Done - Closed
- #24: Board committee reports need to be in binders - Done - Closed.
- #26: Darrell Hostler Fund: Done - Closed
- #27: Subpoenas: Our attorney is still working on medical subpoenas.
- #28: HR Manager/Compliance Officer position divided: Angie put this on the back burner for now.
- #30: Traditional Health policy: Christina Dabney-Keel is still working on it.

2. Check signers

We need to establish a dedicated person to sign checks one day a week. Checks need to stay on-site in the

Fiscal dept. We should set a schedule: Employee checks/travel advances one week; accounts payables/CHS checks the following week; Michael Franks will bring proposal to the next Finance committee meeting (3/30/12) with a set day. The April Finance committee meeting would be a realistic time for the initial draft of the budget. Signature cards were brought to the Board by Alicia.

Stephanie Gibson left the room at 11:45 and returned at 11: 49 a.m.

3. Capture Rx Update

Mr. Sheikh talked to Greg Williams regarding Capture Rx; it is tabled until the May Board meeting.

4. 9:50 a.m. Elizabeth Perez Complaint to Council - form in binder.

The last conversation Angie had with Liz Perez was that she was given a settlement. Angie will present this in her report. Rhoda Hunter reported that Liz felt that the Health Board did not help her in any way. She wants TRIHCI Board of Directors and Council to meet together. Rhoda Hunter cautioned the Council to look at everything carefully. Board members were not informed to be at the Council meeting. Christina Dabney-Keel asked what she exactly wanted. Stephanie Gibson reported that during the first presentation she was requesting legal direction whether to accept the settlement or not. She came in front of the Board with a witness on May 25, 2011. Angie followed up with her, received all documents, and they talked all the way through June 23, 2011. Liz and Angie also talked to a representative from Progressive and accepted the settlement 2/3/2012. Nothing can be done until Medicare sends a letter; they have a lien against what she was paid. She is also receiving long term disability through the clinic.

Christina Dabney-Keel stated that we did due diligence by re-contacting her last year and we followed up with her and the insurance company.

This was not a CHS responsibility; this was an auto accident, covered by the insurance. Stephanie Gibson believes that she wants \$17,000 for "pain and suffering". Christina Dabney-Keel asked what our obligation is; none. Angie will update the communication log to help Council; the communication log will be given to Legal

Counsel. Council needs to see what the Health Center has done for her. Michael Franks suggested that Rhoda Hunter ask the patient to prepare an official request with copies of bills attached.

Stephanie Gibson added that patient had expressed concern about what will she do with future bills if she accepts the settlement.

5. (11:50 a.m.) Allegation of 17 computers left at the dump and hard drive with patient confidential information.

Barbara Baga is very upset by the way the meeting was handled.

Angie gave a report of the meeting she had with Crystal, Mr. Sheikh, and Greg Williams. Angie sent a letter to Crystal Nieto requesting a meeting on 2/27/12 at Noon; she arrived at 4:19 p.m. and met with Angie, Mr. Sheikh and Greg Williams. She said she did not find 17 computers and did not see any patient information, only part of a computer and only the name of the clinic and it required a password. Greg explained that patient information is kept on the server, not on individual computers. Crystal stated that it was blown out of proportion. She spoke with Yolanda Gibson, Barbara Baga, and Betsey Foote and does not know where it all came from; she apologized, did not mean to get anyone in trouble, and wanted to come and clear her name.

Crystal was asked to come back on the 28th to meet with Lyle Martin, who was accused of HIPAA violation. Lyle explained that we destroy the computers and recycle the parts, we destroy the hard drive, we drill a hole through the hard drive and custodians take them to recycling. Rhoda Hunter reported that Crystal was asked to put a computer together by a friend and that she always checks to make sure computers or phones are not stolen. She thought she was doing the right thing by reporting it.

Zahid stated that after the meeting it was clear that the incident was closed and she agreed.

Barbara Baga reported that DPS contacted Crystal's parole officer and that she was put on leave without pay. We did due diligence and had to find out what the exact situation was, at the direction of the Board.

Angie clarified that Crystal was not under investigation but the allegation of 17 computers in the dumpster had to be investigated.

Barbara Baga and Betsey Foote stated that Crystal's name needs to be cleared so that she is allowed to go back to work. Barbara asked Crystal to come to the Board meeting.

Gayline Hunter left the room at 11:04 a.m. and returned at 11:10 a.m.

Angie was asked to write a letter clarifying that she was never under investigation, but reported what she should have done esthetically, as an I.T. person.

Crystal Nieto arrived @ 12:12 a.m. Angie explained the letter sent to DPS with a copy to CRIHB; we have to report allegations of patient information being out. Crystal said that a case # was opened with DPS. Stephanie Gibson asked to explain the allegation of 17 computers being dumped.

Crystal's friend Laura went to dumpster and found drives, CD ROMs, cables, pieces of computers, etc. and asked Crystal to put together a computer for her; the hard drive was locked. She never reported 17 computers being dumped.

Crystal is now back at work with pay. Christina Dabney-Keel apologized; we did not want to get her in trouble. Our intention was to find out if indeed patient information was out - we have to report it and investigate the allegation that our information was out there.

Angie will prepare another letter thanking Crystal, for reporting the information and confirming that she was never under investigation. This will be handled today.

Lunch Break from 12:25 p.m. until 1:08 p.m.

6. Tribal Contributions (TC) meeting with Tribal Council on March 16, 2012.

Concerns:

We are being dictated by Council to pay bills even when

CHS committee denied; Apple Yazzie's salary is being paid out of CHS funds

The Board approved policy and application form will be brought to the Council.

Nothing has come out of Tribal Contributions this year yet. Stephanie reminded us that we paid for a wheelchair in February 2011. We will also bring a financial report that Michael Franks will work on.

Mr. Sheikh suggested returning the Tribal Council funds to the Council for them to disburse as they see fit. The Board of Directors will go to Council at 9:15 a.m. on March 15, 2012. Rhoda explained to Michael Franks that Tuesday Council meetings are usually for the people and Thursday Council meetings are usually for the programs. Mr. Sheikh, Danièle Healy, and Apple Yazzie Apple will be present for staff.

Gayline asked why a patient was denied hearing aids; he already had dental implants paid through TC.

Alex Robles left the room at 1:25 p.m. & returned at 1:40 p.m.

VI. NEW BUSINESS

1. 2012 Health Fair

Christina Dabney-Keel (CDK) wants to increase the budget; the current budget is \$4,000. CDK asked the Health Fair Chair Adrianna Gibson for a cost projection in order to purchase more give-aways at the different TRIHCI booths as well as T-shirts for the community. She suggested asking other entities for sponsorship & to solicit more raffle prizes. The Board proposed a budget increase up to \$10,000.

Fliers will be sent out with CHRs and Charles Houston, Elder Services Coordinator. 2 transporters are confirmed so far (2 Transporters are scheduled for Bakersfield). TRIHCI has the following booths: Medical (4-5;) Dental; Senior Services/Injury Prevention, CHS, Diabetes. Edith Anguiano is co chair. We have already requested water, ice, and buckets from the Casino. Danièle Healy will contact The Casino Marketing Department for donations.

MOTION #4: Gayline Hunter/Barbara Baga motioned to increase the Health Fair budget up to \$10,000 to come out of third party revenue. The vote was 6-0-0, motion carried.

2. Addendum to Providers' Agreement regarding CMS Meaningful Use Incentive Payment - Greg Williams

The agreement was handed out for review.

VII. EXECUTIVE REPORTS & COMMITTEE REPORTS

1. CEO Report

Refer to report in binder.

- 2.2 Before approving a salary increase for the CHS employee who administers TC, Gayline Hunter wants to find out what the outcome is from Council meeting and wants to see a job description.

- 2.4 We expanded our advertisement and received a second resume for the Physician position. We would like to expand our incentive package, especially for the medical staff.

- 2.6 Replace the carpet in Admin - we requested 3 quotes.

- 3.2 2 new RNs; one is under the Diabetes grant, one in Medical. Kevin Silveira is replacing Edith and Tina Ramirez is the Diabetic Nurse Coordinator (DNC).

Regarding the FNP position, Mr. Sheikh has communicated with Olga Sutton and she will let us know by April 2nd whether she will accept the full time position.

Gayline asked to have the Providers report e-mailed to her.

MediCal or private insurance clients being seen by Diane Hilliard, LCSW are being billed; she is seeing 22 clients; a separate report will be prepared for Behavioral Health billing.

2. CFO Report & Finance Committee Report

Refer to reports in binder. Good news: IHS issued a Contract modification for \$37,000 for M&I. Michael could

probably get \$100,000; he needs a priorities' list for carpet, air conditioning, etc. This is designated only for M&I - Maintenance and improvements.

The Board wants to be informed when Penalties & Dues are paid; they would come out of 3rd party revenue.

At Toiyabe they pick up non-native employees' co-pay. They also have a drug locker, vs. a complete pharmacy.

Michael's focus is to be working on budget & P&Ps with Mr. Sheikh; they also need to concentrate on M&I, & 3rd party revenue.

Christina Dabney-Keel was absent during the Special (audit) Board meeting on 27 February 2012, and asked for explanation on the auditors - refer to meeting minutes. If Albonico prepares our pre-audit documents, they cannot complete the audit because they would not be "independent"

Barbara Baga and Betsey Foote left the meeting at 2:30 p.m.

3. CHS Report & CHS Committee Report

Refer to reports in binder.

A discussion regarding the front desk took place. Board members stated that we trust them to do their job but it is not happening. They are not calling patients for their appointments, or call community members who have not been seen at the clinic for several years. However, Greg's report shows that they do call - a copy of the report will be given at the next general Board meeting.

The Board feels that the Patient Receptionists / Registration should be put on probation now - if no improvement, disciplinary action should be taken.

4. HR/Compliance Report & Personnel Committee Report

M&I funds - Angie needs to find out what portion of the money sent to us needs to go to TRAP.

The Podiatrist position has been filled by Dr. Marmolejo.

The CHSO job description was approved at the Personnel

Committee meeting but not at the Board level. Angie brought her copy with the changes that were made at the personnel committee meeting for the Board to review.

MOTION #5: Gayline Hunter/Stephanie Gibson motioned to approve the revised CHSO job description as presented. The vote was 4-0-0, motion carried.

Greg Williams brought a NextGen training schedule. NextGen EHR Core Group members are: Trestine Carabay, Paula LaMotte, Quida Gentry, Fred Huerta, Greg Williams, Kindall Forrest - Bernice Vasquez will not be attending the training in Irvine; the cost for the training is coming out of the United Health Grant; it's at no cost to us; we have to spend the money or we have to pay it back. They will reimburse for travel as well. The grant expires at the end of April; we want to finalize training before that time.

Christina Dabney-Keel asked why can we not bring the trainers here - we did in the past and providers were constantly being pulled out of the training - patients come first. We do not have to pay for it, so she is OK with it. Greg assured the Board that all those using NextGen EHR will be fully trained before we go live. We will have mock databases before we go live.

Christina Dabney-Keel & Rhoda Hunter want to be put on the CRIHB e-mail database. Gayline Hunter will contact CRIHB.

Stephanie Gibson left the meeting at 3:35 p.m. We lost quorum.

VIII. DEPARTMENTAL & GRANTS REPORTS - For information

1. Dental Report
2. Medical Report - How does Dr. Saljoughy collect his data regarding patient satisfaction? Alex stated that he did not yet see the notice in the clinic stating that we no longer dispense narcotics.
3. Clinical Services Report
4. Community Outreach Report
5. Behavioral Health Report
6. Information Technology Report
7. Injury Prevention Grant Report
8. Diabetes Grant Report

IX. FOR INFORMATION

1. January 2012 Board of Directors, Program Directors and TGCC Meeting Highlights
2. Native American Resources, LLC: The New Indian Health Board: *"From Bureaucratic Stagnation to Strategic Planning"*.

X. ADJOURNMENT - No Quorum - no motion.