

**TULE RIVER INDIAN HEALTH CENTER, INC.**  
**BOARD OF DIRECTORS**  
 TULE INDIAN RESERVATION

P.O. BOX 768

PORTERVILLE, CALIFORNIA 93258

PHONE 784-2316

**June 11, 2013 BOARD OF DIRECTORS MEETING MINUTES**

**I. CALL TO ORDER:** Chairperson Gayline Hunter called the meeting to order at 9:28 a.m.

**II. ROLL CALL:** Secretary Alberta Chavez called roll.

**Board Members:**

Gayline Hunter, Chairperson  
 Barbara Baga, Vice-Chair  
 Alberta Chavez, Secretary  
 Christina Dabney-Keel, Treasurer in@ 9:26 AM  
 Yolanda Gibson, Member,  
 Donna Medrano, Member,  
 Vincent (Mickey) Burrough, Member  
 Veronica McDarment, Alternate  
 Joe Garfield, Alternate

**Staff**

P	Zahid Sheikh	P
E	Terri Ortiz	P
P	Casey Carrillo	P
P		
P		
P		
A		
A		
P		

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

The meeting was called to order at 9:28 a.m. by Chairperson Gayline Hunter.

Roll was called by Alberta Chavez. Joey Garfield was seated enacted from alternate to voting member to fill in for Veronica McDarment who was absent.

**III. APPROVAL OF AGENDA**

Mr. Sheikh asked to replace the code of conduct training with HIPAA training if time permits.  
 Christina Dabney asked to add clarification on CRIHB shares to the agenda.

**MOTION # 1 Yolanda Gibson/Alberta Chavez made a motion to approve the Agenda. Motion carries, 6-0-0.**

**IV. APPROVAL OF PREVIOUS BOARD MINUTES**

The minutes for the meeting March 6, 2013, April, 10, 2013, and May 21, 2013 were reviewed.

It was decided to table the meeting minutes until the July meeting so that the Board members can review the minutes.

Mr. Sheikh asked if the Board can review and approve the minutes for the May 21, 2013 meeting since there are actions pending the approval of the minutes.

There was discussion on the decision to pull shares from CRIHB. The Board met with CRIHB about making IT our top priority. Mr. Sheikh said he spoke to them on Thursday and they were very supportive.

Yolanda Gibson asked if we stop with CRIHB, what happens when there is a failure. Mr. Sheikh said there is a process to detach from CRIHB. Travis Coleman would need the Tribal Council approval.

Gayline would like to stay on schedule with agenda.

Gayline says that there has been a Board motion already on this matter. Action has already been taken.

It was discussed if we should spend the \$191K on the IT proposal when CRIHB may be able to pay for some of that.

Donna Medrano made a motion to go into closed session at 9:50.

#### V. OLD BUSINESS

Following the IT Meeting with CRIHB, Mr. Sheikh said Jim Crouch provided Mr. Sheikh with this distribution report (attached) \$83,156K was returned to us from CRIHB. The report includes M&I funds. We are supposed to get another \$120K from them. Also on May 30, Ron Moody sent information to Christina Dabney-Keel and copied Mr. Sheikh. It explains everything. CRIHB will be providing \$263,800K in services. Out of this the clinic is getting back about \$120K.

Mr. Sheikh said we received the \$83,156K cash, deposited into our account. Christina Dabney-Keel pointed out that when CRIHB says we are getting a dollar and a half for every dollar, that isn't exactly right.

Mr. Sheikh said if we do not sign with CRIHB, we have to get tribal office to sign and have to come up with a plan with area office.

Gayline Hunter asked what's the Board's pleasure. There was discussion on the item.

**MOTION # 2 A motion was made to sign the CRIHB Agreement. The motion died for lack of a second.**

Christina Dabney-Keel wanted to note that it was her motion and seconded by Barbara Baga to pull CRIHB shares back on May 21, 2013. She pointed out that today we are also voting on those exact same shares. The Draft Board meeting minutes say to "see about pulling shares back". Christina clarified that that was not her motion. Her motion was to pull the shares back. This contract presented before the board today is to sign those shares over.

The current contract ends in September. Christina Dabney-Keel noted that if we sign this new contract, it means they are locking us in for three years. Not that she is opposed to that, she said she just wants to be very clear as to what is being signed. This means we are signing it over for another three years.

Christina Dabney-Keel asked why the Board had to decide on renewing with CRIHB today when the contract is not up until September. Mr. Sheikh says IHS and CRIHB are going to send us funding but they have to send this agreement to CRIHB. The Board agreed to postpone this item for July 3, 2013 Board meeting at 9:00 a.m.

**MOTION # 3 Yolanda Gibson made a motion to approve for Zahid Sheikh to sign the CRIHB Care Compensation Agreement. Christina Dabney-Keel seconded it and the motion carried 6-0-0.**

The Board went into Executive Session at 10:01 AM.

The Board returned from Executive Session at 11:53 AM.

Rigo Ceja joined the meeting. Donna Medrano made a motion to have an IT Fixed Assets audit inventory done ASAP and completed by the 28th. Mr. Sheikh said he will appoint either Rigo Ceja or Terri Ortiz to this assignment. There was discussion on additional meeting dates in June and July. It was decided to complete the June agenda at the July meeting since several Board members will be out for travel in June.

VI. ADJOURNMENT

MOTION # 4 Alberta Chavez/Barbara Baga motioned to adjourn at 12:31 p.m. The motion carried, 6-0-0.

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Board Chairperson

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Board Secretary

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July 3, 2013 BOARD OF DIRECTORS MEETING MINUTES

- I. **CALL TO ORDER:** Chairperson Gayline Hunter called the meeting to order at 10:15 a.m.
- II. **ROLL CALL:** Secretary Alberta Chavez called roll.

**Board Members:**

Gayline Hunter, Chairperson  
 Barbara Baga, Vice-Chair  
 Alberta Chavez, Secretary  
 Christina Dabney-Keel, Treasurer  
 Yolanda Gibson, Member,  
 Donna Medrano, Member,  
 Vincent (Mickey) Burrough, Left at 12:23 p.m.  
 Veronica McDarment, Alternate  
 Joseph Garfield, Alternate, arrived at 12:15  
 p m; seated at 12:23 p.m.

**Staff**

P	Zahid Sheikh	P
E	Terri Ortiz	P
P	Casey Carrillo	P
P	Francine Gibson	P
P	Apple Yazzie	P
P	<b><u>Guests</u></b>	
P	Betsey Foote	
E	Ludrie Gonzales	
P	Arlene Robles	

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

There was informal discussion pending arrival of a quorum. There was discussion on the request from Betsey Foote regarding an Elder's Trip to a Diabetic Conference. Gayline Hunter says the Diabetic Coordinator should have an estimate of expenses they expect to spend for the year. This request will be referred to the Finance Committee who will be meeting in the near future to see if funds will be available. Christina Dabney-Keel said someone will give the Elder's Council an answer. This way they can get a list going. Betsey Foote said she does not want to tell people if it is not approved. It is estimated that about 65 Elders would attend. Betsy Foote said Rhoda Hunter wanted the Elder's to inquire if there is anything budgeted for Traditional Medicine. The CFO said we did not put in an amount for traditional medicine in the budget for this fiscal year. Rhoda will submit a formal request in writing regarding the traditional medicine request. Mr. Sheikh also mentioned that 638 funds could not be utilized for donations.

Christina Dabney-Keel said she would like the Health Center to give out toothbrushes at the Elder's Gathering this year. Ludrie Gonzales, Tribal Elder, was in attendance. She asked if there were funds available to purchase arts and crafts supplies for the younger children who will attend the Elder's Gathering.

### III. APPROVAL OF AGENDA

Gayline Hunter said we would not follow the agenda exactly today. We will cover the urgent matters. The following was added to the agenda:

1. Tribal Contribution Policy
2. Sonosky Agreement
3. 2013 - 2014 Budget
4. 340-B Walgreen's Agreement
5. Disaster Back-Up Plan

**MOTION #1:** Donna Medrano/Alberta Chavez made a motion to approve the agenda with the corrections and additions, vote was 5-0-0, motion carried.

### IV. AGENDA

#### 1. Tribal Contribution Policy

Francine Gibson said we may have to stop taking applications for Tribal Contribution funds until we know what dollar amount in expenditures we have already approved.

Christina Dabney-Keel pointed out that we may not have enough to pay for what we have already approved. Francine Gibson said, this is just the policy. But she warns against advertising, because we may get more requests than our budget allows for. Darlene Yazzie also pointed out that we may even have to refuse clinic patients requests because other, non-clinic, tribal members have used funds.

Christina Dabney-Keel read from the policy, on who is eligible. She said where it says CHS committee approves

CHANGE: Page 3 and 4

Donna Medrano said that since we currently do not have a dollar amount balance to review, let's hold off on approving the Tribal Contribution Policy.

Gayline Hunter asked if anyone disagrees with Donna's recommendation. Vincent Burrough Sr. agreed the language of the policy on "Medical and Dental" to "Medical or Dental". Apple

said right now it is Medical OR Dental. Once in a lifetime benefit. Christina Dabney Keel asked for some type of notification about the program to Tribal Members.

Casey Carrillo said we should determine how much funds are left before sending out the notice because we will be flooded with requests and then will just have to deny them.

Gayline Hunter asked if the Board would like to include a notification to tribal members.

Christina Dabney-Keel made a motion to send Notification to all 18 year and older tribal members. Christina Dabney-Keel said she feels that if we do have a significant amount of denials, we should be going to Tribal Council explaining that members are going without services and request additional funding. The motion died for lack of a second.

Francine Gibson said it is difficult because Tribal members are under the impression they are entitled to any request but CHS is bound by the policy.

Christina Dabney-Keel pointed out that Council asked us to create a policy. The one thing we have not followed is providing council quarterly reports. With Quarterly reports, so the Council can see how we are spending funds.

**MOTION #2: Christina Dabney-Keel/Vincent Burrough Sr. made a motion to approve the Tribal Contribution Policy with changes, vote was 5-0-0, motion carried.**

Donna Medrano commented that next time we do a policy like this; we make it mandatory for all board members to attend to expedite the process.

**MOTION #3: Christina Dabney-Keel/Donna Medrano made a motion that upon receipt of anymore funds, a notice needs to be sent to all tribal members 18 and over. Vote was 5-0-0 (Yolanda Gibson opposed), motion carried.**

It was suggested that the letter should come from the Board of Directors.

Darlene Yazzie provided an update on Case # 850200, The case is Direct Care only. The patient requires surgery to fix fractured hand. The patient had to pay for cash up front for the initial doctor's visit on June 20, 2013. The patient is requesting reimbursement. Francine Gibson said that we received a letter from TRAP that they do not cover medical services for clients. There was general discussion on the services.

Darlene Yazzie indicated the patient will need labs, x-rays, surgery, orthopedic follow up, medication, and possible physical therapy.

Francine Gibson said the doctor will not treat the patient any further without guarantee of payment. The approximate total costs are unknown at this time. Francine Gibson will find return with more information.

(Francine Gibson and Darlene Yazzie returned at 11:27 a.m.)

Francine reported that the estimated costs for the patient with the hand fracture is \$928 for the orthopedic alone. This does not include the chest x-ray, lab work, EKG. There was discussion. Francine Gibson said the Board can cap the expense.

## 2. Sonosky Agreement

There was an executive session meeting on July 1, 2013 to discuss the Sonosky Contract for Contract Support Cost Litigation Fee Agreement. The agreement was reviewed. A teleconference was held with the attorney Colin Hampson to clarify a couple questions. It is a contingency agreement. Mr. Hampson clarified that in addition to the percentage fee, we would be responsible for some additional costs, including travel, expert fees, etc.

The Board reviewed and discussed the revisions.

This is a class action law-suit and the firm is representing several tribes. If we do not pursue this litigation, we can lose out on money we otherwise we would have received.

**MOTION #4:** Yolanda Gibson/Donna Medrano made a motion to approve the Contract Support Cost Litigation Fee Agreement with Sonosky, Chambers, Sachse Enderson and Perry, LLP and to authorize Zahid Sheikh, CEO to sign the Agreement. Vote was 5-0-0, motion carried.

## 3. FY 2013-2014 Budget

Casey Carrillo reported on the FY 2013-2014 budget. The report is showing all funds on except for our Injury Prevention Grant. Gayline Hunter said we are looking at the entire TRIHC budget for the year so the Board would like to see the entire budget. Zahid Sheikh reported that he went to IHS. Mr. Sheikh asked for \$6M but they were hard on us. He asked them for an additional million dollars. They gave us almost \$5.5M though, only.

Mr. Sheikh said that when he spoke to Travis Coleman, he noted that we were not getting funding for CHRs, IT, and LCSW. We have to complement those expenses and IHS said to use Third Party Revenue.

Gayline Hunter indicated she read in one of TRIHCI's newsletter that CHRs are only seeing high risk patients. Gayline feels



that we should be providing services to everyone, not just high-risk patients. Mr. Sheikh said he will look into this.

Meeting recessed at 12:36 for lunch

Meeting reconvened at 1:05 PM

#### 4. 340-B Walgreens Agreement

Mr. Sheikh said we received a call from Warnack Pharmacy that Carlos was retiring, selling to Walgreens.

TRIHCI staff had a webinar with Walgreens. This contract with Walgreens will be beneficial because they have more hours of service available as opposed to Warnack. Warnack was in on the webinar and was able to provide Walgreens with insight on how we TRIHCI operates with Warnack. Walgreens is willing to mirror the services TRIHCI is receiving from Warnack.

It will be a three-year contract. There is no hidden fee, maintenance fee, it has a 30-day out and no penalty fee for early out. They also are not adding an exclusivity provision.

Mr. Sheikh explained in detail how the account with Walgreens would be set up. Gayline asked if anyone from the CHS Department has met with Walgreens. Darlene Yazzie and Francine Gibson were on the call.

Time is of the essence with this agreement.

The owner plans to close with Walgreens by the end of October or beginning of November.

Mr. Sheikh's recommendation is that this will be a positive move.

**MOTION #5:** Yolanda Gibson/Joseph Garfield made a motion to authorize Zahid Sheikh to sign the 340-B contract pharmacy service agreement with TRICH and Walgreens. Vote was 5-0-0, motion carried.

EXECUTIVE

SESSION

**MOTION #6:** Yolanda Gibson/Joseph Garfield made a motion to go into executive session at 1:16 p.m. vote was 5-0-0, motion carried.

Rigo Ceja joined the Executive Session to discuss a legal matter.

**MOTION #7:** Joseph Garfield/Christina Dabney-Keel made a motion to come out of executive session at 1:49 p.m. Vote was 5-0-0, motion carried.

V. ADJOURNMENT

MOTION #8: Christina Dabney-Keel/Joseph Garfield made a motion to adjourn at 2:00 p.m. vote was 4-0-0, motion carried.

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Board Chairperson

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Board Secretary