

## REGIONAL GOVERNING BOARD

### MINUTES

May 14, 2018  
1645 'N' Street  
Lincoln, NE  
10:30 a.m.

**MEMBERS PRESENT:** Greg Janak, Butler County; Susan Johnson, Fillmore County; Dennis Byars, Gage County; Gale Pohlmann, Jefferson County; Todd Wiltgen, Lancaster County (via phone); Marvin Bohling, Nemaha County; Dean Speth, Otoe County; Jan Lang, Pawnee County; Jim Davidson, Richardson County; Doris Karloff, Saunders County; Roger Glawatz, Seward County; Bill Bamesberger, York County

**MEMBERS ABSENT:** Les Agena, Johnson County; Jerry Westring, Polk County; Janet Henning, Saline County; Dean Krueger, Thayer County

**OTHERS PRESENT:** C.J. Johnson, Tami DeShon, Patrick Kreifels, Kim Michael, Sandy Morrissey, Robin Schmid, Paul Van De Water, and Marti Rabe, Region V Systems

### OPEN MEETINGS ACT INFORMATION

Byers noted the Open Meetings Act information is posted in the meeting room. Notification of this meeting and information regarding availability of the agenda was provided through a legal notice in the Lincoln Journal Star.

### CALL TO ORDER / ROLL CALL / AGENDA

The meeting was called to order by Byars at 10:30 a.m., followed by roll call.

Roll Call: Present: Butler County, Fillmore County, Gage County, Jefferson County, Johnson County, Lancaster County (via phone), Nemaha County, Otoe County, Pawnee County, Polk County, Richardson County, Saline County, Seward County, Thayer County, York County

Absent: Johnson County, Polk County, Saline County, Thayer County

Johnson made a motion, seconded by Pohlman, to approve the agenda. There was no discussion.

Roll Call: Yes: Butler County, Gage County, Fillmore County, Jefferson County, Nemaha County, Otoe County, Pawnee County, Richardson County, Seward County, York County

Abstain: Lancaster County

Absent: Johnson County, Polk County, Saline County, Thayer County

Motion carried.

### PUBLIC COMMENT

There was no public comment.

### ACTION / PRIORITY ITEMS

**Regional Governing Board Minutes:** Pohlman made a motion, seconded by Bohling, to approve the Minutes of the April 9, 2018, meeting. There was no further discussion. No action was required regarding the Executive Committee minutes of the same date.

Roll Call: Yes: Butler County, Fillmore County, Jefferson County, Nemaha County, Otoe County, Richardson County, Saunders County, Seward County, York County  
Abstain: Gage County, Lancaster County, Pawnee County  
Absent: Johnson County, Polk County, Saline County, Thayer County

Motion carried.

**Fiscal/Financial Report:** Copies of the report were available Monday morning. Van De Water presented the financial report through March reviewing revenue and expenditures. No significant areas of concern were noted as many of the line items which appear to be over budget are one-time expenses. With 75 percent of the FY year completed, the Regional budget stood at 67.74 percent, well under budget. Van De Water commented that June is a three-payroll month, so it is good to be under budget at this time. Janak made a motion, seconded by Bamesberger, to approve the Financial Report as presented.

Roll Call: Yes: Butler County, Gage County, Fillmore County, Jefferson County, Nemaha County, Otoe County, Pawnee County, Richardson County, Saunders County, Seward County, York County  
Abstain: Lancaster County  
Absent: Johnson County, Polk County, Saline County, Thayer County

Motion carried.

**FY 16-17 Unexpended Revenue:** Unexpended Revenue is funding that has been pulled down from the State but not utilized as anticipated. The bulk of the available funds were used to purchase all over-produced units for fee-for-service (FFS) units. Following discussion at the Network Provider meeting, providers decided to ask the Board to approve use of the remaining funds to help offset costs for accreditation which runs about \$5,000 every three years. Because agency accreditation occurs on a three-year cycle, provider agencies will be able to use these funds in FY 17-18 through FY 19-20. Each agency will receive approximately \$2,000 to help offset those costs. Karloff made a motion, seconded by Lang, to approve use of the remaining FY 16-17 Unexpended Revenue for agency accreditation as requested.

Roll Call: Yes: Butler County, Fillmore County, Gage County, Jefferson County, Nemaha County, Otoe County, Pawnee County, Richardson County, Saunders County, Seward County, York County  
Abstain: Lancaster County  
Absent: Johnson County, Polk County, Saline County, Thayer County

Motion carried.

**Site Visit Report Summaries:** Johnson reviewed the following site visit report summaries:

- CenterPointe: For the audit of services purchased, all programs with the exception of Day Rehabilitation met the 95 percent threshold. A required five percent audit of Day Rehab fell below the 95 percent threshold as well. CenterPointe was required to pay back unverified units and submit a corrective action plan to address billing accuracy in the future. Corrective action may be required regarding Supported Living (NFFS) and will be required for 24 Hour Clinician. The agency is working with the Division / Region regarding these findings.
- St. Monica's: All FFS services were verified at 100 percent. For NFFS services all expenses were verified and the agency demonstrates substantial compliance with minimum standards and contract requirements. Bohling made a motion, seconded by Glawatz, to approve the Site Visit Report Summaries as presented.

Roll Call: Yes: Butler County, Gage County, Fillmore County, Jefferson County, Nemaha County, Otoe County, Pawnee County, Richardson County, Saunders County, Seward County, York County

Abstain: Lancaster County

Absent: Johnson County, Polk County, Saline County, Thayer County

Motion carried.

**Revised Sick Leave Policy:** Michael noted that both of the revised policies on today's agenda were reviewed by the Executive Committee. Revisions were made to clarify language so that it is in agreement with the new electronic payroll system (ADP). Under the revised policy, earned sick leave becomes available every pay period rather than on the last day of the month. Janak made a motion, seconded by Pohlman, to approve the Revised Sick Leave Policy as presented.

Roll Call: Yes: Butler County, Gage County, Fillmore County, Jefferson County, Nemaha County, Otoe County, Pawnee County, Richardson County, Saunders County, Seward County, York County

Abstain: Lancaster County

Absent: Johnson County, Polk County, Saline County, Thayer County

Motion carried.

**Revised Vacation Leave Policy:** Michael stated that the changes for the Vacation Leave Policy are identical in terms of how vacation is accrued and available to staff members using the ADP system. Karloff made a motion, seconded by Davidson, to approve the Revised Vacation Leave Policy as presented.

Roll Call: Yes: Butler County, Gage County, Fillmore County, Jefferson County, Nemaha County, Otoe County, Pawnee County, Richardson County, Saunders County, Seward County, York County

Abstain: Lancaster County

Absent: Johnson County, Polk County, Saline County, Thayer County

Motion carried.

#### **OTHER UPDATES / LEGISLATION / INFORMATIONAL ITEMS**

**Behavioral Health / Legislation Updates:** Johnson provided the following updates:

- **Funding:** The Division is waiting until the April billing is finalized to determine whether or not there will be enough funding to purchase all overproduced units for FFS services. Currently the Region is anticipating a deficit of approximately \$300,000. While Region V has never had to borrow funding from another Region, it appears likely that will be the case this year. It also appears at this time that there will be funds available to shift from another Region. Should the shift be allowed, it will require a contract amendment with the Division to increase the Region's spending authority.
- **Civil Protective Custody (CPC) at the Bridge Behavioral Health (BBH):** CPC is used when someone who has been deemed by law enforcement to be intoxicated and a danger to themselves or others can be held involuntarily for up to 24 hours. Individuals may be released when their blood alcohol content (BAC) is zero or a responsible party arrives to pick them up. Last year over 3,800 individuals were admitted to CPC. Nebraska is one of a handful of states that provides CPC services.

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- Johnson explained that the recent challenges BBH is experiencing are due to the fact that the state statute was being interpreted so that in order to be licensed, accreditation was required. The unit itself may be locked; however, no accrediting body will accredit a program where individuals are placed in a locked room individually, which is current practice at BBH. The Region met with BBH, the Division and Regulation and Licensure and did get approval from Licensing to forego accreditation for this program, although they will be expected to operate as though they were accredited. That will require that rooms remain unlocked and other programming changes will be necessary in order for the program to look more like social detoxification, which is accredited. Because of the diverse types of individuals served in CPC, the program may have to modify which individuals will be allowed in the unit for reasons of safety. The Division did allow a shift of \$99,000 under social detox which will be available to BBH if they are able to modify the program sufficiently.
- Wiltgen commented that Nebraska decriminalized detoxification via statute in 1995. The State is viewing CPC as a type of incarceration and / or punishment rather than a substance abuse treatment issue. BBH will be looking at a loss of \$150,000 if this service is no longer funded by DHS and Medicaid.
- Pohlman briefly discussed a situation in Jefferson County where an extremely intoxicated, dangerous individual was held in the County jail where he had a heart attack and subsequently died at the hospital. A grand jury will be convened to investigate the circumstances of his death.
- Capacity Access Guarantee (CAG) – Blue Valley BH: Johnson reported that he had met with the Division and Day from Blue Valley regarding Day's request to shift funds into CAG explaining to the Division that this funding was not adding to the total amount for CAG. The request was initially denied and a final decision has not yet been made.

**Emergency System:** No additional updates.

**Continuous Quality Improvement:** Kreifels very briefly reviewed the following reports / data:

- Network Performance Improvement Summary: This report details types of concerns that have arisen this fiscal year and resolution status. Two concerns added in February 2018 have been resolved.
- System of Care (SOC) Youth Mobile Crisis Response Utilization Report: Region V is subcontracting with TASC (rural) and CenterPointe (urban) for youth crisis response through a grant. This report captures utilization through March 7.

**FY 17-18 Capacity Utilization Summary Reports:** Capacity utilization summaries through March were presented for informational purposes. With 75 percent of the fiscal year expended, the Region will be looking to bring services under or above 75 percent in line with the appropriate percentage through contract shifts.

**Management Report / Training:** Provided for informational purposes.

**Commission on Accreditation of Rehabilitation Facilities (CARF) Site Visit – May 30-31:** The Executive Committee has been apprised of this upcoming visit. Michael will let Byars know when CARF would like to schedule a meeting with the Board Chair.

**OTHER BUSINESS**

Johnson introduced Lee Heflebower, who is the Director of Housing following John Turners resignation. Heflebower comes to the Region with 25 years of experience in housing related fields.

**ADJOURN**

The meeting was adjourned at 11:15 a.m.

**IMPORTANT DATES**

May 21 – Network Provider Meeting – 9:00 a.m.

May 30 – BHAC Meeting – 10:00 a.m.

June 11 – RGB Meeting – 10:30 a.m.