

## REGIONAL GOVERNING BOARD

### REGION V SYSTEMS MINUTES

February 14, 2022  
Region V Services  
3600 Union Drive  
Lincoln, NE  
10:30 a.m.

**MEMBERS PRESENT:** Kenny Harre, Fillmore County; Dennis Byars, Gage County; Gale Pohlmann, Jefferson County; Christa Yoakum, Lancaster County; Jan Lang, Pawnee County; Jerry Westring, Polk County; John Caverzagie, Richardson County; Janet Henning, Saline County; John Smaus, John Zaugg, Saunders County; Ken Schmieding, Seward County; Dean Krueger, Thayer County

**MEMBERS ABSENT:** Ryan Svoboda, Butler County; Jim Erickson, Johnson County; Larry Holtzman, Nemaha County; Dan Crownover, Otoe County; Bill Bamesberger, York County

**OTHERS PRESENT:** Kelly DuBray, Tami DeShon, C.J. Johnson, Patrick Kreifels, Kim Michael, Sandy Morrissey, Marti Rabe, Region V Systems

#### **OPEN MEETINGS ACT INFORMATION**

Byars noted the Open Meetings Act information is posted in the meeting room and reminded Board members that the meetings are open to the public and are audiotaped. The agenda is posted for public viewing at [region5systems.net](http://region5systems.net). Notification of this meeting and information regarding availability of the agenda was provided through a legal notice in the Lincoln Journal Star, published February 6, 2022.

#### **CALL TO ORDER / ROLL CALL / AGENDA**

Byars called the meeting to order at 10:49 a.m. followed by roll call.

Present: Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County

Absent: Butler County, Johnson County, Nemaha County, Otoe County, York County

Relating to the agenda, Johnson noted that revised agendas, December Financials, and a revised Reinvestment Shift document were available this morning. Johnson also asked that voting take place by voice vote to facilitate the lengthy agenda with the exception of motions related to the Closed Session. Also, Johnson asked permission to combine several of the motion items into one motion. Those changes were: all items under Agenda Item B; all items under Agenda Item H, and items K through N. Motion by Pohlmann, seconded by Caverzagie, to approve the February 14, 2022, agenda including Johnson's requested changes. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

#### **PUBLIC COMMENT**

None

#### **STAFF RECOGNITION**

Kelley DuBray, RPH Housing Specialist, was recognized for five years of service at Region V. Johnson briefly explained DuBray's role at the Region, outlined several of her contributions, and thanked her for her service.

**ACTION / PRIORITY ITEMS**

**Election of Officers:** Johnson presented the current slate of officers: Byars, Board Chair, Pohlmann, Vice Chair; Yoakum, Secretary; Lang, Treasurer; and Pohlmann, BHAC Representative. There were no additional nominations and current officers indicated willingness to continue to serve. Krueger made a motion, seconded by Schmieding, to approve the slate of officers for 2022. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

**Regional Governing Board Minutes, September 13, 2021:** Lang made a motion, seconded by Yoakum, to approve the September 13, 2021, minutes as presented. There was no discussion regarding the Executive Committee minutes of the same date. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

**Regional Governing Board Minutes, November 8, 2021:** Lang made a motion, seconded by Pohlmann, to approve the November 8, 2021, minutes as presented. There was no discussion regarding the Executive Committee minutes of the same date. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried

**FY 19-20 Financial Audit – Dana Cole:** Board members received a copy of the FY 19-20 Financial Audit this morning. Brian Schwartz, Dana Cole, presented findings from the audit and explained how the numbers were derived. In summary the audit found that the audit was prepared in accordance with accounting principles and there were no deficiencies. Harre made a motion, seconded by Yoakum, to approve the FY 19-20 Financial Audit as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried

**Organizational Liability Review:** Board members received a copy of the Organizational Liability Review Summary this morning. Shane Ideus from UNICO Group presented an overview of the coverages in place and limits imposed by the coverages and noted that risk exposure is evaluated and monitored annually. There was brief discussion regarding Umbrella, Workers Compensation and Cyber insurance liability. Lang made a motion, seconded by Pohlmann, to accept the Organizational Liability Review as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried

**Kwon Grievance – Closed Session:** Ms. Kwon has appealed the decision of the Regional Administrator regarding reimbursement for damage claims by Ms. Kwon. To recap events leading up to Ms. Kwon filing a claim for damages, Tyerman-Harper described action taken from 8/30/19 through the final decision of the Regional Administrator on 8/13/21. Ms. Kwon's grievance (and appeal) for damages relates to a participant in Region V Systems' Rental Assistance Program (RAP) for which Ms. Kwon is the landlord. The grievance asks that Region V assume full charges for damages caused by the participant and her family while they were receiving rental assistance from Region V Systems. Region V Systems has documentation that the apartment passed inspections and that there was appropriate contact with community support workers during the time in question. The landlord (Ms. Kwon) sought damages from Region V Systems just short of \$10,000, of which the Regional Administrator approved \$3,000, which is in line with policies established with the Division of Behavioral Health around landlord mitigation reimbursement. After Ms. Kwon received the \$3,000 reimbursement from Region V Systems, she filed an appeal of the Regional Administrator's decision, which she is allowed to do per Region V Systems' "Grievances, Complaints, and Appeals Procedures."

The Executive Committee has reviewed Ms. Kwon's appeal and legal advice was sought.

At 11:42 a.m. Pohlmann made a motion that the Board hold a closed session to discuss Ms. Kwon's claim and appeal as set forth in her complaint and to discuss legal advice the Region has received concerning the claim. The following Region V Systems staff are to be included in closed session: C.J. Johnson, Kim Michael, and Amanda Tyerman-Harper. Yoakum seconded the motion.

Roll Call:

Yes: Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County

No: None

Absent: Butler County, Johnson County, Nemaha County, Otoe County, York County

Motioned carried.

At 11:52 a.m. Yoakum made a motion, seconded by Lang, to come out of Closed Session. No action was taken during the Closed Session.

Roll Call:

Yes: Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County

No: None

Absent: Butler County, Johnson County, Nemaha County, Otoe County, York County

Motioned carried.

Pohlmann made a motion, seconded by Yoakum, to move that the Board uphold the decision of Region V's management and deny Ms. Kwon's claim for further payment.

Roll Call:

Yes: Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County

No: None

Absent: Butler County, Johnson County, Nemaha County, Otoe County, York County

Motioned carried.

Yoakum made a motion, seconded by Krueger, to amend the motion citing that the motion was made at the recommendation of legal counsel. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried. There was no further discussion.

**Financial Report:** Copies of the Financial Report were available this morning. DeShon reviewed revenue and expenses through December 31, 2021. With 50 percent of the fiscal year expended, expenditures stand at 42.28 percent, approximately \$408,000 and 7.72 percent under budget. DeShon noted that a few line items such as equipment, software, and legal fees are over the budgeted amount for various reasons. In some instances, these expenditures represent a one-time annual payment. Other line items will be monitored over the remainder of the fiscal year, but it is anticipated that they will remain under budget for the year.

Lang made a motion, seconded by Caverzagie, to approve and place on file the Financial Report as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

**Evidence Based Planning – Motivational Interviewing and Dialectical Behavior Therapy Budgets:** Johnson explained that the Region has been working with the Division to bring up these two evidence-based practices when an opportunity arose because of Medicaid expansion. The Board has previously approved this concept, but there were no budgets attached to the motion. For Dialectical Behavior Therapy (DBT) the budgeted amount is \$604,482.66 and for Motivational Interviewing (MI) the budgeted amount is \$162,491.33. Johnson explained that the provider reimbursement provides a stipend which covers losses incurred by provider agencies when their therapists are not producing billable hours. Yoakum made a motion, seconded by Harre, to approve the MI and DBT budgets as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

**Contracts / Amendments:**

- **Reinvestment Shifts:** A revised copy of reinvestment shifts was provided this morning. Johnson explained that these funds became available since providers are not pulling down their original allocations due to Medicaid expansion. These dollars were placed in unallocated line items and the Region is working to reinvest these funds in the system. These reinvestment shifts are all from Region V unallocated substance use disorder funds and include: \$160,934 to TASC MH Recovery Support (Rural); \$53,645 to TASC SUD Recovery Support; \$53,108 to Mental Health Crisis Center (MHCC) for EPC Service Enhancement and \$53,107 to MHCC for EPC Service Enhancement. Johnson explained the MHCC is experiencing longer lengths of stay due to unavailability of beds at the Lincoln Regional Center (LRC) and providing a social worker will enhance recovery and provide supports to enable consumers to remain in the community reducing recidivism.
- **October Contract Shifts:** October shifts include:
  - \$6,736 from Unallocated to IBHS – Secure Residential Room and Board
  - \$20,000 from Supported Employment (SE) MH to (SE) SUD
  - \$32,640 from Recovery Support MH to Recovery Support SUD. These funds will be used to provide Recovery Support services in rural areas.
  - \$227,000 from Social Detox to Medically Managed Withdrawal (Bridge Behavioral Health); Johnson explained that this provides a higher level of care for clients in social detoxification.
  - \$604,483 from Unallocated to DBT Training
  - \$162,492 from Unallocated to MI Training
  - \$70,420 from Unallocated to Consumer Coordination
  - \$10,400 from Unallocated to Crisis Response (CenterPointe)
  - \$323,237 from Unallocated to Professional Partner Program (Region V Systems); three additional positions will be funded based needs demonstrated by the wait list.
  - \$152,359 from Unallocated to MH Outpatient / Adult (TBD). Additional funds for OP services are an attempt to restore the lost capacity for these services that occurred when a rate increase was approved but no additional dollars were provided to support that increase.
  - \$37,010 from Unallocated to MH Outpatient / Youth (TBD)
  - \$1,100 from Prevention-Education to Prevention-Alternative Activities
  - \$1,944 from Prevention-Community Based to Prevention-Alternative Activities
- **December Contract Shifts:** December shifts include:
  - \$31,330 from Supported Housing to Landlord Risk Management Funds
  - \$3,145 from Supported Housing – TAY to Landlord Risk Management Funds
  - \$4,000 from Prevention Mini Grants to Prevention-Environmental
  - \$95,981.40 from Community Support to Assessments / Adult MH (CenterPointe)

- \$4,018.60 from Community Support (Cost Model) to Unallocated Cost Model (CenterPointe). Johnson explained that additional funding for rate increases approved above can only be used for specific services. For other services such as Community Support a cost model was applied and other funding was used.
- **Contracts for Approval / Ratification:** Johnson briefly reviewed the following contracts:
  - Integrated Behavioral Health Services (IBHS): This contract was increased by \$81,849 for implementation of DBT training.
  - Lincoln Regional Center – DBT training agreement.
  - Telecare – This contract was increased by \$32,940.04 for implementation of DBT.
  - DocuSign, Inc.
  - Lincoln Regional Center: MI training agreement.
  - Mental Health Association
  - KidGlov
  - Bob Kunz

Lang made a motion, seconded by Pohlmann, to approve the Reinvestment Shifts, October Contract Shifts and December Contract Shifts and ratify the Contractual Agreements for Ratification as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

**Reinvestment / ARPA Funds:** Johnson commented that in June the Region began a process of soliciting input regarding service needs through a series of stakeholder meetings and a review of past needs assessments. Projects that have been identified through that process were included in the agenda packet. Proposals have been submitted to the Division in waves as each process may involve issuing an RFP or other administrative functions. Because this process is segmented, Johnson asked the Board for approval to submit proposals and / or enter into contracts with DBH and request ratification when the Board meets noting that waiting for a scheduled Board meeting and official approval will impede the process of investing in our system in a timely manner. Krueger made a motion, seconded by Caverzagie, to approve the process described above. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

**Safer Federal Workforce Task Force COVID-19 Workplace Safety: Guidance for Federal Contractors and Subcontractors; Executive Order 14042:** Johnson stated that the Region had sought a legal recommendation to fulfill the COVID-19 vaccination requirement as stated in Executive Order 14042. While there was no quorum at the November meeting, the Board gave their blessing to the Region adhering to any mandates regarding 14042 if legal advice warrants action on the part of the Region. Yoakum made a motion, seconded by Pohlmann, to approve the Region's Policy on Executive Order 14042 and the initiation of any needed steps in relation to that order that may be applicable in the future. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

#### **Reports:**

Johnson presented the following documents for review and commented that some of the reports are a requirement for accreditation. Johnson noted that Region V was recently re-accredited by CARF and one of the reviewers expressed that Region V is now her number one agency regarding efficiencies and other areas of review.

- **FY 19-20 Annual Report (draft):** This report has been finalized following the completion of the FY 19-20 Financial Audit.
- **FY 20-21 Annual Report (draft):** Johnson reviewed the various components of the annual report, noting that the report includes information regarding structure and governance, funding and expenditures, network administration, children and family services, partnerships and collaborations and Region V staff. Johnson noted that the Region V audit has been delayed due to Covid concerns, and the information presented on page five will be altered before the Report is published. The motion will include a caveat reflecting the Board approval of that future revision.
- **FY 21-22 Performance Improvement Plan (draft):** A total of 37 indicators are monitored to ensure that contract deliverables are met, and other activities are occurring as expected. Indicators are present for Adult Network Services, Children and Family Services, Continuous Quality Improvement, Fiscal and Operations / Human Resources.
- **FY 20-21 Management Report (draft):** The Management Report includes PIP Indicators that were monitored in 20-21, information regarding Network Services Data Management, Continuous Quality Improvement – Concerns / Requests, Professional Partner Program (FYI) Wraparound Fidelity Index, and Housing-Rental Assistance Program internal file review.

Yoakum made a motion, seconded by Henning, to approve the four reports above with the caveat that the Board agrees that the FY 20-21 Annual Report will be revised when the FY 20-21 Financial Audit is completed. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

**Revised Policies:** Michael briefly reviewed the following policies noting that these policies have been reviewed by legal and the Executive Committee and approved by the Regional Administrator for issuance. Michael will be requesting Board ratification.

- **Disciplinary Action Policy:** Michael stated that language was revised and protocols for implementation have been added to the policy.
- **Injury Leave Policy:** Language relating to Workers Compensation was outdated and was revised. There was brief discussion regarding the lack of language around social media policies. Michael explained that the Region has a separate IT policy which reflects those issues and acknowledged that this is a difficult area and extensive legal review will be required to ensure the policy is appropriate.

Pohlmann made a motion, seconded by Krueger, to ratify the both the revised *Disciplinary Action Policy* and the *Injury Leave Policy* as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

**Prevention Reports:** Morrissey reviewed the following reports:

- **Prevention Mini-Grant Recommendations:** There were four applicants for the 2021 Mini-Grant Winter Cycle for a total of \$5,599. Applicants included Crete Community Assistance Office; Saunders County ACT / Youth Services, Southeast Nebraska CASA and Fall City FCA, Hope Squads, Honor Society.
- **Prevention Mini-Grant Review Standards (Revised):** Revisions were made to the priority area to help ensure funding is available for various projects. The timeline for the winter cycle was revised to allow more time for recipients of these grants to complete their projects. A limit of \$3,000 was imposed

on mini-grant applicants. Priority activities was revised to include evidence-based programing and the stipulation that block grants do not allow for funding for food and giveaways.

- **FY 20-21 CLAS Coalition Fund Report / FY 21-22 CLAS Award Summary:** Three entities had requested CLAS funding for a total of \$2,600. The entities included St. Monica's, Lincoln Medical Education Partnership, and School Community Intervention and Prevention (SCIP). Morrissey briefly described the grantee activities.

Yoakum made a motion, seconded by Lang, to approve the Prevention Reports as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Lancaster County, Pawnee County, Polk County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

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

Johnson thanked the Board for their patience and noted that the following discussion items are included for informational purposes and have been covered at some point previously during this meeting. There was no further discussion of the following agenda items:

- **Behavioral Health / Legislative Updates**
- **Reinvestment Funds / ARPA Funds**
- **Emergency System**
- **Prevention**
- **CARF Accreditation**
- **BHAC Membership**
- **Network Continuous Quality Improvement**
- **Wellbeing Initiative Quarterly Report**
- **FY 21-22 Capacity Utilization Reports**
- **FY 21-22 Capacity Utilization Summary Reports**
- **FY 21-22 Network Provider Management Report**
- **FY 21-22 Training Plan**

**2021 Region V Network Compliance Review:** Johnson did highlight the Region V Network Compliance Review which noted that the Region was substantially in compliance with the FY21 contract.

#### **OTHER BUSINESS**

Johnson was acknowledged for his 23 years of service to Region V.

#### **IMPORTANT DATES**

- February 28 – Network Provider Meeting
- March 2 – BHAC Meeting – 10:00 a.m.
- March 14 – RGB Meeting – 10:30 a.m.

#### **ADJOURN**

There being no further business the meeting adjourned at 12:56 p.m.