

REGIONAL GOVERNING BOARD

REGION V SYSTEMS MINUTES

February 13, 2023

Region V Services
3600 Union Drive / Zoom
Lincoln, NE
10:30 a.m.

MEMBERS PRESENT: Kenny Harre, Fillmore County; Emily Haxby, Gage County; Gale Pohlmann, Jefferson County; Les Agena, Johnson County; Michael Weiss, Nemaha County; Dan Crownover, Otoe County; Jan Lang, Pawnee County; John Caverzagie, Richardson County (Zoom); Janet Henning, Saline County; Bill Reece, Saunders County; Ken Schmieding, Seward County; Dean Krueger, Thayer County

MEMBERS ABSENT: Ryan Svoboda, Butler County; Christa Yoakum, Lancaster County, Jerry Westring, Polk County; Jack Sikes, York County

OTHERS PRESENT: Tami DeShon, Renee' Dozier, Theresa Henning, Patrick Kreifels, Kim Michael, Marti Rabe, Region V Systems

HOUSEKEEPING

OPEN MEETINGS ACT INFORMATION

Pohlmann 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. Notification of this meeting and information regarding availability of the agenda was provided through a legal notice in the Lincoln Journal Star, published February 5, 2023.

CALL TO ORDER / ROLL CALL / AGENDA

Pohlmann called the meeting to order at 10:54 a.m. followed by roll call. A quorum was present.

Present: Fillmore County, Gage County, Jefferson County, Johnson County, Otoe County, Nemaha County, Pawnee County, Richardson County, Saline County, Saunders County, Seward County, Thayer County

Absent: Butler County, Lancaster County, Polk County, York County

Henning made a motion, seconded by Lang, to approve the revised February 13, 2023, agenda. Voting aye were Fillmore County, Gage County, Jefferson County, Johnson County, Otoe County, Nemaha County, Pawnee County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

PUBLIC COMMENT

None

STAFF RECOGNITION

- Teri Effle was recognized for five years of service to Region V as a Prevention Specialist. Pohlmann presented Effle with a gift in recognition of her service. Pohlman highlighted Effle's responsibilities, recognized her many strengths, and thanked her for her invaluable service to Region V Systems.

ACTION / PRIORITY ITEMS

Election of Officers: Having determined that the current slate of officers agreed to continue to serve for another term, Krueger made a motion, seconded by Harre, to accept the current slate of officers by unanimous decision. Voting aye were Fillmore County, Gage County, Jefferson County, Johnson County, Otoe County, Nemaha County, Pawnee County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

Regional Governing Board Minutes:

- November 14, 2022, Board Minutes
- January 9, 2023 Special Board Meeting
- November 14, 2022, Executive Committee Meeting Minutes

Henning made a motion, seconded by Lang, to approve the minutes of both the November 14, 2022, and Special January 9, 2023 meetings. Voting aye were Fillmore County, Gage County, Jefferson County, Johnson County, Otoe County, Nemaha County, Pawnee County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried. There was no discussion or motion required regarding the Executive Committee minutes of November 14.

Financial Report:

- Copies of the Financial Report were available this morning. DeShon presented the fiscal report through December, 2022, briefly reviewing income and expenditures. With 50 percent of the fiscal year completed, total expenditures stand at 46.29, 3.71 percent and \$206,000 under budget. Areas in the report that were highlighted were areas where expenditures are over 50 percent at this time.
- DeShon briefly provided rationale for each of the overages and indicated that it is anticipated that the Region will be operating within the budget by the end of the fiscal year. Some reasons for overages were an increase in cost for utilities, unbudgeted expenses related to the transition of the Regional Administrator position, increased auditing expenses and DHHS's denial of planned software maintenance, etc. and in several categories, expenditures are annual subscriptions, etc.
- In answer to a question, Kreifels explained how it happened that the software expenses were in the budget and were not approved by DHHS. The expenditure was part of the initial Regional Budget Plan based on the Region's allocation at that time.

Reece made a motion, seconded by Henning, to approve the Financial Report as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Johnson County, Otoe County, Nemaha County, Pawnee County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

Organizational Liability Review:

- Shane Ideus with Unico provided the organizational liability review commenting that the purpose of liability insurance is to protect the assets of the organization. The annual review is to ensure that coverage is sufficient and has kept up with inflation.
- While there has been a lot of stress on insurance carriers due to natural disasters and other large settlements, Ideus noted that it was a good year for Region V with little loss history. Cyber liability is a major concern; however, Region V works hard to mitigate risk through regular training and use of firewalls and dual authentication. Insurance coverage is found to be satisfactory.

Agena made a motion, seconded by Weiss, to approve the Organizational Liability Review as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Johnson County, Otoe County, Nemaha County, Pawnee County, Richardson County, Saline County, Saunders County, Seward County, Thayer County. nays none. Motion carried.

FY 22-23 Contractual Agreements: Theresa Henning reviewed contractual agreements in the following categories per the revised agenda:

- Strategic Prevention Framework – Partnership for Success:
 - Lincoln Police Department: This contract, in the amount of \$5,000, a decrease of \$2,000, is for the purpose of providing compliance checks to ensure establishments are not selling to minors in Lancaster County.
 - Mental Health Association: This contract, in the amount of \$6,000, a decrease of \$5,000, is for the purpose of providing two Wellness Recovery Action Plan (WRAP) Train-the-Trainers to increase the number of qualified trainers available to Lincoln Public Schools and rural schools.
 - Partners for Insightful Evaluation: This contract, in the amount of \$15,000, an increase of \$5,000, is to provide focus groups and evaluative data for Lincoln Public Schools 3rd Millennium Classroom Intervention participants.
 - Starfish Enterprises Ltd.: This contract, in the amount of \$9,000, a decrease of \$3,000, is for the purpose of educating and training church teams to provide prevention/resources within their faith community.
 - Trevor Linn: This contract, in the amount of \$3,000, is for purpose of assisting Faith Partners with promotion of training, development of list serves, creation of monthly newsletters, and other organizational duties. Linn is assuming some of the responsibilities for Starfish Enterprises, as the Director is retiring.

Crownover made a motion, seconded by Lang, to ratify the Strategic Prevention Framework contracts as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Johnson County, Otoe County, Nemaha County, Pawnee County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

- Evidence-based Practice Contract:
 - Intuitive Mind Training and Consulting: This contract, in the amount of \$255,904.31, an increase of \$110,964.31, is for the purpose of providing training and consultation by Josh Smith, to implement Dialectical Behavioral Therapy (DBT) as an evidence-based and evidence-informed practice. Henning commented that providers requested that the timeline for this training be moved ahead so funding to cover additional training scheduled for FY 23-24 was pulled into this contract year.

Henning made a motion, seconded by Agena, to approve this contract with Intuitive Mind as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Johnson County, Otoe County, Nemaha County, Pawnee County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

- Provider Amendments: Henning presented the following contract amendments.
 - Blue Valley Behavioral Health (BVBH): This contract with BVBH serves to separate Medication Management into Adult and Youth items. There is no change in the amount of funding.
 - Mental Health Crisis Center (MHCC): This contract with MHCC shifts funds from Crisis Assessment to Crisis Stabilization and Assessment. There is an increase of \$179,404.
 - Mental Health Association (MHA): This contract with MHA provides an increase (\$113,132) in funding for Hospital Diversion Services.
 - The Bridge Behavioral Health (BBH): This contract with BBH reduces funds in Intermediate Residential and increases funds in Short-Term Residential. There is an increase of \$4,500.
 - Houses of Hope (HH): This contract with HH adds funds for Intensive Community Services and Crisis Response Teams for TASC. It is an increase of \$204,663.
 - CenterPointe (CP): This contract with CP adds requirements and reimbursement for Dialectical Behavior Therapy (DBT) implementation. There is a \$32,553 increase in funding.
 - Integrated Behavioral Health Services (IBHS): This contract with IBHS adds requirements and reimbursement for DBT implementation and reduces funding for Secure Residential and increases funding for Secure Residential Room and Board. There is an overall increase in funding of \$60,349.

- Lutheran Family Services (LFS): This contract with LFS adds requirements and reimbursement for DBT implementation. There is a \$67,071 increase in funding.
- Telecare (TC): This contract with TC adds requirements and reimbursement for DBT implementation. There is a \$27,071 increase in funding.

Lang made a motion, seconded by Schmieding, to approve these Network Provider Contract Amendments as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Johnson County, Otoe County, Nemaha County, Pawnee County, Richardson County, Saline County, Saunders County, Seward County, Thayer County. nays none; Motion carried.

- Other Contracts:
 - Mental Health Association: This contract with MHA, in the amount of \$70,568.36 (an increase of \$7,275.93) is for the purpose of providing facilities usage, office space, phones, and information technology support.
 - Lincoln Regional Center: This contract with LRC involves no funding but outlines requirements of participation in DBT implementation.

Krueger made a motion, seconded by Weiss, to approve these other contracts as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Johnson County, Otoe County, Nemaha County, Pawnee County, Richardson County, Saline County, Saunders County, Seward County, Thayer County; nays none. Motion carried.

- Opioid Public Service Announcements: These contracts with various radio stations are for the purpose of creating and broadcasting Public Service Announcements regarding the opioid overdose crisis.

Weiss made a motion, seconded by Lang, to approve these expenditures as presented. Voting aye were Fillmore County, Gage County, Jefferson County, Johnson County, Otoe County, Nemaha County, Pawnee County, Richardson County, Saline County, Saunders County, Seward County, Thayer County. nays none; Motion carried.

March 13, 2023, Regional Governing Board Meeting Format: Michael led a brief discussion regarding whether the Region would be in compliance with the Open Meetings Act if a fourth meeting was held via video conferencing. The Board held a Special Meeting on January 9 so there will be a total of eight meetings in 2023. One half of all meetings in a year may be held virtually. Even though it is unlikely that anyone would be monitoring the Region's compliance, Kreifels pointed out that the Statewide Opioid Advisory Committee has been challenged regarding some of their activities because they were not in compliance with the Open Meetings Act. No changes were made to the meeting format, so a motion was not required.

OTHER UPDATES / LEGISLATION / INFORMATIONAL ITEMS

Behavioral Health / Legislative Updates:

- Kreifels discussed several attachments to the packet. The first attachment lists the members of the Appropriations and Health and Human Services Committees and includes an overview of the state legislative process. The \$10,300,000 to fund a 15 percent provider rate increase was pulled from the Governor's budget, even though it was approved by outgoing DBH Director Dawson. The impact on Region V is approximately 2.4 million dollars. The Regions will be asked to fund this rate increase with existing dollars which will limit the opportunities that had existed to re-direct funds to fill other gaps and needs in the system.
- Kreifels explained that with the initiation of Medicaid expansion in October 2020, more individuals became eligible for Medicaid, reducing the utilization of Regional funding. Those unutilized funds were to be used to create a safety net for persons who were no longer Medicaid eligible. Weekly

meetings are held to strategize ways to best use these dollars, but now some of those funds will need to be re-directed to provide for the 15 percent rate increase. The Region has submitted over 30 proposals over the last 18 months and has been met with delays in receiving approval to move forward with new projects. Kreifels commented that that the Regions are not allowed to carry funds over if they are not expended.

- In an attempt to reduce these needless delays, the Region has been working with the lobbyist on LB433. Kreifels and other Regional Administrators have testified in support of this legislation which is asking for three things:
 - 1) More flexibility from DHHS to allow Regions to move funds up to 20 percent within their budget. Currently the Region has four opportunities, on a quarterly basis, to shift funding. Additional flexibility would allow a more immediate response to any noted gaps and needs.
 - 2) A response within 30 days for any new proposal presented to DHHS and approval provided the proposal did not conflict with state or federal law, and
 - 3) Any denials would include an appeals process where the appeal would be presented to a neutral party such as a procurement process.

Kreifels reviewed the following legislative bills that are of interest to the Regions.

- LB256: This bill would require insurance companies to pay the same rate for telehealth services as they are paying for face-to-face contacts.
- LB276: This bill is related to the creation of Certified Community Behavioral Health Clinics (CCBHC). CCBHCs are a departure from how services are historically delivered and incorporate primary care with other services. Region V has two of these entities, Lutheran Family Services and CenterPointe.
- LB362: This bill would provide a five percent rate increase across the board. Kreifels commented that the fifteen percent increase discussed earlier only served the purpose of bringing the reimbursement rate to a neutral level.
- LB525: This bill is related to providers offering psychiatric diagnostic evaluation and providing medication management asking for a fifteen percent rate increase. Because a larger share of consumers is currently eligible for Medicaid, and because the Medicaid rate is lower than the Region rate, these providers are operating at a loss which is not sustainable.

Division of Behavioral Health (DBH) Transition – Tony Green: As mentioned earlier, Sheri Dawson was not retained as director of DBH. Green was appointed Interim Director for DBH and is currently Director of Developmental Disabilities.

Network Provider Service Expansion: The Region is looking to expand services within the network. The proposed service expansion would apply only to current Network Providers who are providing services within the Region’s service continuum for which they are not currently receiving Region V funding. The goal would be to enhance the continuity of care, increase access, reduce time on the waitlist, and increase drawdown.

Budget Plan Process and Timeline: The Regional Budget Plan process has moved up two weeks and the budget is due to the Division in mid-March. The Budget Plan will be based on the initial allocation and additional budgets will be submitted as allocations are modified by the Division and Legislative activity.

Bipartisan Safer Community Act Grant: This document was submitted for informational purposes. It involves a four-year SAMHSA grant workplan addressing the use of supplemental funds to fill gaps in behavioral health systems serving children and youth.

DBH – Transformation of the System:

- Kreifels stated that the news release was issued by Smith, Director of DHHS, without involvement or input from other Directors and was somewhat of a surprise. The purpose of the transformation is to improve access to services for Nebraskans with disabilities. The four focus areas will be: Certified Community Behavioral Health Clinics (CCBHC), congregate healthcare settings, the Lincoln Regional Center (LRC), and Level 1 Screens for addiction (more relevant for DD clients).
- Kreifels noted there is concern individuals are being “warehoused” and forced into a level of care that doesn’t align with the individual’s voice and choice. LRC will consider re-implementing the use of a tool called LOCUS which is designed to help people be discharged from state hospitals while ensuring their needs can be met in the community.

Lancaster County ARPA Collaborative Projects:

- Dozier reported the planning continues for the Family Resource Center. The draft service definition was submitted December 7, 2022, and a meeting is scheduled to discuss questions that DHHS has and what their recommendations might be. Dozier warned that changes to the service definition may have an impact on what this service will look like. Dozier stated that this service will be accessible to all rural counties.
- The Bidder’s Conference for Voluntary Crisis Response / Mental Health Respite will be held this Wednesday, February 15, with an opportunity to dialogue with interested parties. It is designed to be someplace to go rather than the emergency room where they may not be admitted, or jail if there is police involvement, which can exacerbate symptoms. This service will also be available to rural counties.

Opioid Settlement Funds: Kreifels stated that these funds are the result of lawsuits against manufacturers of opioids. Nebraska is slated to receive approximately one hundred million dollars. Fifteen percent of those funds will be disbursed to counties. Half of the remaining eighty-five percent will go to the Opioid Settlement Remediation Advisory Committee and the other half will be disbursed to the Regions based on their Regional percentage. For Region V this is approximately twenty-four percent. All funds are to be used for abating and treating addiction. As mentioned earlier, some of the decisions made by the Committee have been called into question because of concerns that the Open Meetings Act was not adhered to. To date the Region has not received any of this funding, though some counties have.

Medicaid LTC Continuous Coverage Requirement Unwind: During the Covid pandemic there was Federal legislation which prohibited removing an individual from Medicaid. In December 2022 there was legislation that removed this requirement. Beginning April 1 eligibility reviews will begin taking place with the anticipation that 30,000 reviews will take place each month. The Region is positioning itself to be a safety net for individuals who will be losing their Medicaid benefits.

Emergency System: No additional information was shared.

Network Continuous Quality (CQI) Improvement: Providers who received a contract shift noted earlier will be reporting outcomes related to their implementation of DBT. Initial analysis indicates that persons receiving DBT treatment are recovering more quickly and there has been less utilization of the emergency system following their discharge.

FY 22-23 Capacity Utilization Summaries: These documents are monitored closely to determine when / if a contract shift is necessary to maximize funding and make adjustments indicated. DeShon commented that there is a summary for each Network Provider noting what they have requested, what has been paid, and what their utilization is anticipated to be at the end of the year. With 41 percent of the fiscal year completed per these reports, the average rate of utilization is 25 percent. Again, the need to be able to move these funds quickly inhibits flexibility and the ability to rapidly adjust based on current needs.

Wellbeing Initiative Quarterly Report Q2: This report discusses various activities that Wellbeing Initiative is conducting. The Region contracts with Wellbeing Initiative for consumer coordination.

Annual Acknowledgement via DocuSign: The annual acknowledgement that board members have received the Code of Ethics and noting any conflicts of interest will be sent via DocuSign.

2023 Regional Governing Board Survey: Michael thanked the Board members who responded to the annual survey and noted that all surveys will be compiled and presented to the Board for approval at the next meeting.

FY 22-23 Compliance Management Report: Provided for informational purposes. This report measures Network Providers' compliance with various contract deliverables.

FY 22-23 Training Plan: Provided for informational purposes.

Other Business:

- Harre asked whether the Region was seeing an increase in mental health issues due to Covid. Kreifels responded that there has been an uptick in mental health and substance use disorders, and our providers have long wait lists. As more people are seeking treatment, there is a workforce shortage which makes it difficult to meet all the demands on the system. Again, this would be a unique opportunity to redirect funds to mitigate some of these challenges; however, the Regions are going to be needing to use existing funds to provide for the rate increase discussed earlier.
- Kreifels thanked the officers for their efforts over the past year and for agreeing to continue to serve in that capacity.

IMPORTANT DATES

- February 13 – Executive Committee Meeting (following regular meeting)
- February 27 – Network Provider Meeting
- March 1 – BHAC Meeting – 10:00 a.m. / Zoom Option
- March 13 – RGB Meeting – 10:30 a.m. – Region V Services / Zoom Option

ADJOURN

There being no further business the meeting adjourned at 12:25 p.m.