



PREPAID INPATIENT HEALTH PLAN

Our Mission: Promoting opportunities for Recovery, Discovery, Health and Independence for individuals receiving services through ease of access, high quality of care and best value.

Region 10 PIHP Board Meeting Minutes

May 17, 2024, 9:00 a.m.

Region 10 PIHP

2186 Water Street, Port Huron, MI 48060

Board Members Present: Lori Curtiss, Dr. Niketa Dani, Ted Hammon, Joyce Johnson, Bob Kozfkay, Chad Polmanteer, Ed Priemer, Nancy Thomson, Bobbie Cutcher, Mr. Webb, Rex Ziebarth

Board Members Absent: John Groustra, DeElla Johnson, Gary Jones, Ken Lemons

Staff Present: *Region 10 PIHP Staff:* Jim Johnson, Chief Executive Officer; Richard Carpenter, Chief Financial Officer; Carrie Benacquisto, Finance Director; Katherine Forbes, Customer Service Manager; Robin Kalbfleisch, Recording Secretary

CMH Staff: Wil Morris, Sanilac CMH; Dan Russell, GHS; Brooke Sankiewicz, Lapeer CMH

Guests: None

1. Call to Order:

Called to order at 9:00 a.m. by Chairperson Curtiss. Chairperson Curtiss welcomed new board member, Mr. Webb and introductions took place. Roll call was conducted.

2. Citizens Wishing to Address the Board

None

3. Agenda Changes (Action Item)

Agenda item 5.D. *Building Financial Recap* was removed and will be covered next month. New item 5.D *ISF Master Contract Discussion* was added. It was moved by Ms. Joyce Johnson, seconded by Ms. Thomson, to approve the revised agenda as presented. **MOTION CARRIED**

4. Approval of Previous Meeting Minutes (Action Item)

It was moved by Ms. Thomson, seconded by Dr. Dani, to approve the April 19, 2024, meeting minutes as presented. **MOTION CARRIED**

5. Finance

A. Monthly Finance Report – March 2024 (Action Item)

Mr. Carpenter presented the report. Eligibility continues to drop and is expected to continue through the month of June. Revenue is following this trend through March;



however, there will be a rate increase for April – September. There was additional discussion about eligibles.

Traditional Medicaid CCBHC redirect was about \$9.4 million and there is a surplus of about \$18 million. He stated CFOs have discussed retention payments and there are no plans at this time to issue payments for FY2024. Healthy Michigan shows a surplus of almost \$39,000. CCBHC Medicaid received about \$19 million supplemental and has a surplus of about \$1.4 million. CCBHC Healthy Michigan has a deficit of about \$4.4 million, which would be a receivable from MDHHS at the end of the year. There was discussion about the amount of surplus, which is largely due to the CCBHC programs in each of the counties. There are only two regions where every CMH is a CCBHC: Region 10 and Lakeshore.

It was moved by Mr. Priemer, seconded by Ms. Thomson, to approve the Monthly Finance report for March 2024 as presented. **MOTION CARRIED**

B. Monthly Payment Report – March 2024 (Action Item)

Mr. Carpenter presented the report for March. He noted that the payment to MacDonald Garber Broadcasting was related to a SUD anti-vaping campaign through September.

It was moved by Ms. Thomson, seconded by Dr. Dani, to approve the Monthly Payment report for March 2024 as presented. **MOTION CARRIED**

C. SUD Max Service Rates (Action Item)

Mr. Carpenter presented the updated rates related to the Direct Care Wage (DCW) overtime requirements.

It was moved by Ms. Joyce Johnson, seconded by Ms. Thomson, to approve the SUD Max Service Rates as presented. **MOTION CARRIED**

D. ISF Master Contract Discussion

Mr. Carpenter reported that the proposed FY25 Medicaid contract was received yesterday afternoon from MDHHS. Included in the contract is revised ISF contract language that would limit the amount that we can keep in the ISF to 7.5% of the annual revenue in a particular year. In addition, they have added the limitation that the ISF balance cannot be less than \$0. Proposed language also states that if MDHHS determines the ISF is overfunded, the PIHP would have one year to either abate funds above the maximum threshold or return the funds to MDHHS. If we accept the proposed language, approximately \$35 million would have to go back to the Department.

Mr. Carpenter stated the ISF is the only mechanism Region 10 has for managing risk, and MDHHS is severely limiting how we are allowed to use it. There are already federal regulations and accounting and actuarial principles that allow us to manage our risk. The state should not be putting additional limitations on us.

Mr. Carpenter stated the plan is to try to negotiate with the Department to have this language removed from the FY25 contract; however, there are only four months before the start of the contract and discussions have already taken place about this



issue with MDHHS staff not appearing to fully understand the implications of this change. Mr. Carpenter noted that we currently have 15% - 20% in ISF funds and actuarial analysis supports 16% - 22% in reserves. There was additional discussion about Medicaid revenues and the consequences of returning funds to the state.

Mr. Carpenter would like to consider engaging legal counsel for appropriate next steps. He is unsure at this time about the interest of other PIHPs in similar circumstances to obtain legal counsel. Mr. Hammon suggested that Region 10 should consider creating a resolution opposing the contract language.

It was moved by Ms. Thomson, seconded by Mr. Hammon, to create a resolution opposing the ISF contract language for FY2025 and to allow Mr. Carpenter the ability to contact an attorney to discuss this matter. **MOTION CARRIED by roll call vote.** Ayes: Lori Curtiss, Dr. Niketa Dani, Ted Hammon, Joyce Johnson, Bob Kozfkay, Chad Polmanteer, Ed Priemer, Nancy Thomson, Bobbie Cutcher, Jerry Webb, Rex Ziebarth; Nays: None.

Chairperson Curtiss stated that she may call a special board meeting to review and approve the resolution.

6. Region 10 Board By-Laws (Action Item)

Mr. Johnson presented the draft of the Region 10 Board By-Laws with the revisions that were presented at the April Board Meeting, along with an additional change that was emailed to the group. There was no feedback or other changes submitted. It was moved by Mr. Kozfkay, seconded by Mr. Ziebarth, to approve the Region 10 Board By-Laws as presented. **MOTION CARRIED**

7. Quality Management

A. FY2024 Quality Improvement Program and Workplan (Action Item)

Mr. Johnson presented a revised workplan with three new goals added:

- Substance Use Disorder (SUD) Health Home goal, which is being added because the state is transitioning from Opioid Health Home to this model.
- Two State Opioid Response (SOR) Grant goals are being added to address the issues that recently occurred regarding having to use other funding sources because the GPRA surveys were not completed. This will ensure we maximize our available funding sources.

Mr. Priemer inquired if there was something in place to ensure GPRA is completed. Mr. Johnson responded that contract amendment language will ensure this as well as training and outreach to all of our affected providers.

Ms. Thomson asked about Performance Indicators and the standards requiring an assessment within 14 days from the date of request. She stated that the CMH sometimes does not receive the request until a few days after the initial request which cuts into the days the CMHs have to do the assessment. She wanted to know if this will be a corrective action from Region 10. Mr. Johnson responded that this is currently being worked on in the Access Center.

It was moved by Ms. Thomson, seconded by Mr. Ziebarth, to approve the FY2024 Quality Improvement Program and Workplan as presented. **MOTION CARRIED**



8. **Substance Used Disorder**

A. Meeting Minutes (5.7.24)

Mr. Johnson presented the minutes.

B. PA2 Request (Action Item)

Mr. Johnson stated that a PA2 Request for New Paths in Genesee County for CCAR training and food in the amount of \$2,376.00 was endorsed by the Genesee County SUD Oversight Board members. It was moved by Mr. Hammon, seconded by Mr. Ziebarth, to approve the PA2 request for New Paths in Genesee County in the amount of \$2,376.00 as presented. **MOTION CARRIED**

9. **Director's Report**

Conflict Free Access & Planning (CFAP): Mr. Johnson reported that the Department will meet with the PIHPs next week to present contract language related to CFAP. It has been confirmed that CCBHC services will be exempt from CFAP, but Home and Community Based Services (HCBS) are not exempt. We need more guidance on how this will affect those receiving both CCBHC covered services and HCBS services that are covered under the CCBHC plan. There was additional discussion regarding CFAP including the creation of a resolution opposing CFAP.

It was moved by Mr. Kozfkay, seconded by Ms. Thomson, for the Region 10 PIHP Board to create a resolution to oppose Conflict Free Access & Planning. **MOTION CARRIED by roll call vote.** Ayes: Lori Curtiss, Dr. Niketa Dani, Ted Hammon, Joyce Johnson, Bob Kozfkay, Chad Polmanteer, Ed Priemer, Nancy Thomson, Bobbie Cutcher, Mr. Webb, Rex Ziebarth; Nays: None.

Master Contract Language: Mr. Johnson stated the FY2025 master contract template was received yesterday. There is language in this contract that indicates that a PIHP's responsibilities related to CCBHCs applies to all populations served by the CCBHC, regardless of funding source. In addition, language regarding the recovery incentive pilot was included, which Region 10 had applied for. Region 10 will manage the program and reporting, but there is a different fiduciary set up for the pilot.

There were several updates to the program integrity section, which include the Regulatory Compliance Committee requirement to meet quarterly, with the Corporate Compliance Officer chairing that committee and reporting directly to the CEO.

Hospital Rate Adjustor Payment: The HRA rates have increased by 102%. As a reminder, these are pass through dollars that are provided to the hospitals to incentivize them to serve people with Medicaid. The state did not notify us in advance of this change so we did not have the opportunity to reference this additional revenue during negotiations on hospital rates.

HCBS: The PIHPs were informed that CMS will be conducting on-site visits of HCBS providers, settings, and programs in mid-July. The CMHs recommended sites but we do not have the final list yet.



House Bill 5725: A bill was introduced in the House on Tuesday to amend the Open Meetings Act (OMA) to allow virtual attendance for reasons other than military assignment. Boards would be required to make a resolution to allow virtual attendance and there would still need to be a quorum in the room. It was sponsored by Republicans in the House, so it is not likely to be moved until the fall, if at all.

Federal A.I. Bill: A bill has been introduced to regulate the use of A.I. in the healthcare industry.

10. Nominating Committee

Chairperson Curtiss appointed Mr. Hammon, Ms. Thomson, and Ms. Umbreit to the Nominating Committee for 2024.

11. Grievance and Appeals Presentation

Ms. Forbes presented on Grievance and Appeals.

12. Any Other Business to Properly Come Before the Board

There was discussion about taking the ISF resolution to the upcoming CMHA Conference to discuss with peers. Mr. Johnson mentioned providing the resolution to the PIHP representative on the Executive Council and Megan Rooney, the CEO in the UP.

It was determined that the results of the poll to determine the best day of the week to hold Region 10 PIHP Board Meetings was in favor of Friday mornings, so there will be no change to the day of the week for meetings.

There was a question regarding progress on the ongoing personnel issue. Mr. Johnson stated there is no resolution at this time and Ms. Ferres has been keeping Chairperson informed.

There was discussion about the seclusion and restraint bill passing the House and it is now on the Governor's desk.

13. Citizens Wishing to Address the Board

None

14. Adjournment (Action Item)

It was moved by Mr. Hammon to adjourn the meeting. With no further business to discuss, Chairperson Curtiss adjourned the meeting at 10:45 a.m.

Respectfully submitted,

Reviewed and approved,

Robin Kalbfleisch,
Recording Secretary

Ken Lemons
Secretary