

**Note: The following text is a summary of the actual public record and cannot be relied upon as a complete text of the proceedings recorded therein. For a complete copy of the public record, please contact the Ottawa County Clerk.*

**APPROVED
OTTAWA COUNTY
COMMUNITY MENTAL HEALTH**

**Monday, March 15, 2004 1:00 PM
CMH Building A - Board Room**

PRESENT: Edward Berghorst,, Mark Bombara, Joyce Kortman, Kristine Nale, Veronica Persenaire, Harris Schipper, Kellye Slaggert, Lucile Van Koevering, Cornelius Vander Kam, Fred Vander Laan, Steve Waters

ABSENT:

EXCUSED: Rita Bird

STAFF: Gerry Cyranowski, Sue Buist, Greg Hofman, Pam Pekelder, Betty O'Rourke, Gloria Pelon

OTHERS: Greg Rappleye, Mark Mishal, Judeth Newham

CALL TO ORDER - Board Chairperson

Fred Vander Laan, Chairperson called the March 15, 2004 meeting to order at 1:00pm.

PUBLIC COMMENT

Tom Bird
359 Waukazoo Drive
Holland, Michigan

Commented on the Town Hall Coalition and HIPAA regulations relative to visiting CBE's, group homes and obtaining mailing lists of CMHOC consumers.

Commented on CMHOC budget issues relative to preserving core services.

Michelle Rawlings
15881 32nd Avenue
Coopersville, Michigan

Commented on projects between CMHOC staff and the Town Hall Coalition relative to educating family members and guardians; with the need to have a mailing list and available funds.

Jan Yonker
706 Crestview
Holland, Michigan

Commented on lending her support to the Town Hall Coalition with educating family members and guardians, as well as, assistance with a mailing list and funding.

Commented on her concerns relative to monitoring and adequacy of certain AFC homes.

APPROVAL OF MINUTES of February 16, 2004

CMH 04-021 Motion: To approve the minutes of the February 16, 2004 meeting.

Moved by: Schipper

Supported by: Berghorst

MOTION CARRIEDAPPROVAL OF AGENDA of March 15, 2004

CMH 04-022 Motion: To approve the agenda for March 15, 2004.

Moved by: Van Koevering

Supported by: Persenaire

MOTION CARRIEDCOMMUNICATIONS & PRESENTATIONS

Mr. Vander Laan read the letter of resignation received from Board Member Veronica Persenaire, effective March 27, 2004, as she will be relocating to Florida. Ms. Pelon will send the notice of vacancy to Mr. Daniel Krueger, Ottawa County Clerk's Office, requesting the posting of the Board seat vacancy.

Mr. Vander Laan, Mr. Berghorst and Mr. Bombara presented Ms. Persenaire with a plaque in recognition of her distinguished service on the CMHOC Board of Directors. Ms. Persenaire has served on the CMHOC Board of Directors since 01/01/96.

Educational Presentation: HIPAA, Recipient Rights and Confidentiality Greg Rappleye, Ottawa County Corporate Counsel and Mark Mishal, MDCH Office of Recipient Rights, Community Rights Specialist provided an overview regarding HIPAA, Recipient Rights and Confidentiality.

HIPAA - Greg Rappleye:

Using this presentation as an opportunity to respond to questions and concerns received from the Town Hall Coalition, Mr. Rappleye, Corporate Counsel, reviewed the requirements of HIPAA relative to CMHOC services to the residents of Ottawa County. He stated, in his opinion, as Corporate Counsel and under HIPAA regulations the Town Hall Coalition:

- a. does not have the right to visit CBE's or group homes during regular operating times. He noted that state law is more restrictive than HIPAA and CMHOC is bound by the higher requirement.
- b. does not have the right to consumer information; explaining that only a business associate, entity or person who has a contract with CMHOC would have this right to information.
- c. is not a "Public Health Authority" under the regulations as they exist. They are not an "agent of the Board" because they have no power or authority and are not under the agency provision.

Mr. Rappleye stated that he reviewed the Board Resolution written in 2002 and could find no language that would allow providing the Town Hall Coalition access to CMHOC records. He stated that the CMHOC Board of Directors can not give away protected information to an entity that is not a business associate of CMHOC.

Mark Mishal - Recipient Rights and Confidentiality:

Mr. Mishal, Community Rights Specialist, MDCH Office of Recipient Rights, distributed and reviewed information regarding consumers' recipient rights and confidentiality.

Mr. Mishal stated that basically everything in a consumer's record is confidential; noting that an authorized purpose is needed for any review of a consumer's record, it is not open for public inspection. He stated that the CMHOC Board of Directors do not have access to consumer records, it is not within the Board's authority. He noted that the Board does not have the authority to discuss individual consumer complaints. Any such items must be referred to the Office of Recipient Rights.

Mr. Mishal reiterated the statements made by Mr. Rappleye, in that, individual members of the Board of Directors do not have the right to visit group homes; only if a recipient requests a meeting with an individual, can someone visit a home. The Board, as a whole, may visit a program site if it is relevant to the Board's business.

Mr. Mishal stated that CMHOC Recipient Rights Office requires certification by MDCH. He noted that CMHOC has an external monitoring system, the Consumer Advisory Committee.

Ms. Kortman questioned how the Board could facilitate the Family Involvement Groups (FIG) with the mailings. Mr. Mishal stated that CMHOC could do the mailings inviting consumers to an open community meeting.

Ms. Nale commented that consumers need ongoing education regarding informed consent.

Mr. Rappleye stated that the HIPAA Privacy Officers are: Chief Privacy Officer, Greg Rappleye and the CMHOC Privacy Officer is Cheri Parks, with Mary Moore assisting. Ms. Parks stated that anyone with concerns should contact their case manager or contact the CMHOC Recipient Rights Office.

Mr. Vander Laan questioned whether Mr. Rappleye and Mr. Mishal would be available to answer questions following today's Board Meeting and they both agreed to be available.

CHAIRPERSON'S REPORT

Nominating Committee

Mr. Vander Laan appointed Mr. Edward Berghorst, Mr. Cornelius Vander Kam and himself to the Nominating Committee. They will meet and prepare a slate of nominees. Mr. Vander Laan requested input from the Board and suggestions should be given to one of the Nominating Committee members. The Nominating Committee will present the slate and motion at the April 19, 2004 CMHOC Board Meeting.

CMHOC Board Meeting - Evening Meeting

Mr. Vander Laan reminded Board members of the evening meeting scheduled for the April 19, 2004 CMHOC Board Meeting. The Organizational Meeting will begin at 6:00pm; the Board Meeting will begin at 6:15pm. The meeting will be held at the James Street Office, in the CMHOC Board Room.

EXECUTIVE DIRECTOR'S REPORT

Mr. Cyranowski reviewed and answered questions regarding his March, 2004 Executive Director's Report.

Budget Issues Update:

It was noted that a budget meeting was held with all supervisors where they were instructed to project their department expenses for the remainder of the fiscal year, with instructions to stay within their current rates of spending. Supervisors were also instructed to project their expenses for fiscal year 2004/2005.

The revised operating budget will not allow implementation of initiatives in the recently approved Medicaid Savings Reinvestment Plan or the addition of new staff positions.

There are potential positive budget implications:

- a. Expense: rent relief from the County and potential savings following implementation of the new management information system.
- b. Revenue: reverting earned interest revenue from the County to CMHOC, either directly or in the form of local match.

Mr. Cyranowski stated that he has been in meetings with Alan Vanderberg regarding these issues and is scheduled to continue discussions during a meeting this week.

Mr. Cyranowski stated that CMHOC will be operating under a very tight budget, but with no reduction to services. Continued efforts are being made to direct staff resources to priority areas, such as CBE.

Miscellaneous:

Mr. Cyranowski distributed the following information stating they will be addressed at future meetings:

- a. CMHOC Prevention Activities
- b. Medicaid Savings Reinvestment Plan FY 2002-2003 - Final Status Report
- c. CMHSP Sub-Element Cost Report FY 2003 - All Services

For information only. Article showcased Creative Socio-Medics (CSM) and CMHOC.
Open Minds - The Evolution of the Creative ASP Solution

Mr. Cyranowski stated that the *Walk & Roll 2004* event, which is sponsored by the Lakeshore Center for Independent Living, was a success. He noted that they are still accepting donations. Ms. Kortman also stated that this event was a great success and encouraged CMHOC Board members to attend next year.

Parents as Teachers:

Ms. Kortman stated that Communities In School and Parents as Teachers are two different programs. She is requesting clarification of a statement in Mr. Cyranowski's Executive Director's Report indicating that Parents as Teachers is a part of a contract with Life Services System's Communities in Schools. Mr. Cyranowski will review the information and provide feedback in his April 2004 Executive Director's Report.

FINANCE ITEMS

Service Contracts

CMH 04-023 Motion: To approve the Service Contracts as presented.
 Moved by: Van Koevering Supported by: Persenaire

MOTION CARRIED

FY 2003/2004 February Financial Statement

CMH 04-024 Motion: To receive FY 2003/2004 February Financial Statement as presented.
 Moved by: Berghorst Supported by: Persenaire

MOTION CARRIED

Ms. Kortman questioned the line item: Due to Muskegon CMH \$1,527,428. As Ms. Pekelder is on vacation, Mr. Cyranowski stated that he will provide information regarding this line item at the CMHOC Board Meeting scheduled for April 19, 2004.

Ms. Kortman stated that she is looking forward to future educational presentations on how to read CMHOC financial reports.

FY 2003/2004 Budget Adjustment #3

CMH 04-025 Motion: To approve FY 2003/2004 Budget Adjustment #3 as presented.
 Moved by: Bombara Supported by: Van Koevering

MOTION CARRIED

FY 2003-2004 Medicaid Savings Reinvestment Plan

CMH 04-026 Motion: To rescind the FY 2003-2004 Medicaid Savings Reinvestment Plan approved on January 19, 2004; Motion CMH 04-009, and approve the new FY 2003-2004 Medicaid Savings Reinvestment Plan as presented.

Moved by: Berghorst Supported by: Persenaire

MOTION CARRIED

Mr. Cyranowski reiterated that he is pushing managers to stay under budget and noted that any savings will go to residential inpatient psychiatric and respite services. He emphasized that should the expense/revenue issues be resolved, it could provide some Medicaid dollars to enact portions of the Medicaid Savings Reinvestment Plan. If this would be the case, a plan would be presented to the Board for approval. If General Fund dollars are available, selected items from the Reinvestment Plan could be implemented.

QUALITY IMPROVEMENT ITEMS

The Minutes of March 2, 2004 were accepted.

Monthly Update: Demographics Report

This Monthly Demographics Report is provided by Mr. Hofman, at the request of the Board members and is presented for information only.

Ms. Persenaire reviewed what the CMHOC Board Policy Work Group accomplished; indicating that their first meeting was a brainstorming session. At the second session, Judeth Newham, Consultant, Southern Cross Group, facilitated a work session.

At the second session, Ms. Newham recommended that the full Board of Directors participate in policy making. It was at this time, it was suggested that a new format for the Program/Planning & QI Committee be introduced. Therefore, Ms. Persenaire recommended that the Program/Planning & QI Committee evolve into two Board meetings per month; with one meeting consisting of policy development, Quality Improvement issues and program planning.

Regarding the suggestion of two monthly Board meetings, Mr. Vander Laan stated that he would appreciate feedback from current members of the Program/Planning & QI Committee, as well as from all Board members.

At this time, Mr. Vander Laan recommended that the Program/Planning & QI Committee be suspended on a trial basis and incorporate into one monthly Board meeting. He stated that since the April 19, 2004 CMHOC Board Meeting is an evening meeting, the agenda not include educational presentations, so that after the meeting, Board members would be available to visitors in attendance. At the May 17, 2004 CMHOC Board Meeting, Ms. Newham could present at the beginning of the meeting, following approval of the minutes and agenda.

This recommendation will be implemented, on a trial basis, for the next six (6) months.

OLD BUSINESS

Report from CMHOC Board Policy Work Group

Judeth Newham, Consultant, Southern Cross Group, provided feedback from the CMHOC Board Policy Work Group meeting held on February 21, 2004.

Ms. Newham distributed information regarding her recommendations and findings following her meeting with the CMHOC Board Policy Work Group.

Ms. Newham shared her belief that the CMHOC Board could be a contemporary Board. She reviewed definitions of mission, vision, values and objectives. She reviewed Board roles and made a recommendation to structure the Board into four main groups: mission, margin, client and culture.

Ms. Newham emphasized that time should be spent with 95% in a future focus; 5% looking in the rear-view mirror.

Ms. Newham stated that she is looking forward to working with the Board regarding structure, communication and learning to relate to one another.

Ms. Persenaire added that she highly recommends that the CMHOC Board embrace the concept to work together.

NEW BUSINESS

None

GENERAL INFORMATION, COMMENTS AND MEETINGS ATTENDED

Conference Highlights

Ms. Persenaire reported on the MACMHBs Winter Conference, noting her attendance at the pre-conference - *Using Constructive Conversation to Resolve Disputes*.

Mr. Vander Kam reported on his attendance at the NACo Legislative Conference in Washington D.C., noting that

he was somewhat disappointed.

Ms. Kortman reported on her attendance at the NACo Legislative Conference in Washington D.C., noting that she was disappointed with the lack of focus. She also shared that she receives *Preventing Suicide/The National Journal*. She noted that this is a free subscription which is covered by a grant as part of the educational awareness component of the SAMHSA suicide prevention initiative. Ms. Pelon will copy the order form and anyone interested in receiving this subscription may contact her.

Mr. Berghorst reported on his attendance at the MACMHBs Winter Conference, specifically the workshop that Mr. Cyranowski and Brenda Vander Meulen presented (Conducting a Community Wide Needs Assessment), noting that it was very well attended, the presentation was well done and very interesting.

Mr. Cyranowski stated that CMHOC is considering providing a panel presentation for consumer-run businesses at a future MACMHB conference.

PUBLIC COMMENT

Tom Bird
359 Waukazoo Drive
Holland, Michigan

Commented that the Town Hall Coalition does not want full disclosure, but is looking for a practical solution to mailing their brochures. He emphasized that the Town Hall Coalition does have a valuable service to offer CMHOC.

ADJOURNMENT

Mr. Vander Laan adjourned the March 15, 2004 meeting at 3:23 p.m.

Agenda

1. Call to Order - Board Chairperson
2. Public Comment
3. Approval of Minutes of February 16, 2004
Suggested Motion: To approve the Minutes of February 16, 2004.
4. Approval of Agenda of March 15, 2004
Suggested Motion: To approve the Agenda for March 15, 2004.
5. Communications and Presentations
Educational Presentation
HIPAA, Recipient Rights and Confidentiality
Presenters: Greg Rappleye, Corporate Counsel and Mark Mishal, MDCH Office of Recipient Rights, Community Rights Specialist
6. Chairperson's Report
7. Executive Director's Report (*Attachment A*)
8. Finance Items (*Attachment B*)
Service Contracts
Suggested Motion: To approve the Service Contracts as presented.

Financial Statement

Suggested Motion: To receive FY 2003/2004 February Financial Statement as presented.

Budget Adjustment

Suggested Motion: To approve FY 2003/2004 Budget Adjustment #3 as presented.

FY 2003-2004 Medicaid Savings Reinvestment Plan

Suggested Motion: To rescind the FY 2003-2004 Medicaid Savings Reinvestment Plan approved on January 19, 2004; Motion CMH 04-009, and approve the new FY 2003-2004 Medicaid Savings Reinvestment Plan as presented.

9. Program/Planning & QI Committee Items (*Attachment C*)
Monthly Report: Demographics Report
10. Old Business
Report from CMHOC Board Policy Work Group
Guest: Judy Newham - Consultant, Southern Cross Group
11. New Business
12. General Information, Comments and Meetings Attended
13. Public Comment
14. Adjournment