

**SAGINAW COUNTY COMMUNITY MENTAL HEALTH AUTHORITY
REGULAR MONTHLY BOARD MEETING MINUTES
JUNE 10, 2024, 2022 – 5:15 PM
ROOM 190**

PRESENT: Tracey Raquepaw, Cherie Long, Lisa Coney, Deb Nagel, Mike Cierzniewski, Kathleen Schachman, Joan Williams, Cym Winiecke

VIRTUAL: Jill Armentrout

ABSENT: Maria Vela, Robert Woods, John Pugh

GUESTS: Jamie Zimmer, Kerri Wissmueller

STAFF: Sandra Lindsey, Jan Histed, Ryan Mulder

I. CALL TO ORDER

Tracey Raquepaw – Chair called the meeting to order at 5:15 p.m. A quorum was established, and verification of posting was determined.

II. PUBLIC PARTICIPATION

There was not public participation.

III. APPROVAL OF BOARD MINUTES

A. Board Meeting – May 13, 2024

Motion made by Lisa Coney and supported by Cym Winiecke to approve the May 13, 2024, SCCMHA Board Meeting minutes as written. Motion carried.

IV. APPROVAL OF COMMITTEE REPORTS

A. Governance Committee – No Meeting
Mike Cierzniewski, Chair / *Vacancy*, Vice Chair

B. Recipient Rights Committee – May 15, 2024
Deb Nagel, Chair – *Vacancy*, Vice Chair
Reported by Deb Nagel.

Motion made by Deb Nagel and supported by Mike Cierzniewski to receive and file this report as edited. Motion carried.

C. Ends Committee – No Meeting
Jill Armentrout, Chair – Tracey Raquepaw, Vice Chair

D. Executive Limitations – May 22, 2024
Cym Winiecke, Chair – Tracey Raquepaw, Vice Chair
Reported by Cym Winiecke.

Motion made by Cym Winiecke and supported by Kathleen Schachman to receive and file this report as edited. Motion carried.

V. CEO REPORT

CCBHC Certification Submission Complete as of 5-31-24

See the related handout that Sandy asked to be brought to tonight's meeting.

The table is a summary of the type and number of documents uploaded as part of SCCMHA's CCBHC Recertification process that was due on June 3. The MDHHS certification focus is on the CCBHC Demo Sites for Cohorts 1 & 2. SCCMHA is a site in the original Cohort 1. Sites have been instructed by MDHHS, that once we are notified of full certification the process is done. If there are areas of the submission that are deficient, sites will have 3 days to respond with corrections or additional information. The new 2025 Cohort 3 sites will be submitting their documentation for certification by the end of June.

MDHHS Medicaid Waiver CMS Application Renewals and State Plan Service Changes

See page 56-57 in tonight's packet.

Medicaid is by far the largest revenue source in the SCCMHA Budget. The specialized Medicaid Managed Care benefit unique to the management of the PIHP/CMHSP system is organized as illustrated in the chart presented. The chart is organized to show the components which collectively make up the CMHSP Medicaid Specialty Mental Health benefit.

Sandy designed this chart for senior SCCMHA managers to show the components of the Specialty Medicaid Benefit and in particular the 4 Medicaid Waiver Programs that MDHHS has submitted to the Centers for Medicare and Medicaid Services (CMS) for renewal this year with effective dates in FY 2025.

Note the six component areas depicted in the columns of the chart and the services included in each Medicaid program. Components include State Plan Services, EPSDT Services, and the four Medicaid Waivers including 1915 (i) SPA Waiver for all populations, Children's Waiver Program (CWP) for children with intellectual and developmental disabilities, Habilitative Supports Waiver (HSW) for adults and children with intellectual and developmental disabilities and Serious Emotional Disorders Waiver (SEDW) for youth with serious psychiatric conditions. Each of these Waiver applications to CMS that are now posted to the MDHHS website are 200 + pages long and contain changes in each waiver going forward if CMS approves them. The color coding of items in each waiver column are to call out service benefit changes, service benefit revisions, changes in waiver capacity or eligibility and inclusion of CFA&P requirements.

SCCMHA Senior managers will be reviewing all of the MDHHS renewal applications to understand the changes, so that we can be ready for implementation changes in FY 2025.

Question from Executive Limitations Committee member about Identification of 2024 Minority or Female Owned / Operated Service Provider Contractors

See pages 52-55 in tonight's packet for the response to Commissioner Coney's inquiry about SCCMHA provider contracts this year for African American Owner/Operated organizations. The same listing used to approve the contracted network by service category and approve the service rates at the last Executive Limitations Committee

meeting and coming before the full board for approval at this June meeting was used to identify African American owner/operated organizations, those female owned and other racial/cultural minority owned/operated organizations as identified by SCCMHA administration. The chart was accompanied by a memo of explanation to the board.

Community Inclusion Summer Respite Activities

See handout that Sandy asked to be brought to tonight's meeting.

The table in color shows the name of the five seasonal day time community inclusion summer respite programs plus one overnight, the participating providers and the calendar dates for these sessions. Eligible participants are youth with open SCCMHA cases under the age of 21 years. Note participants with Autism Systems and Game Changers are not just youth on the Autism Spectrum, but also youth with IDD and SED.

The information provided also included the listing of the 4 SCCMHA approved licensed overnight summer camps. Note, Medicaid funds can only be used by CMHSPs to support licensed overnight summer camp sponsorship for consumers up to age 21 years of age.

MDHHS vs Waskul Legal Settlement on Direct Care Wage for Consumers in Enrolled in the Medicaid Habilitative Support Waiver in Self Determination Arrangement

See handout that Sandy asked to be brought to tonight's meeting.

Washtenaw CMH was sued in 2016 by a family member of a consumer that could not find adequate CLS staffing for their adult child at the rate of pay authorized by that CMHSP. This litigation quickly included MDHHS as a defendant. MDHHS has come to a resolution through a settlement agreement that will be finalized in court on September 23, 2024. The settlement impact will be for HSW enrolled consumers in Self Determination arrangements and not just those consumers being served by Washtenaw CMH, but across all 46 CMHSPs. CMHSPs across the state were sent a notice by MDHHS last week indicating that we had until June 15, 2024, to respond to the impact of the settlement terms to argue for relief. In a nutshell, the settlement will require Direct Care Staff working with HSW enrolled consumers in Self Determination Arrangements, to be paid \$31.00/hour.

The response for the CMHSPs across the state to indicate the negative impact of the settlement terms and to argue for relief is taking the form of a Declaration Regarding the Impact of the Waskul Settlement. This declaration document is being used by all CMHSPs arguing for relief from the terms of the settlement. This document is being used by all CMHSPs to describe the negative impact of the settlement terms. Once completed, the Declarations are being sent by all impacted CMHSP CEOs to the Washtenaw CMH's attorney, Neil Marchand of Miller and Johnson, LLP, where they will be collectively presented to the Judge in this case to request relief from the terms of the settlement.

The section of the document where SCCMHA is reporting the negative impact of the settlement can be found in the declaration document at paragraphs labeled number 5. - 7. SCCMHA has 35 consumers that are HSW enrolled and in Self Determination arrangements that would be impacted by the wage increase to \$31.00/hr. at a total of more than \$1.2 million dollars for these consumers. Just as detrimental would be the destabilization of the rest of the SCCMHA residential network providing more than 600

other SCCMHA consumers with CLS Services which have staff compensation on average at 40% less than settlement terms.

Conflict Free Assessment and Planning Update and Board Resolution

At last month's meeting we discussed CFAP and the fact that the MSHN Board of Directors passed a Board resolution in opposition to MDHH's decision to move forward with this directive. Sandy was asked to draft a similar resolution for SCCMHA Board consideration. The resolution is in the Board Action section of the agenda and in the packet starting on page 41. The board members were strongly encouraged to support the resolution. Sandy reminded the board that if placed into effect, the most immediate harm caused by the CFA&P provisions would be the inability of SCCMHA Supports Coordinators to refer consumers for community inclusion CLS services at Community Ties North and South Programs. There is no other contracted provider delivering this service that is able to work with the complex needs of consumers served by these programs.

Motion made Lisa Coney and supported by Cym Winiecke to receive & file this report. Motion carried.

VI. BOARD ACTION

A. Approval of FY 2024 PROVIDER CONTRACTS AND FEE SCREENS & Network Service Providers / New Program Sites

Motion made by Cym Winiecke and supported by Deb Nagel to approve the FY 2024 Provider Contract and Fee Screens & Network Service Provider / Program Sites List. Motion carried.

B. 2024 Annual CMH PAC Campaign

CMHA is again asking boards to contribute to the CMH PAC Campaign. Sandy reported CMHAM is doing a wonderful job representing the CMH System and encourages the Board to consider making the equivalent of one Board meeting stipend (\$50). If interested in contributing, go to <https://cmham.org/public-policy/cmh-pac/>. If you would rather contribute by check (or cash) please give it to Ryan and he will submit contributions to CMHA on your behalf. The goal is a \$500 collective contribution from board members and/or staff.

C. Report from Nominating Committee / Election of Officers

The Nominating Committee of Cherie Long and Joan Williams reported the following slate of nominations: Tracey Raquepaw as Chair, Cym Winiecke as Vice-Chair, and Joan Williams as Secretary. There were not any other interested parties in any of the positions.

Tracey Raquepaw, Chair temporarily yielded the leading of the meeting to Sandra Lindsey who reviewed with the group how the election would be conducted. It was noted that it is our custom to call three (3) times from the floor for nominations. Sandra Lindsey did call for nominations from floor three (3) separate times and no new names were offered.

Motion by Lisa Coney and supported by Joan Williams to cast a unanimous vote to elect Tracey Raquepaw as Board Chair, Cym Winiecke as Board Vice-Chair, Joan Williams as Secretary. Motion carried.

D. Approval of Resolution to Oppose Implementation MDHHS Approach to Conflict Free Access & Planning (CFAP) in Michigan

Sandy updated the Board on MDHHS planning related to Conflict Free Access and Planning in Michigan's Public Specialty Mental Health System. The following was noted:

- If this plan proceeds it would likely result in SCCMHA laying off of staff
- Closing of day programs
- Having to find contracted providers for such programs (which do not currently exist in Saginaw County or likely in any other counties either)

Motion made by Deb Nagel and supported by Kathleen Schachman to approve SCCMHA Resolution to Oppose Implementation MDHHS Approach to Conflict Free Access & Planning (CFAP) in Michigan. Roll Call vote: (results: '8' votes for yea & '0' votes nay). Motion carried.

E. Approval of Resolution as June as Pride Month

Tracey Raquepaw read the resolution aloud for the Board of Directors.

Motion made by Cym Winiecke and supported by Deb Nagel to approve SCCMHA Resolution as June is Pride Month. Motion carried.

F. Approval of SCCMHA Board of Director Policies

Motion made by Lisa Coney and supported by Deb Nagel to approve the above SCCMHA Board of Director Policy Revisions with requested changes as documented in the policy review form. Motion carried.

VII. BOARD INFORMATION

- CMHA Weekly Update – MAY 2024 links: <https://cmham.org/resources/weekly-update/>**
- SCCMHA CAC Minutes <https://www.sccmha.org/about/board-agendas-and-meetings.html>**
- County proclaims May 2024 as Mental Health Month In Saginaw – 05/21/24**
- June is LGBTQ+ Pride & National Post-Traumatic Stress Disorder Awareness Month & Juneteenth on June 19th**
- Update from the SCCMHA Diversity, Equity & Inclusion (DEI) Team**
- Letter to County re: County Match Funding Request 2025 – 05/25/24**
- Memo from SLindsey re: Identification of 2024 Minority or Female Owned/Operated Service Provider Contractors**
- MDHHS Medicaid Waiver Renewals and Benefit Changes for FY 2025**
- CMHA 'Minimizing Complexities – Meeting Federal Conflict Free Requirements in Ways that Promote Simplicity & Access to Care' Roadmap Infographic**

VIII. MEDIA / PUBLICATIONS

- Bridge Article 'As opioid funds flood MI, tensions rise over how best to reverse ODs' – 04/16/24**
- Press Release 'MDHHS uses \$1.3 million opioid settlement dollars to expand hospital supports for substance-exposed babies and their families' – 05/09/24**

C. Media Release 'Saginaw Health Equity Council to Unveil Comprehensive Report May 14'

IX. OTHER ITEMS OF INTEREST

X. ADJOURNMENT

Motion by Cym Winiecke supported by Deb Nagel to adjourn this meeting at 6:44 PM p.m. Motion carried.

**Minutes prepared by:
Ryan Mulder
Executive Assistant to CEO**