

**NORTH SOUND MENTAL HEALTH ADMINISTRATION
ADVISORY BOARD MEETING**

**North Sound Mental Health Administration
Conference Room
117 North First St., Suite 8
Mt. Vernon, WA 98273
September 7, 2004
1:00 PM**

Agenda

1. Call to Order - Introductions, Chair - 5 minutes
2. Revisions to the Agenda, Chair - 5 minutes
3. Approval of the August 2004 Minutes, Chair - 5 minutes - Tab 1
4. Comments from the Public -5 minutes
5. Correspondence and Comments from the Chair - 5 minutes
6. Unfinished Business
 - a. Executive Director's Report - Chuck Benjamin - 5 minutes
 - b. Finance Committee - Mary Good - 5 minutes
 - c. Agenda Committee - Tom Richardson - 5 minutes
 - d. QMOC Report - Mary Good - 5 minutes
7. Items To Be Brought Forward To The Board of Directors - Charles Benjamin, Executive Director
Tabs 2-8
8. New Business
9. Comments from County Advisory Board Representatives - 15 minutes
 - a. Island
 - b. San Juan
 - c. Skagit
 - d. Snohomish
 - e. Whatcom
10. County Coordinator Report
11. Comments from Public - 5 minutes
12. Other Business
 - a. Request for Agenda Items
13. Adjournment

NOTE: The next Advisory Board meeting will be October 5, 2004 at the NSMHA Conference Room, 117 N. First Street, Suite 8, Mount Vernon.

**North Sound Mental Health Administration
MENTAL HEALTH ADVISORY BOARD**

August 3, 2004

Present: Jack Bilsborough, Tom Richardson, Julian Marsh, John Patchamatla, Marie Jubie, Mary Good, Bruce Radtke, Dean Stupke, Joan Lubbe, Chris Walsh
Absent: Jim King, Patricia Whitcomb, James Vest
Excused: Chuck Albertson, Patricia Little
Staff: Shirley Conger, Chuck Davis, Sharri Dempsey, Chuck Benjamin, Deirdre Ridgway, Wendy Klamp, Beckie Bacon, and Rebecca Pate
Guests: Laurel Britt, Chuck Roxin

MINUTES

TOPIC	DISCUSSION	ACTION
CALL TO ORDER, INTRODUCTIONS		
Chair Jubie	Chair Jubie convened the meeting at 1:17 p.m. and welcomed those present. Introductions were made. There was a pre-meeting at 12:15 by Beckie Bacon. Marie asked if we had a quorum and it was present.	Informational
REVISIONS TO THE AGENDA		
Chair Jubie	None	None
APPROVAL OF MINUTES		
Chair Jubie	The June 2004 minutes of the Advisory Board meeting were reviewed and passed. Motion to approve, seconded.	Motion carried
COMMENTS FROM THE PUBLIC		
Chris Walsh	Chris invited everyone to attend the 29 th Annual Summerfest, of Delta Rehabilitation Center at the Snohomish Chalet, August 7, 2004, 1-4 pm.	Informational
Shirley Conger	Shirley invited everyone to tour the posters for the contest and invited the Advisory Board to help judge the posters at the Board of Directors August 12 meeting.	
Tom Richardson	Tom mentioned the Peer Stakeholders meeting, August 4, 10-3, at Skagit Valley PUD and encouraged all to attend. He stated the one being developed in Washington State is not comprehensive enough and as many people as can	

go should attend. He fears the one in Washington is geared toward individuals on Medicaid only. He has seen the benefits of Peer-to-Peer working through the Rainbow Center and knows this is good for everyone involved not just those on Medicaid. He would like to see the state develop a program that is not restricted and will benefit all.

Jack Bilborough

Jack asked for a definition of CMS – Centers for Medicare/Medicaid Services. In the state of Washington, Medicaid eligibility is for those who make less than \$6,983 a year. Chuck Benjamin stated that individuals who make more are still eligible to get mental health services. Chuck acknowledged there are two (2) definitions of eligibility: 1) Financial and 2) Medical Necessity. Individuals who are on Medicare have to do what is called a spenddown to be Medicaid eligible. They have to spend so much of their own money for health related services. Once they have accomplished this, they then become Medicaid eligible.

CORRESPONDENCE AND COMMENTS FROM THE CHAIR

Chair Jubie

Marie went to the Joint Legislative Executive Taskforce on July 26-27 and had a positive experience. The taskforce is gathering a lot of information and the next meeting is August 26. The taskforce has a time for public comments from 4-5 and Marie suggested that we get mobilized and provide a show of force to show the taskforce a personal example instead of just being a number in a document. She also encouraged everyone to write to their legislators, forthcoming governors, etc. to get our voices heard.

Informational

Marie will be going to the Snohomish County WMIP Advisory Board meeting on August 5, 10:30-12:30, at Snohomish County Human Services first floor conference room.

Marie stated her concerns with Molina's lack of experience with individuals who have severe and chronic psychiatric disabilities.

Washington Partners in Crisis, September 27-29, will be an "All Aboard" and will be in Yakima. This is a community response to address the criminalization of mental illness. There will be judges, prosecutors, law enforcement and others

affected by how our system is not working. Sharri Dempsey stated the bus would be leaving NSMHA early the morning of the 27th and that brochures are at the printers and will be distributed as soon as they are available.

The Board retreat will be either October 15 or 8, at Skagit Resort.

Marie wishes to put an Ad Hoc Committee together to review the By-Laws of the Advisory Board and look at the various committees and asked for volunteers. John Patchamatla said he would be a volunteer if the meetings were held in Snohomish County.

MONTHLY COMMITTEE REPORTS

Chuck Benjamin	Executive Director's Report We still need to focus on our "Vision of Hope – Path to Recovery" so we can move forward in the best way possible. NSMHA is still struggling with the changes and new rules to meet criteria.	Informational
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I attended the Joint Legislative Executive Taskforce and believe that they are receiving the information needed. We are also getting "good press" coverage, which means we are getting the message out about what the Medicaid and IMD impact are on the North Sound Region. Consumers and advocates are writing letters, which is excellent, but I would also strongly encourage everyone to write letters to legislative representatives, those running for office (i.e., impending governors and representatives), members of the taskforce and letters to editors. The impact on the legislature is not going to come from all of these reports that they are hearing at the taskforce but will come when they see whether or not there is really support for funding coming from the general public.

NSMHA is still very concerned with the issue of degradation of services, which is what a lot of people do not want to talk about with the Medicaid Integration Project (MIP). The importance is not so much about what will happen to the 6,000 lives that get transferred to the MIP. It is what will happen to the approximate 116,000 lives that we are still responsible for caring about plus the undue liability and risk of covering the inpatient cost of the 6,000 people transferred to MIP for outpatient

services. We are continuing this dialog with the state. NSMHA is contemplating litigation with DSHS on MIP.

There are two major audits coming to the NSMHA. One is External Quality Review Organization (EQRO) that will take place August 16-18. Chuck stated that Wendy Klamp has been in charge of getting NSMHA ready for this audit and has done very good work. He thanked all the staff for their efforts in getting NSMHA ready. This is a federal mandate. There are some good things coming from this in that it ensures NSMHA performs Utilization Reviews adequately and NSMHA has an information system that is creditable and reliable. The new electronic system is in place and NSMHA is receiving data from our providers. There is still some difficulty in trying to write the reports from the data but NSMHA is working on that. The providers are also experiencing some difficulty.

The state, by federal requirement, had to hire an external independent reviewer to perform the EQRO audits. NSMHA has created 37 binders of information the EQRO will be reviewing as part of the audit. Chuck has approved all administrative policies and procedures through process approved by the Board of Directors. Chuck hopes that future audits will take only minor adjustments.

Chuck stated some structural changes are being made to remain in compliance. Some positions have been reclassified and a Data Analyst position was added.

Chuck stated the second audit would be a CMS audit as they are unhappy with the information they are receiving from the state concerning the Waiver. The state has still not set rates. CMS will audit seven (7) RSNs and NSMHA is one of the seven. The preparation done for EQRO audit will also work for the CMS audit with a few additions. Chuck's main concern is what NSMHA has provided for non-Medicaid and the IMD rules. CMS will be at NSMHA in mid-November.

Finance Committee Report

Mary Good

Mary stated committee met and all expenditures passed. A discussion period followed. Motion to approve the expenditures, seconded.

Motion carried

Tom Richardson **Executive Committee/Agenda Committee**
The Advisory Board retreat was discussed and two (2) dates decided on. First one is October 15 and the second is October 8. Sharri Dempsey was asked to make facility reservations and start a retreat agenda. Informational

Mary Good **QMOC Report**
No report as July meeting was canceled. Informational

ITEMS TO BE BROUGHT FORWARD TO THE BOARD OF DIRECTORS

Consent Agenda

Chuck Benjamin Motion to approve the Quality Specialist position, revised Quality Management Plan, revisions of NSMHA's Complaint, Grievance, Appeals, and Fair hearing Policies, seconded. Motion carried

Board of Directors June Action Item not yet Reviewed by the Advisory Board

Chuck Benjamin This is the Transition Plan for the Medicaid rules. Motion made, seconded with a discussion period following before vote. Motion carried

Board of Directors August Action Items

Chuck Benjamin NSMHA's revised Regional Training Plan. Motion to recommend Board of Directors approval, seconded. Motion carried

Contract language change between NSMHA and APN around the DDD Crisis contract. Motion to approve, seconded. Motion carried

Newly negotiated contract with APN that pulls in the new compliance with the BBA and also to adopt some changes imposed by the CMS. There is one issue in this contract that has been discussed at the Planning Committee and it has to do with payee ships. All other items are just to come into compliance with BBA and CMS. Medicaid dollars were being used to provide payee ships. The new contract changes would allow providers to charge the consumers on the payee ships a fee for doing this with a maximum of cost \$35/month. Compass Health has defined their cost to be \$29/month and LWC is close to \$35/month. WCPC contracts out

Tom Richardson this service and cost is unknown. Tom stated there had been a lot of discussion around this with much contention.

Jack Bilsborough Tom stated this should be incorporated in overhead or the burden should be put on the system to raise the funds to provide that service.

John Patchamatla Jack stated, as a matter of public record, This may be a necessary evil but fundamentally I'm against having people that are not financially independent being charged a fee for this service. He went on to say, People who are having a psychotic episode are sent a bill for charges of transportation to seek medical care but we do not charge criminals for transportation to jail. Fundamentally, I disagree with charging these poor souls anything.

Chuck Benjamin John suggested that some fee be collected to prevent the Counties from being drained of funds. Chuck commented that a sliding fee scale was discussed. Data was requested concerning the issues from APN, but was never received. A discussion period followed. Motion made, seconded, two voted no, Tom Richardson and Chris Walsh, and one abstention, Jack Bilsborough.

Motion carried

Tom Richardson Chuck suggested someone do a friendly amendment. The friendly amendment could be, providers also work diligently with the consumers to get as many of them as possible independent in handling their own fiscal affairs. John Patchamatla made a motion that the Advisory Board strongly recommends that the Board of Directors encourage the providers to take every effort to educate the consumers to become independent in handling their own fiscal affairs, in accordance with the NSMHA Recovery and Mission Statements. Motion was seconded.

A discussion period followed.

Julian Marsh Tom made an amendment to change the language where it says encourage the agencies to encourage them to both educate people who are able to work towards independence but also encourage the agencies to find other resources to offset the cost of that service for those who do need payee support.

Amendment carried

Julian suggested there should be steps in procedure

Marie Jubie with safety nets in place to specify how the agency will give consumers the opportunity to move toward financial independence through a more developed program. Seconded, Jack abstained. Motion carried

Chair called for a vote on John's motion. Motion carried with one abstention.

Board of Directors August Introduction Items

Chuck Benjamin Amendments to Counties, VOA and Sea Mar contracts to bring into compliance with BBA.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Jack Bilborough Jack asked about the CMS Medicaid issue concerning the 16 beds in a psychiatric facility, does anyone know what the feds think is the definition of a 16-bed facility? For example, could a provider have two 16-bed facilities on the same piece of real estate (i.e., Building A and Building B) or are they considered one unit? Chuck Roxin said this would be considered campus living or one facility. Jack asked if anyone has heard on that issue of Medicaid with geriatric facilities/other facilities without a bed limit? Has anyone asked how they singled out psychiatric patients only for this limitation and not across the board for all others? Chuck Roxin said, the legal history on that has to do with the difference between federal and state funding of psychiatric hospitals. Chris Walsh asked, if anyone has ever tried to obtain a Waiver on this particular issue? Chuck Benjamin believes, this is what CMS is telling the state they are enforcing. Deirdre said, this is federal and that a waiver would probably not be possible. Chuck Roxin stated, the overall average is 12-bed facilities and that a 16-bed facility is on the high side. Informational

COMMENTS FROM COUNTY ADVISORY BOARD MEMBERS

Island No one present. Informational

San Juan San Juan is continuing its effort to obtain new facility for San Juan Recovery and Compass Health replacing two (2) facilities needing replacement. The building is fairly new and will fulfill the needs

several organizations. They hope to be in the building by the first of November.

Skagit Joan stated it has a positive go on Mental Health Court. We are working hard on the triage that will be at the end of the year. There will be a retreat with Mental Health and Substance Abuse Board on August 17. Met with County Commissioners and Ovenell's with a lot of public presence. It was requested that everyone inundate the legislators and others running for public office with mail expressing our concerns, needs and desires with a show of strength. Informational

Snohomish Marie stated the County Board discussed WMIP, Bailey Center and Path Project. Marie attended the ITA Strategic Planning Committee meeting with Jim Teverbaugh and Preston Hess. John asked Snohomish County to mark their calendars for September 15 because there will be a Snohomish County presentation to the Lions Club at 2731 Rucker Avenue (Elks), at noon. John requested everyone come at noon and eat lunch as his guests. The discussion will be on Mental Health issues. Informational

Whatcom Having retreat on Monday, August 9. Gary Williams is now full-time Mental Health Coordinator/Supervisor of Human Services for Whatcom County. We lost Linda Benoit our children's coordinator. Julian is encouraging Alex Johnson to become on board member, as Julian will be leaving in three weeks. Bruce stated that there is obviously good steps being made to transition to the new 16-bed IMD rules. As a person with little background, I have been impressed with what the staff is doing on communicating with the public, via the Bellingham Herald and other media, on what is happening within our community most importantly to the people and secondarily in the way in which we try and provide services. Informational

COUNTY COORDINATOR REPORT

Not present.

COMMENTS FROM PUBLIC

Chuck Roxin Chuck Roxin stated the transition is going smoothly and due to the transition two (2) of their clients got married because they can now live together. The vast majority of the people moving Informational

into the community are ready, willing and able to move. *Bridgeways* has increased their clinical staff decreasing caseload size. Chuck is assuming that if the money they were receiving for housing comes back as clinical money, they will be able to serve almost twice as many people with smaller caseloads.

Tom Richardson Tom stated that Whatcom County is having a meeting with legislators. This meeting will deal with what the legislators are going to do to help accommodate the community to these changes that are coming about. Tom will put out an email with specifics.

Jack Bilsborough Jack announced the annual NAMI Snohomish County picnic at Forest Park in the city of Everett, August 16, 5 pm.

Sharri Dempsey The pre-meeting next month will be Wendy Klamp on Clinical Guidelines.

ADJOURNMENT

Chair Jubie Chair Jubie adjourned the meeting at 3:20 pm.

MEMORANDUM

DATE: August 24, 2004
TO: NSMHA Advisory Board
FROM: Chuck Benjamin, Executive Director
RE: September 9, 2004 Board of Director's Agenda

Please find for your review and comment the following that will be discussed with the Board of Directors and brought forth at the September 9, 2004 NSMHA Board Meeting.

All items referred to below are accessible on the NSMHA website by visiting:
<http://www.nsrnsn.org/Boards/A Board Packet.htm>

Consent Agenda

Board of Directors September Action Items Previously Reviewed by the Advisory Board

Tab 2

- 1) **Motion # 04-031** – To review and approve the North Sound Mental Health Administration's Transition Plan.

Scope:

The work-group will focus on developing short-term (in the next month), intermediate term (next 2 months) and long-term (3 months or longer) implementation plans for this system change. This will include clinical, programmatic and administrative changes, as well as policy initiatives. This work-group will monitor the initial implementation of these changes to assure orderly and appropriate transitions.

Tab 3

- 2) **Motion #04-033** – To approve the North Sound Mental Health Administration's revised Regional Training Plan 2004-2005 for approval. In 2003, the Regional Training Committee developed the first NSMHA Regional Training Plan. In December 2003, the committee surveyed provider supervisors and leaders to get feedback on the plan. As a result, the Regional Training Committee has completed a review and revision of the plan that has decreased the burden of training requirements while ensuring that all staff are oriented and trained in the manner, which ensures high quality care. The committee also responded to feedback and made the plan format more simple and understandable.

Tab 4

- 3) **Motion #04-026** – To approve contract # NSRSN-APN-DDD-Crisis-02, amendment 4. This amendment will:
 1. Under Terms and Conditions add a new subsection L to read as follows:
All references to Associated Provider Network and CONTRACTOR shall mean Associated Provider Network and its member organization Compass Health.
 2. Under Terms and Conditions add a new subsection M to read as follows:
Contract Performance/Enforcement. NSRSN shall be vested with the rights of a third party beneficiary, including the "cut through" right to enforce performance should CONTRACTOR be unwilling or unable to enforce action on the part of its network and subcontractors. In the event that CONTRACTOR dissolves or otherwise discontinues operations, NSRSN may, at its sole option, assume the right to enforce the terms and conditions of this Agreement directly with CONTRACTOR's service network and subcontractors. CONTRACTOR shall include this clause in its contracts with its subcontractors. In the event of the dissolution of CONTRACTOR, NSRSN's rights in indemnification shall survive.

Tab 5

- 4) **Motion #04-032** – To approve the North Sound Mental Health Administrations contract # NSMHA-APN-04-05, amendment 1. This amendment will replace the current pages 1-55 with revised language and replace Attachment XXVII with a new Attachment XXVII. The purpose of the amendment is to bring the contract into compliance with BBA regulatory requirements and to adopt changes imposed by CMS through the State Medicaid Plan Waiver approval process. The amended language also adds a structure for a transition planning process to result in future contract amendments that will be approved by the NSMHA Board of Directors.

Tab 6

- 5) **Motion #04-035** – To approve the North Sound Mental Health Administration’s contract # NSMHA-Whatcom-04-05, Amendment 2. This amendment replaces the current pages 1-28 with revised language and replaces Attachment X with the new Attachment X. The purpose of the amendment is to bring the contract into compliance with BBS regulatory requirements and to adopt changes imposed by CMS through the State Medicaid Plan Waiver approval process.
- 6) **Motion #04-036** – To approve the North Sound Mental Health Administration’s contract # NSMHA-San Juan-04-05, Amendment 1. This amendment replaces the current pages 1-29 with revised language and replaces Attachment X with the new Attachment X. The purpose of the amendment is to bring the contract into compliance with BBS regulatory requirements and to adopt changes imposed by CMS through the State Medicaid Plan Waiver approval process.
- 7) **Motion #04-037** – To introduce and approve the North Sound Mental Health Administration’s contract # NSMHA-Skagit-04-05, Amendment 2. This amendment replaces the current pages 1-29 with revised language and replaces Attachment X with the new Attachment X. The purpose of the amendment is to bring the contract into compliance with BBS regulatory requirements and to adopt changes imposed by CMS through the State Medicaid Plan Waiver approval process.
- 8) **Motion #04-038** – To approve the North Sound Mental Health Administration’s contract # NSMHA-Island-04-05, Amendment 2. This amendment replaces the current pages 1-28 with revised language and replaces Attachment X with the new Attachment X. The purpose of the amendment is to bring the contract into compliance with BBS regulatory requirements and to adopt changes imposed by CMS through the State Medicaid Plan Waiver approval process.
- 9) **Motion #04-039** – To approve the North Sound Mental Health Administration’s contract # NSMHA-Snohomish-04-05, Amendment 1. This amendment replaces the current pages 1-31 with revised language and replaces Attachment XI with the new Attachment XI. The purpose of the amendment is to bring the contract into compliance with BBS regulatory requirements and to adopt changes imposed by CMS through the State Medicaid Plan Waiver approval process.
- 10) **Motion #04-040** – To approve the North Sound Mental Health Administration’s contract # NSMHA-VOA-04-05, Amendment 1. This amendment replaces the current pages 1-44 with revised language and replaces Attachment XI with the new Attachment XI. The purpose of the amendment is to bring the contract into compliance with BBS regulatory requirements and to adopt changes imposed by CMS through the State Medicaid Plan Waiver approval process.
- 11) **Motion #04-041** – To approve the North Sound Mental Health Administration’s contract # NSMHA-Sea Mar-04-05, Amendment 1. This amendment replaces the current pages 1-53 with revised language and replaces Attachment XI with the new Attachment XI. The purpose of the amendment is to bring the contract into compliance with BBS regulatory requirements and to adopt changes imposed by CMS through the State Medicaid Plan Waiver approval process.

Board of Directors September Action Item

Tab 7

- 1) **Motion #04-042** – To approve the Priorities for the use of Non-Medicaid funding developed by the Stakeholders’ Group in April of 2004. These priorities are now being operationalized by the System Transition Work Group and the NSMHA Planning Committee.

Board of Directors September Introduction Item

Tab 8

- 1) **Motion #IN-022** – To approve the 1st Biennial Quarter 2004 Integrated Quality Management Report.
 - This integrated report provides and overall NSMHA Quality Management activities performed during the first six (6) months of 2004. It also addresses follow up issues identified in the previous Integrated Report.
 - Strengths, areas for further review and accomplishments of note
 - All NSMHA Quality Management activities are presented and reviewed monthly at NSMHA Coordinated Quality Improvement Program (CQIP)
 - Recommendations from the Coordinated Quality Improvement Program (CQIP) Committee regarding Quality Management activities conducted during the 1st Biennial Quarter 2004 are detailed in the Integrated Report

cc: Charles R. Benjamin
County Coordinators
NSRSN Management Team