



Delaware-Morrow Mental Health & Recovery Services Board

Supporting Wellness. Building Hope. Transforming Lives.

Board Meeting Minutes | March 18, 2021 | **Virtual**
DMMHRSB Boardroom | 40 N. Sandusky St. Delaware, Ohio

1. **Call to Order/Roll Call:** *Joe Gigliotti, Board Chair*

The meeting was called to order at approximately 6:30 p.m. and Roll Call was taken.

Board Members Attending: Joseph (Joe) Gigliotti, Dr. Annie Horstman, Kathleen Johnson, Tiesha Johnson, Zachary (Zach) Miller, Adelbert (Del) Robeson, Steve Serio, Christopher (Chris) Shamro (6:43 p.m.), Carolyn Slone, Lynn Stacy, Marnie Whaley-Buckel, Benjamin Winkler

Board Members Not Excused: Lynnette Cook,

Staff Present: Beth Anderson, Deanna Brant, Kyle Lewis, Rhianna Mattix, Karen Mohr, Kristan Warren, Kelly Wood

Board Counsel: David Moser (7:42 p.m.)

Provider Representatives Attending: Angela Lee, Melissa Meyer, Amber Scott, Todd Walts, Tony Williams, Wendy Williams

Board Guests: Tim Abraham – Morrow County Commissioner; Pete Bliss & Mark Tripodi – Cornerstone of Hope; Jennifer McIntosh – Partner Solutions;

2. **Approval of Agenda:** *Joe Gigliotti, Board Chair*

Joe asked if there were any revisions for the Agenda and being none he would entertain a motion to approve the Agenda as presented.

Motion 21.03.01: Carolyn Slone moved to accept the Board meeting agenda, Steve Serio seconded and the motion carried 11-0.

3. **Approval of February 18, 2021 Board Meeting Minutes:** *Zach Miller, Board Secretary*

Zach asked if there were any comments or edits and if none, he asked for a motion to approve the February 18, 2021 Board Meeting Minutes. Joe said since he was not present at the meeting, he would abstain from voting.

Motion 21.03.02: Benjamin Winkler moved to approve the January 21, 2021 Board Meeting Minutes, Annie Horstman seconded and the motion carried 10-0.

4. **Approval of January 21, 2021 Planning Committee Meeting Minutes:** *Lynn Stacy, Committee Chair*

Lynn asked if any changes/corrections were needed and if not, asked for a motion to accept the minutes.

Motion 21.03.03: Annie Horstman moved to approve the January 21, 2021 Board Meeting Minutes, Steve Serio seconded and the motion carried 11-0.

5. Approval of March 18, 2021 verbal report from the Planning Committee: *Lynn Stacy, Committee Chair*

Lynn asked for a motion to approve the verbal report from the Planning Committee meeting held just prior to the Board meeting. Deanna stated she would like all motions from the Planning Committee meeting read, so that all Board members are aware of the business approved by the Planning committee. Kelly Wood read the following motions:

Motion: The Planning Committee approves the addition of the FY2022 Big Brothers/Big Sisters Program proposal to the April 15th, 2021 Board Meeting Agenda.

Motion 21.03.04: Annie Horstman moved to accept the motions as read from the March 18, 2021 Planning Committee Meeting, Benjamin Winkler seconded and the motion carried 11-0.

6. Committees and Director's Reports:

A. Community Impact Report: *Kristan Warren, Community Impact Director*

Kristan highlighted a couple of items from her report, stating Measurement Resources will complete the Board's dashboard once they have completed provider customizations. There is a potential for expansion funding in the area of multi-system youth for FCFC and the Trauma Informed Care survey highlighted the need for staff, community training, organizational self-assessment and staff attitudinal surveys. Kristan stated Case Western will be the coordinating Center of Excellence for evidence based practices for OhioRise. Four managed care organizations have submitted proposals to be part of this. She will have more information on this in the future.

Joe asked Kristan in regard to Trauma Informed Care, do we have expectations of what providers should be doing here or are we assisting them with rolling out Trauma Informed Care? Kristan responded that this will be a discussion point for the Planning Committee going forward, to see what they want to do with it.

B. Communication Report: *Kyle Lewis, Communications Director*

Kyle said he had a couple of updates on items from his report. He is in the process of finalizing survey questions that will be used by Illuminology for Levy polling. Site survey for the Mindfulness Trail is tomorrow at Gallant Woods and we now have talking points finalized for the Meadow Center project and being finalized for the Capital project. Kyle stated that 210 people have completed the Winter 100 walk since January 1st and we will again be a sponsor for the high school graduation broadcast. We are sponsoring Delaware Hayes in Delaware County and Northmor in Morrow County.

C. Executive Director's Report: *Deanna Brant, Executive Director*

Deanna stated she would be highlighting two things from her report: House Bill 110 – Biennial Budget Bill, all of the amendments recommended by the State Board Association made it in to the first version of the bill. She sent the link to the Board Association to the Board if they want to review it. \$1.1B is for schools for two years for student wellness and success. The second item concerns Same Day Access – she said using data from Kristan's outcomes, everyone knows wait times are long. Deanna says they are looking at a couple of consultants to assist providers with this and they may have one provider who might pilot the model.

7. Public Comments:

Safe Harbor – Angela Lee – The majority of their staff is vaccinated and she appreciates the Board's support.

RPR – Tony Williams stated March is their busiest month. They are encouraging clients to get vaccinated. Most schools are now in-person five days a week, but are not allowing outside visitors in. They are having continued success with telehealth.

NAMI – Todd Walts – No update. Thanked the Board for its continued support.

Southeast – Wendy Williams – Thanked Deanna and Rhianna for assisting in the First Psychosis Episode project. They are seeing a significant increase in requests for crisis services from the Morrow County Court and Jail system.

Maryhaven – Melissa Meyer – They are encouraging face-to-face consultation if possible. 65% - 70% of their staff have been vaccinated.

Morrow County Commissioners – Tim Abraham – Likes attending the meetings so he is aware of what is going on. Supports and thanked everyone for what they do.

Turning Point – Amber Scott – They are starting to return to the office. Approximately 60% of their staff are vaccinated, so far. Staff are working on youth summer programming and she will be reaching out to providers of youth services to build partnerships with them. She would like them to be on-site and at the shelter. Amber stated there was a potential from them going into the schools to provide programming and she appreciates the support from the Board.

8. New Business:

a. Traumatic Loss Team: Mark Tripodi & Pete Bliss – Cornerstone of Hope

Mark Tripodi and Pete Bliss from Cornerstone of Hope gave a presentation to the Board on their organization, the services they provide and then gave an overview of their proposal to provide a Traumatic Loss Response Team in Delaware and Morrow Counties.

Joe asked if there was a motion for this. Kelly Wood read the following motion:

Motion: The full Board authorizes the Executive Director to request a Community Partnership proposal from the Cornerstone of Hope for FY2022 Traumatic

Loss Team Program Services.

Motion 21.03.05: Annie Horstman moved to accept the motion, Benjamin Winkler seconded and the motion carried 12-0.

b. Partner Solutions/SmartCare: Jennifer McIntosh – Partner Solutions

Deanna welcomed Jennifer McIntosh from Partner Solutions. Jennifer gave a presentation on who Partner Solutions is and what they are proposing with the SmartCare system.

Deanna presented a projected 3-year cost analysis between staying with GOSH vs. moving to SmartCare.

Joe asked if there was a motion for this. Kelly Wood read the following motion:

Motion: The full Board authorizes the Executive Director to enter into an agreement with Partner Solutions Data Analytics for the services described in the proposal at a cost not to exceed \$150,000.

Motion 21.03.06: Benjamin Winkler moved to accept the motion, Marnie Whaley-Buckel seconded and the motion carried 12-0.

c. FY2021-2023 Strategic Plan: Deanna Brant, Executive Director

Deanna stated the Strategic Plan was updated in 2019 and ends in 2021. Due to the pandemic, she would like to just do an 18 month refresh. A proposal was acquired from the consultant who did the previous Plan update at a cost of \$8,500. Deanna said she has added some cushion to the cost, but the Board does not have to accept the recommendation.

Joe asked for the motion to be read. Kelly Wood read the following motion:

Motion: The full Board authorizes the Executive Director to enter into an agreement with JRS Consulting for the strategic planning services described in the proposal at a cost not to exceed \$10,000.

Motion 21.03.07: Steve Serio moved to accept the motion as read, Tiesha Johnson seconded and the motion carried 12-0.

d. FY2020 Contract Reallocation Request – Recovery & Prevention Resources: Deanna Brant, Executive Director

Deanna stated the Board packet had two (2) reallocation requests from Recovery & Prevention Resources for FY2020 were submitted before the January 31, 2021 deadline. Deanna went on to explain for those Board members who may not have read the Provider Contract, that there are four funding “buckets”. She indicated that language in Section 4.7 explains how to request an allocation and whether Board approval is required.

Deanna said the first letter submitted on January 29, 2021, requested \$168.38 be reallocated from assessment and evaluation and testing to crisis. Deanna said that Board approval is not needed for this. The second request in this letter, asked that \$20,665.03 from counseling

and therapy be reallocated to prevention. Due to the COVID-19 pushout contract amendment, this shifting is allowed without Board approval.

Deanna indicated the second reallocation letter was received on January 30, 2021 requesting \$83,410.65 of unused funds from counseling and therapy be moved to prevention. It requires Board approval to move money from treatment to prevention and this is what is under consideration.

Joe asked if there was recommended language for a motion. Kelly Wood read the following motion:

Motion: The full Board approves the FY2020 reallocation of \$83,410.65 in unused funding from Counseling and Therapy to Prevention services, as requested by Recovery and Prevention Resources.

Joe then asked if any of the Board members had questions. David recommended to Joe that before a vote was taken, he allow Tony Williams to speak.

Tony said *“Thank you Joe, I’ll just be real brief here given the hour. I appreciate the consideration given the issue, it’s something that actual is happening because of a good thing and that is the increased demand for those prevention programs. You may recall that we first began discussing this issue actually prior to that contract being signed in April of 2019. I mentioned to your Board during a meeting and Deanna has mentioned it as well at different times over the year, that a reallocation of funds would be necessary because there simply was not enough money as a start out in prevention to deal with the demand for the services and I talk about that in the letter as well, so again thank you for the opportunity to comment on that.”*

Motion 21.03.08: Benjamin Winkler moved to make the motion,

Chris Shamro asked if this is something that should be tabled and Joe asked if he had a specific reason for this. Chris said due to unanswered questions to other issues. He asked if this was separate from that or connected. Joe asked David to speak to this.

David said as Board counsel he can’t tell the Board what action to take or not take and that tabling it was an option. His recommendation concerning the two action items before them, reallocation and recoupment, are to be considered as separate action items based on the information before them.

Joe asked Chris if that helped him and he said yes. Joe stated he has a motion, but needs a second. Zach said he would second with the understanding that there are two separate issues before the Board. Del Robeson requested a roll call vote on this item.

Roll Call Vote:

Joe Gigliotti – Yes
Annie Horstman – Yes
Kathleen Johnson – Yes
Tiesha Johnson – Yes

Zach Miller – Yes
Del Robeson – No
Steve Serio – Yes
Chris Shamro – No

Carolyn Slone – Yes
Lynn Stacy – Yes
Marnie Whaley-Buckel – No
Benjamin Winkler – Yes

The motion passed 9-3

- e. FY2020 Recoupment – Recovery & Prevention Resources: Deanna Brant, Executive Director

Deanna stated most know the history behind this discussion. It pertains to Recovery & Prevention Resources school-based billing backup documentation from April 1, 2020 – June 30, 2020 when schools were closed to in-person learning due to the pandemic. Recovery & Prevention Resources reported a significant reduction in school prevention staffing subsequent to the schools closing.

Deanna said in her summary there are three (3) areas of calculation, that was used to push out money to the providers due to the pandemic and a fourth calculation allowed for RPR only, around the reported reduction in school-based prevention staffing. She stated we agreed to an \$11,607 administrative allocation, as part of the pandemic plan for the providers, as a total of what was provided to Recovery & Prevention Resources, regarding push out money. Deanna then asked for her spreadsheet to be displayed.

Deanna explained that the \$161,122,96 was the amount pushed out as part of a contract amendment issued in April 2020, which was approved by the Board. She further explained how the dollar amounts shown were used to come to that amount. It was a three-month average of certain buckets of fund in the contract, all of the Capital/Training Grant, part of all other grants that were left over and the administrative allocation that only RPR was given. Per the amendment, the monies would be subject to year end reconciliation. In particular to school-based services, we requested all school-based prevention providers to provide documentation to demonstrate services that were provided to offset these monies that had been pushed out in April.

Deanna continued that in the October Board meeting she passed on the year-to-date documentation that Recovery & Prevention Resources had provided regarding their school-based prevention billing, that would offset this \$161K+. We gave the notice of reconciliation to Recovery & Prevention Resources on November 11, 2020 and they had a 20-day deadline to respond. They asked for and were granted an extension and we met again in December.

Deanna stated included in the Board packet was the written objection to the reconciliation notice, that was sent to us on December 21st from Vorys, Sater, Seymour & Pease on behalf of Recovery & Prevention Resources. At that time, we were informed there was additional billing detail potential available from Recovery & Prevention Resources and it was provided on Monday, February 8, 2021. The daily time-trackers were also included in the packet so Board members would know what that detail looked like, in comparison to what was available in October.

Deanna further stated that in October the Board authorized, as part of the Final Reconciliation Notice, the Finance Staff to pursue reimbursement of \$80,648.91 from Recovery & Prevention Resources. In the interim, Recovery & Prevention Resources billed \$11,600 in administrative costs, which was deducted from the total, along with the \$168.38 reallocation, which left a new total of \$68,873.53.

Deanna explained the reallocation requests would permit preventive payment per the FY2020 Contract Budget Caps, however do not supersede the request for documentation. She stated the Board would need to decide if the daily time-trackers present additional sufficient billing detail to reduce the recoupment figure further.

Deanna then asked if anyone had questions for her, David or Tony Williams.

Marnie Whaley-Buckel asked if the daily hours tracker was a form that staff used? Tony stated *"It was an adjunct that my prevention staff used to facilitate them better tracking how they spend their time during the pandemic since we didn't have the attendance activities going on with the school."*

Marnie then asked in the GOSH billing what does the unit cost included and didn't include? Deanna asked if Marnie wanted she wanted her to answer and Marnie said whoever could answer it. Deanna asked Beth if she wanted to answer or have Deanna answer and Beth stated Tony should answer because he would know what was in the unit costs unless Deanna was comfortable doing it.

Tony said *"he would be glad to speak to that."* Tony stated *"The units first off is the contracted rate that is part of the annual contract that Recovery & Prevention Resources and the Board had signed and that includes a portion of everything, from the organization basically. As one goes through the, the, what's called the UCR process, in completing a contract application, you allocate direct service salaries, some direct costs that exclusively related to specific programs and then there's a prescribed method used to distribute administrative costs and other indirect costs over all services and that then rolls up into the unit rate for prevention, just like it rolls up into the unit rate that all of the purchase of service based providers are paid for every purchase of service based service. I realize I did a very high overview there, so if you'd like more details, I'll be glad to try to provide that."*

Marnie said "no", she had another question for Deanna. She asked *"Do we pay for staff research and training as part of the hourly reimbursement at the amount that was listed in the daily hours trackers?"*

Deanna state that *"Recovery & Prevention Resources was requested to provide backup with some activity detail as to what that research for example would look like, what the outcome of that was, what the work produce was and you will see in the October 22nd Board packet, what was sent to us as representative of those hours of research. In a non-pandemic environment, we would not general subsidize that. That is the purpose I believe of year end reconciliation, where you look for backup to the activities that were billed."*

Marnie stated, *"that the daily hours trackers don't seem to, there doesn't seem to be much direct service at all and it's put in other categories."*

Tony replied, *"Marnie, that's the purpose of the whole process here. Once the schools closed there was no direct service or very little direct service because the schools were closed. They were not even holding classes remotely. So the way the process then worked was that the Board gave Providers an opportunity to, to reimburse for other things and that happened for Recovery & Prevention Resources and we appreciated that, and it happened for other providers prevention services as well and that relates back to what*

Deanna explained a few minutes ago that research would not normally have been something that would have been billed in our contract or under the contract with the Board and again just using that as an example.”

Lynn Stacy then asked *“On one of these daily trackers from May 5th, references summer prevention program, 4.5 hours, what was entailed in summer prevention, because schools weren’t in session, you weren’t doing anything live?”*

Tony replied *“Those were, a minute ago Lynn, when I mentioned very few direct services, those summer prevention programs were the, or at least one of the exceptions to that statement. The summer prevention programming did occur and we provided curricula instruction in that program, just like we have in prior years. I believe this time more of it was done telehealth, but I believe some of that was also done remotely. I do appreciate you asking questions like that, because those, those so-called time trackers, that was the internal name my prevention staff came up with for those documents, that was originally intended to just be an internal document to make their work easier, so we didn’t envision it going into a lot of detail, so thank you for your questions.”*

Kathleen Johnson asked, *“Why did it take until February to submit those to the Board?”*

Tony replied, *“That’s an easier answer Kathleen, those had never been requested and that is something that evolved from the discussion that we had when, when your counsel and Board Staff was meeting with me and my counsel, and then as I recall the attorneys had a conversation off-line, meaning just attorney to attorney, and that issue came up. I believe that our attorney said, “Hey, we have this we could offer you, if that would be helpful.: and the request was made and so we produced it at that point. It was never envisioned as being anything that was part of the original, earlier data submission. Please continue to ask me if I’m not sufficiently clear in my responses here if you still have questions, don’t hesitate.”*

David Moser, Board Counsel, said he would add from his recollection, *“Time-trackers were discussed, Mr. Williams I completely agree with him, but I know those conversations also came up in meetings where counsel was present and staff was present as well with Mr. Williams, so I’m just adding that clarification there, and I know at least specific as to time-trackers I believe we had at least a preliminary meeting, it might have been earlier, but at least in December, where those were mentioned specifically. That’s my two cents just because I was mentioned there.”*

Joe thanked David and asked Deanna if the time-tracker information had been reviewed to see if it was sufficient justification for the documentation purposes.

Deanna replied the documentation had been provided to the Board for their review and that she and staff had reviewed everything thoroughly to see if what was submitted provided additional activity detail above what was provided in October and they found it was not.

Joe stated it was certainly not sufficient enough for them to revisit or re-look at the original Board decision from October. Deanna stated the Board would need to revisit the new final reconciliation determination based upon the permissible reallocation of \$168.38 and the deduction of the \$11,607. Joe said the total dollar amount would change and Deanna said correct.

Tony said, *“Joe, excuse me, but I’m not sure that I’m accurately tracking where you are in your agenda. So if you’re now at what on my agenda is listed as “e”, the recoupment, then I’ll have additional comments to make about that as well, but if you’re not there I’ll wait.”*

Joe said we are on recoupment, that reallocation had already been approved.

Tony said, *“OK, is this an appropriate time for me to speak to that or would you prefer I delay it?”* Joe told him to proceed.

Tony said, *“A couple of things, the objection filed by our counsel, I think is really clear in stating our concerns. We believe we followed the contract and we believe that we followed the contract addendum and I think that the objection filed by our counsel adequately explains that. In all the information that is before you tonight, I notice that one thing that you don’t have is the COVID-19 Provider Amendment, it’s a simple three-page document, I won’t speak to a lot of the document, but I do want to read you one sentence and I think this is absolutely at issue here, just indulge me for a minute, I’m going to read you a sentence under article 6.*

“Because of a limited budget remaining in prevention services under the Agreement, Provider may make a one-time reallocation of funds in an amount not to exceed \$20,665.03, from treatment services to prevention services, to facilitate advance payments under Paragraph 1 above.”

Now the first part of that sentence in essence you’ve already heard about, it doesn’t require approval, that’s a permissible reallocation. The part that I think you’ve been missing, as you’ve analyzed recoupment issues is the last clause in the sentence, “to facilitate advance payments under Paragraph 1 above.” Paragraph 1 in this COVID-19 contract amendment talks about the push out funding that’s been the subject of this discussion. So again, it’s a permissible reallocation inserted into the contract to allow payment of those push out funds, and what you’re trying to do right now seems like you’re not recognizing that because there should be, at minimum, be an additional deduction of \$20,665.03 from where you are right now in your math. That doesn’t get back to the objection we filed. This is saying that at minimum that contract says that \$20K comes off the recoupment. For you all to be abiding by the contract, you need to recognize that. Thank you.”

Deanna asked David if he’d like to respond to this or did he want her to read #2 of the amendment? David responded she could go first and he would follow her.

Deanna said she would read item #2 on the contract amendment that was signed by the parties involved in April 2020 and was happy to send a copy to the Board if they wanted. The paragraph reads:

2. Reconciliation of Advance Payments. Provider will continue to invoice Board through GOSH (or other invoicing mechanism currently in effect) for all services rendered under the Agreement, including this Addendum. Provider’s services will be “billed against” the advance payments made under this Addendum. Reconciliation of payments to Provider with services rendered and billed will be

made following the fiscal year-end under Section 4.9, Reconciliation, and Exhibit “G” of the Agreement.

Deanna stated, “So while I think, David correct me if I’m wrong, we would agree that the \$20,665 and some change, may be a permissible allocation, it doesn’t supersede the second threshold of whether or not we believe we have sufficient back documentation to allow that to offset those dollars. That’s the second threshold.”

David replied, “Yes, absolutely. That is the take of Staff, the recommendation and I stand behind the interpretation in terms of a reallocation, which was previously discussed in the agenda, not equating to a solution to a documentation offset issue, which is at issue. One other thing that I would just respond to and advise the Board about, you have received, as Deanna said there were extensions, but you did receive the objections from RPR, Mr. Williams and counsel to the original October recoupment determination in your Board packets. If you have any questions about that whatsoever specifically, please feel free to offer them up. You should have received them and that is before you in terms of this final decision. I would also say reading through those objections, I actually do not see any specific mention of the \$20,665 permissible reallocation. Again, kid of an apples and oranges consideration there. I do not see that specifically mentioned in the objections, the objections deal with invoice mechanisms and an argument that documentation was requested after the fact. I’m summarizing very broadly there I know, and then last but not least just in terms of procedure again, Board, there’s a proposed draft motion that I see as the recommendation from staff before you, you of course, per the contract procedure are not limited to that. You made an initial recoupment determination back October, you have the Board Staff recommendation before you in terms of the motion again you are not contained to that, that is what your staff is recommending, if that doesn’t make sense, please let me know.”

Joe thanked David and said unless questions or comments, they would look to the staff recommendation on the motion. Kelly Wood read the following motion:

Motion: The full Board authorizes and approves issuance of a non-Medicaid Final Reconciliation Determination of Final Recoupment Due to Recovery and Prevention Resources in the amount of **\$68,873.53**.

Joe said he would entertain the motion and have a roll call vote.

Motion 21.03.09: Marnie Whaley-Buckel moved to make the motion, Benjamin Winkler seconded and the was called as follows.

Roll Call Vote:

Joe Gigliotti – Yes	Zach Miller – Yes	Carolyn Slone – Yes
Annie Horstman – No	Del Robeson – No	Lynn Stacy – No
Kathleen Johnson – Yes	Steve Serio – Yes	Marnie Whaley-Buckel – Yes
Tiesha Johnson – Yes	Chris Shamro – No	Benjamin Winkler – Yes

The motion passed 8-4

9. Adjournment: *Joe Gigliotti, Board Chair*

Joe asked for a motion to adjourn the Board Meeting.

Motion 20.12.10: Benjamin Winkler moved to adjourn the March 18, 2021 Board Meeting, Tiesha Johnson seconded. Motion carried 12-0.

The Board meeting was adjourned at approximately 7:23 p.m.

Respectfully submitted:

Kelly Wood, Administrative Assistant

Accepted:

Joe Gigliotti, Board Chair

Zach Miller

Zach Miller, Board Secretary