



SANDHILLS CENTER

Board of Directors Meeting Minutes

April 14, 2020

Via Conference Call – 888-363-4734 – access code 6217146#

Members Present:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Ross Streater | <input checked="" type="checkbox"/> Priscilla Little, Secretary |
| <input checked="" type="checkbox"/> Kay Cashion, Vice-Chairperson | <input checked="" type="checkbox"/> Gart Evans |
| <input checked="" type="checkbox"/> Dr. Walter Salinger | <input checked="" type="checkbox"/> Dr. Alvin Keyes |
| <input type="checkbox"/> Howard Penny | <input checked="" type="checkbox"/> Tonya Gray |
| <input checked="" type="checkbox"/> Harry Southerland | <input checked="" type="checkbox"/> Shirley Hart |
| <input checked="" type="checkbox"/> Kirk Smith | <input checked="" type="checkbox"/> Walter Ferguson |
| <input checked="" type="checkbox"/> Dottie Robinson | <input checked="" type="checkbox"/> Carol Whitaker |
| <input type="checkbox"/> Otis Ritter | <input checked="" type="checkbox"/> Matthew Rothbeind |
| <input checked="" type="checkbox"/> David Allen | <input checked="" type="checkbox"/> Mazie Fleetwood |
| <input checked="" type="checkbox"/> Leann Henkel | |
| <input checked="" type="checkbox"/> Thad Ussery, Chairperson | <input checked="" type="checkbox"/> Michele Weatherly |
| <input checked="" type="checkbox"/> Jerry Earnhardt | |

Staff Present:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Victoria Whitt | <input checked="" type="checkbox"/> Sherry Bynum |
| <input checked="" type="checkbox"/> Anthony Ward | <input checked="" type="checkbox"/> Evelyn Quick |
| <input checked="" type="checkbox"/> Leonard Covington | <input type="checkbox"/> Patrick Sloan |
| <input type="checkbox"/> Kelly Patterson | |

Guest: Lisa Jackson, DMH, LME Technical Assistance Liaison

Call to Order and Invocation

Due to the COVID-19 pandemic, the Sandhills Center Board of Directors April 14, 2020 meeting was held telephonically. Chairperson Thad Ussery called the meeting to order at 7:00 p.m. and gave the invocation.

A conference call line was opened for Board participation and discussion, also allowing for public participation.

Roll Call

A roll call of Board members was taken. Chairperson Ussery stated that when making or seconding a motion, for Board members to identify themselves, and it will be understood that the motion was unanimous if there are no votes against.

Conflict of Interest

Chairperson Ussery read the Conflict of Interest statement and asked if any Board member had a conflict of interest concerning agenda items the Board would address in the meeting that would require recusal. No conflicts were stated.

Certification of Quorum

Priscilla Little, Secretary, certified a quorum.

Approval of Agenda

A motion was made by Commissioner Kay Cashion and seconded by Shirley Hart to "approve the agenda". The motion passed unanimously.

Absent Board Members Justifications

Justifications for Board member absences:

- Tonya Gray's reason for not attending the March Board meeting was not received until after the Board meeting. Her absence was due to a family emergency. *A motion was made by Mazie Fleetwood and seconded by Walter Ferguson to "excuse the absences as presented". The motion passed unanimously.*
- Not in attendance – unexcused: Commissioner Howard Penny and Commissioner Otis Ritter

Public Comments

George Reynolds expressed his well wishes that everyone stay safe, and his appreciation for having the meeting tonight.

Approval of Consent Agenda

A motion was made by Gart Evans and seconded by Commissioner David Allen to "approve the consent agenda". The motion passed unanimously. The following was approved:

- 👉 March 10, 2020 Board of Directors Meeting Minutes

New Business

➤ **Chief Executive Officer's Report – Victoria Whitt, Chief Executive Officer**

Mrs. Whitt welcomed everyone and provided the following:

A. Sandhills Center Response to COVID-19 Pandemic

- 👉 **Employee Work Status** – Mrs. Whitt took the opportunity to update the Board members on the mandatory remote work status from home for all employees. She commented that since the last Board Meeting on March 10th, the COVID-19 virus has continued and has impacted the vast majority of the counties in NC, including Sandhills Center's entire nine county region. To assist in taking the efforts to help prevent the spread of this virus, in advance of a statewide order, Sandhills Center shifted to a mandatory remote work status for all employees, effective Wednesday, March 25th. All staff are able to carry out their regularly assigned work functions remotely. She stated that the IT Department has done a great job in setting staff up with laptops and working out any issues they may have. She stated that the other LME/MCOs are also on the remote work status.

Governor Cooper's statewide stay-at-home order specifically mentions elements of the workforce who are considered essential and are exempted from the requirements of the order. Behavioral health/human service agencies are considered essential, including staff of the LME/MCOs. This allows staff, on an exception basis, and as approved by the staff member's supervision, to return to the office to complete work necessary on equipment only available in one of the office locations. Staff are asked to keep their return visits to a minimum. Mrs. Whitt stated that currently the transition back to office-based work has now shifted to an open-ended date, and are still monitoring the current situation and will announce a date when one is determined. She commented that staff are doing a great job!

- 👉 **Access and Continuity of Behavioral Health Services** – Mrs. Whitt gave an update on the activity occurring to ensure that members continue to receive services during the COVID-19 pandemic. She reported that the NC DHHS has implemented the following financial/funding measures and changes:
 - Provided the LME/MCOs the authority to use up to 15% from their current Medicaid risk-reserves for supporting of providers. For Sandhills Center, this represents approximately \$6,000,000 (15% of \$40 M) available to maintain the stability of the provider network and promote access to care during this period.
 - Increased the LME/MCOs Medicaid PMPM rates by 1.5%, temporarily, to assist with provider efforts and services. This represents a \$300,000/monthly increase for Sandhills Center.
 - Authorized the release of \$30,000,000 distributed among the LME/MCOs for responding to COVID-19. Sandhills Center's allotment was \$5,000,000.
 - Allowed LME/MCOs to convert State single stream funding allocations to non-UCR for paying providers for telehealth and supports, as well as authorizing the immediate pay out of all remaining monthly payments for the remaining state fiscal year.
 - Provided additional ways that behavioral health services can be delivered to members, and the way to support the providers :
 - Expansion of methods to use video and audio Telehealth, such as face time, google hangouts, skype, etc.
 - Addition of Crisis Response telephonic methods to allow services to be provided through audio only telephone.

- Telehealth and telephonic methods have been added to providers who do outpatient therapy, medication management, Intensive in Home, Community Support Teams, Mobile Crisis Management, Peer Supports and Multi-Systemic Therapy.
- Rates for outpatient therapy and medication management differ based upon staff qualifications and licensure.

Mrs. Whitt stated that in utilizing this funding flexibility to assist the Provider Network in continuing services, Sandhills Center has taken a number of proactive steps to offer programmatic and financial changes to help strengthen and solidify our network of services. Those include:

- Extending flexible funding to State and locally funded providers with significant reimbursement based contracts. Based on monthly billing for the fiscal year to date for all UCR contracts with a maximum exposure amount greater than \$100,000, each provider with an effected contract will receive a non-UCR amount based on average billing for the current fiscal year, as funding is available. This funding will cover staff time and other program expenses needed to ensure the availability of previously contracted behavioral health services during the pandemic.
- Temporarily increasing Medicaid reimbursement rates, including 15% increases to residential services and identified community services, with a 5% increase for all other Medicaid services.
- Issuing a reminder of the Early and Periodic Screening, Diagnostic and Treatment (EPSDT) benefit for children under age 21 and how that benefit can be used to address providing community behavioral health services while implementing the social distancing and other mitigation efforts recommended.
- Providing guidance for providers on the use of telehealth and virtual health services, and billing instructions.
- Modifying the reimbursement process to allow Opioid Treatment providers to continue services to our members and take the precautionary measures outlined by The Centers for Disease Control and Prevention (CDC).
- Reducing administrative work for our providers during this time by temporarily suspending all external audits, reviews and oversight monitoring, except for reviews involving member health and safety, that would require travel to provider sites.
- In all situations, changes are retroactive to March 10, 2020 and will be in place until the COVID-19 crisis is over.

Mrs. Whitt presented the Finance Agenda for Board review and approval. She stated that the funding measures are reflected in the provider contracts and the changes are included in the Finance Agenda. In an attempt to make review of the Finance Agenda easier, items were color-coded:

- Blue – regular Finance Agenda items;
- Orange – COVID-19 contract changes requested by provider;
- Red – COVID-19 new codes/modifiers developed by NC DHHS; and
- Green – Non-UCR funding to support the behavioral health network during COVID-19

A review of the Consolidated Balance Sheet and Income Statement reflects services through February 29, 2020.

A motion was made by Gart Evans and seconded by Commissioner Kay Cashion to “approve the Finance Agenda as presented.” The motion passed unanimously.

📌 **Implementation of Federally Mandated *Families First Coronavirus Response Act*** – Mrs. Whitt reviewed a summary of the *Families First Coronavirus Response Act*, which went into effect April 2, 2020 and expires December 31, 2020. She reported of the changes that have been put in place:

- Amended the Medcost Health Benefits Plan, to provide coverage for testing for COVID-19 without cost sharing to the extent required by the federally mandated Families First Coronavirus Recovery Act.
- Distributed to staff “Employee Rights under the Families First Coronavirus Response Act”.
- Working with Health and Benefits Advisor, Willis Towers Watson to implement new requirements.
- Reviewing and revising the current Leave procedures to comply with the Act.

B. By-Laws Revisions Review

Mrs. Whitt presented the recommendations of the By-Laws that were reviewed and development by the By-Laws Sub-Committee. She noted that the majority of the changes were formatting and clarification changes, in order to make the document more "user friendly". The following recommendations presented:

- Article III, Section 12: Electronic Options – Page 3 – Outlines use of electronic options for conducting a Board Meeting when not feasible to appear in person. Recommendation accepted.
- Article IV, Section 3: Number and Composition of Directors – Page 7, (d) – This defines "term" when a Board member is appointed to serve out the term created by a vacancy. Recommendation accepted.
- Article IV, Section 5: Terms and Vacancies – Pages 7 – 8 – Defines period of hiatus before reappointment to the Board, after serving maximum terms. The proposed hiatus recommendation is to be no less than a year and a half. The Board members took the opportunity to discuss their views on an appropriated hiatus and recommended the hiatus be changed to no less than a year. The recommendation that the hiatus be no less than a year will be taken back to the Sub-Committee.
- Article V, Section 2: Officers – Election and Term – Page 9 – Adds details related to the Nominating Committee appointment and duties. The Board members took the opportunity to discuss their concerns with the current COVID-19 pandemic, to not limit the meeting to being an in-person meeting only. The concern was also discussed that if the meeting was not in-person, the chairperson would attempt to conduct the meeting via e-mail. The recommendations will be taken back to the Sub-Committee.
- Article V, Section 2: Officers – Election and Term – Page 9 – States that no Officer may serve more than two, 1-year term, in one position. Recommendation accepted.
- Article VII, Section 2: Appointment of Committee Membership – Page 11 – States that no committee chairperson may serve more than two, 1-year term, in that position. Recommendation accepted.
- Article VIII: Local Consumer and Family Advisory Committee – Page 13 – 14 – Moves this from Area Board Standing Committees to a separate Article. Recommendation accepted.

Commissioner Kay Cashion questioned Article IV, Section 3(d): Number and Composition of Directors, Page 7 – *Any member of the Board who is a county commissioner serves on the board in an ex officio capacity at the pleasure of the initial appointing authority, for a term not to exceed the earlier of three (3) years or the member's service as a county commissioner.* She does not feel this is clear and limits the number of years a County Commissioner may serve on the Board. Chief Legal Officer Evelyn Quick stated that language was taken directly from General Statute. Further review and clarification is recommended. This recommendation will be taken back to the Sub-Committee.

Mrs. Whitt stated that the noted recommendations and questions would be taken back to the Sub-Committee for further review. A draft will be sent to the Board members for their review before the May meeting.

C. FY 20 – 21 County General Budget Request

Mrs. Whitt commented that some of the presentations to the County Commissioners are being reschedule during the month of April. Several counties have opted to receive and review the information in place of having Mrs. Whitt attend the meetings.

D. Robert Porcher Way, Greensboro, NC Property Update

- Mrs. Whitt reported that the City of Greensboro approved the site plan that had been submitted by Triad Design Group and issued a site permit allowing for the addition of the number of parking spaces to the current parking lot.
- Reported that Sandhills purchased the property on April 3, 2020 from Davidson Industrial Properties, LLC, for a price of \$3,750,000.
- TFF Architects and Planners, LLP, advertised for single prime bids with the pre-conference bid held on April 2, 2020. Approximately 20 general contractors indicated their interest in bidding. Bids will be received and opened on April 23, 2020, in West End. Projected completion date is February 2021.
- With the purchase of the property, discussions will now be held with Guilford County regarding releasing them for the provision in the October 2012 merger agreement, which required Guilford County to provide property for the Sandhills staff, in exchange for Guilford County conveying the property identified for the Sandhills FBC center in "building pad ready" condition. Plans are to present this at the May Board meeting.

E. Comprehensive/Facility Based Crisis (FBC) Centers Update

- **Randolph County Update** – Mrs. Whitt reported that on March 20th, Sandhills received official notification that the NC DHR Construction Section is recommending to the Mental Health Licensure & Certification Section (MHLCS) that the project be recommended for use for up to 16 ambulatory or non-ambulatory residents.

Due to COVID-19, onsite reviews are not possible. Daymark is coordinating a virtual meeting review of policies and procedures. In addition, due to COVID-19, plans for an open house event has been postponed indefinitely.

Mrs. Whitt reported that she is currently working with the General Contractor and legal counsel related to liquidate damages.

- **Richmond County Update** – Mrs. Whitt reported that COVID-19 pandemic has affected some of the sub-contractors, delaying some activities. Estimated finish date is April 17, 2020. Due to COVID-19, plans for an open house event has been postponed indefinitely.

Upon completion of the new facility Daymark Recovery will be vacating the current Sandhills owned building on Lawrence Street in Rockingham. Since there are no additional use of the building, an appraisal on the property was obtained. The information will be brought to the May Board meeting for consideration.

- **Guilford County Update** – Mrs. Whitt reported that a virtual construction meeting was held on March 26th, with the Construction Manager at Risk, Samet Corporation, and TFF Architects. Future meetings will occur the 4th Thursday of each month.

The project plan was reviewed as well as the progress to date. The following were noted:

- The building pad grading is completed;
- The storm drainage and site utilities are in place; and
- The layout/footings are being constructed with block foundations to follow.

Commissioner Kay Cashion stated she received an email today for the County Manager that samples of the brick are going to be available for review and she would like a Sandhills representative to also review the brick.

The project close out is expected to be April 2021. Due to COVID-19, plans for a groundbreaking event has been postponed indefinitely.

F. Future Widening of Highway 211 and Seven Lakes Drive – Impacts

Mrs. Whitt commented that the items discussed last month are currently on hold as a result of COVID-19. This will be brought to the May meeting for discussion.

- **Clinical Services & Operations Report – Anthony Ward, Chief Operating Officer/Deputy Director**
Mr. Ward reviewed the following, noting that his reports cover the months of January and February, and does not cover any changes as a result of COVID-19:
 - Medicaid Waiver Operations Report – March 2020, noting that all benchmarks continue to be met.
 - Medicaid Waiver Financial Operations Report – March 2020, noting the financial measures that Sandhills is required to meet.

Following his reports, Mr. Ward took the opportunity to answer questions from Board members.

Committee Reports

- **Human Resources Committee Report** – Human Resources Committee Chairperson Mazie Fleetwood reminded the Board members of an email they received earlier regarding the CEO evaluation and the number to call for the closed session.

On behalf of the Human Resources Committee, a motion was made by Human Resources Committee Chairperson Mazie Fleetwood and seconded by Commissioner Harry Southerland to "go into Closed Session to discuss confidential personnel information. This motion is made in accordance with N.C. General Statute § 143-318.11(a)(6) covering Public Open Meetings Laws." The motion passed unanimously. The Closed Session began at 8:59 p.m.

Sandhills Center staff in attendance was Clerk to the Board/Executive Assistant, Sherry Bynum.

A motion was made by Mazie Fleetwood and seconded Commissioner David Allen to "reconvene open session." The motion passed unanimously. Open session reconvened at 9:44 p.m.

A motion was made by Mazie Fleetwood and seconded by Commissioner Kay Cashion "to adjust Mrs. Whitt's salary to the current average of her peer LME/MCO CEOs, and in addition award her a 3% increase for her excellent performance, effective July 1, 2020." The motion passed unanimously.

Chairperson Ussery thanked the Board members for their work on completing the evaluation.

Future Board Meetings

The May Board meeting was discussed, and due to COVID-19, as there are no other options, and if the current stay-at-home order is still in effect, the May meeting will be held the same as the one tonight.

Old Business

None

Comments

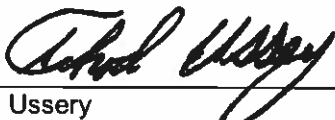
Mrs. Whitt took the opportunity to thank the Board members for the appraisal and salary adjustment. She said that it is a pleasure to be associated with Sandhills and the Board, and that next week will be her 40th year anniversary. Several Board members expressed their appreciation to Mrs. Whitt for her work, noting that she is the best possible CEO to have and feels that Sandhills is in good hands!

Board Materials

- Consumer and Family Advisory Committee Report
- DMA Monthly Financial Report – February 2020
- Personnel Report
- Newspaper Articles

Adjournment

A motion was made by Michele Weatherly and seconded by Carol Whitaker to "adjourn the meeting". The motion passed unanimously. The meeting adjourned at 9:54 p.m.



Thad Ussery
Chairperson, Board of Directors

5-12-2020

Date

Documents referred to in these minutes may be obtained by contacting Sherry Bynum at sherryb@sandhillscenter.org or 910-673-9111.

Submitted by: Sherry Bynum, Clerk to the Board of Directors/Executive Assistant to CEO