

Health District
OF NORTHERN LARIMER COUNTY
BOARD OF DIRECTORS
SPECIAL MEETING
April 14, 2022

Health District Office Building
120 Bristlecone Drive, Fort Collins

MINUTES

BOARD MEMBERS PRESENT: Michael D. Liggett, Esq., Board President
Molly Gutilla, MS DrPH, Board Vice President
Joseph Prows, MD MPH, Board Treasurer
Johanna Ulloa Giron, Psy.M., MSW, Board Secretary

ABSENT: Celeste Holder Kling, JD, Liaison to UCH-North/PVH

Staff Present:

Robert Williams, Executive Director
Chris Sheafor, Support Services Director
Dana Turner, Dental Services Director
James Stewart, Medical Director
Karen Spink, Assistant Director
Laura Mai, Finance Director
Mike Ruttenberg, MH Connections Director
Richard Cox, Communications Director

Staff Present:

Lisa Ward, Policy Coordinator
Sue Hewitt, Evaluation Coordinator
Yaz Juneau, Sr. Projects Coordinator
Anita Benavidez, Executive Assistant

Public Present:

June Hyman Cismoski, LC League of WV

CALL TO ORDER; WELCOME NEW EXECUTIVE DIRECTOR & APPROVAL OF AGENDA

Director Michael Liggett called the meeting to order at 4:00 p.m.

MOTION: To approve the agenda as Presented
Moved/Seconded/Carried Unanimously

Board President, Mike Liggett, welcomed the Health District’s new Executive Director, Robert Williams.

PUBLIC COMMENT

None

DISCUSSION & ACTIONS

Policy

The Policy Process at the Health District

Staff member Karen Spink reviewed the priority levels and positions that the Board might take on any given legislative policy. The main focus is on a bill’s impact to the health of our community; impact to the Health District’s Programs and Priorities; and impact to Health District Operations. Karen reviewed the description of the various Bill priority levels: (1) Issues with a potential significant impact on the health status of our community or on Health District Operations; (2) Issues that will have an impact, though less significant, on health state of our community or on Health District Operations; and (3) Other health or special district operational issues. Board positions include: Strongly Support, Support, Oppose, Strongly Oppose, No Position/Neutral, and Amend. The position drives the activities of the Policy Coordinator (i.e., a “strongly” position equates to more work for the Policy Coordinator which could be in the form of phone calls, emails, educating the community, and sharing analysis with other legislators). It

was mentioned that the Mental Health Substance Use Alliance is a partnership of more than 30 organizations in the community working (since 1999) on systems-level and/or cross-organizational changes in mental health.

State Legislative Proposals

The Legislative Session is in its 93rd of 120 days (four weeks remain). There are 565 bills in Total: 364 House Bills and 201 Senate Bills; 98 Bills have been lost or PI'd. Remote testimony will continue throughout the 2022 Session.

HB22-1289: Health Benefits for Colorado Children and Pregnant Persons

The Bill (“Cover All Coloradans”) provides full health insurance coverage for low income pregnant people and children who would be eligible for Medicaid & CHP+ if not for their immigration status. Coverage continues for twelve months postpartum at the CHP federal match. This portion of the bill comes from a bill that the Board supported in 2019. It covers all children under 19 years of age, regardless of immigration status. The intention is to match any current Medicaid benefits that any Medicaid eligible person would have. Ms. Ward is not certain if dental benefits are covered. A special enrollment period will be defined due to pregnancy. There is an amendment to add lactation support and supplies at the same level as a current Medicaid participant (i.e. electronic breast pumps, not manual). There will be additional federal match dollars to cover cost and the Bill has a January 2024 implementation. HCPF has indicated that January 2025 would be the earliest they could implement the program. Enrollment services would be offered at the Health District.

MOTION: To Support HB22-1289: Health Benefits for Colorado Children and Pregnant Persons.

Motion by Joseph Prows/Second by Johanna Ulloa Giron/Carried Unanimously

HB22-1122: Pharmacy Benefit Manager Prohibited Practices

Also known as the 340B Prescription Drug Program is named for Section 340B of the federal Public Health Service Act, passed in 1992. Prescriptions would be covered by Medicaid and Medicare Part B. It is essentially a discount program for vulnerable populations. Specific entities would enter into an agreement with Health and Human Services to provide discounts on covered outpatient drugs purchased by covered entities that serve vulnerable patients. Any savings are required to be invested back into patient services. After January 2023, a PBM will be prohibited from reimbursing pharmacies in an amount less than the national average prescription drug acquisition. Common prescriptions include those for maintaining chronic health issues. Medicaid requires a modifier be included on all 340b claims to ensure no duplicate discounts happen. It also prohibits “pick-pocketing” the savings of 340B providers by insurers and PBMs. Outstanding question: Is this a federal or a state issue? There is federal legislation to fix this issue but the state government wants to fix it in case Federal doesn't. Federal law would supersede state law if passed.

MOTION: To Support HB22-1122: Pharmacy Benefit Manager Prohibited Practices.

Motion by Joseph Prows /Second by Molly Gutilla/Carried Unanimously

Update on Priority Bills

ARPA Funding Bills

ARPA Funding includes \$400M total for Housing with \$25M to Middle Income Access Program; \$40M in grant for the Innovative Housing Incentive Program; and \$150M for two state grant programs for local government investments in affordable housing development and infrastructure.

\$450M total has been set aside for Behavioral Health with \$11M for Colorado Pediatric Psychiatry Consultation & Access Program; \$53.4M for in-home and residential respite care in 10 – 12 regions; \$35M for primary care and behavioral health statewide integration grant programs; and \$65M for 16 new civil beds for residential care in Fort Logan and creation of 125 new beds for residential care (10-bed

facilities across the region). Amendment 1303 changes the requirement of beds first for competency restoration wait list and changed it to “must be reasonably reduced in the first year”.

SB22-181: Behavioral Health Workforce will receive \$72M in ARPA funding with \$52M going to the newly created Behavioral Health Administration and \$20M to Colorado Health Services Corp to provide student loan repayment for BH providers and candidates for licensure. The intent is to increase and diversify the BH care provider workforce and defines strategies for the BHA to work with community colleges and higher education to recruit residents of health professional shortage areas. It will require the BHA to expand the peer support professional workforce. This bill has received bipartisan support across the board.

HB22-1299: License Registration Fee Relief for Mental Health Professionals. A General Fund bill of \$3,698,586 for the Division of Professions and Occupations beginning in the 2022-2023 state fiscal year until fully expended. It provides licensure and certification fee relief for psychologists; social workers; marriage and family therapists; professional counselors; psychotherapists, and addiction counselors.

HB22-1064: Prohibit Flavored Tobacco Regulate Synthetic Nicotine

Amended to strip age-restricted store amendment, cigar-tobacco bars within licensed gaming establishments are exempt as are Hookahs. Staff recommends that the Board retain their “Amend” position.

HB22-1281: Behavioral Health Care Continuum Gap Grant Program

Grants will be administered by the Behavioral Health Administration. The Board has taken an Amend position with two of their three requests met – peer support and navigation services. There was discussion about adding “special districts” specifically but the general attitude of legislators is that a “special district” falls within “local governments”. If that becomes a problem, the Health District could apply as a non-profit.

SB22-147: Behavioral Health Care Services for Children

The Board has taken a “Support” position and the Bill passed Senate.

Brief Overview of Other Relevant Bills

HB22-1363: Accountability to Taxpayers Special Districts

Ms. Ward questions whether the intent of the bill is to address Metropolitan Districts and the establishment of new Special Districts. It speaks mostly to Board members of those special districts being taxpaying residents within the boundaries of the District as well as the physical locations of Board meetings. It also makes a reference to Service Plan Compliance. The Health District’s legal counsel will review the bill.

SB22-193: Air Quality Improvement Investments

Provides General Fund dollars of \$124.8M for grants to multiple state agencies to reduce air pollution as well as \$25M in grants for private entities, local governments and public-private partnerships. Other programs will receive grant funds as well.

HB22-1329: 2022-2023 Long Bill

State Budget of \$36B (not including \$2.6B Federal COVID stimulus) with 15% set aside in reserves. \$7.2B will go to Education, \$80M for Special Education, and \$5.4B for Higher Education, as well as multiple other programs.

HB22-1326: Fentanyl Accountability and Prevention

Ms. Ward shared information on the use of Narcan and Fentanyl test strips. Felonization is correlated to quantity. The fiscal note provides \$20M to opiate antagonist bulk fund; \$300K to CDPHE for opiate detection tests; \$6M to the Harm Reduction Grant Program; and \$3M to jails for MAT programs. The bill was amended, making possession of any amount between 1 – 4 grams, and on the fourth offense of less than one gram, a Level 4 felony. There has been some back-and-forth between the criminal justice system and those advocating harm reduction. Harm reduction advocates would like to see an increase in addiction treatment and availability of opiate antagonists. They object to forced treatment, as well. Ms. Ward indicated the bill will pass in one form or another. There was Board discussion about defining the felony in terms of amount and leave penalty to the discretion of the judge who can assess the intent of the possession. The Board is taking a neutral position and requests that they be kept up-to-date.

HB22-1278 Creation of the Behavioral Health Administration

The Bill has seen 17 amendments in the first committee hearing including the need for Safety Net services for children and youth; adding screening, assessment, and diagnosis to those safety net services; repeals the defined term “Community Mental Health Center”; and allowing a CMHC to apply as a comprehensive BH safety net provider, an essential BH safety net provider or both.

OTHER UPDATES & REPORTS

Updates from Leadership

The Board says a farewell to Carol as they prepare for Robert Williams’ arrival on Monday. The Health District Masking policy will be revised – somewhat program driven. The dental clinic will remain masked while those in other locations will be allowed to go unmasked if they have been vaccinated, have not been exposed recently, and/or have not had COVID recently. We are receiving ballots at the rate of about 100 per day, and the number is increasing. Staff is fielding about 30 applications for ballots per day, as well. Between April 26 and May 3, an individual may walk-in and request a ballot. All ballots must be returned by May 3. A Board member requested that, in the future, candidates see a proof before publishing. The outgoing Board will participate in the May meeting.

Robert expressed his appreciation to the Board and staff for a very warm, supportive welcome.

Liaison to PVHS/UCHealth North Report

Absent

PUBLIC COMMENT (2nd opportunity)

CONSENT AGENDA

- Approval of Resolutions 2022-03 through 2022-14 updating signature authority

MOTION: To approve the consent agenda as presented

Motion by Joseph Prows/Second by Molly Gutilla/Carried Unanimously

ANNOUNCEMENTS

- April 26, 4:00 pm – Board of Directors Regular Meeting
- May 24, 4:00 pm – Board of Directors Regular Meeting

ADJOURN & EXECUTIVE SESSION

MOTION: To adjourn the Regular Meeting

Motion by Johanna Ulloa Giron/Second by Joseph Prows/Carried Unanimously

The Regular Board Meeting was adjourned at 5:15 pm.

Respectfully submitted: