



**BOARD OF DIRECTORS
MEETING
February 24, 2009**

**Health District Building
Conference Room**

MINUTES

BOARD MEMBERS PRESENT: Joe D. Hendrickson, President
Celeste Holder Kling, Vice President
Bernard J. Birnbaum, Secretary
Steven J. Thorson, Treasurer [by conference phone]
Lee Thielen, PVHS Board Liaison

ABSENT: None

STAFF PRESENT: Carol Plock, Executive Director
Bruce Cooper, M.D., Medical Director
Carrie Cortiglio, Policy Analyst
Deborah French, Development Coordinator
Lorraine Haywood, Finance Director
John Newman, Clinical Services Director
Chris Sheafor, Support Services Director
Nancy Stirling, Assistant to Executive Director
Lin Wilder, CI & HP Director
Kristan Williams, Health Promotion Coordinator

CALL TO ORDER; INTRODUCTIONS; APPROVAL OF AGENDA

President Joe Hendrickson called the meeting to order at 5:48 p.m. No changes were made to the meeting agenda.

MOTION: *To approve the agenda as presented.*
Motion/Seconded/Carried Unanimously

In the interest of time, so that those who were interested could view President Obama's speech at 7:00 pm (which included a section on health care), the Board decided to address the following items this evening and the remaining agenda items were postponed to the next Board meeting.

PUBLIC COMMENT

None.

DISCUSSION & ACTION

Policy & Legislation

Senate Bill 09-228: Arveschoug-Bird Repeal

This bill repeals Title 24-75-201.1, commonly referred to as the Arveschoug-Bird statute (named after the two legislators who sponsored it), which limits the growth of the state's General Fund to 6% over the past year's expenditures. Staff believe that this may be the most important legislation to come forth in this session because of the impact it has on the state's economic recovery after years of recession or depression. If it is not addressed, the viability of vital health services is likely to be impacted in future years. Staff recommended that the Board support this bill and allow staff to initiate some grassroots efforts. Also, if the Board is interested, there is an opportunity for the Health District to participate in a coalition that is in support of this bill.

MOTION: **To STRONGLY SUPPORT Senate Bill 09-228, which repeals the Arveschoug-Bird Statute, and to direct staff to engage in lobbying and grassroots lobbying efforts as necessary and to join the coalition supporting the repeal.**

Motion/Seconded/Carried Unanimously

Medicaid (Hospital) Provider Tax

Included in the meeting packet is a background document for a proposed bill that would tax hospitals and use that money to draw down federal matching funds for the (main) purpose of expanding public health insurance programs. The document defines a provider tax, looks at what other states are doing, describes the issues under discussion, and reviews how the money might be used. The bill is expected to be filed this week, so there is no detailed information available quite yet. This document was developed for both the use of the board and some local legislators who requested background information on the issue. The board had a question about whether hospitals would in turn pass costs on to patients. While the Hospital Association answers that question in the negative, the answer is somewhat unclear, because others ask how they could not. In case the bill is introduced and moves quickly through the process, the Board asked that Board President Joe Hendrickson determine a position on behalf of the Board.

MOTION: **To turn the responsibility of determining a position on this issue over to Board President Joe Hendrickson if a position is needed in the interim between board meetings.**

Motion/Seconded/Carried Unanimously

House Bill 09-1020: Re-Enrollment for Public Medical Programs

This bill would help overcome enrollment and re-enrollment barriers by directing the Department of Health Care Policy and Financing to establish a process for re-enrollment in Medicaid and the Children's Basic Health Plan over the telephone and through the Internet. Board questions were 1) Was this really about re-enrollment only; the answer is yes, despite the information included about enrollment possibilities; and 2) Would the legislature have to appropriate funds for start-up; the answer was that it is not yet totally clear – it is possible that the Health Care Policy and Finance Department (HCPF) has some funding from last year with which to accomplish start-up.

MOTION: **To SUPPORT House Bill 09-1020.**

Motion/Seconded/Carried Unanimously

House Bill 09-1086: Competency for Behavioral Health Professionals

The bill would create a requirement that certain behavioral health professionals regularly update their professional competency. In a meeting earlier today, the Mental Health and Substance Abuse Partnership's Policy Committee discussed this bill, and although they did not reach a consensus on its language, there was agreement that something should be done to be sure professionals are updating their skills.

Board comments were varied, ranging from a comment that it seems to be less stringent than we might want, to a concern about whether lower-paid professionals such as Certified Addiction Counselors (CACs) could afford it, to being impressed that each profession's board determines its own competency standards, and that the bill would help public credibility. Dr. Thorson shared that the Board of Medical Examiners not long ago did away with a similar requirement due to the extra burdens it created in monitoring and enforcement. One clarification was that each professional develops their own self-improvement plan and that the audit process would be limited, including only periodic random audits. Others discussed the importance of staying up to date in one's field. It was noted that behavioral health professionals in Colorado have never had requirements for continuing professional competency, whereas nearly every other state in the nation has some form of requirement. As currently written, this legislation allows for much flexibility but would, at a minimum, remind and encourage professionals to continually update their skills.

MOTION: To SUPPORT House Bill 09-1086.

Motion/Seconded/3-Yes, 1-Oppose (Dr. Thorson), 1-Abstain

Senate Bill 09-87: Special District law changes

SB 87, the Special District Accountability bill, is sponsored by Senator Morgan Carroll, who presented a similar bill last year. The concern with last years' proposed legislation, was the requirement that ballots be sent to everyone who requested to be on their county permanent mail ballot list, which would be very expensive. Ms. Cortiglio was able to share our concerns, and that provision has been removed. However, there is a new section that is concerning. Under present law, county commissioners have the power to ask for a "quinquennial finding of reasonable diligence" if there is concern that a special district has more authorized but un-issued debt than the service plan would allow the special district to pay back. SB 87 allows a small number of eligible electors – 100 or 1% - to request a similar finding of reasonable diligence. There are two concerns: 1) it is not clear what such a review or finding would involve; and 2) it's unprecedented to give this kind of power to a small group of citizens when there is already an oversight mechanism in place.

In the interim between board meetings, staff consulted with Board President Joe Hendrickson and opposed that provision of the bill at the hearing with the Senate Local Government. At Senator Bob Bacon's request, that provision was removed from the bill. The bill does have a remaining section that impacts us, which is a notification requirement that special districts provide electors with information about the special district, such as: how to contact the Special District, who the board members are, when elections are held and where, etc. The notification can be by mail or by website, and seems reasonable and appropriate. At this point, the bill still requires metropolitan districts to mail ballots to everyone on the permanent mail-in list, and we will monitor it closely in case of further amendments. The bill is currently in the Appropriations Committee.

House Bill 09-1143: Limited Benefit Plans through HMOs

This bill allows health maintenance organizations to offer enrollees basic health care services through a limited benefit plan (see bill analysis for full details). The Board and staff discussed some of the pros and cons of limited benefit plans. Limited benefit plans offer an option for those who are currently uninsured and can't afford full insurance, and some argue that some coverage is better than nothing at all. On the other hand, companies who now offer comprehensive health insurance plans and who are dealing with rising costs to provide such insurance, may choose to drop the comprehensive plans and offer limited benefit plans in an effort to save money. Another major issue is that people who opt for limited benefit plans often don't realize what exactly it does and does not cover and can be left with high deductibles and health care costs and little coverage. Limited benefit plans are not very popular with either consumers or employers, given their limitations. Large HMOs in Colorado are in favor of this bill, including the nonprofit ones. The bill was presented in House and passed 40-25 and is currently in the Senate Health and Human Services Committee. The following motion was offered:

MOTION: To OPPOSE limited benefit plans on principle, and to note that the Health District is interested in systemic health care reform that provides access to comprehensive health care.

The above motion was not seconded. The following motion was offered instead:

MOTION: To STRONGLY OPPOSE House Bill 09-1143.
Motion/Seconded/Carried Unanimously

Key Others:

Mr. Hendrickson asked that the Board only hear discussion on House Bill 09-1273 and postpone the other bills until the next Board meeting.

House Bill 09-1273

This bill concerns the “creation of a health care authority to develop a health care system that shall be the administrator for health care services in CO.” Originally stemming from the single-payer proposal submitted to the Blue Ribbon Commission for Health Care Reform, in which the Lewin Group analysis demonstrated that it was the only proposal that would lower health care costs for the state, it is sponsored by local Representative John Kefalas. A first draft of the bill was essentially based on California’s Senate Bill 840, which very detailed, but there was not a lot of political support to move it forward in that format. Instead, the current bill sets up a framework for planning a comprehensive health care system and an authority that would be responsible for its planning and oversight. One of the concerns about the proposal is that the authority, unlike effective models that are less subject to political interference (like the Federal Reserve Board), is very large and comprised of special interest groups.

MOTION: To MONITOR House Bill 09-1273.
Motion/Seconded/4-Yes; 1-Abstain (Dr. Birnbaum)

An additional motion was offered concerning health care coverage for all citizens of Colorado:

MOTION: To express that the Health District of Northern Larimer County supports the development of a health care system in which every resident of Colorado has health care coverage that assures quality, comprehensive services, and cost control.

Motion/Seconded/Carried Unanimously

A comment was made reiterating support for comprehensive coverage, and noting that the idea of a separate authority was intriguing.

HB 09-1204, HB 1091, News from Washington

Postponed until next Board Meeting.

Results of Board Prioritization and Next Steps

Ms. Plock distributed to the Board members the results of a survey they completed for the purpose of organizing further board discussion on priorities. On “Areas Where Strong Focus is Indicated (essential areas in which the Health District will continue action)”, oral health, mental illness and substance abuse disorders, and prescription assistance were considered to be to be the areas of top importance for Health District involvement over the next two years. These were followed by policy and tobacco cessation. The last two topics, communications and aging and health care, tied and will require further conversation.

In the second section of the survey, “Areas Where Further Consideration is Indicated,” there was some question about whether the board answered according to the instructions (which of the issues should we study and deliberate first?) or according to their perceptions of the importance of the issue. Ms. Plock and Mr. Hendrickson asked the board for permission to put the issue of adult immunizations at the top of the list for discussion, since any changes in this program year would require swift action.

None of the results on the survey are intended to be a board decision; they are only a stimulus for further board discussion, as indicated. Discussion on the rest of the results will be held during the next Board meeting, and a discussion on adult immunizations will be held in March, with a discussion on obesity in April. Board decisions will follow board discussions, as appropriate.

UPDATES & REPORTS

Final Report(s) from APHA, Program Updates

Postponed until next Board Meeting.

CONSENT AGENDA

- Approve the Board Meeting Minutes for November 18, December 12, December 18, 2008 and January 20, 2009

MOTION: To approve the Consent Agenda as presented.

Motion/Seconded/Carried Unanimously

ANNOUNCEMENTS

- Wednesday, March 4, 7:00 am – Board of Directors Special Meeting (maybe)
- Tuesday, March 24, 5:30 pm – Board of Directors Regular Meeting

- Wednesday, April 1, 11:00 am to 1:00 pm – Health District’s Employee Appreciation Luncheon at Northside Aztlan Center (Board Members Invited – Please RSVP to Nancy)

It is not yet clear whether the March 4 Board meeting is needed. Ms. Cortiglio and Ms. Plock will review the status of legislative issues and let the Board know whether there is enough new information to warrant the March 4 meeting.

ADJOURN

MOTION: **To adjourn the meeting.**

Moved/Seconded/Carried Unanimously

The meeting was adjourned at 6:52 p.m.

Respectfully submitted:

Nancy L. Stirling, Assistant Secretary

Joe D. Hendrickson, President

Celeste Holder Kling, Vice President

Bernard J. Birnbaum, Secretary

Steven J. Thorson, Treasurer

Lee Thielen, PVHS Board Liaison