

**BEXAR COUNTY BOARD OF TRUSTEES FOR  
MENTAL HEALTH MENTAL RETARDATION SERVICES d/b/a**

**THE CENTER FOR HEALTH CARE SERVICES**

Regular Board Meeting

Thursday, December 11, 2008

3031 IH 10 West

San Antonio, Texas 78201

6:00 p.m.

**TRUSTEES PRESENT:** Robert L. Jimenez, M.D., F.A.P.A., Chairman  
Sam Williams, Jr., Secretary  
Mary Rose Brown  
Rebecca G. Brown  
Dianna M. Burns-Banks, M.D.  
Carlos R. Orozco, M.D.  
Margaret M. Vera

**TRUSTEES ABSENT:** Harry Griffin  
Knox M Pitts II

**STAFF PRESENT:** Leon Evans, President/Chief Executive Officer  
Charles H. Boone, Chief Operating Officer  
Mark A. Carmona, Chief Administrative Officer  
John A. Smith, General Counsel  
Linda Rodriguez, Executive Assistant  
(Staff Attendance list on file)

**GUESTS PRESENT:** The Honorable Nelson Wolff, Bexar County Judge  
W. Carroll Jackson, First Vice President-Investments, Merrill  
Lynch

The regular meeting of the Bexar County Board of Trustees for Mental Health Mental Retardation Services d/b/a The Center for Health Care Services was held on Thursday, December 11, 2008, at 3031 IH 10 West, San Antonio, Texas.

**CALL MEETING TO ORDER  
CERTIFICATION OF QUORUM**

Due to the absence of a quorum at the scheduled meeting time, Dr. Robert L. Jimenez, Board Chairman, called the meeting to order at 6:24 p.m., with the following trustees present: Mesdames M.R. and R.G. Brown, and Vera, Dr. Orozco, and Mr. Williams, thereby establishing a quorum.

Dr. Jimenez announced to the quorum that due to the swearing-in of Ms. Mary Rose Brown and Ms. Rebecca Brown as newly-appointed Trustees, in proceedings conducted prior to the Call of the Meeting, a quorum was now established.

**INVOCATION** – Given by Ms. Rebecca G. Brown

*Dr. Burns-Banks arrived at this time.*

**PLEDGE OF ALLEGIANCE – Led by Dr. Robert L. Jimenez**

**1. APPROVAL OF MINTUES**

The following minutes were presented for review and approval:

- Regular Board Meeting, September 29, 2008
- Board Retreat, October 10 & 11, 2008

Mr. Williams moved for approval of the minutes as presented; Dr. Orozco seconded the motion; motion carried. Ms. Rebecca Brown abstained from approval of the September 29, 2008 minutes.

**CITIZENS TO BE HEARD** - There were no citizens to be heard.

**2. OATH OF OFFICE & INSTALLATION BY THE HONORABLE NELSON WOLFF OF NEWLY-APPOINTED TRUSTEES**

- Mary Rose Brown (Place 2) – University Health System
- Rebecca Brown (Place 6) – University Health System

There was no action taken on this Agenda Item at this meeting. For the record, it was noted that the Honorable Nelson Wolff administered the oath of office to newly-appointed board members, Ms. Mary Rose Brown and Ms. Rebecca G. Brown in a public ceremony conducted prior to the convening of this meeting. Ms. Mary Rose Brown was appointed by the University Health System to fill the trustee position vacated by Mr. George Hernandez and will serve for the remaining period of the term (through

June 2009). Ms. Rebecca Brown was also appointed by the University Health System to fill the trustee position vacated by Mr. Robert Murray and will serve a two-year term (through June 2010).

Dr. Jimenez announced that Ms. Mary Rose Brown had been appointed by County Judge Nelson Wolff to head the new Drug Summit Committee, in collaboration with the University Health System, and asked that she let him know who she would like to have serving on that committee.

**APPOINTMENT OF ACTING VICE-CHAIRMAN**

Dr. Jimenez commented that he would be consulting with Mr. Evans and other board members prior to making a decision on the appointment of a Vice-Chairman. A memorandum of notice will be sent out at that time.

**PRESENTATION: CAMPUS BLUES**

- Nicholas Holstein, Executive Director  
The Awareness Recovery Transition Support (ARTS) Project

Mr. Holstein briefly talked about the different scenarios that the group presents and stated that the purpose of this project is to build mental health awareness in the community. The group recently presented at the Family & Consumer Conference and the NAMI Annual Conference, and will also be presenting at the next CIT Training.

***At this time, the agenda was modified to take the following action:***

**7. FINANCE COMMITTEE REPORT** (*Knox M Pitts II, Chair*)

Review and Acceptance of the 2008 3<sup>rd</sup> Quarter Performance Report of the Center's 401(a) and 457 Accounts from Merrill Lynch; and Ratification on Rebalancing (*Mark A. Carmona*)

Mr. Carroll Jackson, First Vice President of Investments with Merrill Lynch, gave a detailed report on the 2008 3<sup>rd</sup> Quarter Performance of the Center's 401(a) and 457 accounts. For the purpose of educating the new board members, Mr. Jackson also provided an overview of the two retirement plans, noting that the 401(a) plan is the one that the board holds more responsibility for. That plan is managed based on an investment policy set by the board, which sets boundaries for our asset allocation, and which is reviewed on an annual basis.

Due to cancellation of the last Finance Committee meeting, Mr. Jackson met with staff and suggested a rebalance of the plan in order to bring the portfolio back in line with the investment policy. Upon consultation with members of the board, a decision was made and the portfolio was rebalanced on December 3<sup>rd</sup>.

Ms. Rebecca Brown moved that the Board of Trustees accept the 2008 3<sup>rd</sup> Quarter Performance Report as presented; and ratify the decision of the Finance Committee to rebalance the asset allocation on our portfolio as outlined by Mr. Jackson. Ms. Vera seconded the motion; motion carried.

**3. PRESENTATION: OVERVIEW OF CHCS HEALTHY SOLUTIONS  
OUTPATIENT CLINICS**

- Bren Manaugh, LCSW  
Director, Quality and Clinical Systems Development

Ms. Manaugh reported that the mission of the program is to offer outpatient Carelink-eligible mental health services to Bexar County residents, offering the highest quality treatment in geographically convenient locations. She gave an overview of the program's history, mission, challenges, and opportunities.

**4. BOARD CHAIRMAN'S REPORT**

Dr. Jimenez briefly reported that he continues to be kept well informed on the activities of the President/CEO, i.e., national board meetings, meetings with legislators, city and county officials.

He also stated that he wanted to meet with members of the board in order to discuss and determine what the Center will do once the authority/provider split takes place.

**5. PRESIDENT/CHIEF EXECUTIVE OFFICER'S REPORT**

- President/CEO's Monthly Activity Report

Mr. Evans reported that he continues to keep the board informed between meetings through his weekly communication memos and proceeded to report on the following:

- His testimonial before the NACo Steering Committee in Phoenix, Arizona last week in regards to US Health Reform. This was in preparation for NACo President-Elect Valerie Brown's upcoming Presidential Initiatives. He reported that the NACo newsletter carried his presentation, which he forwarded to the board and commissioners court.
- During a recent tour of The Restoration Center with a Fort Worth delegation, they crossed paths with another delegation from Fort Worth being hosted by Haven for Hope Director Robert Marbut.
- Mark Carmona has taken the lead in setting up meetings with our legislative delegation.
- Mr. Carmona briefly talked about the legislative education efforts being undertaken and reported that those efforts began during the summer with the Legislative Symposium, which brought together legislative and county officials, advocates, etc. from around the state. It was a good opportunity to present information on issues relating to competency restoration, compelling medication, intensive outpatient commitment issues, and children's issues, and it set the legislative priorities for the community. Presently, about 19 visits have been scheduled with State elected officials and the congressional delegation, in which a lot of information is being provided in regards to what the Center is doing. Visits are scheduled through the end of the year and into the New Year before the session begins.
- Mr. Carmona also reported on a joint project with Harris and Tarrant counties regarding a step-down residential facility for people coming out of the criminal justice and crisis care systems.
- He also reported on the Bond Program, which took place some years ago. That effort is on the legislative table this session and is being communicated to the legislators as it will have an impact on our MR Program.

- Chief of Staff/Medical Services Report

Dr. Milam briefly reported on some of the projects that she is currently working on, i.e., on-going integration with the University Health System; with Aaron Diaz on the Crisis Care program; waiting time at the clinics; and with Dr. Burns-Banks on Therapeutic Foster Care.

- Contracts Executed by the President/CEO over \$50,000 and under \$100,000 for the Months of October and November 2008
- Human Resources Quarterly Turnover/Personnel Action Summary

**CONSENT AGENDA**

Ms. Vera moved that the Board of Trustees approve the Consent Agenda as outlined below; Ms. Rebecca Brown seconded the motion. Motion carried.

**6. PLANNING & OPERATIONS COMMITTEE REPORT** (*Margaret M. Vera, Chair*)

1. Ratification of the Contract with Bexar County Community Supervision and Corrections Department-Outpatient Substance Abuse Treatment Services (*Kathryn Jones*)
2. Ratification of the Contract with Bexar County Community Supervision and Corrections Department-Substance Abuse Treatment Facility I (SATF-I) (*Kathryn Jones*)
3. Ratification of the Contract with Bexar County Community Supervision and Corrections Department-Substance Abuse Treatment Facility II (SATF-II) (*Kathryn Jones*)
4. Ratification of the Contract with Bexar County Community Supervision and Corrections Department-Mental Impaired Offenders Facility I (MIOF) (*Kathryn Jones*)
5. Ratification of the Contract with the Alamo Area Council of Government (AACOG) for Mental Retardation Services (*Doreen Vernon*)
6. Ratification of the Contract with the Department of State Health Services (DSHS) – Money Follows the Person (MFP) (*Linda Lopez*)
7. Ratification of the Department of State Health Services (DSHS) Access to Recovery (ATR)-II Treatment Provider Memorandum of Agreement (MOA) (*Kathryn Jones*)

**7. FINANCE COMMITTEE REPORT** (*Knox M Pitts II, Chair*)

*(Action on this item was taken earlier on the agenda).*

Review and Acceptance of the 2008 3<sup>rd</sup> Quarter Performance Report of the Center's 401(a) and 457 Accounts from Merrill Lynch; and Ratification on Rebalancing (*Mark A. Carmona*)

**INDIVIDUAL ITEMS FOR DISCUSSION & APPROPRIATE ACTION**

**8. FAITH-BASED INITIATIVES COMMITTEE** (*Carlos R. Orozco, M.D., Chair*)

That the Board of Trustees receives an update report on the activities of the Faith-Based Initiatives Committee.

Dr. Orozco briefly reported on the Whol-istic proposal that the committee put together and reported that staff liaison Homer Arias was working on a presentation to present the proposal to local congregations. The committee is scheduled to meet again in early January.

**9. PLANNING & OPERATIONS COMMITTEE** (*Margaret M. Vera, Chairman*)

1. Approval of the University Health System (UHS) Pharmacist & Technicians Personnel Agreement (*Cynthia Martinez*)

Ms. Vera moved that the Board of Trustees reviews and approves the Pharmacist and Technicians Personnel Agreement with the University Health System. The contract term is for one year with an automatic one year renewal for an amount of \$306,982.00.

Ms. Rebecca Brown seconded the motion; motion carried.

2. Approval of the University Health System (UHS) Pharmacy Services Agreement (*Cynthia Martinez*)

Ms. Vera moved that the Board of Trustees reviews and approves the contract with the University Health System for the provision of Pharmacy Services (New Generation Medications). The contract term is for one year with up to two successive one year terms for an amount not to exceed \$3,244,047.

Mr. Williams seconded the motion; motion carried.

3. Approval of the First Renewal Option of Gustavo Martinez, Ph.D., Consultant for Project Cariño (*Kathryn Jones*)

Ms. Vera moved that the Board of Trustees reviews and approves the first renewal option of the contract with Gustavo Martinez, Ph.D., for consultant services for Project Cariño, not to exceed \$100,000 for the period November 1, 2008 through October 31, 2009.

Dr. Burns-Banks seconded the motion; motion carried.

4. Selection and Award of Request for Proposal (RFP) for Professional Nursing Services at the Public Safety Unit (PSU), 601 North Frio; and Approval of President/CEO to Contract for Nursing Services with Awardee for a Price and Terms Certain and Other Terms and Conditions Acceptable to the Center (*Cynthia Martinez*)

Ms. Vera moved that the Board of Trustees approves the selection of Dependable Health Services, Inc. to provide nursing services at the Sobering Unit of the Public Safety Unit at 601 N. Frio; and authorize the President/Chief Executive Officer to execute a subcontract with Dependable Health Services, Inc., for a one-year period of January 1, 2009 through December 31, 2009, with four optional one-year renewals, in an amount not to exceed \$506,880.

Ms. Rebecca Brown seconded the motion; motion carried.

5. Approval of the Contract Renewal with Southwest Mental Health Center for the Provision of Child and Adolescent Hospitalization (*Cynthia Martinez*)

Ms. Vera moved that the Board of Trustees approves the contract renewal with Southwest Mental Health Center for the provision of Child and Adolescent Hospitalization Services for the time period of January 1, 2009 through December 31, 2009 for an amount not to exceed \$200,000.

Mr. Williams seconded the motion; motion carried.

Dr. Jimenez asked Dr. Burns-Banks to review the services being provided under this contract and report back to the board.

6. Report on Utilization Management Data Process on Seven (7) Day Follow-Up  
(A. Camis Milam, M.D.)

At the request of the Board of Trustees, Dr. Milam provided a report on the timeliness of follow-up appointments with patients discharged to the Center by area hospitals.

Dr. Burns-Banks commended Dr. Milam for recognizing that there was a problem and taking corrective measures.

**10. FINANCE COMMITTEE** (*Knox M Pitts II, Chair*)

Review and Approval of the Center's Financial Statements for the Period Ending October 31, 2008 (*Mark A. Carmona*)

Mr. Carmona deferred to Mr. Robert Guevara, who reported that the month of October 2008 had ended with a negative contribution to fund balance of (\$178,843); for a year-to-date negative operational fund balance of (\$224,199).

Mr. Guevara proceeded to report on the service revenue budget, funding for the Restoration Center, overtime salaries which are mostly related to vacancies and coverage in the 24 hour operating units, pharmacy contracts, right-sizing the outpatient units, the redesign of the Children's Crisis Diversion Program, and funding of the Healthy Solutions Program and the Access to Recovery Program.

Investments in TexPool were reported to have a beginning balance of \$6,212,385 and an ending balance of \$6,002,727 for a net decrease of (\$209,658). Interest earned for the month of October 2008 was \$11,441 for an average yield of 1.9762%. Financial ratios were all reported to be within range.

Upon conclusion, Ms. Rebecca Brown moved that the Board of Trustees approve the Center's Financial Statements for the period ending October 31, 2008 as presented. Ms. Vera seconded the motion; motion carried.

**REPORT FROM MR. SAM WILLIAMS, JR., ON THE ACTIVITIES OF THE TEXAS COUNCIL OF COMMUNITY MHMR CENTERS, INC. BOARD**

Mr. Williams briefly reported that the Business Committee of the Texas Council had approved the new voting methodology. However, he noted that it had not yet been approved by the Texas Council Board.

At the request of the Board Chairman, Mr. Evans briefed the new board members on the Center's concerns with the Texas Council's voting methodology.

Dr. Jimenez announced that he would like to request that Ms. Rebecca Brown be appointed to the Texas Council Board as an alternate member to Mr. Williams.

**REPORT FROM MR. KNOX M. PITTS II, ON THE ACTIVITIES OF THE TEXAS COUNCIL RISK MANAGEMENT FUND BOARD**

Due to Mr. Pitts' absence, there was no report to be given.

**EXECUTIVE SESSION (Closed)** – There was no Executive Session held.

Executive Session Deliberation per Texas Government Code, Section:

- 551.071 (Consultation with General Counsel)

Advice on matters in which the duties of the General Counsel to the Center under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 552 of the Texas Government Code, and advice on pending litigation matters.

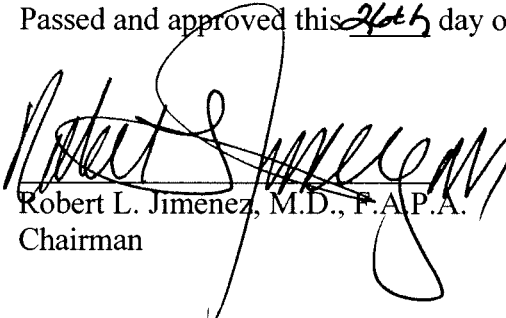
**OPEN SESSION**

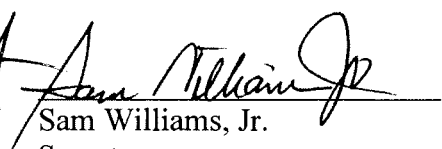
Discussion and Appropriate Action regarding the items discussed in Closed Session.

**ADJOURNMENT**

There being no further business to discuss, Ms. Rebecca Brown moved for adjournment, Dr. Burns-Banks seconded the motion, and the meeting was adjourned at 9:15 p.m.

Passed and approved this 26th day of January, 2009.

  
Robert L. Jimenez, M.D., F.A.P.A.  
Chairman

  
Sam Williams, Jr.  
Secretary