

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

THE CENTER FOR HEALTH CARE SERVICES

Regular Board Meeting
Monday, April 5, 2010
3031 IH 10 West
San Antonio, Texas 78201
6:00 p.m.

TRUSTEES PRESENT: Rebecca G. Brown, Vice Chair
Sam Williams, Jr., Secretary
Dianna M. Burns-Banks, M.D.
Mary Rose Brown
Ted Terrazas
Ruben D. Zamora

TRUSTEES ABSENT: Margaret M. Vera, Chair
Harry Griffin, Treasurer
Richard P. Usatine, M.D.

STAFF PRESENT: Leon Evans, President/Chief Executive Officer
Charles H. Boone, Chief Operations Officer
Mark A. Carmona, Chief Administrative Officer
A. Camis Milam, M.D., Chief Medical Officer
John A. Smith, General Counsel
Linda Rodriguez, Executive Assistant/Board Liaison
(Staff Attendance List on File)

GUESTS PRESENT: Mark Webb, Vice President of Facility Development & Project
Management, University Health System
Ernest L. Brown, IV, CCIM, Executive Vice President, Grubb & Ellis
Lynn Blakeley, CPM, Associate Vice President, Grubb & Ellis
Tony Buentello, CLU, The Benefits Source
Lisa Nava, The Benefits Source

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 Monday, April 5, 2010, at 3031 IH 10 West, San Antonio, Texas.

**CALL MEETING TO ORDER
CERTIFICATION OF QUORUM**

The meeting was called to order by Madame Vice-Chair Rebecca Brown at 6:09 p.m., with the following trustees present: Ms. MR Brown, Drs. Burns-Banks, and Messrs. Terrazas, Williams and Zamora, thereby establishing a quorum.

INVOCATION – Invocation was given by Mr. Sam Williams, Jr.

PLEDGE OF ALLEGIANCE – Led by Madame Vice-Chair Rebecca Brown

1. APPROVAL OF MINUTES

The minutes of the Regular Board Meeting of January 25, 2010 were presented for review and approval. Mr. Williams moved for approval of the minutes as presented; Dr. Burns-Banks seconded the motion. Motion carried with Ms. Rebecca Brown abstaining.

Mr. Terrazas arrived at this time.

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

2. BOARD CHAIRMAN'S REPORT

- Update on the Expansion Project at 601 North Frio – *Mark Carmona*

Mr. Carmona introduced Mark Webb, Vice President of Facility Development & Project Management at University Health System (UHS).

Mr. Webb proceeded with the presentation on the proposed expansion project at 601 North Frio in detail, noting the total projected cost to be approximately \$4.1 million to include construction cost plus consultant fees. UHS has committed to contributing \$1.4 million with the Center contributing another \$1 million from its' existing capital improvement fund. The additional needed funding of \$1.7 million would need to be financed through the Center's banking institution. Mr. Carmona added that he and the Center's Controller, Mr. Guevara, would be meeting with UHS officials next week to determine how the \$1.4 million will be used. Upon conclusion, the Board thanked Mr. Webb for his presentation.

By consensus of the board, the order of the agenda was suspended at this time in order to take the following actions:

7. FINANCE COMMITTEE (*Harry Griffin, Chair*)

3. Update from Grubb & Ellis on the efforts to date toward the sale of the Center's Facility at 3031 IH 10 West – *Mark A. Carmona*

Mr. Carmona introduced Ernest Brown and Lynn Blakeley from Grubb & Ellis. Mr. Brown proceeded to present on Grubb & Ellis' efforts toward the sale of the Center's facility located at 3031 IH 10 West. After some discussion, Mr. Carmona stated that the Center would need to look at further options to promote this sale. (A copy of the presentation is on file in the Executive Offices).

1. Approval of the Employee Health Insurance Plan(s) for PY 2010 – *Mark A. Carmona*

Mr. Zamora moved that the Board of Trustees approve the Rate Information and Funding for the Employee Health Insurance Plans for Plan Year (PY) 2010 as follows:

- Renewal with Humana at a 10.5% rate increase;
- That the Center absorb 100% of the employee only premium rate change; and
- That the employees absorb 100% of the premium rate increase on dependent premiums.

Discussion ensued regarding the loss ratios and rate-cap for the last two years. It was noted that the 10.5% rate increase would result in an increase from \$2,921,515 to \$3,228,274 (an increase of \$306,759). Additionally, it was stated that Benefit Source and the Center's management team would work toward providing educational meetings regarding cost savings and toward further increasing employee participation in wellness programs.

Upon conclusion of discussion, Mr. Terrazas seconded the motion; motion carried.

2. Recommendation for Renewal of Flexible Spending and Dependent Care Reimbursement Accounts – *Mark A. Carmona*

Mr. Williams moved that the Board of Trustees approve a renewal of the Center's Flexible Spending, Dependent Care Reimbursement Accounts (part of the Cafeteria plan) with David K. Young Consultants at no increase, and for the following period of time:

- July 1, 2010 through December 31, 2010; and
- January 1, 2011 through December 31, 2011

It was noted that the "short plan" year is to effect a change in the plan year to Jan 1st – Dec 31st for future plans, and to correspond with health plan deductible years which are the same.

Ms. Mary Rose Brown seconded the motion; motion carried.

EXECUTIVE SESSION (Closed)

At 6:51 p.m., upon motion by Ms. Mary Rose Brown and seconded by Dr. Burns-Banks, Ms. Rebecca Brown called the meeting into Executive Session for discussion, deliberation and consultation per Texas Government Code, Sections:

551.071 (Consultation with General Counsel): Advice on matters in which the duty 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.

551.071(a) (1) (Personnel Matters): For the purpose to deliberate the appointment, employment, evaluation, reassignment of duties, discipline, or dismissal of a public officer or employee.

- Review and Consideration of the 2009 Performance Evaluation and 2010 Goals of the Executive Director – President/Chief Executive Officer, Leon Evans

OPEN SESSION

The Board reconvened into Open Session at 7:10 p.m., where it was announced that no formal action or votes had been taken during closed session.

At this time, Ms. Mary Rose Brown moved that the Board of Trustees accept the President/Chief Executive Officers' Goals for CY 2010 as revised by the Personnel Ad Hoc Committee; and that an adjustment of 4.95% be added to the Base Salary of Two Hundred Thousand and No/Dollars (\$200,000.00) of the Executive Director-President/Chief Executive Officer as stated under the terms of his employment contract. This adjustment will be paid retro-active to January 1, 2010 at the next pay period of April 9, 2010 and then bi-weekly thereafter. Further, that the Executive Director-President/Chief Executive Officer, Leon Evans, be paid for accomplishments achieved during CY2009, a one-time performance incentive bonus in the amount of Thirty Thousand and No/Dollars (\$30,000.00) in one lump sum not later than the next regular biweekly pay period of the Center on April 9, 2010. Dr. Burns-Banks seconded the motion; motion carried by a vote of 6/0 with no abstentions.

At this time, Ms. Brown proceeded with the order of the agenda.

3. PRESIDENT/CHIEF EXECUTIVE OFFICER'S REPORT

- President/CEO's Report of Activities for the months of January/February 2010

A copy of the President/CEO's activities for the months of January/February 2010 were included in the board packet.

- Local Planning & Network Development (LPND) Report – *Charles H. Boone/Cynthia Martinez*

Ms. Martinez reported that the Center was in receipt of a letter from Ross Robinson, Director of Program Services at DSHS, denying our pilot project but requesting that we move forward with the procurement for the 2008 planning cycle, and that we submit a plan by April 29, 2010. Additionally, they are requesting that we move forward with implementation of the 2010 LPND.

Mr. Evans announced that staff was proposing to schedule a mini-retreat to inform the board in detail on what is taking place with the LPND and what needs to happen. As soon as the board is polled and a date confirmed, they will be notified.

- HB 1232 – *Mark Carmona*

Mr. Carmona briefly reported on the signing of the Memorandum of Understanding for Local Behavioral Health Intervention Pilot Project, which was a result of HB 1232. The event took place at the Capitol on March 30th with Senator Leticia Van de Putte and Representative Jose Menendez present. Attendees included Judge John Specia and representatives from DFPS, TYC, Bexar County Juvenile Probation, and Center staff among others. Copies of the packet were distributed to board members.

Mr. Boone reported that the first child to enter the new system had already been identified and indicated that this pilot will also be a good platform for the new System of Care grant that the Center is applying for.

- Chief Medical Officer's Report – *Dr. Camis Milam*

Dr. Milam briefly reported on medical activities and announced a new project study that she is working on.

- Status Report on Crisis Services – *Charles H. Boone*

Mr. Boone reported that a total of four hundred and ten (410) persons had been admitted to the Sobering Unit for the month of March 2010. Numbers at the Magistrate continue to be stagnant with some actually down, and the number of persons being seen at the Crisis Care Center remain the same.

Mr. Boone also distributed the CTU (Crisis Transitional Unit) Census Summary for the period November 21, 2009 (inception) through April 10, 2010. He additionally distributed a report on the status of referrals and outcome for CTU for the period March 28th – April 3rd, noting that the average length of stay was going up. Mr. Boone reviewed both reports in detail.

- Status Report on Prospects Park (formerly Prospects Courtyard) – *Charles H. Boone*

Mr. Boone announced that Prospects Park was scheduled to open on May 22nd and that Susan Jenkins had been hired as the Director. Staff is currently being hired and trained. Ms. Mary Rose Brown added that Haven for Hope had hired twenty-four (24) security officers for Prospects Park. She added that Haven for Hope would be holding their Dedication Ceremony on April 14th at 1:00 p.m. and wanted to invite everyone to attend. All partners are scheduled to be present and a briefing will be held on the various services to be provided, to include Prospects Park.

- Status Report on Home Health Agency – *Charles H. Boone*

Mr. Boone distributed packets of the Board of Trustees Orientation Checklist and Acknowledgement of the Center's Home Health Agency Policies, noting that although the Planning & Operations Committee has been assigned to review them in detail, the full Board of Trustees must review and sign them in order to be in compliance. This will be incorporated into future New Board Orientation.

Mr. Evans briefly reported on the following:

- His meeting with Attorney General Eric Holder on March 8th. AG Holder expressed an interest in visiting the Center in the near future.
- Received the NACo Distinguished Service Award in recognition of more than three decades of leadership, vision, innovation and service to the cause of good governance in America and in profound appreciation for extraordinary efforts in promoting a more effective and humane system of Justice and Public Health.

- Received the Robert C. Egnaw Award from NACBHDD in recognition of Local, State and National dedication to and leadership in promoting the importance of behavioral health and developmental disability services in our communities.
- Was appointed chairman of the NACo Behavioral Health Subcommittee.

Ms. Mary Rose Brown left at this time.

- Contracts executed by the President/CEO over \$50,000 and under \$100,000 for the months of January/February 2010
- Human Resources Quarterly Turnover/Personnel Action Summary for the months of January/February 2010

CONSENT AGENDA

4. PLANNING & OPERATIONS COMMITTEE REPORT *(Dr. Dianna Burns-Banks, Chair)*

1. Approval of the Membership Appointments to the Home Health Agency Professional Advisory Committee – *Charles H. Boone*
2. Approval of an Income Contract Amendment with the County of Bexar and the Bexar County Juvenile Board for the Provision of Children’s Mental Health Services – *Charles H. Boone*
3. Approval of a Contract with the University Health System (UHS) for the Provision of Inpatient Psychiatric Treatment Services – *Cynthia Martinez*

5. FINANCE COMMITTEE REPORT *(Harry Griffin, Chair)*

Ratification of the Contract Renewal with Handyman Express.org for the Provision of Janitorial Services at 601 North Frio – *Cynthia Martinez*

Dr. Burns-Banks moved that the Consent Agenda be approved as presented; Mr. Zamora seconded the motion; motion carried unanimously.

INDIVIDUAL ITEMS FOR REPORT, DISCUSSION & APPROPRIATE ACTION

6. PLANNING & OPERATIONS COMMITTEE *(Dr. Dianna Burns-Banks, Chair)*

1. Ratification of the Amended Policies for the Therapeutic Foster Care Program – *Charles H. Boone*

Dr. Burns-Banks moved that the Board of Trustees approve the amended policies for the Therapeutic Foster Care Program as reviewed and recommended by the Planning and Operations Committee. Mr. Terrazas seconded the motion; motion carried.

It was noted that a copy of the policies were available to the Board upon request.

2. Adoption of a Board Resolution to Delegate to and Authorize the Executive Director-President/Chief Executive Officer on behalf of the Board of Trustees to execute future policy changes of a non-substantive nature to the Therapeutic Foster Care Program – *Charles H. Boone*

Dr. Burns-Banks moved that the Board of Trustees approve the adoption of a Board Resolution to delegate to and authorize the Executive Director-President/Chief Executive Officer on behalf of the Board to execute future policy and program changes of a non-substantive nature to the Therapeutic Foster Care Program addressing programmatic, fiscal and administrative matters.

It was noted that there was no financial impact associated with the adoption of this resolution and that the President/Chief Executive Officer would report to the Board, at its next regularly scheduled meeting, of any program or policy changes approved, and at which time the Board could revoke any changes made and/or approved.

Mr. Williams seconded the motion; motion carried.

7. **FINANCE COMMITTEE** (*Harry Griffin, Chair*)

4. Review of the Center's Revenue Streams – *Robert Guevara*

As requested previously by the Finance Committee Chair, Mr. Guevara presented on the various sources of revenue for Center services. It was reported that the Center has seventy-three (73) different sources of revenue which are classified into four categories of funding: allocation, earned revenue, cost reimbursement, and other revenue.

Dr. Burns-Banks left the meeting at this time; therefore, there was no longer a quorum of the board.

5. Acceptance of the Center's Financial Statements for the Period Ending February 28, 2010 – *Robert Guevara*

Mr. Guevara reported that the Center had ended the month of February 2010 with a positive contribution to fund balance of \$36,927; which resulted in a year-to-date negative fund balance of (\$201,552). However, with the unrecognized Transitional & Intensive General Revenue of \$265,782; savings on New Generation Medications of \$532,615; and unspent funds in the Capital Project Funds of \$173,869; the Center is currently in a positive financial position of \$770,715.

Services revenues for the month of February 2010 were reported at \$878,207 compared to a monthly budget of \$90,172. Due to the FMAP increase and 100% payment of Rehab and Case Management revenue, additional revenue earned will need to be offset with a State-match recoupment. \$910,813 has been reserved for this recoupment through the month of February.

He reported on the overtime salaries; the fund balance ratios; and the losses and gains in the Substance Abuse, Healthy Solutions, and Long Term Care Programs.

Investments in TexPool were reported to have a beginning balance of \$8,575,501 and an ending balance of \$6,588,478 for a net increase of \$1,987,023. Interest earned for the month was \$816 for an average yield of .1512%.

Due to the lack of a quorum, there was no action taken on the Center's Financial Statements for the month of February 2010.


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

It was noted that the Texas Council Board was scheduled to meet next week.

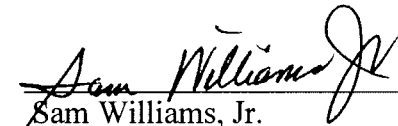
ADJOURNMENT

There being no further business to discuss, Mr. Zamora moved for adjournment of the meeting; Mr. Williams seconded the motion. Motion carried and the meeting was adjourned at 8:44 p.m.

Passed and approved this 07th day of July, 2010.



Rebecca G. Brown
Vice-Chairperson



Sam Williams, Jr.
Secretary