

**NUECES COUNTY HOSPITAL DISTRICT
Board of Managers - Regular Meeting
Tuesday, February 13, 2018 at 12:15 PM**

Agenda

- 1. CALL TO ORDER**
- 2. ESTABLISHMENT OF QUORUM**
- 3. PUBLIC COMMENT** - Persons wishing to comment must sign-in on the "Agenda Item Request to Speak" form provided at the entrance of the Board meeting room at least five (5) minutes prior to commencement of the Board meeting. See the "Public Comment" section of the preceding General Information page for additional Public Comment-related information; commenters shall limit their comments to three (3) minutes.
- 4. CONSENT AGENDA:**
 - A. Approve minutes of Board of Managers meetings:
 - 1) Regular Meeting of June 20, 2017; and
 - 2) Special Meetings of September 8, October 13, and November 20, 2017.
 - B. Receive complete listing of vendors as of January 26, 2018; annual listing pursuant to Board of Managers Bylaws, Article 2, §2.1 B and Texas Local Government Code, Chapter 176.
 - C. Receive hospital providers' quarterly reports relating to certain Indigent Care Affiliation Agreements associated with participation in the Texas Healthcare Transformation and Quality Improvement Program Medicaid 1115 Waiver for the calendar quarters ended June 30 and September 30, 2017.
 - 1) CHRISTUS Spohn Health System Corporation Hospitals: Alice, Beeville, and Kleberg (Joint Report);
 - 2) Corpus Christi Medical Center;
 - 3) DeTar Healthcare System; and
 - 4) Driscoll Children's Hospital.
 - D. Receive information on Administrator's appointment by the Texas Conference of Urban Counties to the Tobacco Settlement Permanent Trust Account Administration Advisory Committee for a additional six-year term expiring August 31, 2023.

- E. Receive revenue reports relating to CHRISTUS Spohn Health System Corporation Membership Agreement:
- 1) Fiscal year ended September 30, 2017; and
 - 2) Current fiscal year-to-date.
- F. Receive summary information on medical and hospital care provided to the Nueces Aid population consistent with the CHRISTUS Spohn Health System Corporation Membership Agreement for Calendar Year ended December 31, 2017.
- G. Receive summary payment information for fiscal year ended September 30, 2017 and current fiscal year-to-date:
- 1) Medical services at Nueces County juvenile detention facility;
 - 2) Emergency medical services in unincorporated areas of Nueces County;
 - 3) Supplemental funding for Behavioral Health Center of Nueces County; and
 - 4) Salaries, benefits, and supplies at Corpus Christi/Nueces County Public Health Department.
- H. Receive summary report of intergovernmental transfers made in support of local and other healthcare providers participating in Medicaid supplemental payment programs sponsored by the Texas Health and Human Commission for fiscal year-to-date:
- 1) Texas Healthcare Transformation and Quality Improvement Program (Medicaid 1115 Waiver):
 - a) Hospital Uncompensated Care (UC) pool; and
 - b) Delivery System Reform Incentive Payment (DSRIP) pool;
 - 2) Disproportionate Share Hospitals (DSH) program;
 - 3) Network Access Improvement Program (NAIP); and
 - 4) Uniform Hospital Rate Increase Program (UHRIP).
- I. Receive monthly statement of escrow amounts deposited and/or withdrawn by CHRISTUS Spohn Health System Corporation; deposits pursuant to and consistent with Section 3.9.7 of Amended and Restated Schedule 1 to Spohn Membership Agreement, a schedule to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement, and Attachment B, Paragraph 9 of Amended and Restated Memorandum of Understanding; receive statement for the month December 2017.

- J. Ratify Administrator's action(s) performed as part of his duties directing the affairs of the District and/or as required by the Board of Managers; duties established pursuant to Texas Health and Safety Code, §281.026(e):
- 1) Engagement of Collier, Johnson, & Woods, P.C. Certified Public Accountants to perform an audit of the financial statements of the governmental activities, each major fund, and the aggregate remaining funds for the fiscal year ended September 30, 2017.

5. **REGULAR AGENDA:**

A. **Board Chairman:**

- 1) Appoint new Board member to standing Board Committee; appoint Ms. Sylvia Tryon Oliver to Planning Committee; appointment pursuant to Board of Managers Bylaws, Article 2, §2.5 A. (***ACTION***)

B. **Finance Matters:**

- 1) Receive and approve Annual Financial Report from Collier, Johnson, & Woods, P.C., Certified Public Accountants on Nueces County Hospital District's governmental activities financial statements, major funds, and aggregate remaining funds for fiscal year ended September 30, 2017. (***ACTION***)
- 2) Receive and approve unaudited financial statements for the month and fiscal year-to-date periods ended May 31 - December 31, 2017. (***ACTION***)
- 3) Receive and approve investment reports and ratify related investment transactions:
 - a) Quarterly Investment Reports for fiscal quarters ended June 30, September 30, and December 31, 2017; and
 - b) Annual Investment Report for fiscal year ended September 30, 2017. (***ACTION***)
- 4) Receive final administrative rule adoption and related information on the Texas Health and Human Services Commission (HHSC)-sponsored Uniform Hospital Rate Increase Program (UHRIP), 1 TAC §353.1301 and §353.1305, and HHSC's subsequent implementation of UHRIP; UHRIP established for the purpose of increasing Medicaid managed care organization payments to certain classes of hospitals for services provided within HHSC's Medicaid managed-care service delivery areas. (***INFORMATION***)

C. Other Matters:

- 1) Receive information on Nueces County's anticipated establishment of a mental health-related community collaborative during 2018 and discuss a probable request to fund all or part of the collaborative; collaborative pursuant to Texas Government Code, §539.0051. (**INFORMATION**)

- 2) Receive information on the Centers for Medicare & Medicaid Services' extension of Medicaid 1115 Waiver-related Texas Healthcare Transformation and Quality Improvement Program sponsored by the Texas Health and Human Services Commission; extension period January 1, 2018 - September 30, 2022. (**INFORMATION**)

- 3) Adopt Board of Managers Order authorizing the filing of a lawsuit to recover damages suffered by the Hospital District as a result of the improper marketing, sale, and distribution of opioid medications and approval of professional services agreement for private legal counsel. (**ACTION**)

- 4) Reappoint Ms. Rachel Canales as Director to CHRISTUS Spohn Health System Corporation's Board of Directors for three-year term commencing January 1, 2018 and ending December 31, 2020; receive and consider Nueces County Commissioners Court's nomination; concur with Court's nomination and appoint nominee for aforesaid term; Hospital District's appointment pursuant to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement, Article III, Section 3.01(b). (**ACTION**)

- 5) Approve Second Amendment to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement relating to the Texas Health and Human Services Commission-sponsored Uniform Hospital Rate Increase Program; Amendment extends required notice of termination with or without cause from 30 to 60 days; and authorize Administrator to execute Amendment. (**ACTION**)

- 6) Receive update from CHRISTUS Spohn Health System Corporation relating to operation, construction, transition, planning, and/or demolition activities associated with September 10, 2014 Letter of Intent Regarding Material Alteration Notice:
 - a) Operations of Dr. Hector P. Garcia - Memorial Family Health Center located on Hospital District-owned property at 2606 Hospital Boulevard, Corpus Christi, Texas;
 - b) Construction and/or demolition activities at CHRISTUS Spohn Hospital Corpus Christi-Shoreline located at 600 Elizabeth Street, Corpus Christi, Texas;

- c) Transition of certain services from Hospital District-owned hospital presently known as CHRISTUS Spohn Hospital Corpus Christi-Memorial (formerly known as Memorial Medical Center) located at 2606 Hospital Boulevard to CHRISTUS Spohn Hospital Corpus Christi-Shoreline located at 600 Elizabeth Street, both facility locations in Corpus Christi, Texas; and
- d) Planning orderly transition of services from Hospital District-owned hospital presently known as CHRISTUS Spohn Hospital Corpus Christi-Memorial (formerly known as Memorial Medical Center) located at 2606 Hospital Boulevard to CHRISTUS Spohn Hospital Corpus Christi-Shoreline located at 600 Elizabeth Street, both facility locations in Corpus Christi, Texas. (**INFORMATION**)

D. Indigent Care Provider's Briefing:

- 1) Receive and discuss information from CHRISTUS Spohn Health System Corporation (Provider) relating to:
 - a) Medical aid and hospital care provided to the Nueces Aid Program population consistent with the CHRISTUS Spohn Health System Corporation Membership Agreement and related matters; and
 - b) Programs, projects, and/or activities at CHRISTUS Spohn Hospital Corpus Christi-Memorial and other Hospital District-owned facilities and related matters. (**INFORMATION**)

E. Administrator's Briefing:

- 1) Next Scheduled Board of Managers and Board Committee meetings (all meetings, dates, and times shown are tentative):
 - a) Board Meeting: March 27, 2018; meeting start time to be determined; and
 - b) Board Committee Meetings: March 27, 2018; meeting start times to be determined:
 - (1) Planning Committee;
 - (2) Finance Committee; and
 - (3) Quality Management Committee. (**INFORMATION**)
- 2) Receive 2018 Board of Managers and Board Committee meeting schedule (all meetings, dates, and times tentative). (**INFORMATION**)

6. **CLOSED MEETING** - Public notice is hereby given that the Board of Managers may elect to go into closed meeting session(s) at any time during the meeting to discuss any matter(s) listed on the agenda, when so authorized by the provisions of the Open Meetings Act, Texas Government Code, Chapter 551; the Texas Health and Safety Code, Chapter 161, §161.031, §161.0315, and §161.032; and the Texas Occupations Code, Chapters 151 and 160; and that the Board specifically expects to

go into a closed session(s) on the matters listed below. In the event the Board elects to go into closed session(s) regarding an agenda item(s), the section(s) of the Open Meetings Act authorizing the closed session will be publicly announced by the presiding officer. Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in closed session(s), then the final action, final decision, final vote shall be either: (a) in the open meeting covered by the Notice upon reconvening of the public meeting; or (b) at a subsequent public meeting of the Board upon notice thereof, as the Board shall determine pursuant to applicable laws.

- A. Consult with attorneys on the status of litigation against opioid drug manufacturers, promoters, and distributors responsible for causing and contributing to an epidemic of opioid addiction in Nueces County, including but not limited to Purdue Pharma, Endo Pharmaceuticals, Janssen Pharmaceuticals, Insys Therapeutics, the McKesson Corporation, Cardinal Health and AmerisourceBergen for violations of the DTPA, fraud, unjust enrichment, negligence, violations of the federal Controlled Substances Act, civil conspiracy and any other related causes of action, and related matters; consultation pursuant to Open Meetings Act, Texas Government Code, §551.071.

7. OPEN MEETING

- 8. Consider action on item(s) covered during Closed Meeting. (***ACTION AS NEEDED***)

9. ADJOURN

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