

**NUECES COUNTY HOSPITAL DISTRICT
BOARD OF MANAGERS
Board of Managers - Regular Meeting
Monday, July 24, 2023 at 12:15 PM**

AGENDA

1. WELCOME

2. ROLL CALL OF BOARD OF MANAGERS

- John E. Valls, MBA, Chairman
- Vishnu V. Reddy, M.D., Vice Chairman
- Sylvia Tryon Oliver
- Belinda Flores, R.N.
- Judge Mariana Garza
- Efrain Guerrero, Jr.
- Arthur Granado

3. CALL TO ORDER, ESTABLISHMENT OF QUORUM, MEETING POSTING CONFIRMATION, AND CLOSED MEETING NOTICE

A. Call to order.

B. Establish quorum.

C. Confirm posting of Meeting's public notice in accordance with Texas Open Meetings Act, Texas Government Code, Chapter 551.

9

D. 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.

4. ANNOUNCEMENT ON DISCLOSURE OF CONFLICTS OF INTEREST. Any Conflicts of Interest or Appearance of a Conflict of Interest with items on this agenda shall be declared at this time. Members with conflicts will refrain from voting and are asked to refrain from discussion on such items. Conflicts discovered later in the meeting shall be disclosed at that time.

5. PUBLIC COMMENT - Persons attending in-person and wishing to comment on any item(s) on the agenda or any subject within the Board's responsibilities 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 meeting. Persons attending via audio or video conference and wishing to comment on any item(s) on the agenda or any subject within the Board's responsibilities must verbally notify the presiding officer of their

desire to comment when the officer calls for public comment from those attending via audio and video conference. Commenters shall limit their comments to three (3) minutes, except that Commenters addressing the Board through a translator shall limit their comments to six (6) minutes.

6. CONSENT AGENDA - The Consent Agenda consists of those agenda items which are routine, administrative in nature, not in need of separate attention, and which a member of the Board has not requested be discussed separately. If requested to be discussed separately, that agenda item will be removed from the Consent Agenda by the presiding officer to the Regular Agenda and discussed as a part of the Regular Agenda at the appropriate time. All remaining items listed under the Consent Agenda will be voted upon in a single vote:

- A. Approve Board of Managers Regular Meeting minutes of June 27, 2023. 21
- B. Receive listing of new vendors as of July 20, 2023; listing provided pursuant to Board of Managers Bylaws, §2.1.B and Texas Local Government Code, Chapter 176. 33
- C. Receive summary payment information on Nueces County health care disbursements for Fiscal Year 2023 year-to-date: 34
 - 1. Salaries, benefits, supplies, and intergovernmental transfers at/for City of Corpus Christi/Nueces County Public Health District;
 - 2. Emergency medical services provided in unincorporated areas of Nueces County;
 - 3. Supplemental and jail diversion program funding for Nueces Center for Mental Health and Intellectual Disabilities;
 - 4. Medical services provided at County correctional facilities:
 - a. Nueces County Jail; and
 - b. Nueces County Juvenile Detention Center;
 - 5. Funding for alcohol and drug abuse treatment programs:
 - a. Cenikor (Charlie's Place);
 - b. Council on Alcohol and Drug Abuse; and
 - c. Palmer Drug Abuse Program;
 - 6. Funding for diabetes prevention and supporting programs;
 - 7. Public health grants; and
 - 8. Legal and professional fees.
- D. Receive summary imputed claims information on medical and hospital care provided to the Nueces Aid Program population consistent with the 35

CHRISTUS Spohn Health System Corporation Amended and Restated
Membership Agreement for fiscal year-to-date period-ended June 30, 2023.

E. Receive fiscal year-to-date Specified Annual Percentage-related revenue reports; revenue receipts pursuant to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement, Section 5.03. 36

F. Receive monthly statement of escrow amounts deposited and/or withdrawn by CHRISTUS Spohn Health System Corporation; deposits pursuant to and consistent with Schedule 1 to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement; receive statement for month-ended June 30, 2023.

G. Receive statement of amounts deposited to and/or withdrawn from Local Provider Participation Fund for fiscal year-to-date; deposits and withdrawals pursuant to Board of Managers Order authorizing participation in a health care provider participation program pursuant to Texas Health and Safety Code, Chapter 298C, as amended. 37

H. Receive summary report of cumulative estimated provider payments and actual intergovernmental transfers made in support of local and other healthcare providers participating in Medicaid supplemental and directed payment programs sponsored by the Texas Health and Human Services Commission (HHSC): 38

1. Directed Payment Programs - Medicaid managed care organization payments to healthcare providers that support overall Medicaid program goals and objectives:

- a. Comprehensive Hospital Increase Reimbursement Program (CHIRP);
- b. Network Access Improvement Program (NAIP);
- c. Texas Incentives for Physicians and Professional Services (TIPPS);
- d. Uniform Hospital Rate Increase Program (UHRIP); and

2. Supplemental Payment Programs - HHSC-directed payments made to hospitals for achieving certain goals or to support health care providers that see significant numbers of uninsured or persons without much money:

- a. Disproportionate Share Hospitals (DSH) program;
- b. Graduate Medical Education (GME);
- c. Hospital Uncompensated Care (UC) pool; and

3. Phase-Out Programs:

- a. Delivery System Reform Incentive Payment (DSRIP) pool.

I. Receive reports relating to Nueces Aid Program enrollment for the month-ended June 30, 2023:

- 1. Total Persons and Households Enrolled; 39
- 2. Enrollment Summary;

3. Denials;	42
4. Application Processing Summary; and	43
5. Enrollment by Zip Code.	47
J. Adopt Board of Managers Resolution amending listing of approved investment training sources to be effective August 1, 2023, pursuant to Chapter 2256, Government Code.	50
K. Receive notice of Administrator's reappointment by the Texas Conference of Urban Counties to the Department of State Health Service's Tobacco Settlement Permanent Trust Account Administration Advisory Committee for six-year term ending August 31, 2029.	55
7. REGULAR AGENDA - The Regular Agenda consists of those agenda items which are non-routine, not administrative in nature, or are otherwise in need of separate attention. Each Regular Agenda item will be voted upon separately if action is required:	
A. <u>Property Valuations:</u>	
1. Receive and discuss information relating to 2023 Nueces County property valuations and discuss related matters; receive and discuss information from the Chief Appraiser of the Nueces County Appraisal District, or his designee. (INFORMATION)	
2. Receive and discuss information relating to 2023 Nueces County property valuations, tax assessments, and related matters; receive and discuss information from the Nueces County Tax Assessor-Collector, or his designee. (INFORMATION)	57
B. <u>Finance Matters:</u>	
1. <u>Financial Statements:</u>	
a. Receive and approve unaudited financial statements for the month and fiscal year-to-date period ended June 30, 2023. (ACTION)	60
2. <u>Fiscal Year 2024 Budget:</u>	
a. Discuss and consider a Nueces County request to commit Fiscal Year 2024 funding for reimbursement of County's funding of the Corpus Christi-Nueces County Public Health District during that period, and related matters. (ACTION)	67

b. Receive and review Nueces County's Fiscal Year 2024 budget planning calendar. **(INFORMATION)** 68

c. Discuss and consider Workshop Session on the Hospital District's Fiscal Year 2024 Budget (October 1, 2023 - September 30, 2024) and related matters; establish date and time. **(ACTION)**

C. Depository:

1. Receive, open, and enter into the Board of Managers meeting minutes applications received for the Hospital District's depository for the period October 1, 2023 - September 30, 2027, pursuant to Chapter 116, Texas Local Government Code. **(ACTION)** 70

2. Establish an evaluation committee to review and evaluate the applications received for the Hospital District's depository and provide a selection recommendation to the Board of Managers at its next regular meeting. **(ACTION)**

D. Health Care Provider Participation Program (Program):

1. Receive and discuss Chapter 298C, Texas Health and Safety Code relating to creation and operation of the Program, and related matters. **(INFORMATION)** 71

2. Confirm posting of public notice of public hearing on the rate of mandatory Program payments that the Board of Managers intends to require of each institutional health care provider located within the Hospital District's boundaries during Hospital District Fiscal Year 2024 (October 1, 2023 - September 30, 2024) and how the revenue derived from the payments will be spent. **(ACTION)** 78

3. Confirm provision to each institutional health care provider within the Hospital District's boundaries of the public notice of public hearing on the rate of mandatory Program payments that the Board of Managers intends to require of each provider during District Fiscal Year 2024 and how the revenue derived from the payments will be spent. **(ACTION)** 80

4. Adopt Board of Managers Order setting the rate of mandatory Program payments during Hospital District Fiscal Year 2024 at six percent (6%) of the net patient revenue of each institutional health care provider located within the Hospital District boundaries. **(ACTION)** 82

5. Adopt Board of Managers Order amending Program rules and procedures to be effective August 1, 2023. **(ACTION)** 86

E. Memorial Medical Center Demolition:

1. Receive, view, and discuss information on Memorial Medical Center demolition project being conducted by CHRISTUS Spohn Health System Corporation; demolition project located at 2606 Hospital Boulevard, Corpus Christi, Texas:

a. Report from CHRISTUS Spohn's Architect and/or Owner's Representative; and

b. View CHRISTUS Health OxBlue Construction Time-Lapse Camera video feed. **(INFORMATION)** 97

F. Automated External Defibrillators:

1. Receive and discuss information on automated external defibrillators recently installed in certain Hospital District offices and discuss related matters, including identification, locations, and training. **(INFORMATION)** 98

G. Administrator's Actions:

1. Ratify Administrator's action(s) performed as part of his duties directing the affairs of the Hospital District and/or as required by the Board of Managers; duties established pursuant to Texas Health and Safety Code, §281.026(e):

a. Execution of Medicaid supplemental payment-related Network Access Improvement Program Intergovernmental Transfer Responsibility Contract (NAIP-IGT) with the Texas Health and Human Services Commission for benefit of CHRISTUS Spohn Health System; execution of NAIP-IGT HHSC Contract No. HHS001339400008 for the term September 1, 2023 - August 31, 2024. **(ACTION)** 100

8. ADMINISTRATOR'S BRIEFING:

A. Next scheduled Board of Managers and Board Committee regular meetings (all meetings' dates, times, and locations are subject to change):

1. Board of Managers Workshop(s) on FY 2024 Budget: Date and time to be announced, in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. **(INFORMATION)**

2. Board of Managers Meeting: Tuesday, August 22, 2023, 12 Noon in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. **(INFORMATION)**

3. Board of Managers Meeting to Adopt FY 2024 Budget: Date and time to be announced, in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. (**INFORMATION**)

9. **CLOSED MEETING** - Public Notice is hereby given that the Board of Managers may 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. *To the extent there has been a past practice of distinguishing items for public deliberation and those for executive session, the public is advised that the Board is departing from that practice and reserves the right to discuss any listed agenda items in a closed meeting when authorized by law to do so.* When the Board goes 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, or 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. The Board specifically expects to go into a closed session(s) on the matters listed below pursuant to the Act, §551.071.

A. Consult with attorneys on matters relating to 2023 Nueces County property valuations, tax assessments, and related matters.

B. Consult with attorneys on matters relating to CHRISTUS Spohn Health System Corporation Membership Agreement-related annual Member Revenue Allocation Percentage for the period October 1, 2023 - September 30, 2024, and related matters.

C. Consult with attorneys on matters relating to the Hospital District's FEMA reimbursement-related arbitration case *CBCA 7792-FEMA; In the Matter of Nueces County Hospital District* pending before the United States Civilian Board of Contract Appeals, and related matters.

D. Consult with attorneys on matters relating to *Nueces County Hospital District, et. al. v. Purdue Pharma, Inc., et al.*, MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas, and related matters.

E. Consult with attorneys on matters relating to *Sundial Owner's Association, Inc. v. Nueces County, et. al.*, No. 13-21-00069-CV in the 13th Court of Appeals, and related matters.

10. **OPEN MEETING** - Following the Closed Meeting, the Board of Managers will reconvene the Open Meeting prior to taking any action(s) on matters considered in the Closed Meeting or adjourning the meeting.

A. Consider final action, decision, or vote on matters considered in the Closed Meeting:

1. Adopt Board of Managers Resolution authorizing approval of proposed Texas Statewide Opioid Settlement Agreements regarding settlement offers in the matter of Texas opioid multi-district litigation, *Nueces County Hospital District et al. v. Purdue Pharma, Inc., et al.*, Multi-District Litigation (MDL) Pretrial Cause No. 2018-63587, in the 152nd District Court of Harris County, Texas; authorize the Administrator to execute Settlement participation and release forms regarding settlement offers from Walgreens, CVS, and Walmart in the matter of Texas opioid multi-district litigation in the 152d District Court of Harris County, Texas. **(ACTION)**
2. Discuss and consider final action, decision, or vote on other matters considered in Closed Meeting. **(ACTION AS NEEDED)**

11. ADJOURN



Kara Sands

Nueces County Clerk
901 Leopard St #201
Corpus Christi, TX 78401

Main: (361)888-0580

Receipt: 20230720000124

Date: 07/20/2023

Time: 02:44PM

By: Margarita S

Station: CLERK08

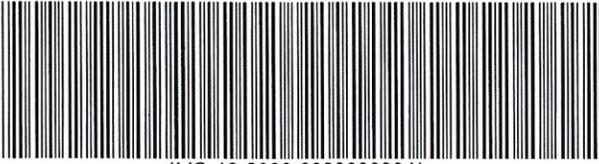
Status: ORIGINAL COPY

<u>Seq</u>	<u>Item</u>	<u>Document Description</u>	<u>Number</u>	<u>Number Of</u>	<u>Amount</u>	<u>Serial Number</u>
1	Public Notice	PBN	2023000334	11	\$0.00	
				Order Total	(1)	\$0.00

<u>Seq</u>	<u>Payment Method</u>	<u>Transaction Id</u>	<u>Comment</u>	<u>Total</u>	
1				\$0.00	
				Total Payments	(1) \$0.00
				Change Due	\$0.00

NUECES COUNTY HOSPITAL DISTRICT

For more information about the County Clerk's office and to search property records online, please visit <http://www.nuecesco.com/county-services/county-clerk>



VG-12-2023-2023000334

Nueces County
Kara Sands
Nueces County Clerk

Instrument Number: 2023000334

Public Notice

PUBLIC NOTICES

Recorded On: July 20, 2023 02:44 PM

Number of Pages: 11

" Examined and Charged as Follows: "

Total Recording: \$0.00



STATE OF TEXAS

Nueces County

I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Nueces County, Texas

Kara Sands
Nueces County Clerk
Nueces County, TX

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2023000334
Receipt Number: 20230720000124
Recorded Date/Time: July 20, 2023 02:44 PM
User: Margarita S
Station: CLERK08

Record and Return To:

NUECES COUNTY HOSPITAL DISTRICT

RECEIVED

JUL 20 2023

KARA SANDS
CLERK OF THE COUNTY COURT
NUECES COUNTY, TEXAS

NOTICE OF PUBLIC MEETING

NUECES COUNTY HOSPITAL DISTRICT

BOARD OF MANAGERS

**Board of Managers - Regular Meeting
Monday, July 24, 2023 at 12:15 PM**

Location:

**Board of Managers Meeting Room, 555 N. Carancahua Street, Room 950-A, Corpus
Christi, Texas 78401**

MEETING IN-PERSON AND VIA VIDEOCONFERENCE CALL

The Nueces County Hospital District ("NCHD") Board of Managers or a Committee thereof as specified above will hold a meeting on the date and at the time and location shown above. The agenda item(s) for this meeting are set forth on the accompanying page(s); agenda item(s) are not necessarily considered in the order listed.

On September 1, 2021, Governor Abbott rescinded the suspension of certain Rules of the Texas Open Meetings Act ("Act") which had allowed meetings to be conducted entirely virtually. The specified NCHD Board of Managers meeting will be held both in-person and via videoconference call. Public participation will be available in-person as well as via videoconference call as allowed under the Act. It is the intent that a quorum of the Board of Managers as required for the specified meeting will be physically present at the location posted in this meeting notice. It is also the intent that the Board member presiding over the meeting be physically present for the specified meeting at the location posted in this meeting notice. Any member of the Board of Managers participating by videoconference call shall be visible and audible to the public whenever the member is speaking; Board member participation by audio-only is no longer permitted. Although the meeting will be open to the public during the open portions of the meeting, any member of the public wishing to observe the meeting may do so via videoconference call and as well as participate via videoconference call in public comment, may do so through the videoconference call Zoom meeting link shown on this meeting notice below, as well as shown on NCHD's website.

The Texas Open Meetings Act defines a "videoconference call" as a communication conducted between two or more persons in which one or more of the participants communicate with the other participants through duplex audio and video signals transmitted over a telephone network, a data network, or the Internet. Zoom is an Internet-based communications platform that allows users to connect with duplex audio and video signals. Using Zoom requires an Internet connection and a supported device.

Meeting agendas and supporting materials are available via NCHD's BoardBook meeting management system at: <https://meetings.boardbook.org/Public/Organization/1886>.

Attend Meeting via Videoconference, Join Zoom Meeting:

<https://nchdcc-org.zoom.us/j/5746765992?pwd=T2RVWFpZGJYdHYyQmp1VUdZeUc3Zz09>

Meeting ID: 574 676 5992

Passcode: 195957

**NUECES COUNTY HOSPITAL DISTRICT
BOARD OF MANAGERS
Board of Managers - Regular Meeting
Monday, July 24, 2023 at 12:15 PM**

AGENDA

1. WELCOME

2. ROLL CALL OF BOARD OF MANAGERS

- ___ John E. Valls, MBA, Chairman
- ___ Vishnu V. Reddy, M.D., Vice Chairman
- ___ Sylvia Tryon Oliver
- ___ Belinda Flores, R.N.
- ___ Judge Mariana Garza
- ___ Efrain Guerrero, Jr.
- ___ Arthur Granado

3. CALL TO ORDER, ESTABLISHMENT OF QUORUM, MEETING POSTING CONFIRMATION, AND CLOSED MEETING NOTICE

A. Call to order.

B. Establish quorum.

C. Confirm posting of Meeting's public notice in accordance with Texas Open Meetings Act, Texas Government Code, Chapter 551.

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B. Receive listing of new vendors as of July 20, 2023; listing provided pursuant to Board of Managers Bylaws, §2.1.B and Texas Local Government Code, Chapter 176.

C. Receive summary payment information on Nueces County health care disbursements for Fiscal Year 2023 year-to-date:

1. Salaries, benefits, supplies, and intergovernmental transfers at/for City of Corpus Christi/Nueces County Public Health District;

2. Emergency medical services provided in unincorporated areas of Nueces County;

3. Supplemental and jail diversion program funding for Nueces Center for Mental Health and Intellectual Disabilities;

4. Medical services provided at County correctional facilities:

a. Nueces County Jail; and

b. Nueces County Juvenile Detention Center;

5. Funding for alcohol and drug abuse treatment programs:

a. Cenikor (Charlie's Place);

b. Council on Alcohol and Drug Abuse; and

c. Palmer Drug Abuse Program;

6. Funding for diabetes prevention and supporting programs;

7. Public health grants; and

8. Legal and professional fees.

D. Receive summary imputed claims information on medical and hospital care provided to the Nueces Aid Program population consistent with the CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement for fiscal year-to-

date period-ended June 30, 2023.

E. Receive fiscal year-to-date Specified Annual Percentage-related revenue reports; revenue receipts pursuant to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement, Section 5.03.

F. Receive monthly statement of escrow amounts deposited and/or withdrawn by CHRISTUS Spohn Health System Corporation; deposits pursuant to and consistent with Schedule 1 to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement; receive statement for month-ended June 30, 2023.

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H. Receive summary report of cumulative estimated provider payments and actual intergovernmental transfers made in support of local and other healthcare providers participating in Medicaid supplemental and directed payment programs sponsored by the Texas Health and Human Services Commission (HHSC):

1. Directed Payment Programs - Medicaid managed care organization payments to healthcare providers that support overall Medicaid program goals and objectives:

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- c. Texas Incentives for Physicians and Professional Services (TIPPS);
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2. Supplemental Payment Programs - HHSC-directed payments made to hospitals for achieving certain goals or to support health care providers that see significant numbers of uninsured or persons without much money:

- a. Disproportionate Share Hospitals (DSH) program;
- b. Graduate Medical Education (GME);
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3. Phase-Out Programs:

- a. Delivery System Reform Incentive Payment (DSRIP) pool.

I. Receive reports relating to Nueces Aid Program enrollment for the month-ended June 30, 2023:

1. Total Persons and Households Enrolled;
2. Enrollment Summary;
3. Denials;
4. Application Processing Summary; and

5. Enrollment by Zip Code.

J. Adopt Board of Managers Resolution amending listing of approved investment training sources to be effective August 1, 2023, pursuant to Chapter 2256, Government Code.

K. Receive notice of Administrator's reappointment by the Texas Conference of Urban Counties to the Department of State Health Service's Tobacco Settlement Permanent Trust Account Administration Advisory Committee for six-year term ending August 31, 2029.

7. **REGULAR AGENDA** - The Regular Agenda consists of those agenda items which are non-routine, not administrative in nature, or are otherwise in need of separate attention. Each Regular Agenda item will be voted upon separately if action is required:

A. Property Valuations:

1. Receive and discuss information relating to 2023 Nueces County property valuations and discuss related matters; receive and discuss information from the Chief Appraiser of the Nueces County Appraisal District, or his designee.
(INFORMATION)

2. Receive and discuss information relating to 2023 Nueces County property valuations, tax assessments, and related matters; receive and discuss information from the Nueces County Tax Assessor-Collector, or his designee.
(INFORMATION)

B. Finance Matters:

1. Financial Statements:

a. Receive and approve unaudited financial statements for the month and fiscal year-to-date period ended June 30, 2023. *(ACTION)*

2. Fiscal Year 2024 Budget:

a. Discuss and consider a Nueces County request to commit Fiscal Year 2024 funding for reimbursement of County's funding of the Corpus Christi-Nueces County Public Health District during that period, and related matters.
(ACTION)

b. Receive and review Nueces County's Fiscal Year 2024 budget planning calendar. *(INFORMATION)*

c. Discuss and consider Workshop Session on the Hospital District's Fiscal Year 2024 Budget (October 1, 2023 - September 30, 2024) and related matters;

establish date and time. *(ACTION)*

C. Depository:

1. Receive, open, and enter into the Board of Managers meeting minutes applications received for the Hospital District's depository for the period October 1, 2023 - September 30, 2027, pursuant to Chapter 116, Texas Local Government Code. *(ACTION)*
2. Establish an evaluation committee to review and evaluate the applications received for the Hospital District's depository and provide a selection recommendation to the Board of Managers at its next regular meeting. *(ACTION)*

D. Health Care Provider Participation Program (Program):

1. Receive and discuss Chapter 298C, Texas Health and Safety Code relating to creation and operation of the Program, and related matters. *(INFORMATION)*
2. Confirm posting of public notice of public hearing on the rate of mandatory Program payments that the Board of Managers intends to require of each institutional health care provider located within the Hospital District's boundaries during Hospital District Fiscal Year 2024 (October 1, 2023 - September 30, 2024) and how the revenue derived from the payments will be spent. *(ACTION)*
3. Confirm provision to each institutional health care provider within the Hospital District's boundaries of the public notice of public hearing on the rate of mandatory Program payments that the Board of Managers intends to require of each provider during District Fiscal Year 2024 and how the revenue derived from the payments will be spent. *(ACTION)*
4. Adopt Board of Managers Order setting the rate of mandatory Program payments during Hospital District Fiscal Year 2024 at six percent (6%) of the net patient revenue of each institutional health care provider located within the Hospital District boundaries. *(ACTION)*
5. Adopt Board of Managers Order amending Program rules and procedures to be effective August 1, 2023. *(ACTION)*

E. Memorial Medical Center Demolition:

1. Receive, view, and discuss information on Memorial Medical Center demolition project being conducted by CHRISTUS Spohn Health System Corporation; demolition project located at 2606 Hospital Boulevard, Corpus Christi, Texas:

a. Report from CHRISTUS Spohn's Architect and/or Owner's Representative; and

b. View CHRISTUS Health OxBlue Construction Time-Lapse Camera video feed. (*INFORMATION*)

F. Automated External Defibrillators:

1. Receive and discuss information on automated external defibrillators recently installed in certain Hospital District offices and discuss related matters, including identification, locations, and training. (*INFORMATION*)

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1. Ratify Administrator's action(s) performed as part of his duties directing the affairs of the Hospital District and/or as required by the Board of Managers; duties established pursuant to Texas Health and Safety Code, §281.026(e):

a. Execution of Medicaid supplemental payment-related Network Access Improvement Program Intergovernmental Transfer Responsibility Contract (NAIP-IGT) with the Texas Health and Human Services Commission for benefit of CHRISTUS Spohn Health System; execution of NAIP-IGT HHSC Contract No. HHS001339400008 for the term September 1, 2023 - August 31, 2024. (*ACTION*)

8. ADMINISTRATOR'S BRIEFING:

A. Next scheduled Board of Managers and Board Committee regular meetings (all meetings' dates, times, and locations are subject to change):

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2. Board of Managers Meeting: Tuesday, August 22, 2023, 12 Noon in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. (*INFORMATION*)

3. Board of Managers Meeting to Adopt FY 2024 Budget: Date and time to be announced, in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. (*INFORMATION*)

9. CLOSED MEETING - Public Notice is hereby given that the Board of Managers may 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. *To the extent there has been a past practice of*

distinguishing items for public deliberation and those for executive session, the public is advised that the Board is departing from that practice and reserves the right to discuss any listed agenda items in a closed meeting when authorized by law to do so. When the Board goes 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, or 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. The Board specifically expects to go into a closed session(s) on the matters listed below pursuant to the Act, §551.071.

A. Consult with attorneys on matters relating to 2023 Nueces County property valuations, tax assessments, and related matters.

B. Consult with attorneys on matters relating to CHRISTUS Spohn Health System Corporation Membership Agreement-related annual Member Revenue Allocation Percentage for the period October 1, 2023 - September 30, 2024, and related matters.

C. Consult with attorneys on matters relating to the Hospital District's FEMA reimbursement-related arbitration case *CBCA 7792-FEMA; In the Matter of Nueces County Hospital District* pending before the United States Civilian Board of Contract Appeals, and related matters.

D. Consult with attorneys on matters relating to *Nueces County Hospital District, et. al. v. Purdue Pharma, Inc., et al.*, MDL PRETRIAL CAUSE NO. 2018-63587, in the 152d District Court of Harris County, Texas, and related matters.

E. Consult with attorneys on matters relating to *Sundial Owner's Association, Inc. v. Nueces County, et. al.*, No. 13-21-00069-CV in the 13th Court of Appeals, and related matters.

10. OPEN MEETING - Following the Closed Meeting, the Board of Managers will reconvene the Open Meeting prior to taking any action(s) on matters considered in the Closed Meeting or adjourning the meeting.

A. Consider final action, decision, or vote on matters considered in the Closed Meeting:

1. Adopt Board of Managers Resolution authorizing approval of proposed Texas Statewide Opioid Settlement Agreements regarding settlement offers in the matter of Texas opioid multi-district litigation, *Nueces County Hospital District et al. v. Purdue Pharma, Inc., et al.*, Multi-District Litigation (MDL) Pretrial Cause No. 2018-63587, in the 152nd District Court of Harris County, Texas; authorize the Administrator to execute Settlement participation and release forms regarding settlement offers from Walgreens, CVS, and Walmart in the matter of Texas opioid

multi-district litigation in the 152d District Court of Harris County, Texas.
(ACTION)

2. Discuss and consider final action, decision, or vote on other matters considered in Closed Meeting. *(ACTION AS NEEDED)*

11. ADJOURN

**MINUTES
BOARD OF MANAGERS
NUECES COUNTY HOSPITAL DISTRICT
REGULAR MEETING
JUNE 27, 2023**

The Nueces County Hospital District Board of Managers met at 12:00 p.m., Tuesday, June 27, 2023, 2023 in the NCHD Board Room at 555 N. Carancahua, Suite 950 – A Corpus Christi, Texas.

HOSPITAL DISTRICT REPRESENTATIVES:

Jonny F. Hipp	Administrator/CEO
Belinda Espinoza	Assistant Administrator, Administrative Services
Donna Littlefield	Director, Accounting & Finance
Mary Esther Guerra	Assistant County Attorney
Melissa Quintanilla	Executive Assistant/Human Resources
Carmina Hernandez Moreno	Administrative Assistant

OTHERS PRESENT:

Andrea Kovarik	MHID
Mark Hendrix	MHID
Mike Davis	MHID
John Martinez	County Government Officer
Kevin Kieschnick	Tax Assessor
John Michael	Hanson
Jerry Kramer	CLK
John Lusins	South Texas Medical Health Associates
Michael Robinson	Nueces County Purchasing
Aaron V. Diaz	Nueces County
Govind Nadkarni	Govind Nadkarni
Bryan Hoffman	KRIS
Amrita Dongre	Student at the University of Austin, Texas
Jenny Dorsey	County Attorney
Dante Gonzalez	Public Health
Robin Oldham	Adelanto Healthcare Ventures
Aidee Hernandez	Commissioners Court Manager

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Unknown	Care Integrated Behavior Health
Becky Rios	Corpus Christi Spohn Hospital – via Zoom
Craig Desmond	Corpus Christi Spohn Hospital – via Zoom
Shawn Barnes	Corpus Christi Police Dept. – via Zoom
Hilda Dalfonso	Corpus Christi Medical Center – via Zoom
Eric Evans Corpus	Christi Medical Center – via Zoom
Ronica Hutchinson	Gjerset & Lorenz – via Zoom
Melanie McCammon	Adelanto Healthcare Ventures – via Zoom
Stephen King	Attorney – via Zoom
Colt Sullivan	Adelanto Healthcare Ventures – via Zoom
Cleo Lawrence	Adelanto Healthcare Ventures – via Zoom
Jamie Whitney	Adelanto Healthcare Ventures – via Zoom
Kendall Devin	- via Zoom
Alex Russell	- via Zoom
Citizen	- via Zoom
3615427374	- via Zoom

1. WELCOME

2. ROLL CALL OF BOARD OF MANAGERS

John E. Valls, MBA, Chairman
 Vishnu V. Reddy, M.D., Vice Chairman
 Sylvia Tryon Oliver
 Belinda Flores, R.N.
 Judge Mariana Garza
 Efrain Guerrero, Jr.
 Arthur Granado

**3. CALL TO ORDER, ESTABLISHMENT OF QUORUM, MEETING POSTING
CONFIRMATION, AND CLOSED MEETING NOTICE**

- A. Call to order – Mr. John E. Valls, Chairman.
The meeting was called to order by Mr. Valls at 12:00 p.m.

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B. Establish quorum – Mr. Valls.

A quorum was present with five members in attendance.

John E. Valls, MBA, Chairman – PRESENT

Vishnu V. Reddy, M.D., Vice Chairman – PRESENT

Sylvia Tryon Oliver, Member – PRESENT

Efrain Guerrero, Jr., Member – PRESENT

Arthur Granado, Member – PRESENT

Belinda Flores, R.N., Member – ABSENT

Judge Mariana Garza, Member – ABSENT

C. Confirm posting of Meeting's public notice in accordance with Texas Open Meetings Act, Texas Government Code, Chapter 551.

D. 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.

4. ANNOUNCEMENT ON DISCLOSURE OF CONFLICTS OF INTEREST. Any Conflicts of Interest or Appearance of a Conflict of Interest with items on this agenda shall be declared at this time. Members with conflicts will refrain from voting and are asked to refrain from discussion on such items. Conflicts discovered later in the meeting shall be disclosed at that time.

5. PUBLIC COMMENT - Persons attending in-person and wishing to comment on any item(s) on the agenda or any subject within the Board's responsibilities 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 meeting. Persons attending via audio or video conference and wishing to comment on any item(s) on the agenda or any subject within the Board's responsibilities must verbally notify the presiding officer of their desire to comment when the officer calls for public comment from those attending via audio and video conference. Commenters shall limit their comments to three (3) minutes, except that Commenters addressing the Board through a translator shall limit their comments to six (6) minutes.

No one to speak in Public Comment.

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6. **CONSENT AGENDA** - The Consent Agenda consists of those agenda items which are routine, administrative in nature, not in need of separate attention, and which a member of the Board has not requested be discussed separately. If requested to be discussed separately, that agenda item will be removed from the Consent Agenda by the presiding officer to the Regular Agenda and discussed as a part of the Regular Agenda at the appropriate time. All remaining items listed under the Consent Agenda will be voted upon in a single vote:

- A. Approve Board of Managers Regular Meeting minutes of May 23, 2023.
- B. Receive listing of new vendors as of June 22, 2023; listing provided pursuant to Board of Managers Bylaws, §2.1.B and Texas Local Government Code, Chapter 176.
- C. Receive summary payment information on Nueces County health care disbursements for Fiscal Year 2023 year-to-date:
 - 1. Salaries, benefits, supplies, and intergovernmental transfers at/for City of Corpus Christi/Nueces County Public Health District;
 - 2. Emergency medical services provided in unincorporated areas of Nueces County;
 - 3. Supplemental and jail diversion program funding for Nueces Center for Mental Health and Intellectual Disabilities;
 - 4. Medical services provided at County correctional facilities:
 - a. Nueces County Jail; and
 - b. Nueces County Juvenile Detention Center;
 - 5. Funding for alcohol and drug abuse treatment programs:
 - a. Cenikor (Charlie's Place);
 - b. Council on Alcohol and Drug Abuse; and
 - c. Palmer Drug Abuse Program;
 - 6. Funding for diabetes prevention and supporting programs;
 - 7. Public health grants; and
 - 8. Legal and professional fees. (*Finance Committee*)
- D. Receive summary imputed claims information on medical and hospital care provided to the Nueces Aid Program population consistent with the CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement for fiscal year-to-

**BOARD OF MANAGERS
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date period-ended May 31, 2023. (*Finance Committee*)

E. Receive fiscal year-to-date Specified Annual Percentage-related revenue reports; revenue receipts pursuant to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement, Section 5.03. (*Finance Committee*)

F. Receive monthly statement of escrow amounts deposited and/or withdrawn by CHRISTUS Spohn Health System Corporation; deposits pursuant to and consistent with Schedule 1 to CHRISTUS Spohn Health System Corporation Amended and Restated

Membership Agreement; receive statement for month-ended May 31, 2023. (*Finance Committee*)

G. Receive statement of amounts deposited to and/or withdrawn from Local Provider Participation Fund for fiscal year-to-date; deposits and withdrawals pursuant to Board of Managers Order authorizing participation in a health care provider participation program pursuant to Texas Health and Safety Code, Chapter 298C, as amended. (*Finance Committee*)

H. Receive summary report of cumulative estimated provider payments and actual intergovernmental transfers made in support of local and other healthcare providers participating in Medicaid supplemental and directed payment programs sponsored by the Texas Health and Human Services Commission (HHSC):

1. Directed Payment Programs - Medicaid managed care organization payments to healthcare providers that support overall Medicaid program goals and objectives:
 - a. Comprehensive Hospital Increase Reimbursement Program (CHIRP);
 - b. Network Access Improvement Program (NAIP);
 - c. Texas Incentives for Physicians and Professional Services (TIPPS);
 - d. Uniform Hospital Rate Increase Program (UHRIP); and
2. Supplemental Payment Programs - HHSC-directed payments made to hospitals for achieving certain goals or to support health care providers that see significant numbers of uninsured or persons without much money:
 - a. Disproportionate Share Hospitals (DSH) program;
 - b. Graduate Medical Education (GME);
 - c. Hospital Uncompensated Care (UC) pool; and

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3. Phase-Out Programs:

a. Delivery System Reform Incentive Payment (DSRIP) pool. (*Finance Committee*)

I. Receive reports relating to Nueces Aid Program enrollment for the month-ended May 31, 2023:

1. Total Persons and Households Enrolled;
2. Enrollment Summary;
3. Denials;
4. Application Processing Summary; and
5. Enrollment by Zip Code. (*Finance Committee*)

J. Receive information on State Comptroller of Public Accounts' 2023 pro-rata distributions of Calendar Year 2022 income from Tobacco Permanent Settlement Trust

Account; distributions pursuant to Texas Administrative Code, Title 25, Part 1, Chapter 102, Rule §102.2. (*Finance Committee*)

Consent Agenda approved. Motion by Mr. Guerrero and seconded by Ms. Oliver. MOTION CARRIED.

7. **REGULAR AGENDA** - The Regular Agenda consists of those agenda items which are non-routine, not administrative in nature, or are otherwise in need of separate attention. Each Regular Agenda item will be voted upon separately if action is required:

A. Property Valuations:

1. Receive and discuss information relating to 2023 Nueces County property valuations on petrochemical and other properties and discuss related matters; receive and discuss property valuations information from Nueces County Tax Assessor/Collector. (**INFORMATION**)

Kevin Kieschnick presented.

**BOARD OF MANAGERS
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B. Finance Committee:

1. Financial Statements:

- a. Receive and approve unaudited financial statements for the month and fiscal year-to-date period ended May 31, 2023. (***ACTION***)

**Motion by Mr. Granado and seconded by Ms. Oliver
MOTION CARRIED.**

2. Investment Policy:

- a. Adopt Board of Managers Resolution relating to annual review of investment policy and investment strategies; adopt changes to policy and strategies to be effective August 1, 2023; review and adoption pursuant to Texas Government Code, §2256.005(e). (***ACTION***)

- b. Adopt Board of Managers Resolution relating to annual review and adoption of listing of qualified broker/dealers authorized to engage in investment transactions; adopted listing to be effective August 1, 2023; review and adoption pursuant to Texas Government Code, §2256.025. (***ACTION***)

**Items B. 2. (a&b) Motion by Mr. Granado and
seconded by Mr. Guerrero. MOTION CARRIED.**

C. Legislative Committee:

1. Receive final information on 88th Texas Session Legislative Agenda, as amended:

- a. H.B. 4844 - Relating to the use of a broker for the sale of real property by the Nueces County Hospital District. (***INFORMATION***)

D. Federal Emergency Management Agency (FEMA):

1. Receive information on Hospital District's Request for Arbitration in lieu of Second-Level Appeal on FEMA's First-Level Denial of Application #674808 Appeal concerning the District's recovery of Social Determinants of Health Study costs incurred during the COVID-19 Pandemic; request Arbitration before the

**BOARD OF MANAGERS
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United States Civilian Board of Contract Appeals (CBCA):

- a. Request for Arbitration; and
- b. CBCA Notice of Docketing. (*INFORMATION*)

E. Health Care Provider Participation Program:

1. Receive information relating to projected balances of the Local Provider Participation Fund ("LPPF") a component of the Health Care Provider Participation Program created by the Hospital District; receive information on projected LPPF balances for the remainder of Fiscal Year 2023. (*INFORMATION*)

Dr. Reddy left meeting at 1:31 p.m.

2. Discuss and consider authorizing the Administrator to revise/update participating providers' net patient revenue data used by the Hospital District to calculate the participating providers' mandatory payments authorized under the Health Care Provider Participation Program created by the Hospital District for Fiscal Year 2023 pursuant to Texas Health and Safety Code ("Health Code"), Chapter 298C, as amended; authorize the Administrator to revise/update the calculations used to determine the participating providers' mandatory payments for Fiscal Year 2023 using the most recently available financial and utilization data reported by the Providers to the Texas Department of State Health Services ("Department") under Health Code, Sections 311.032 and 311.033 as most recently released by the Department. (*ACTION*)

**Motion by Mr. Granado and seconded by Mr. Guerrero.
MOTION CARRIED.**

F. Nueces County:

1. Receive information on and discuss Nueces County's Request For Proposals (RFP) for Jail Diversion Program Services; consider recommending alterations to RFP and/or evaluation authority. (*INFORMATION/ACTION*)

**Motion by Mr. Granado to appoint Mr. Jonny Hipp and Ms. Belinda Espinoza to represent the Hospital District in the RFP Jail Diversion Program Services on the committee. As per Mr. Valls the Chairman with all YEAS.
MOTION CARRIED.**

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2. Receive and discuss presentation, request, and/or information from Nueces County requesting Hospital District funding for the County's proposed health care-related expenditures for Fiscal Year 2024 and consider authorizing funding. **(ACTION)**

Mr. Valls, Chairman approve to contingent upon the ability to reevaluate once the certified values are presented Motion by Ms. Oliver and seconded by Mr. Granado. MOTION CARRIED.

G. Memorial Medical Center Demolition:

1. Receive, view, and discuss information on Memorial Medical Center demolition project being conducted by CHRISTUS Spohn Health System Corporation; demolition project located at 2606 Hospital Boulevard, Corpus Christi, Texas:
 - a. Report from CHRISTUS Spohn's Architect and/or Owner's Representative; and
 - b. View CHRISTUS Health OxBlue Construction Time-Lapse Camera video feed. **(INFORMATION)**

**John Michael from Hanson and
Jerry Kramer from CLK both updated on
Memorial Medical Center Demoliton.**

H. Community Mental Health Initiatives:

1. Receive and discuss report and information from Nueces Center for Mental Health and Intellectual Disabilities ("MHID") relating to work performed under agreements between Nueces County, MHID, and Hospital District for the fiscal quarter ended March 31, 2023. **(INFORMATION)**

As per Mr. Valls, Chairman, MHID to present information next month.

I. Administrator's Actions:

1. Ratify Administrator's action(s) performed as part of his duties directing the affairs of the Hospital District and/or as required by the Board of Managers; duties

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established pursuant to Texas Health and Safety Code, §281.026(e):

a. Execution of Fourth Amendment To Lease with ERF Tower II, Inc. for administrative office space at 555 N. Carancahua Street, Corpus Christi, Texas, for the term June 1, 2023 - May 31, 2026, with options for two renewal terms of one-year. **(INFORMATION)**

b. Issuance of Request for Applications for Depository and Banking Services for the period October 1, 2023 - September 30, 2027 (RFA No. 2023-01). **(INFORMATION)**

8. ADMINISTRATOR'S BRIEFING:

A. Execution of Letter Agreement with John B. Martinez for General Counsel Services for the term June 1, 2023 - May 31, 2024. **(INFORMATION)**

B. Execution of Legal Services Contract with Cusimano Law Firm and Gaffney & Gaffney relating to Hospital District's Request for Arbitration in lieu of Second-Level Appeal on FEMA's First-Level Denial of Application #674808 Appeal concerning the District's recovery of Social Determinants of Health Study costs incurred during the COVID-19 Pandemic. **(INFORMATION)**

C. Next scheduled Board of Managers and Board Committee regular meetings (all meetings' dates, times, and locations are subject to change):

1. Finance Committee: July 25, 2023, 11:30 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401;

2. Legislative Committee: No additional meetings scheduled; and

3. Board of Managers: Tuesday, July 25, 2023, 12 Noon in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401. **(INFORMATION)**

9. CLOSED MEETING - Public Notice is hereby given that the Board of Managers may 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. *To the extent there has been a past practice of distinguishing items for public deliberation and those for executive session, the public is advised that the Board is departing from that practice and reserves the right to discuss any listed agenda items in a closed meeting when authorized by law to do so.* When the Board

**BOARD OF MANAGERS
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goes 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, or 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. The Board specifically expects to go into a closed session(s) on the matters listed below pursuant to the Act, §551.071.

- A. Consult with attorneys on matters relating to Nueces County property valuations.
- B. Consult with attorneys on matters relating to United States Civilian Board of Contract Appeals *CBCA 7792-FEMA In the Matter of Nueces County Hospital District*.
- C. Consult with attorneys on matters relating to planned improvements to the former Memorial Hospital campus located at 2606 Hospital Boulevard, Corpus Christi, Texas.
- D. Consult with attorneys on matters relating to the Health Care Provider Participation Program and Local Provider Participation Fund.
- E. Consult with attorneys on matters relating to Hospital District-funded mental health services and contracts for mental health services.

Mr. Valls, Chairman called for Close session at 1:58 p.m.

10. OPEN MEETING - Following the Closed Meeting, the Board of Managers will reconvene the Open Meeting prior to taking any action(s) on matters considered in the Closed Meeting or adjourning the meeting.

Mr. Valls, Chairman called for Open session at 2:21 p.m.

A. Consider final action, decision, or vote on matters considered in the Closed Meeting.
(ACTION AS NEEDED)

No Action taken.

11. ADJOURN

Motion adjourned by Mr. Valls, Chairman at 2:22 p.m.

**BOARD OF MANAGERS
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JUNE 27, 2023**

PRESIDING OFFICER:

John E. Valls, MBA, Chairman

ATTEST:

Jonny F. Hipp, Secretary
Board of Managers
Nueces County Hospital District

Nueces County Hospital District
Vendor Information List - Additional Vendors-Conflict of Interest Disclosure

<u>Vendor ID</u>	<u>Vendor Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>ZIP</u>
2099	WeTransfer B.V.	Willem Fenengstraat 19 1096 BL	Amsterdam		
2100	AED Service America, Inc.	P O Box 360	East Granby	CT	06026
2101	Cusimano Law Firm, PLC	3015 19th Street	Metairie	LA	70002
2102	McMahan Services, LTD.	6610 Leopard Street	Corpus Christi	TX	78409

Nueces County Hospital District
 County Health Care Department Expenditures
 Cash Disbursements Relating to
 Fiscal Year 2023

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Fiscal 2023 YTD	Budget 2023	Balance
County Healthcare Services															
Health Dept - County	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,000,000.00	2,000,000.00
Emergency Medical Services	0.00	0.00	0.00	116,100.00	0.00	0.00	0.00	120,000.00	0.00	0.00	0.00	0.00	236,100.00	650,000.00	413,900.00
NC MHID - Fund Matching	0.00	0.00	0.00	242,280.00	0.00	0.00	242,280.00	0.00	0.00	242,280.00	0.00	0.00	726,840.00	969,129.00	242,289.00
NC MHID - Jail Programs	0.00	176,813.03	237,980.34	276,362.77	258,650.19	282,603.06	227,446.06	252,547.50	181,315.79	0.00	0.00	0.00	1,893,718.74	3,018,000.00	1,124,281.26
Mental Healthcare Services Dept	6,767.47	223.93	104,143.47	0.00	0.00	25.09	0.00	0.00	79,310.36	0.00	0.00	0.00	190,470.32	273,000.00	82,529.68
NC Juvenile Center	19,477.57	20,679.73	58,982.51	39,737.05	89,111.88	60,047.64	52,844.11	72,219.51	31,251.16	0.00	0.00	0.00	444,351.16	474,000.00	29,648.84
Nueces County Jail Services	353,224.55	353,224.55	353,224.55	422,223.53	376,454.17	376,542.38	403,860.59	353,224.55	375,753.52	0.00	0.00	0.00	3,367,732.39	4,478,695.00	1,110,962.61
Cenikor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	60,000.00	60,000.00
Council on Alcohol & Drug Abuse	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	50,000.00	50,000.00
Diabetes Program - County	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	50,000.00	50,000.00
HALO-Flight Funding	0.00	0.00	0.00	0.00	0.00	0.00	0.00	15,000.00	0.00	0.00	0.00	0.00	15,000.00	15,000.00	0.00
County Public Health Grants	0.00	0.00	85,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	85,000.00	170,000.00	85,000.00
Totals	379,469.59	550,941.24	839,330.87	1,096,703.35	724,216.24	719,218.17	926,430.76	812,991.56	667,630.83	242,280.00	0.00	0.00	6,959,212.61	12,207,824.00	5,248,611.39

**Nueces County Hospital District
Imputed Claims Experience for Calendar Year 2023
As if Adjudicated January 1, 2023 through June 30, 2023**

Service	Claims	Billed	Contract Amt.	Co Insurance	Net
ER	2,059	11,423,130	1,542,431	54,930	1,487,501
ASU	354	7,415,981	715,662	22,681	692,981
Clinic	7,011	7,890,878	2,171,240	94,898	2,076,342
Obs	53	1,718,794	364,922	12,638	352,284
OP	5,808	22,300,083	5,487,791	316,117	5,171,674
Subtotal	15,285	50,748,866	10,282,046	501,264	9,780,782
IP	257	23,108,524	1,100,364	28,259	1,072,105
SNF					-
RX	59,505	24,178,873	9,282,124	263,570	9,018,554
Physician	15,220	6,620,090	2,011,109	76,427	1,934,682
Total	90,267	104,656,353	22,675,643	869,520	21,806,123

NOTE:

The Revised and Restated Indigent Care Agreement was terminated effective September 30, 2012. After that date, the District no longer makes payment to CHRISTUS Spohn for providing health care services to the Nueces Aid Indigent population. Under the terms of the Membership Agreement amended and restated effective November 18, 2015, CHRISTUS Spohn has committed to continue to provide health care services to the Nueces Aid Indigent population and, and at the request of the District, continues to submit informational claims to the District to permit the District to monitor the volume of health care services furnished to the Nueces Aid Indigent population.

Nueces County Hospital District
 Spohn Corporate Member Revenue Analysis
 Fiscal Year 2023

Member Revenue % 7.0%

	October	November	December	January	February	March	April	May	June	July	August	September	Totals
<u>Membership Revenue Deposits</u>													
Week 1	432,839.19	611,792.22	634,393.97	392,942.03	511,190.69	765,202.67	452,054.94	746,936.88	398,005.84	584,054.59			5,529,413.02
Week 2	554,299.98	565,185.73	550,363.71	538,528.20	585,771.56	597,840.20	600,965.15	525,260.61	483,770.54	692,286.36			5,694,272.04
Week 3	601,467.77	627,556.90	513,594.51	589,275.06	461,070.05	512,405.44	529,949.58	668,150.86	607,264.03				5,110,734.20
Week 4	528,903.71	439,440.47	642,640.85	525,129.11	514,988.48	630,243.69	608,842.81	709,108.18	622,806.27				5,222,103.57
Week 5				574,994.53		556,964.35			703,665.13				1,835,624.01
Subtotal	2,117,510.65	2,243,975.32	2,340,993.04	2,620,868.93	2,073,020.78	3,062,656.35	2,191,812.48	2,649,456.53	2,815,511.81	1,276,340.95	0.00	0.00	23,392,146.84

Nueces County Hospital District
 Nueces LPPF Activity
 Fiscal Year 2023

	October	November	December	January	February	March	April	May	June	July	August	September	Totals
Beginning Balan	21,552,873.57	42,028,688.29	28,342,155.37	28,679,061.23	28,584,342.66	27,893,368.68	27,729,787.30	27,812,165.28	48,465,838.54	333,766.35	333,766.35	333,766.35	21,552,873.57
<u>Deposits</u>													
Christus Spohn	8,593,003.25	8,593,003.25			8,593,003.25			8,593,003.25	8,593,003.25				42,965,016.25
CCMC	5,715,374.00	5,715,374.00			5,715,374.00			5,715,374.00	5,715,374.00				28,576,870.00
CC Rehab	261,256.50		261,256.50		261,256.50			261,256.50					1,045,026.00
Driscoll	4,689,720.50	4,689,720.50			4,689,720.50			4,689,720.50	4,689,720.50				23,448,602.50
PAM Specialty	341,892.50	341,892.50			341,892.50			341,892.50					1,367,570.00
PAM Rehab	340,715.25	340,715.25			340,715.25			340,715.25					1,362,861.00
S. TX Surgical	604,730.50	604,730.50			604,730.50			604,730.50	604,730.50				3,023,652.50
Subtotal	20,546,692.50	20,285,436.00	261,256.50	0.00	20,546,692.50	0.00	0.00	20,546,692.50	19,602,828.25	0.00	0.00	0.00	101,789,598.25
Interest	79,122.22	65,114.16	75,649.36	78,102.36	28,869.96	84,069.36	82,377.98	106,980.76	175,022.30				775,308.46
Transfers In													0.00
Total Deposits	20,625,814.72	20,350,550.16	336,905.86	78,102.36	20,575,562.46	84,069.36	82,377.98	20,653,673.26	19,777,850.55	0.00	0.00	0.00	102,564,906.71
<u>Inter-Governmental Transfers</u>													
UC					(21,266,536.44)	(247,650.74)							(21,514,187.18)
DSRIP				(172,820.93)									(172,820.93)
CHIRP		(33,564,840.35)							(67,759,922.74)				(101,324,763.09)
TIPPS		(472,242.73)											(472,242.73)
DSH													0.00
UHRIP													0.00
Total IGT's	0.00	(34,037,083.08)	0.00	(172,820.93)	(21,266,536.44)	(247,650.74)	0.00	0.00	(67,759,922.74)	0.00	0.00	0.00	(123,484,013.93)
Transfers Out	(150,000.00)								(150,000.00)				(300,000.00)
Bank Fees													0.00
Ending Balance	42,028,688.29	28,342,155.37	28,679,061.23	28,584,342.66	27,893,368.68	27,729,787.30	27,812,165.28	48,465,838.54	333,766.35	333,766.35	333,766.35	333,766.35	333,766.35

Nueces County Hospital District
 Medicaid Payment Programs/Directed Payment Programs
 Estimated Provider Payments & IGT History
 FY2012 to Present

Provider	DSRIP	UC	DSH	UHRIP	NAIP	CHIRP	TIPPS	TOTALS	
Christus Spohn - Corpus Christi	393,023,597	513,477,784	266,337,286	55,407,073	128,956,342	75,457,770	3,695,883	1,436,355,735	48%
Christus Spohn Rural (Alice/Beeville/Kleberg)	48,398,858	190,540,599	0	14,881,126	0	13,316,178	0	267,136,761	9%
Corpus Christi Medical Center	121,850,134	150,371,700	0	47,953,129	0	109,545,999	0	429,720,962	14%
Driscoll Childrens Hospital	314,822,705	21,671,406	0	0	0	401,358,500	479,717	738,332,328	25%
Detar Hospital	24,949,804	47,723,156	0	15,297,365	0	0	0	87,970,325	3%
North Bay General Hospital	0	0	0	503,238	0	0	0	503,238	0%
South Texas Surgical Hospital	0	0	0	902,639	0	0	0	902,639	0%
Corpus Chrisit Rehab Hospital	0	0	0	296,670	0	0	0	296,670	0%
PAM Specialty Hospital	0	0	0	1,330	0	0	0	1,330	0%
PAM Rehab Hospital	0	0	0	646,941	0	0	0	646,941	0%
Nueces County Health Dept	21,809,410	0	0	0	0	0	0	21,809,410	1%
TOTALS	924,854,508	923,784,645	266,337,286	135,889,510	128,956,342	599,678,447	4,175,601	2,983,676,339	100%

* Estimated Receipts for Entities (IGT + FMAP), Subject to HHSC Review and Administrative Fees

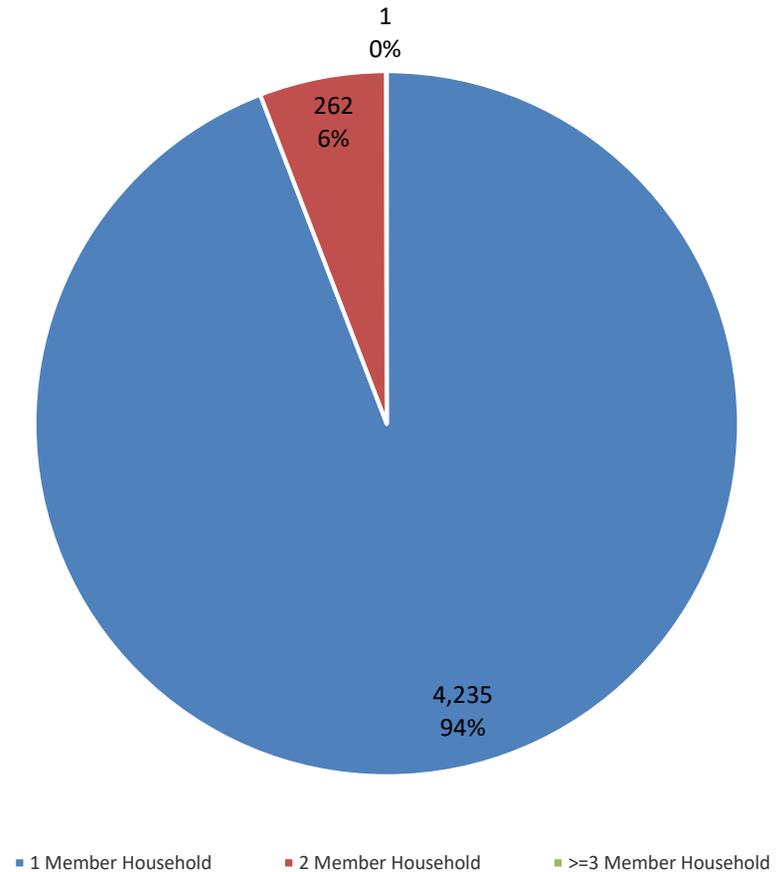
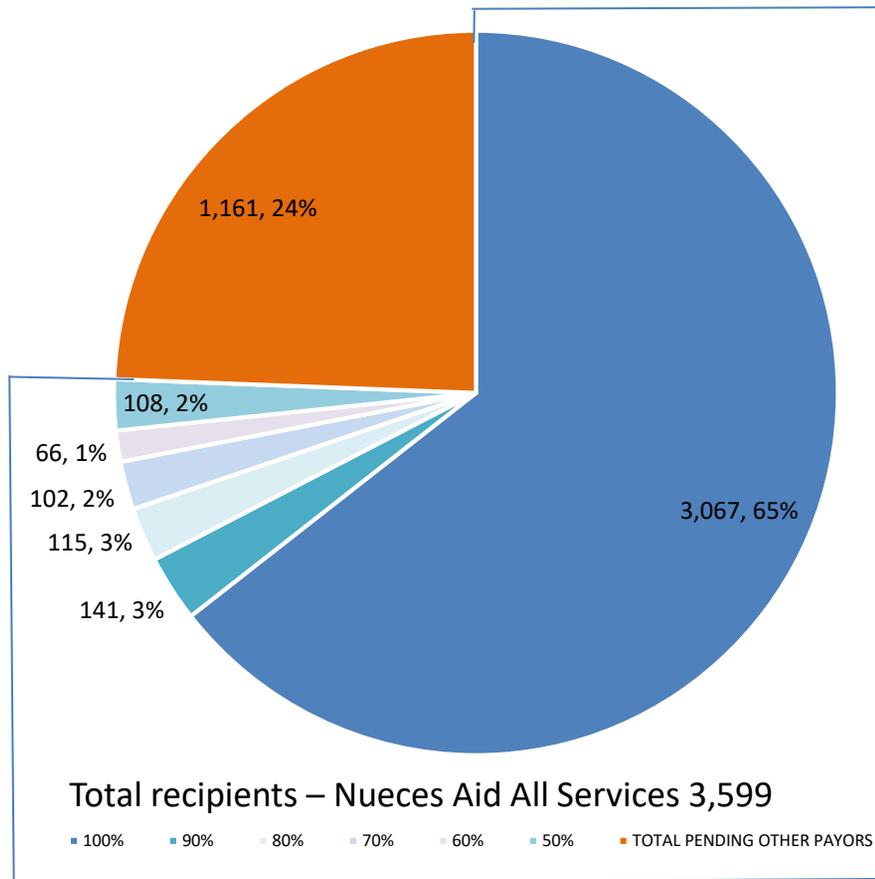
IGT Source	DSRIP	UC	DSH	UHRIP	NAIP	CHIRP	TIPPS	TOTALS
Nueces County Hospital District	338,074,018	302,738,784	94,238,755	59,112,085	50,684,098	8,141,154	0	852,988,893
Nueces LPPF	27,902,997	57,780,091	7,478,253	0	0	217,218,263	1,777,123	312,156,727
TOTALS	365,977,014	360,518,875	101,717,008	59,112,085	50,684,098	225,359,417	1,777,123	1,165,145,621

June 2023

Nueces Aid Program Enrollment

Total Enrolled
4,760

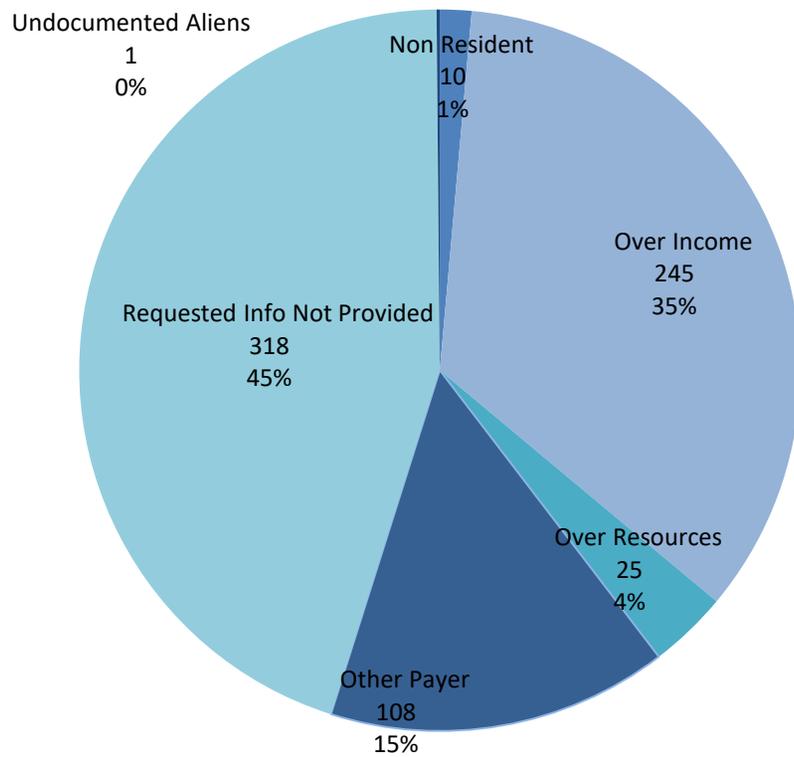
Total Households
4,498



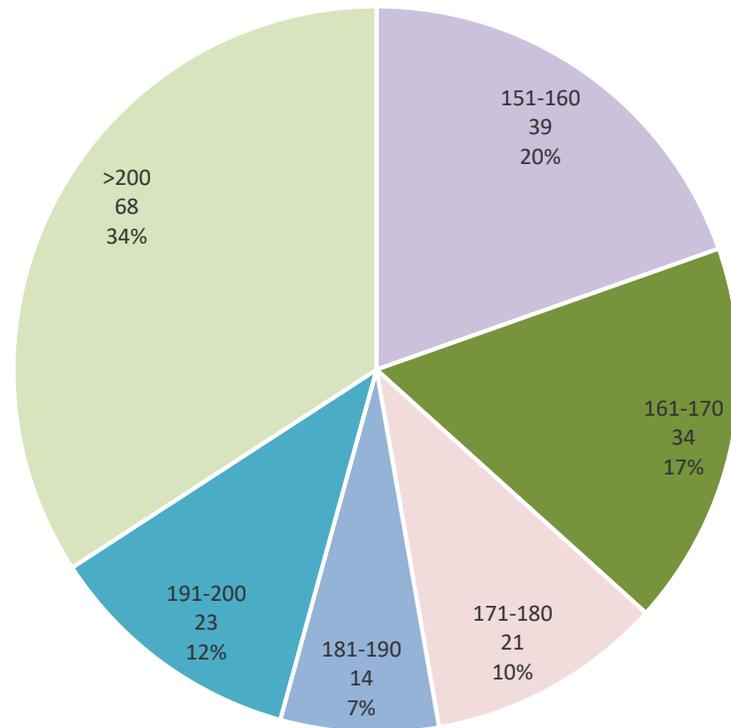
NUECES AID DENIALS

Calendar Year 2023
January-June

Denial Reasons



Comparison of Over Income Case to 2023 HHS Poverty Guidelines



**Nueces Aid Program
Application Processing Summary Calendar Year 2023**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD 2023	Comments
TOTAL APPLICATIONS	923	759	958	821	874	799							5,134	
- Approved	789	653	844	696	750	695							4,427	
%	85.5%	86.0%	88.1%	84.8%	85.8%	87.0%							86.2%	Since FY 1999, the denial rate is based on all denied individuals in the household.
- Denied	134	106	114	125	124	104							707	
%	14.5%	14.0%	11.9%	15.2%	14.2%	13.0%							13.8%	
APPROVALS BY PLAN TYPE														
NUECES AID - All Services														
100%	551	446	596	463	531	489							3,076	
%	69.8%	68.3%	70.6%	66.5%	70.8%	70.4%							69.5%	
90%	27	24	24	27	23	17							142	
%	3.4%	3.7%	2.8%	3.9%	3.1%	2.4%							3.2%	
80%	20	21	20	16	13	23							113	
%	2.5%	3.2%	2.4%	2.3%	1.7%	3.3%							2.6%	
70%	17	15	17	16	15	14							94	The percentage of approvals by plan option is calculated by dividing the number for each plan option by the total number of approved applications.
%	2.2%	2.3%	2.0%	2.3%	2.0%	2.0%							2.1%	
60%	11	18	7	11	12	6							65	
%	1.4%	2.8%	0.8%	1.6%	1.6%	0.9%							1.5%	
50%	19	11	21	22	15	15							103	
%	2.4%	1.7%	2.5%	3.2%	2.0%	2.2%							2.3%	
TOTAL	645	535	685	555	609	564							3,593	
%	81.7%	81.9%	81.2%	79.7%	81.2%	81.2%							81.2%	
HOUSEHOLDS BY SIZE - APPROVED														
1 Member Household	690	599	732	622	675	600							3,918	The percentage for each size household is calculated by dividing the number of households in the category by the total number of approved households.
%	93.2%	95.7%	92.8%	94.4%	94.7%	92.6%							93.8%	
2 Member Household	50	27	56	37	38	48							256	
%	6.8%	4.3%	7.1%	5.6%	5.3%	7.4%							6.1%	
3 or > Member Household	0	0	1	0	0	0							1	Households pending other payors are not included.
%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%							0.0%	
TOTAL HOUSEHOLDS APPROVED	740	626	789	659	713	648							4,175	

**Nueces Aid Program
Application Processing Summary Calendar Year 2023**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD 2023	Comments
NCHD DENIALS - Reasons for Denials														
Non Resident	1	0	2	4	2	1							10	The percentage for each denial reason is calculated by dividing the number of individuals for each reason by the total number of individuals denied.
%	0.7%	0.0%	1.8%	3.2%	1.6%	1.0%							1.4%	
Over Income	57	49	34	34	34	37							245	
%	42.5%	46.2%	29.8%	27.2%	27.4%	35.6%							34.7%	
Over Resources	6	2	6	7	2	2							25	
%	4.5%	1.9%	5.3%	5.6%	1.6%	1.9%							3.5%	
Other Payer	27	13	12	17	19	20							108	
%	20.1%	12.3%	10.5%	13.6%	15.3%	19.2%							15.3%	
Requested Info Not Provided	43	42	60	63	66	44							318	
%	32.1%	39.6%	52.6%	50.4%	53.2%	42.3%							45.0%	
Undocumented Aliens	0	0	0	0	1	0							1	Note: UA code eff 08/01/01
%	0.0%	0.0%	0.0%	0.0%	0.8%	0.0%							0.1%	
TOTAL DENIALS	134	106	114	125	124	104							707	
HOUSEHOLDS BY SIZE - DENIED														
1 Member Household	99	86	88	98	100	82							553	The denial percentage for each size household is calculated by dividing the number for each household size by the total number of denied households.
%	83.2%	89.6%	87.1%	87.5%	89.3%								87.4%	
2 Member Household	16	10	13	14	12	11							76	
%	13.4%	10.4%	12.9%	12.5%	10.7%								12.0%	
3 or > Member Household	4	0	0	0	0	0							4	Households pending other payors are not included.
%	3.4%	0.0%	0.0%	0.0%	0.0%								0.6%	
TOTAL HOUSEHOLDS DENIED	119	96	101	112	112	93							633	
PENDING APPLICATIONS														
Pending documentation	91	93	102	85	79	98							91	The YTD number for incomplete applications is the average of the monthly incomplete applications.
TANF	8	5	18	16	11	10							10	
SSI-SSID	63	58	75	66	58	59							59	
Other Payor	73	55	66	59	72	62							62	

**NCHD
Eligibility History**

	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec	CY Total	Avg
2018														
NCHD	5,630	5,708	5,674	5,613	5,471	5,481	5,492	5,438	5,396	5,467	5,673	5,235	66,278	5,523
Pend	1,488	1,483	1,398	1,386	1,349	1,336	1,324	1,317	1,337	1,327	1,313	1,270	16,328	1,361
Total	7,118	7,191	7,072	6,999	6,820	6,817	6,816	6,755	6,733	6,794	6,986	6,505	82,606	6,884
% of PY	97%	99%	97%	96%	93%	93%	93%	94%	94%	94%	98%	93%	95%	95%
2019														
NCHD	5,277	5,181	5,075	5,024	4,957	4,961	4,996	4,943	4,970	5,064	4,944	4,821	60,213	5,018
Pend	1,294	1,260	1,289	1,305	1,274	1,281	1,330	1,356	1,339	1,357	1,330	1,277	15,692	1,308
Total	6,571	6,441	6,364	6,329	6,231	6,242	6,326	6,299	6,309	6,421	6,274	6,098	75,905	6,325
% of PY	92%	90%	90%	90%	91%	92%	93%	93%	94%	95%	90%	94%	92%	92%
2020														
NCHD	4,963	4,955	4,903	4,731	5,132	4,698	4,198	3,660	3,260	3,604	3,752	3,868	51,724	4,310
Pend	1,268	1,243	1,218	1,141	1,187	1,106	1,043	968	861	899	923	945	12,802	1,067
Total	6,231	6,198	6,121	5,872	6,319	5,804	5,241	4,628	4,121	4,503	4,675	4,813	64,526	5,377
% of PY	95%	96%	96%	93%	101%	93%	83%	73%	65%	70%	75%	79%	85%	85%
2021														
NCHD	3,806	3,678	3,567	3,521	3,667	3,852	3,953	4,080	4,142	4,091	3,948	3,863	46,168	3,847
Pend	932	921	922	964	981	1,014	1,052	1,028	1,039	1,060	1,070	1,076	12,059	1,005
Total	4,738	4,599	4,489	4,485	4,648	4,866	5,005	5,108	5,181	5,151	5,018	4,939	58,227	4,852
% of PY	76%	74%	73%	76%	74%	84%	95%	110%	126%	114%	107%	103%	90%	90%
2022														
NCHD	3,781	3,711	3,738	3,755	3,805	3,869	3,910	3,945	4,042	3,987	3,884	3,785	46,212	3,851
Pend	1,093	1,061	1,110	1,113	1,144	1,150	1,147	1,183	1,191	1,191	1,181	1,171	13,735	1,145
Total	4,874	4,772	4,848	4,868	4,949	5,019	5,057	5,128	5,233	5,178	5,065	4,956	59,947	4,996
% of PY	103%	104%	108%	109%	106%	103%	101%	100%	101%	101%	101%	100%	103%	103%
2023														
NCHD	3,767	3,186	3,727	3,611	3,614	3,599							21,504	3,584
Pend	1,145	1,677	1,148	1,157	1,173	1,161							7,461	1,244
Total	4,912	4,863	4,875	4,768	4,787	4,760	-	-	-	-	-	-	28,965	4,828
% of PY	101%	102%	101%	98%	97%	95%	0%	0%	0%	0%	0%	0%	48%	97%



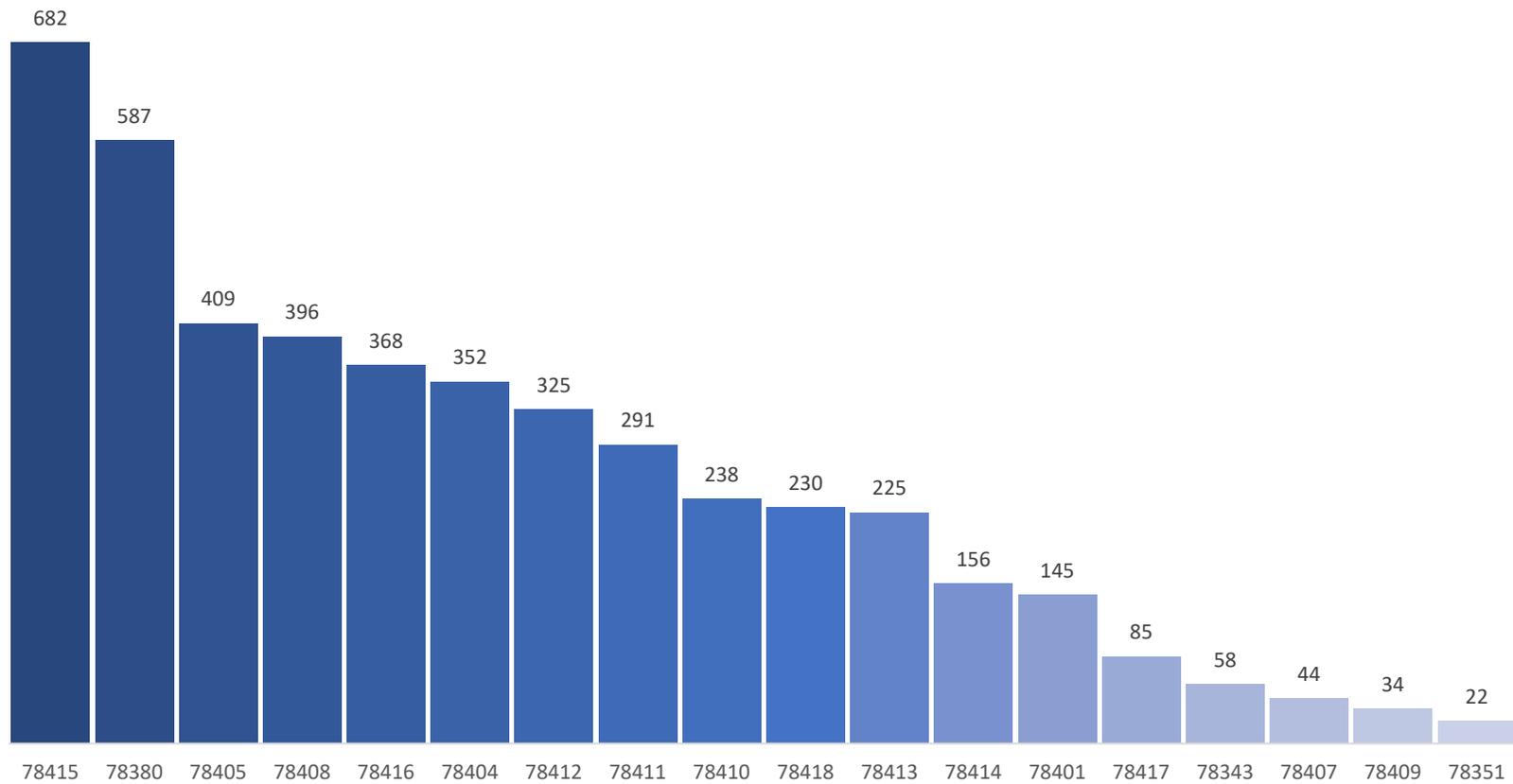
**Annual Comparative Enrollment Report
Calendar Year 2023**

Month	Enrollment		Increase/(Decrease)	
	2023	2022	%	Enrollees
Jan	4,912	4,874	0.78%	38
Feb	4,863	4,772	1.91%	91
Mar	4,875	4,848	0.56%	27
Apr	4,768	4,868	-2.05%	-100
May	4,787	4,949	-3.27%	-162
Jun	4,760	5,019	-5.16%	-259
Jul				
Aug				
Sep				
Oct				
Nov				
Dec				



Nueces County Hospital District

Enrollment by Zipcode as of June 2023

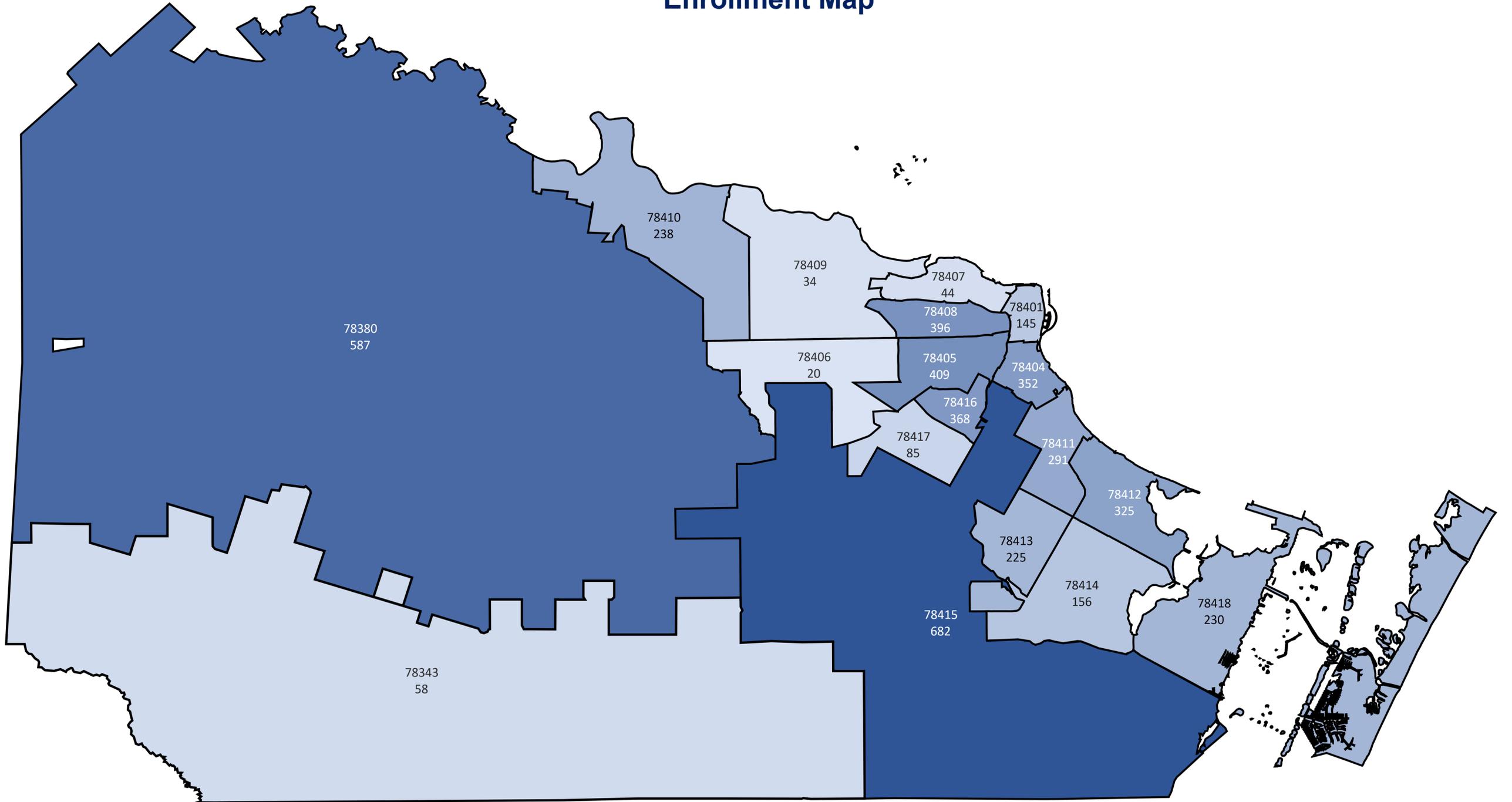


**Nueces County Hospital District
Enrollment by Zip Code
As of 6/30/2023**

Zip Code	Description	Members	% to Total
78415	CC:FM 665 to CR 61 to County Line to Weber & Crosstown	682	14%
78380	Robstown	587	12%
78405	CC:19th to Port Ave to Agnes, includes HPG	409	9%
78408	CC:Hwy 358 to Lipan Between I-37 & Agnes	396	8%
78416	CC:Hwy 358 to Old Brownsville to Tarlton to Weber, includes Molina	368	8%
78404	CC:Six Points	352	7%
78412	CC:Airline to Hwy 358 to Ennis Joslin to Ocean Drive	325	7%
78411	CC:Ocean Drive to So Staples to Hwy 358 to Weber to Kostoryz	291	6%
78410	CC:Annville and Calallen	238	5%
78418	CC:Flour Bluff	230	5%
78413	CC:Weber to Holly rd to So Staples to Oso Pkwy	225	5%
78414	CC:So Staples to Holly Rd to Cayo Del Oso to Oso Creek	156	3%
78401	CC:Downtown and Cargo Docks	145	3%
78417	CC:Old Brownsville to Ayers to Saratoga	85	2%
78343	Bishop + FM 665 to CR 107 W to CR 57E	58	1%
78407	CC: I-37 Up River Rd to South Port Ave to Joe Fulton Corridor	44	1%
78409	CC:Hwy 44 to Up River Rd to Rand Morgan E to Hwy 358	34	1%
78351	Driscoll	22	0%
	Subtotal	4,647	98%
	Total	4,760	



Nueces County Hospital District Enrollment Map





BOARD OF MANAGERS RESOLUTION
JULY 24, 2023

**A RESOLUTION AMENDING LIST OF INDEPENDENT SOURCES
APPROVED FOR INVESTMENT OFFICER TRAINING**

WHEREAS, the Nueces County Hospital District (the “Hospital District” or “District”) is a body politic and corporate and a political subdivision of the State of Texas, established and created pursuant to the Texas Constitution, Article IX, Section 4 and the Texas Health and Safety Code (the “Health Code” or “Code”), Chapter 281, and operated in accordance with the Health Code and other applicable laws of the State of Texas, including the Texas Government Code (the “Government Code”), Chapter 2256;

WHEREAS, the Board of Managers of the Hospital District (the “Board”) is the governing body of the Hospital District, pursuant to Health Code, §281.048, and pursuant to the collective authorities of the Health Code, §281.047 and §281.048, the Board has, and at the time of adoption of this Resolution had, full power and authority to manage, control, administer, and to adopt rules governing operation of the District;

WHEREAS, the “Public Funds Investment Act” Chapter 2256, Government Code, (the “Act”) requires that the treasurer, chief financial officer, and investment officer of local governments, including hospital districts, attend investment training and that the local government entity approve independent sources that may be used to provide such training;

WHEREAS, pursuant to the Act, on September 8, 1998, August 8, 2000, December 16, 2003, and September 10, 2015 the Board reaffirmed, additionally approved, and/or removed investment training sources and adopted replacement listings of independent sources approved for investment officer training; and

WHEREAS, the Board now desires to amend the List of Independent Sources Approved for Investment Officer Training attached hereto and identified as Attachment “A” to add, remove, rename, and/or update approved investment training sources to be effective August 1, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MANAGERS OF THE NUECES COUNTY HOSPITAL DISTRICT, THAT:

1. The Board hereby approves the List of Independent Sources Approved for Investment Officer Training attached hereto and identified as Attachment “A” to be effective August 1, 2023.
2. Upon adoption, this Resolution shall supersede and replace any and all previous Board actions relating to the approval of independent sources that may be used to provide investment training to District employees who are required to attend said training under the Act.

3. The Administrator, in his capacity as the Secretary of the Hospital District Board, be and is hereby legally authorized and empowered to certify these resolutions and that the provisions hereof are in conformance with the laws of the State of Texas and the Governing Board Bylaws of the Hospital District.
4. This Resolution shall take effect and be in full force and effect upon and after its passage.

**NUECES COUNTY HOSPITAL DISTRICT
BOARD OF MANAGERS**

John E. Valls, MBA
Chairman

Vishnu V. Reddy, M.D.
Vice Chairman

Sylvia Tryon Oliver
Member

Belinda Flores, R.N.
Member

Judge Mariana Garza
Member

Efrain Guerrero, Jr.
Member

Arthur Granado
Member

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CERTIFICATE FOR RESOLUTION

**A RESOLUTION AMENDING LISTING OF INDEPENDENT SOURCES
OF APPROVED INVESTMENT OFFICER TRAINING**

THE STATE OF TEXAS §
 §
COUNTY OF NUECES §

THE UNDERSIGNED HEREBY CERTIFIES that:

1. The members of the Board of Managers (the "Board") of the Nueces County Hospital District (the "Hospital District") have been duly appointed pursuant to Texas Health and Safety Code (the "Health Code"), §281.021.

2. Pursuant to Health Code, §281.021(a), the Board been duly appointed; pursuant to Health Code, §281.048, the Board is the governing body of the Hospital District; and pursuant to the collective authorities of Health Code, §281.047 and §281.048, the Board has, and the time of adoption of this Resolution had, full power and authority to manage, control, administer, and to adopt rules governing operation of the Hospital District.

3. On the **24th day of July 2023** the Board convened in a regular meeting at the Hospital District's regular meeting place (the "Meeting"), the duly constituted members and officers of the Board being as follows:

- John E. Valls, MBA, Chairman
- Vishnu V. Reddy, M.D, Vice Chairman
- Sylvia Tryon Oliver
- Belinda Flores, R.N.
- Judge Mariana Garza
- Efrain Guerrero, Jr.
- Arthur Granado

and all of said persons were present, except the following absentees:

_____, _____,
,
and _____, thus constituting a quorum.

4. Among other business considered at the Meeting, the attached resolution entitled:

**RESOLUTION AMENDING LISTING OF INDEPENDENT SOURCES
APPROVED FOR INVESTMENT OFFICER TRAINING**

is a true copy of a resolution introduced and submitted to the Board for consideration toward passage and adoption (the "Resolution"). After presentation and discussion, it was then duly moved and seconded that the Resolution be passed and adopted. The motion to pass and adopt the Resolution prevailed and carried by the following viva voce vote:

YEAS: _____
NAYS: _____
PRESENT NOT VOTING: _____
ABSENT: _____

all as shown in the official Minutes of the Board for the Meeting.

5. The attached Resolution is a true and correct copy of the original on file in the official records of the Hospital District; the duly qualified and acting members of the Board on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the Board was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Resolution would be considered; and the Meeting and deliberation of the aforesaid public business, was open to the public and written notice of said meeting, including the subject of the Resolution, was posted and given in advance thereof in compliance with the provisions of Chapter 551, Texas Government Code, as amended.

6. I am the Secretary of the Board having been duly appointed pursuant to Health Code, §281.023(b).

7. The foregoing Resolution is in full force and effect; that the same has not been rescinded, nor has it been amended or modified in any way.

IN WITNESS WHEREOF, I have hereunto signed my name is officially and affixed the seal of the Hospital District on this the **24th day of July 2023**.

Jonny F. Hipp
Secretary, Board of Managers

{DISTRICT SEAL}

Attachment “A”

NUECES COUNTY HOSPITAL DISTRICT

**LIST OF INDEPENDENT SOURCES APPROVED
FOR INVESTMENT OFFICER TRAINING**

Effective: August 1, 2023

Face-to-Face Sources

Association of Water Boards – Texas
Center for Public Management at the University of North Texas
Conference of Urban Counties
County Treasurers’ Association of Texas
Education Service Center, Region 2
Lone Star Investment Pool
Meeder Investment
Tax Assessor-Collectors Association of Texas
Texas Association of Appraisal Districts
Texas Association of Assessing Officers
Texas Association of Community College Business Officials
Texas Association of Counties
Texas Association of School Administrators
Texas Association of School Boards
Texas Association of School Business Officials
Texas Association of Water Board Directors
Texas Class
Texas Housing Association
Texas Municipal League
Texas Rural Water Association
TexPool
University of North Texas

Internet-Based Sources

Virtual Learning Concepts from Meeder Investment
William P. Hobby Center for Public Service at Texas State University

#



RECEIVED

JUL 10 2023

NCHD-ADMINISTRATION

July 5, 2023

Chairperson

Comm. Theresa Daniel
Dallas County

Chairperson-Elect

Judge Eddie Treviño Jr.
Cameron County

Immediate Past Chair

Judge Matt Sebesta
Brazoria County

Vice-Chairpersons

Judge David Blackburn
Bell County

Comm. Justin Rodriguez
Bexar County

Comm. Bo Alfred
Jefferson County

Comm. Andy Meyers
Fort Bend County

Comm. David Stout
El Paso County

Comm. Gary Fickes
Tarrant County

Directors

Comm. Margaret Gomez
Travis County

Comm. Scott Ramsey
Midland County

Executive Director
John B. Dahill

Policy Director

Adam P. Haynes

Member Counties

*Bell · Bexar
Brazoria · Brazos
Cameron · Chambers
Collin · Comal
Dallas · Denton
El Paso · Fort Bend
Galveston · Grayson
Harris · Hays
Hidalgo · Jefferson
Johnson · Kaufman
Lubbock · McLennan
Midland · Nueces
Potter · Randall
Rockwall · San Patricio
Smith · Tarrant
Travis · Webb
Williamson · Wise*

500 West 13th Street
Austin, TX 78701

512.476.6174

Jonny F. Hipp
Administrator/CEO
Nueces County Hospital District
555 N. Carancahua Street
Corpus Christi, TX 78401

Re: **Notice of Appointment to the Tobacco Settlement
Permanent Trust Account Administrative Advisory
Committee**

Dear Mr. Hipp,

The Texas Conference of Urban Counties is pleased to appoint you to the Tobacco Settlement Permanent Trust Account Administrative Advisory Committee. On behalf of all fund distribution recipients, we are grateful to have your willingness to serve.

Your appointment is for a 6-year term effective September 1, 2023, and expiring August 31, 2029.

Information regarding the next Administrative Committee meeting will be provided to all appointees by the Texas Treasury Safekeeping Trust Company. Should you desire information before then, you may reach out to Amira Sutton at DSHSTobacco@dshs.texas.gov.

Please do not hesitate to contact me if you have any questions.

Sincerely,


John B. Dahill
Executive Director



July 13, 2023

Sent Via Email to Jonny.hipp@nchdcc.org

Mr. Jonny F. Hipp
Administrator/Chief Executive Officer
Nueces County Hospital District
555 N. Carancahua St., Ste. 950
Corpus Christy, TX 78401-0835

Dear Mr. Hipp:

I would like to take this opportunity to congratulate you on your reappointment to the Tobacco Settlement Permanent Trust Account Administration Advisory Committee and thank you for your continued service. You were reappointed by the Texas Conference of Urban Counties effective September 01, 2023 with a term ending on August 31, 2029.

We look forward to seeing you at the next committee meeting to be held in October 2023. Specific details regarding the meeting date will be forthcoming.

If we can be of assistance or provide any additional information, please feel free to contact me at Elaine.McHard@dshs.texas.gov or Amira Sutton at Amira.Suton@dshs.texas.gov and/or DSHSTobacco@dshs.texas.gov.

Sincerely,

Elaine Quinn McHard
Director, Funds Coordination and Management Branch

Enclosure

cc: John B Dahill, Executive Director of the Texas Conference of Urban Counties
Christy Havel, Chief Financial Officer, DSHS
Farhan Khan, General Counsel, DSHS



Nueces County Courthouse
901 Leopard, Suite 301
Corpus Christi, TX 78401

Administration
(361) 888-0307
(361) 888-0308

Kevin Kieschnick
Assessor and Collector of Taxes

June 22, 2023

South Texas Legislative Delegation
Senator Juan Chuy Hinojosa
Senator Morgan LaMantia
Representative Abel Herrero
Representative Todd Hunter

This spring the Nueces County Appraisal District brought to our attention that the valuation of the petrochemical properties for Valero and Flint Hills Resources would be increasing significantly. Last year’s valuation for Valero was approximately \$1.2 billion, and Flint Hills Resources was approximately \$1.1 billion. The 2023 valuations have risen to more than \$6 billion for each facility, resulting in a possible combined \$10 billion difference between the contested values and appraised values. The litigation has been ongoing on the prior values of \$1.2 billion for Valero and \$1.1 billion for Flint Hills Resources going back to the 2018 valuation year, and we fully anticipate litigation on these values going forward.

Under current Truth-in-taxation calculation rules this scenario creates a significant funding disaster for taxing units relying on these facilities for funding. Historically both companies have been paying on individual uncontested values, as allowed by current law. Valero paid an uncontested amount of approximately \$650 million of their \$1.2 billion valuation, and Flint Hills Resources paid approximately \$700 million of their \$1.1 billion valuation.

Nueces County must anticipate the contested values will remain approximately the same for this year, which will create an over deflated tax rate for monies that will most likely not be paid until a final valuation is ultimately litigated. This will cause approximately \$10.65 billion worth of taxable value into the Truth-in-taxation calculation to not be collected, thus creating an enormous funding gap of more than \$100 million combined for the affected taxing jurisdictions.

For information contact:	<i>Motor Vehicle</i>	<i>Property Tax</i>	<i>Voter Registration</i>
voice	(361) 888-0459	(361) 888-0230	(361) 888-0404
fax	(361) 888-0482	(361) 888-0218	(361) 888-0218



Nueces County Courthouse
901 Leopard, Suite 301
Corpus Christi, TX 78401

Administration
(361) 888-0307
(361) 888-0308

Kevin Kieschnick
Assessor and Collector of Taxes

This gap jeopardizes everything from bond ratings to payroll and would require these units to cut deep into critical operations that could prevent them from performing their constitutional functions. The following estimates are prior to certification and not precise, but they are close estimates that even if off by 10%-20%, remain astronomically high. Based off prior uncontested values, the approximate amount of projected value captured that would not be collected for the following taxing jurisdictions includes:

Corpus Christi ISD:	\$6 billion
TMISD:	\$5 billion
West Oso ISD:	Pending additional data
Del Mar College:	\$11 billion
County of Nueces:	\$11 billion
Nueces County Hospital District:	\$11 billion
Nueces County Farm to Market:	\$11 billion

If the Texas Property Tax Code is not corrected it would be extremely difficult for these taxing jurisdictions to cut their budgets enough to continue operations. Most alarming is TMISD as their contested value amount represents approximately 55% of their total valuation. Additionally, the long-term effects of this situation could negatively cost Nueces County taxpayers for years to come through lowered bond ratings and the see-saw effect of calculated tax rates.

Under current law, the 2024 tax rate will skyrocket to offset these losses. Every taxpayer in the county, and especially those who fall within multiple taxing jurisdictions (most of the City of Corpus Christi), will need to pay the uncollected difference in 2024. This is far from an ideal situation.

My proposed solution to avoid this potential crisis includes the following changes to the Texas Tax Code:

26.0445 Tax Rate Adjustment for eligible Substantial Anticipated Litigation

(a) in this section:

(1) eligible Substantial Anticipated Litigation means that:

For information contact:	<i>Motor Vehicle</i>	<i>Property Tax</i>	<i>Voter Registration</i>
voice	(361) 888-0459	(361) 888-0230	(361) 888-0404
fax	(361) 888-0482	(361) 888-0218	(361) 888-0218



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Kevin Kieschnick
Assessor and Collector of Taxes

(i) an amount of disputed valuation that exceeds \$100,000,000.00 or more
(ii) may include 1 or multiple properties associated with the same taxpayer, including its subsidiaries, assumed names, and associated LLC's and S Corps

1. A taxpayer with Substantial Anticipated Litigation shall, within 21 days following an ARB hearing Or July 15th whichever comes first, who intends on filing a suit in court to contest the valuation shall submit their uncontested value to the Collector for each taxing unit. The Collector shall determine the greater of the prior year value, or the taxpayer's stated uncontested value and subsequently reduce the certified taxable value by the amount of that difference for purposes of establishing the No New Revenue Rate, and Voter Approval Rate. The Collector for that taxing unit shall submit supporting documents in an addendum to the TNT for that unit to account for the adjustment.
 - a. The amount of taxable value decrease shall be calculated by using the following formula: (Certified taxable value) – (ARB value -prior year value or the stated uncontested value (whichever is greater)) = Adjusted Taxable Value
 - b. The Adjusted Taxable Value shall be used by the comptroller to determine the State Value and Local Value of property in a school district for purposes of the comptroller's study under Chapter 403.302 of the Texas Government Code

Time is of the essence, and this fix needs to be in place prior to July 25, 2023 to avoid the issues outlined in this letter. Please do not hesitate to contact me should you have any questions.

Sincerely,

Kevin Kieschnick, PCC
Nueces County Tax Assessor-Collector.

For information contact:

voice
fax

Motor Vehicle
(361) 888-0459
(361) 888-0482

Property Tax
(361) 888-0230
(361) 888-0218

Voter Registration
(361) 888-0404
(361) 888-0218

**Nueces County Hospital District
Combined Balance Sheet - All Fund Types & Account Groups
As of 6/30/2023
(In Whole Numbers)**

	General Fund	Special Revenue Fund	Trust Fund	General Fixed Assets	General Long Term Debt	TOTAL
Assets						
Cash & Cash Equivalents	57,976,856 *	13,760,192	68,900	0	0	71,805,947
Investments	11,722,652	41,909,281	0	0	0	53,631,933
Accrued Interest	479	122,765	284	0	0	123,528
Taxes Receivable, Net of Allowance	5,096,998	0	0	0	0	5,096,998
Other Receivables	591,171	0	0	0	0	591,171
Due from Other Funds	19,941	0	0	0	0	19,941
Prepaid Expenditures	151,145	0	0	0	0	151,145
Restricted Cash & Cash Equivalents - LPPF	333,766	0	0	0	0	333,766
Fixed Assets	0	0	0	14,163,362	0	14,163,362
Amt to be Provided for Retirement of LT Debt	0	0	0	0	65,503	65,503
Total Assets	75,893,008	55,792,238	69,184	14,163,362	65,503	145,983,294
Liabilities						
Accounts Payable	3,582,891	0	0	0	0	3,582,891
Accrued Payroll & Related Liabilities	309,398	0	0	0	0	309,398
Intergovernmental Transfer Obligations	333,766	0	0	0	0	333,766
Due to Other Funds	0	0	19,941	0	0	19,941
Deferred Revenue	5,096,998	0	0	0	0	5,096,998
Long Term Paid Time Off	0	0	0	0	65,503	65,503
Total Liabilities	9,323,053	0	19,941	0	65,503	9,408,497
Fund Equity						
Fund Balance	42,557,923	0	49,243	14,163,362	0	56,770,528
Committed to:						
Intergovernmental Transfers	24,012,032	0	0	0	0	24,012,032
Indigent Care	0	55,790,121	0	0	0	55,790,121
Assigned to County Health Care	0	2,116	0	0	0	2,116
Total Fund Equity	66,569,955	55,792,238	49,243	14,163,362	0	136,574,798
Total Liabilities & Fund Equity	75,893,008	55,792,238	69,184	14,163,362	65,503	145,983,294

* General Fund Cash & Equivalents balance includes \$24,012,032 in committed funds.

UNAUDITED

Nueces County Hospital District
Statement of Revenues and Expenditures - All Governmental and Trust Funds
General Fund
From 6/1/2023 Through 6/30/2023
(In Whole Numbers)

	<u>Current Period Actual</u>	<u>Current Year Actual</u>
Revenues		
Taxes	212,570	37,349,265
Penalties & Interest - Taxes	48,567	291,049
Spohn Corporate Member Revenue	2,815,512	22,115,806
Investment Income	337,289	2,310,437
Other Income	<u>150,025</u>	<u>553,684</u>
Total Revenues	<u>3,563,963</u>	<u>62,620,241</u>
Current Expenditures		
Intergovernmental Transfers	16,922,917	26,223,125
County Healthcare Funding	911,268	9,069,739
Salaries	116,067	1,023,585
Benefits	52,942	522,060
Legal & Professional Fees	112,225	636,709
Purchased Services	80,028	956,196
Supplies & Materials	1,695	13,925
Rent & Leases	12,360	113,665
Repairs & Maintenance	120	532
Utilities	3,118	25,629
Insurance	1,985	17,917
Administrative & General	11,058	62,104
Capital Outlay	<u>7,871</u>	<u>11,808</u>
Total Current Expenditures	<u>18,233,654</u>	<u>38,676,995</u>
Excess of Revenues Over Expenditures Before Sources/Uses	<u>(14,669,691)</u>	<u>23,943,246</u>
Other Financing Sources & Uses		
Operating Transfers In	<u>0</u>	<u>(711,000)</u>
Total Other Financing Sources & Uses	<u>0</u>	<u>(711,000)</u>
Excess of Revenues Over Expenditures After Sources & Uses	<u>(14,669,691)</u>	<u>24,654,246</u>
Fund Balance, Beginning of Year		41,915,709
FUND BALANCE, END OF YEAR		<u><u>66,569,955</u></u>

Nueces County Hospital District
Statement of Revenues and Expenditures - All Governmental and Trust Funds
Special Revenue Fund
From 6/1/2023 Through 6/30/2023
(In Whole Numbers)

UNAUDITED

	Current Period Actual	Current Year Actual
Revenues		
Investment Income	117,506	911,552
Tobacco Settlement Proceeds	0	710,315
Total Revenues	117,506	1,621,867
Excess of Revenues Over Expenditures Before Sources/Uses	117,506	1,621,867
Other Financing Sources & Uses		
Operating Transfers Out	0	711,000
Total Other Financing Sources & Uses	0	711,000
Excess of Revenues Over Expenditures After Sources & Uses	117,506	910,867
Fund Balance, Beginning of Year		54,881,371
FUND BALANCE, END OF YEAR		55,792,238

UNAUDITED

Nueces County Hospital District
Statement of Revenues and Expenditures - All Governmental and Trust Funds
Trust Fund
From 6/1/2023 Through 6/30/2023
(In Whole Numbers)

	<u>Current Period Actual</u>	<u>Current Year Actual</u>
Revenues		
Investment Income	<u>284</u>	<u>2,212</u>
Total Revenues	<u>284</u>	<u>2,212</u>
Current Expenditures		
Benefits	<u>2,072</u>	<u>15,915</u>
Administrative & General	<u>29</u>	<u>1,360</u>
Total Current Expenditures	<u>2,101</u>	<u>17,275</u>
Excess of Revenues Over Expenditures Before Sources/Uses	<u>(1,816)</u>	<u>(15,063)</u>
Excess of Revenues Over Expenditures After Sources & Uses	<u>(1,816)</u>	<u>(15,063)</u>
Fund Balance, Beginning of Year		64,306
FUND BALANCE, END OF YEAR		<u><u>49,243</u></u>

Nueces County Hospital District
Statement of Revenues and Expenditures - Actual v. Budget
General Fund
From 6/1/2023 Through 6/30/2023
(In Whole Numbers)

UNAUDITED

	Current Period Actual	Current Period Budget	Current Period Budget Variance	Current Year Actual	YTD Budget	YTD Budget Variance
Revenues						
Taxes	212,570	204,192	8,378	37,349,265	36,929,581	419,684
Penalties & Interest - Taxes	48,567	22,587	25,980	291,049	245,234	45,815
Spohn Corporate Member Revenue	2,815,512	2,333,333	482,179	22,115,806	20,999,997	1,115,809
Investment Income	337,289	35,652	301,637	2,310,437	291,547	2,018,890
Other Income	150,025	0	150,025	553,684	250,000	303,684
Total Revenues	<u>3,563,963</u>	<u>2,595,764</u>	<u>968,199</u>	<u>62,620,241</u>	<u>58,716,359</u>	<u>3,903,882</u>
Current Expenditures						
Intergovernmental Transfers	16,922,917	9,690,639	(7,232,278)	26,223,125	21,162,464	(5,060,661)
County Healthcare Funding	911,268	1,001,904	90,636	9,069,739	9,202,136	132,397
Salaries	116,067	134,871	18,804	1,023,585	1,271,795	248,210
Benefits	52,942	58,898	5,956	522,060	568,005	45,945
Legal & Professional Fees	112,225	129,667	17,442	636,709	1,167,007	530,298
Purchased Services	80,028	92,097	12,069	956,196	1,101,383	145,187
Supplies & Materials	1,695	1,791	96	13,925	16,127	2,202
Rent & Leases	12,360	13,875	1,515	113,665	124,879	11,214
Repairs & Maintenance	120	834	714	532	7,506	6,974
Utilities	3,118	4,000	882	25,629	36,000	10,371
Insurance	1,985	2,566	581	17,917	23,102	5,185
Administrative & General	11,058	36,534	25,476	62,104	328,822	266,718
Capital Outlay	7,871	0	(7,871)	11,808	215,400	203,592
Extraordinary	0	417	417	0	3,753	3,753
Total Current Expenditures	<u>18,233,654</u>	<u>11,168,093</u>	<u>(7,065,561)</u>	<u>38,676,995</u>	<u>35,228,379</u>	<u>(3,448,616)</u>
Excess of Revenues Over Expenditures Before Sources/Uses	<u>(14,669,691)</u>	<u>(8,572,329)</u>	<u>(6,097,362)</u>	<u>23,943,246</u>	<u>23,487,980</u>	<u>455,266</u>
Other Financing Sources & Uses						
Operating Transfers In	0	0	0	(711,000)	(600,000)	111,000
Total Other Financing Sources & Uses	<u>0</u>	<u>0</u>	<u>0</u>	<u>(711,000)</u>	<u>(600,000)</u>	<u>111,000</u>
Excess of Revenues Over Expenditures After Sources & Uses	<u>(14,669,691)</u>	<u>(8,572,329)</u>	<u>(6,097,362)</u>	<u>24,654,246</u>	<u>24,087,980</u>	<u>566,266</u>
Fund Balance, Beginning of Year				41,915,709	0	41,915,709
FUND BALANCE, END OF YEAR				<u>66,569,955</u>	<u>24,087,980</u>	<u>42,481,975</u>

Nueces County Hospital District
Statement of Revenues and Expenditures - Actual v. Budget
Tobacco Settlement Fund
From 6/1/2023 Through 6/30/2023
(In Whole Numbers)

UNAUDITED

	Current Period Actual	Current Period Budget	Current Period Budget Variance	Current Year Actual	YTD Budget	YTD Budget Variance
Revenues						
Investment Income	9	0	9	2,054	0	2,054
Tobacco Settlement Proceeds	<u>0</u>	<u>0</u>	<u>0</u>	<u>710,315</u>	<u>600,000</u>	<u>110,315</u>
Total Revenues	<u>9</u>	<u>0</u>	<u>9</u>	<u>712,369</u>	<u>600,000</u>	<u>112,369</u>
Excess of Revenues Over Expenditures Before Sources/Uses	<u>9</u>	<u>0</u>	<u>9</u>	<u>712,369</u>	<u>600,000</u>	<u>112,369</u>
Other Financing Sources & Uses						
Operating Transfers Out	<u>0</u>	<u>0</u>	<u>0</u>	<u>711,000</u>	<u>600,000</u>	<u>(111,000)</u>
Total Other Financing Sources & Uses	<u>0</u>	<u>0</u>	<u>0</u>	<u>711,000</u>	<u>600,000</u>	<u>(111,000)</u>
Excess of Revenues Over Expenditures After Sources & Uses	<u>9</u>	<u>0</u>	<u>9</u>	<u>1,369</u>	<u>0</u>	<u>1,369</u>
Fund Balance, Beginning of Year				747	0	747
FUND BALANCE, END OF YEAR				<u><u>2,116</u></u>	<u><u>0</u></u>	<u><u>2,116</u></u>

Nueces County Hospital District
Statement of Revenues and Expenditures - Actual v. Budget
Indigent Care Fund
From 6/1/2023 Through 6/30/2023
(In Whole Numbers)

UNAUDITED

	<u>Current Period Actual</u>	<u>Current Period Budget</u>	<u>Current Period Budget Variance</u>	<u>Current Year Actual</u>	<u>YTD Budget</u>	<u>YTD Budget Variance</u>
Revenues						
Investment Income	117,497	30,870	86,627	909,498	277,230	632,268
Total Revenues	<u>117,497</u>	<u>30,870</u>	<u>86,627</u>	<u>909,498</u>	<u>277,230</u>	<u>632,268</u>
Excess of Revenues Over Expenditures Before Sources/Uses	<u>117,497</u>	<u>30,870</u>	<u>86,627</u>	<u>909,498</u>	<u>277,230</u>	<u>632,268</u>
Excess of Revenues Over Expenditures After Sources & Uses	<u>117,497</u>	<u>30,870</u>	<u>86,627</u>	<u>909,498</u>	<u>277,230</u>	<u>632,268</u>
Fund Balance, Beginning of Year				54,880,624	0	54,880,624
FUND BALANCE, END OF YEAR				<u>55,790,121</u>	<u>277,230</u>	<u>55,512,891</u>

Jonny F. Hipp (NCHD)

From: Commissioner Joe Gonzalez <joe.gonzalez@nuecesco.com>
Sent: Monday, July 10, 2023 1:03 PM
To: SteveV@cctexas.com; Fauzia Khan; Dante Gonzalez (DanteG@cctexas.com); Jonny F. Hipp (NCHD); John Valls (jevalls@gmail.com); County Judge Connie Scott
Subject: Health District Funding FY 23-24

CAUTION: This email originated from outside the NCHD network. DO NOT OPEN LINKS or ATTACHMENTS in this email unless you recognize the sender and know the content is safe.

All,

As per our meeting today, which involved Health District, Hospital District, County Judge and myself, it is clear that Nueces County through the Hospital District is committed to provide the same funding base amount of \$1,765,296 for FY 2023-2024.

This of course will need to be approved by the Hospital District and Nueces County Commissioners Court when the budget is approved in early September.

Respectfully,

*Joe A. Gonzalez (JAG)
Nueces County Commissioner Pct 2
901 Leopard, Rm 303.7
Corpus Christi, Tx 78380
(361) 888-0296*

Approved 2023-2024 - Budget Planning Schedule

**NO LATER
THAN DATES**

April 14	Fri.	Auditor sends Budget Request Packets to Departments.
April 28	Fri.	Chief Appraiser provides preliminary estimate of taxable value.
May 12	Fri.	Budget Request Packets Due to Auditor
June 21	Wed.	Commissioners Court designates an officer or employee (often the-tax-assessor but not necessarily) to calculate the no-new-revenue tax rate (effective rate), the voter-approval tax rate (rollback rate) and the notice and hearing limit.
July 7	Fri.	72-hour notice for July Budget Workshop (July 10 & 13)
July 10	Mon.	Budget Workshop – Department Presentations (9:00 am)
July 13	Thur.	Budget Workshop – Department Presentations (9:00 am)
July 25	Tues.	Deadline for Chief Appraiser to certify rolls to taxing units. Tax code 26.01 (a).
July 28	Fri.	Calculation of no-new revenue tax rate (effective rate) and voter-approval tax rate (rollback rate)
July 29	Sat.	Meeting with County Judge, County Auditor, CCT Administration
Aug. 9	Wed.	Submission of no-new revenue tax rate; voter-approval tax rate, Schedules, & Fund Balances to Governing Body.
Aug. 11	Fri.	72-hour notice for Budget Workshop, August 14 th & 17 th
Aug. 14 & 17		Budget Workshop Tax Rate & Proposed Budget (9:00 am Monday & Thursday)
Aug. 18	Fri.	72-hour notice for August 23 rd meeting
Aug. 23	Wed.	Meeting of governing body to discuss tax rate. If proposed tax rate will exceed the voter-approval tax rate (rollback rate) no-new-revenue tax rate (effective rate) whichever is lower, Commissioners Court must take record vote and schedule public hearing.
Aug. 25	Fri.	Give Written Notice of Salary and Personal Expenses to each Elected Official, LGC 152.013(c). Commissioners Court shall give written notice to each elected county and precinct officer of the officer's salary and expense allowance to be included in the budget before filing the annual budget.

Aug. 30	Wed.	“Notice of Tax Year 2024 Proposed Property Tax Rate” published in newspaper, advertised on TV and Web site at least 5 days before public hearing.
Sep. 1	Fri.	72-hour notice for September 6th - Public Hearing on Tax Increase.
Sep. 3	Sun.	Publish Notice on Proposed Increase of Elected Officials’ Salaries, Expenses, or Allowances LGC 152.013(b). Commissioners Court must publish any salary, expense, or allowance that is proposed to be increased and the amount of the proposed increase. Publication must appear before the 10th day before the date of the hearing on the budget.
Sep. 3	Sun.	Publish Notice on Budget Hearing. LGC 111.038(c). Commissioners Court shall publish notice that it will consider the proposed budget on the date of the budget hearing. The notice must state the date, time, and location of the hearing. LGC 111.0385(b). Notice shall be published not earlier than the 30th or later than the 10th day before the date of the hearing.
Sept. 6	Wed.	Public Hearing on Tax Increase. Schedule and announce meeting to adopt tax rate either the same day or no later than 7 days from this date.
Sept 8	Fri.	File Proposed Budget - LGC111.037 (a). - County Auditor files proposed budget with the County Clerk.
Sept. 8	Fri.	72-hour notice for Sept 13 th meeting at which the County will adopt tax rate and adopt the budget.
Sept. 13	Wed.	Meeting to adopt tax rate. Meeting must be no later than 7 days from public hearing on tax increase.
Sept. 13	Wed.	Public Hearing on and Adoption of Budget - LGC 111.038(b). - Commissioners Court shall hold the hearing on a day within ten (10) calendar days after the date the proposed budget is filed but before the last day of the first month of the fiscal year. LGC 111.039(a). - Commissioners Court shall take action by record vote on the proposed budget at the conclusion of the public hearing.
Sept. 13	Wed.	Tax Assessor-Collector deadline for Commissioners Court to provide rate to be included in tax notices that are mailed out September 29 th .
Oct. 27	Fri.	File Approved Budget with Officers -LGC 111.040. On final approval, the Commissioners Court shall file a copy of the budget with the County Auditor and County Clerk.

RFA letters to Banks mailed on Friday June 23, 2023

1. American Bank
2. Bank of America
3. Charter Bank
4. First Community Bank
5. Plains Capital Bank
6. Frost Bank
7. Plains Capital Bank
8. PNC formerly BBVA Compass Bank
9. International Bank of Commerce
10. Prosperity Bank
11. Value Bank
12. Wells Fargo Bank

HEALTH AND SAFETY CODE

TITLE 4. HEALTH FACILITIES

SUBTITLE D. HOSPITAL DISTRICTS

CHAPTER 298C. NUECES COUNTY HOSPITAL DISTRICT HEALTH CARE PROVIDER
PARTICIPATION PROGRAM

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 298C.001. DEFINITIONS. In this chapter:

- (1) "Board" means the board of hospital managers of the district.
- (2) "District" means the Nueces County Hospital District.
- (3) "Institutional health care provider" means a hospital that is not owned and operated by a federal or state government and provides inpatient hospital services.
- (4) "Paying provider" means an institutional health care provider required to make a mandatory payment under this chapter.
- (5) "Program" means the health care provider participation program authorized by this chapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 694 (S.B. [2315](#)), Sec. 1, eff. June 10, 2019.

Sec. 298C.002. APPLICABILITY. This chapter applies only to the Nueces County Hospital District.

Added by Acts 2019, 86th Leg., R.S., Ch. 694 (S.B. [2315](#)), Sec. 1, eff. June 10, 2019.

Sec. 298C.003. HEALTH CARE PROVIDER PARTICIPATION PROGRAM; PARTICIPATION IN PROGRAM. The board may authorize the district to participate in a health care provider participation program on the affirmative vote of a majority of the board, subject to the provisions of this chapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 694 (S.B. [2315](#)), Sec. 1, eff. June 10, 2019.

Sec. 298C.051. LIMITATION ON AUTHORITY TO REQUIRE MANDATORY PAYMENT. The board may require a mandatory payment authorized under this chapter by an institutional health care provider located in the district only in the manner provided by this chapter.

Added by Acts 2019, 86th Leg., R.S., Ch. 694 (S.B. 2315), Sec. 1, eff. June 10, 2019.

Sec. 298C.052. RULES AND PROCEDURES. The board may adopt rules relating to the administration of the program, including collection of the mandatory payments, expenditures, audits, and any other administrative aspects of the program.

Added by Acts 2019, 86th Leg., R.S., Ch. 694 (S.B. 2315), Sec. 1, eff. June 10, 2019.

Sec. 298C.053. INSTITUTIONAL HEALTH CARE PROVIDER REPORTING. If the board authorizes the district to participate in a program under this chapter, the board shall require each institutional health care provider located in the district to submit to the district a copy of any financial and utilization data required by and reported to the Department of State Health Services under Sections 311.032 and 311.033 and any rules adopted by the executive commissioner of the Health and Human Services Commission to implement those sections.

Added by Acts 2019, 86th Leg., R.S., Ch. 694 (S.B. 2315), Sec. 1, eff. June 10, 2019.

SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 298C.101. HEARING. (a) In each fiscal year that the board authorizes a program under this chapter, the board shall hold a public hearing on the amounts of any mandatory payments that the board intends to require during the year and how the revenue derived from those payments is to be spent.

(b) Not later than the fifth day before the date of the hearing required under Subsection (a), the board shall publish notice of the hearing in a newspaper of general circulation in the district and provide written notice of the hearing to each institutional health care provider located in the district.

Added by Acts 2019, 86th Leg., R.S., Ch. 694 (S.B. 2315), Sec. 1, eff. June 10, 2019.

Sec. 298C.102. DEPOSITORY. (a) If the board requires a mandatory payment authorized under this chapter, the board shall designate one or more banks as a depository for the district's local provider participation fund.

(b) All funds collected under this chapter shall be secured in the manner provided for securing other district funds.

Added by Acts 2019, 86th Leg., R.S., Ch. 694 (S.B. 2315), Sec. 1, eff. June 10, 2019.

Sec. 298C.103. LOCAL PROVIDER PARTICIPATION FUND; AUTHORIZED USES OF MONEY. (a) If the district requires a mandatory payment authorized under this chapter, the district shall create a local provider participation fund.

(b) The local provider participation fund consists of:

(1) all revenue received by the district attributable to mandatory payments authorized under this chapter;

(2) money received from the Health and Human Services Commission as a refund of an intergovernmental transfer under the program, provided that the intergovernmental transfer does not receive a federal matching payment; and

(3) the earnings of the fund.

(c) Money deposited to the local provider participation fund of the district may be used only to:

(1) fund intergovernmental transfers from the district to the state to provide the nonfederal share of Medicaid payments for:

(A) uncompensated care payments to hospitals in the Medicaid managed care service area in which the district is located, if those payments are authorized under the Texas Healthcare Transformation and Quality Improvement Program waiver issued under Section 1115 of the federal Social Security Act (42 U.S.C. Section 1315);

(B) delivery system reform incentive payments, if those payments are authorized under the Texas Healthcare Transformation and Quality Improvement Program waiver issued under Section 1115 of the federal Social Security Act (42 U.S.C. Section 1315);

(C) uniform rate enhancements for hospitals in the Medicaid managed care service area in which the district is located;

(D) payments available under another waiver program authorizing payments that are substantially similar to Medicaid payments to hospitals described by Paragraph (A), (B), or (C); or

(E) any reimbursement to hospitals for which federal matching funds are available;

(2) subject to Section 298C.151(d), pay the administrative expenses of the district in administering the program, including collateralization of deposits;

(3) refund a mandatory payment collected in error from a paying provider;

(4) refund to paying providers a proportionate share of the money that the district:

(A) receives from the Health and Human Services Commission that is not used to fund the nonfederal share of Medicaid supplemental payment program payments or uniform rate enhancements described by Subdivision (1)(C); or

(B) determines cannot be used to fund the nonfederal share of Medicaid supplemental payment program payments or uniform rate enhancements described by Subdivision (1)(C);

(5) transfer funds to the Health and Human Services Commission if the district is legally required to transfer the funds to address a disallowance of federal matching funds with respect to programs for which the district made intergovernmental transfers described by Subdivision (1); and

(6) reimburse the district if the district is required by the rules governing the uniform rate enhancement program described by Subdivision (1)(C) to incur an expense or forego Medicaid reimbursements from the state because the balance of the local provider participation fund is not sufficient to fund that rate enhancement program.

(d) Money in the local provider participation fund may not be commingled with other district funds.

(e) Notwithstanding any other provision of this chapter, with respect to an intergovernmental transfer of funds described by Subsection (c)(1) made by the district, any funds received by the state, district, or other entity as a result of that transfer may not be used by the state, district, or any other entity to expand Medicaid eligibility under the Patient Protection and Affordable Care Act (Pub. L. No. 111-148) as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152).

Added by Acts 2019, 86th Leg., R.S., Ch. 694 (S.B. 2315), Sec. 1, eff. June 10, 2019.

SUBCHAPTER D. MANDATORY PAYMENTS

Sec. 298C.151. MANDATORY PAYMENTS BASED ON PAYING PROVIDER NET PATIENT REVENUE. (a) Except as provided by Subsection (e), if the board authorizes a health care provider participation program under this chapter, the board may require a mandatory payment to be assessed, either annually or periodically throughout the fiscal year at the discretion of the board, on the net patient revenue of each institutional health care provider located in the district. The board shall provide an institutional health care provider written notice of each assessment under this subsection, and the provider has 30 calendar days following the date of receipt of the notice to pay the assessment. In the first fiscal year in which the mandatory payment is required, the mandatory payment is assessed on the net patient revenue of an institutional health care provider as determined by the data reported to the Department of State Health Services under Sections [311.032](#) and [311.033](#) in the most recent fiscal year for which that data was reported. If the institutional health care provider did not report any data under those sections, the provider's net patient revenue is the amount of that revenue as contained in the provider's Medicare cost report submitted for the previous fiscal year or for the closest subsequent fiscal year for which the provider submitted the Medicare cost report. If the mandatory payment is required, the district shall update the amount of the mandatory payment on an annual basis.

(b) The amount of a mandatory payment assessed under this chapter by the board must be uniformly proportionate with the amount of net patient revenue generated by each paying provider in the district as permitted under federal law. A health care provider participation program authorized under this chapter may not hold harmless any institutional health care provider, as required under 42 U.S.C. Section 1396b(w).

(c) If the board requires a mandatory payment authorized under this chapter, the board shall set the amount of the mandatory payment, subject to the limitations of this chapter. The aggregate amount of the mandatory payments required of all paying providers in the district may not exceed six percent of the aggregate net patient revenue from hospital services provided by all paying providers in the district.

(d) Subject to Subsection (c), if the board requires a mandatory payment authorized under this chapter, the board shall set the mandatory payments in amounts that in the aggregate will generate sufficient revenue to cover the administrative expenses of the district for activities under ~~75~~

this chapter and to fund an intergovernmental transfer described by Section 298C.103(c)(1). The annual amount of revenue from mandatory payments that shall be paid for administrative expenses by the district is \$150,000, plus the cost of collateralization of deposits, regardless of actual expenses.

(e) A paying provider may not add a mandatory payment required under this section as a surcharge to a patient.

(f) A mandatory payment assessed under this chapter is not a tax for hospital purposes for purposes of Section 4, Article IX, Texas Constitution, or Section 281.045 of this code.

Added by Acts 2019, 86th Leg., R.S., Ch. 694 (S.B. 2315), Sec. 1, eff. June 10, 2019.

Sec. 298C.152. ASSESSMENT AND COLLECTION OF MANDATORY PAYMENTS. (a) The district may designate an official of the district or contract with another person to assess and collect the mandatory payments authorized under this chapter.

(b) The person charged by the district with the assessment and collection of mandatory payments shall charge and deduct from the mandatory payments collected for the district a collection fee in an amount not to exceed the person's usual and customary charges for like services.

(c) If the person charged with the assessment and collection of mandatory payments is an official of the district, any revenue from a collection fee charged under Subsection (b) shall be deposited in the district general fund and, if appropriate, shall be reported as fees of the district.

Added by Acts 2019, 86th Leg., R.S., Ch. 694 (S.B. 2315), Sec. 1, eff. June 10, 2019.

Sec. 298C.153. PURPOSE; CORRECTION OF INVALID PROVISION OR PROCEDURE; LIMITATION OF AUTHORITY. (a) The purpose of this chapter is to authorize the district to establish a program to enable the district to collect mandatory payments from institutional health care providers to fund the nonfederal share of a Medicaid supplemental payment program or the Medicaid managed care rate enhancements for hospitals to support the provision of health care by institutional health care providers located in the district.

(b) This chapter does not authorize the district to collect mandatory payments for the purpose of raising general revenue or any amount in excess of the amount reasonably necessary to fund the nonfederal share of a Medicaid supplemental payment program or Medicaid managed care rate

enhancements for hospitals and to cover the administrative expenses of the district associated with activities under this chapter.

(c) To the extent any provision or procedure under this chapter causes a mandatory payment authorized under this chapter to be ineligible for federal matching funds, the board may provide by rule for an alternative provision or procedure that conforms to the requirements of the federal Centers for Medicare and Medicaid Services. A rule adopted under this section may not create, impose, or materially expand the legal or financial liability or responsibility of the district or an institutional health care provider in the district beyond the provisions of this chapter. This section does not require the board to adopt a rule.

(d) The district may only assess and collect a mandatory payment authorized under this chapter if a waiver program, uniform rate enhancement, or reimbursement described by Section [298C.103\(c\)\(1\)](#) is available to at least one institutional health care provider located in the district.

Added by Acts 2019, 86th Leg., R.S., Ch. 694 (S.B. [2315](#)), Sec. 1, eff. June 10, 2019.

Caller Times

PART OF THE USA TODAY NETWORK

Certificate of
Publication

NUECES COUNTY HOSPITAL DIST.
555 N CARANCAHUA STE 950

CORPUS CHRISTI, TX 78401-0835

STATE OF WISCONSIN)
))
COUNTY OF BROWN)

I, being first duly sworn, upon oath depose and say that I am a legal clerk and employee of the publisher, namely, the Corpus Christi Caller-Times, a daily newspaper published at Corpus Christi in said City and State, generally circulated in Aransas, Bee, Brooks, Duval, Jim Hogg, Jim Wells, Kleberg, Live Oak, Nueces, Refugio, and San Patricio, Counties, and that the publication of which the annexed is a true copy, was inserted in the Corpus Christi Caller- Times in the following issue(s) dated:

07/18/2023

On this July 18, 2023, I certify that the attached document is a true and exact copy made by the publisher:



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of Affidavits 1

This is not an invoice

**NOTICE OF PUBLIC
HEARING OF THE
NUECES COUNTY HOSPITAL
DISTRICT
TO CONSIDER HEALTH
CARE PROVIDER PAR-
TICIPATION PROGRAM
MANDATORY PAYMENT
AMOUNTS FOR FISCAL
YEAR 2024**

Public Notice is hereby given that the Nueces County Hospital District ("NCHD") Board of Managers ("Board") will hold a public hearing at 12:00 Noon on Monday, July 24, 2023 in the NCHD Board of Managers Meeting Room at 555 N. Carancahua (Tower II), Room 950-A, Corpus Christi, Texas, to receive comments regarding the amounts of Health Care Provider Participation Program mandatory payments that the Board intends to require of all institutional health care providers located within NCHD's boundaries for NCHD's Fiscal Year 2024 (October 1, 2023 – September 30, 2024) and how the revenue derived from those payments will be spent. The term "institutional health care provider" means a hospital that is not owned and operated by a federal or state government and provides inpatient hospital services. NCHD's boundaries are coterminous with Nueces County.

Texas Health and Safety Code ("Health Code"), Chapter 298C, as amended, authorizes NCHD to participate in a Health Care Provider Participation Program, create a local provider participation fund, and require mandatory payments by institutional health care providers. The public hearing that is the subject of this notice is required by Health Code, §298C.101.

The public and representatives of institutional health care providers wishing to be heard on these matters may attend this public hearing in-person or by audio or video conference via Zoom as shown below.

Zoom is an Internet-based cloud platform for audio and video conferencing.

Attend In-Person: Hospital District Board of Managers Meeting Room, 555 N. Carancahua, Room 950-A, Corpus Christi, Texas 78401.

Attend via Audio or Video Conference, Join Zoom

Meeting:

<https://bit.ly/3hRETPB>

Meeting ID: 574 676 5992

Passcode: 195957 One tap

mobile

+13462487799,,5746765992#

US (Houston)

Dial by your location

+1 346 248 7799 US (Houston)

Meeting ID: 574 676 5992

Find your local number: <https://nchdcc-org.zoom.us/j/aejsSB9vcl>

Questions regarding the public hearing should be sent by electronic mail to Belinda Espinoza, Assistant Administrator at belinda.espinoza@nchdcc.org.

Jonny F. Hipp (NCHD)

From: Jonny F. Hipp (NCHD)
Sent: Monday, July 17, 2023 1:28 PM
To: Eric Evans (Eric.Evans@HCAhealthcare.com); Hilda Dalfonso (hilda.dalfonso@hcahealthcare.com); Becky Rios (becky.rios@christushealth.org); Craig Desmond (craig.desmond@christushealth.org); Dominic Dominguez (dom.dominguez@christushealth.org); Jaclynn Harrison (jaclynn.harrison@christushealth.org); Joel Vigil (joel.vigil@christushealth.org); Kristina Alldredge (kristina.allredge@christushealth.org); Randy Safady (randy.safady@christushealth.org); Richard R. Ford (richard.ford2@christushealth.org); Angie Jones (angelajones@ernesthealth.com); Crystal West (crystalwest@ernesthealth.com); Michael Pearce (MichaelPierce@ernesthealth.com); Eric Hamon (eric.hamon@dchstx.org); Steven E. King (steve.king@dchstx.org); Kevin A. Snook (ksnook@pamhealth.com)
Subject: Legal Notice - Health Care Provider Participation Program - Mandatory Payment Rate for FY 2024

Good Afternoon Administrators of Hospitals Located in Nueces County,

Public Notice is hereby given that the Nueces County Hospital District (“NCHD”) Board of Managers (“Board”) will hold a public hearing at **12:00 Noon** on **Monday, July 24, 2023** in the NCHD Board of Managers Meeting Room at 555 N. Carancahua (Tower II), Room 950-A, Corpus Christi, Texas, to receive comments regarding the amounts of Health Care Provider Participation Program mandatory payments that the Board intends to require of all institutional health care providers located within NCHD’s boundaries for NCHD’s Fiscal Year 2024 (October 1, 2023 – September 30, 2024) and how the revenue derived from those payments will be spent. The term “institutional health care provider” means a hospital that is not owned and operated by a federal or state government and provides inpatient hospital services. NCHD’s boundaries are coterminous with Nueces County.

Texas Health and Safety Code (“Health Code”), Chapter 298C, as amended, authorizes NCHD to participate in a Health Care Provider Participation Program, create a local provider participation fund, and require mandatory payments by institutional health care providers. The public hearing that is the subject of this notice is required by Health Code, §298C.101.

The public and representatives of institutional health care providers wishing to be heard on these matters may attend this public hearing in-person or by audio or video conference via Zoom as shown below. Zoom is an Internet-based cloud platform for audio and video conferencing.

Attend In-Person: Hospital District Board of Managers Meeting Room, 555 N. Carancahua, Room 950-A, Corpus Christi, Texas 78401.

Attend via Audio or Video Conference, Join Zoom Meeting:

<https://bit.ly/3hRETPB>

Meeting ID: 574 676 5992

Passcode: 195957 One tap mobile

+13462487799,,5746765992# US (Houston)

Dial by your location

+1 346 248 7799 US (Houston)

Meeting ID: 574 676 5992

Find your local number: <https://nchdcc-org.zoom.us/j/aejsSB9vcl>

Questions regarding the public hearing should be sent by electronic mail to Belinda Espinoza, Assistant Administrator at belinda.espinoza@nchdcc.org.

Publish: Corpus Christi Caller-Times on Tuesday July 18, 2023.

Jonny F. Hipp, ScD, FACHE | Administrator/Chief Executive Officer
Nueces County Hospital District
555 N. Carancahua St., Suite 950 | Corpus Christi, TX 78401-0835
Office: (361) 808-3300 | Fax: (361) 808-3274 | Cell: (361) 877-7290
jonny.hipp@nchdcc.org | www.nchdcc.org



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Administrative Offices

555 N. Carancahua Street, Suite 950
Corpus Christi, Texas 78401-0835

Office: (361) 808-3300

Fax: (361) 808-3274

www.nchdcc.org

BOARD OF MANAGERS ORDER
JULY 24, 2023

**Order Setting the Fiscal Year 2024 Mandatory Payment Rate for the
Nueces County Hospital District Health Care Provider Participation Program**

WHEREAS, the Texas Legislature in the 86th Regular Session enacted S.B. 2315 which added Chapter 298C to the Health and Safety Code enabling the Nueces County Hospital District's ("District") Board of Managers ("Board") to authorize a local health care provider participation program ("Program");

WHEREAS, the 87th Texas Legislature enacted House Bill 1456 which amended Health and Safety Code, Chapter 298C effective June 15, 2021;

WHEREAS, pursuant to Section 298C.003 of the Health and Safety Code the Board authorized the District to participate in the Program for Fiscal Year 2021, Fiscal Year 2022, and Fiscal Year 2023 on September 29, 2020, August 3, 2021, and September 20, 2022, respectively;

WHEREAS, the Board desires to proceed with establishing the amount of the mandatory payments under the Program for Fiscal Year 2024 (October 1, 2023 – September 30, 2024) and to satisfy the related preliminary requirements of Chapter 298C, Health and Safety Code;

WHEREAS, pursuant to Section 298C.101(a), Health and Safety Code in each fiscal year that the Board authorizes the Program, the Board is required to hold a public hearing on the amounts of any mandatory payments that the Board intends to require during the applicable fiscal year and how the revenue derived from those mandatory payments is to be spent, and the District held said public hearing on July 24, 2023;

WHEREAS, pursuant to Section 298C.101(b), Health and Safety Code not later than the fifth day before the date of the public hearing, the Board is required to publish notice of the public hearing in a newspaper of general circulation in the District, and the District published said notice on July 18, 2023;

WHEREAS, pursuant to Section 298C.101(b), Health and Safety Code not later than the fifth day before the date of the public hearing, the Board is required to provide written notice of the hearing to each institutional health care provider located in the District, and the District provided said notice on July 17, 2023; and

WHEREAS, in consideration of the foregoing, the Board now desires to establish the amount of the mandatory payments under the Program for Fiscal Year 2024 and to direct that the mandatory payments to be used for one or more of the authorized uses of the mandatory payments as set forth in §298C.103, Health and Safety Code.

NOW THEREFORE, BE IT ORDERED that the Board sets the amount of the mandatory payments under the Program for Fiscal Year 2024 at six percent (6%) of the net patient revenue of each institutional health care provider located in the District and directs the mandatory payments to be used for one or more of the authorized uses of the mandatory payments as set forth in §298C.103, Health and Safety Code.

**NUECES COUNTY HOSPITAL DISTRICT
BOARD OF MANAGERS**

John E. Valls, MBA
Chairman

Vishnu V. Reddy, M.D.
Vice Chairman

Sylvia Tryon Oliver
Member

Belinda Flores, R.N.
Member

Judge Mariana Garza
Member

Efrain Guerrero, Jr.
Member

Arthur Granado
Member

BOM_HCPPP_Order_FY24_Rate (Final).docx

Nueces County Hospital District
Board of Managers Order
Set Fiscal Year 2024 Mandatory Payment Rate
For Health Care Provider Participation Program
July 24, 2023

PRESENT NOT VOTING: ()
ABSENT: ()

all as shown in the official Minutes of the Board for the Meeting.

5. The attached Order is a true and correct copy of the original on file in the official records of the Hospital District; the duly qualified and acting members of the Board on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the Board was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Order would be considered; and the Meeting and deliberation of the aforesaid public business, was open to the public and written notice of said meeting, including the subject of the Order, was posted and given in advance thereof in compliance with the provisions of Chapter 551, Texas Government Code, as amended.
6. I am the Secretary of the Board having been duly appointed pursuant to Health Code, §281.023(b).
7. The foregoing Order is in full force and effect; that the same has not been rescinded, nor has it been amended or modified in any way.

IN WITNESS WHEREOF, I have hereunto signed my name officially and affixed the seal of the Hospital District on this the 24th day of July 2023.

Jonny F. Hipp
Secretary, Board of Managers
Nueces County Hospital District

{HOSPITAL DISTRICT SEAL}



BOARD OF MANAGERS ORDER
JULY 24, 2023

**Order Revising the Rules and Procedures
of the Hospital District’s
Health Care Provider Participation Program**

WHEREAS, the 86th Texas Legislature enacted Senate Bill 2315 which added Health and Safety Code, Chapter 298C effective June 10, 2019;

WHEREAS, the 87th Texas Legislature enacted House Bill 1456 which amended Health and Safety Code, Chapter 298C effective June 15, 2021;

WHEREAS, pursuant to Health and Safety Code (“Code”), §298C.003, as amended, the Nueces County Hospital District (“NCHD”) Board of Managers (“Board”) authorized NCHD to participate in a health care provider participation program on September 29, 2020;

WHEREAS, the purpose of NCHD’s participation in the health care provider participation program is to generate revenue from a mandatory payment that may be required by NCHD from each institutional health care provider in NCHD’s boundaries to be used to fund certain intergovernmental transfers prescribed in §298C.103(c) of the Code, as amended;

WHEREAS, pursuant to §298C.051 of the Code, as amended, the Board on September 29, 2000, August 3, 2021, and September 20, 2022 authorized NCHD to collect a mandatory payment for related fiscal years from each institutional health care provider located in NCHD’s boundaries in connection with the health care provider participation program;

WHEREAS, according to §298C.052 of the Code, as amended, if the Board orders collection of a mandatory payment, it must adopt rules relating to the administration of the program, including collection of the mandatory payments, expenditures, audits, and any other administrative aspect of the program and such rules were initially adopted by the Board on September 29, 2020 (“Initial Rules”) and said rules have not been subsequently amended; and

WHEREAS, the Board now desires to amend the Initial Rules by now adopting the Health Care Provider Participation Program Revised Rules and Procedures that are attached to this Order and identified as Exhibit A, “Nueces County Hospital District Health Care Provider Participation Revised Program Rules and Procedures Effective: August 1, 2023” to supersede and replace the Initial Rules to be effective August 1, 2023.

[THIS SPACE INTENTIONALLY LEFT BLANK]

NOW THEREFORE, BE IT ORDERED that the Board of NCHD:

1. Adopts of the Health Care Provider Participation Program Revised Rules and Procedures that are attached to this Order and identified as Exhibit A, "Nueces County Hospital District Health Care Provider Participation Program Revised Rules and Procedures Effective: August 1, 2023" to supersede and replace the Initial Rules to be effective August 1, 2023.

**NUECES COUNTY HOSPITAL DISTRICT
BOARD OF MANAGERS**

John E. Valls, MBA
Chairman

Vishnu V. Reddy, M.D.
Vice Chairman

Sylvia Tryon Oliver
Member

Belinda Flores, R.N.
Member

Judge Mariana Garza
Member

Efrain Guerrero, Jr.
Member

Arthur Granado
Member

BOM_Order_FY2024_Revise_HCPPP_Rules_Procedures (Final).docx

ABSENT: ()

all as shown in the official Minutes of the Board for the Meeting.

5. The attached Order is a true and correct copy of the original on file in the official records of the Hospital District; the duly qualified and acting members of the Board on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the Board was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Order would be considered; and the Meeting and deliberation of the aforesaid public business, was open to the public and written notice of said meeting, including the subject of the Order, was posted and given in advance thereof in compliance with the provisions of Chapter 551, Texas Government Code, as amended.
6. I am the Secretary of the Board having been duly appointed pursuant to Health Code, §281.023(b).
7. The foregoing Order is in full force and effect; that the same has not been rescinded, nor has it been amended or modified in any way.

IN WITNESS WHEREOF, I have hereunto signed my name officially and affixed the seal of the Hospital District on this the 24th day of July 2023.

Jonny F. Hipp
Secretary, Board of Managers
Nueces County Hospital District

{HOSPITAL DISTRICT SEAL}

**NUECES COUNTY HOSPITAL DISTRICT
HEALTH CARE PROVIDER PARTICIPATION PROGRAM
REVISED RULES AND PROCEDURES
Effective: August 1, 2023**

General Provisions

Rule 1. Definitions. In these rules and procedures:

- (a) "Mandatory payment" means a mandatory payment authorized under Texas Health and Safety Code, Chapter 298C.
- (b) "Institutional health care provider" means a hospital that is not owned and operated by a federal or state government and provides inpatient hospital services.
- (c) "Paying provider" or "Paying hospital" means an institutional health care provider required to make a mandatory payment under Texas Health and Safety Code, Chapter 298C.
- (d) "Program" means the health care provider participation program authorized under Texas Health & Safety Code, Chapter 298C.
- (e) "Hospital District" means the Nueces County Hospital District.
- (f) "Board of Managers" means the Board of Managers of the Nueces County Hospital District.

Rule 2. Health Care Provider Participation Program; Participation in Program.

- (a) The Program authorizes the Hospital District to collect a mandatory payment from each institutional health care provider located in the Hospital District to be deposited in a local provider participation fund established by the Hospital District. Money in the fund may be used by the Hospital District to fund certain intergovernmental transfers as provided by these rules and procedures.
- (b) The Board of Managers may adopt an order authorizing the Hospital District to participate in the Program, subject to the limitations provided by these rules and procedures.
- (c) To the extent any provision or procedure under Texas Health & Safety Code, Chapter 298C causes a mandatory payment to be ineligible for federal matching funds, the Hospital District may provide by rule for an alternative provision or procedure that conforms to the requirements of the federal Centers for Medicare & Medicaid Services.

Powers and Duties of Board of Managers

Rule 3. Limitation on Authority to Require Mandatory Payment. The Hospital District may require a mandatory payment from an institutional health care provider only in the manner provided in these rules and procedures.

Rule 4. Majority Vote Required Prior to Mandatory Payment. The Hospital District may not collect a mandatory payment without an affirmative vote of a majority of the

members of the Board of Managers authorizing the Hospital District to participate in the Program.

Rule 5. Institutional Health Care Provider Reporting; Inspection of Records.

(a) The Hospital District shall require each institutional health care provider to submit to the Hospital District a copy of any financial and utilization data required by and reported to the Department of State Health Services under Texas Health & Safety Code, §311.032 and §311.033 and any rules adopted by the Executive Commissioner of the Texas Health and Human Services Commission to implement those sections.

(b) The Hospital District may inspect the records of an institutional health care provider to the extent necessary to ensure that the institutional health care provider has submitted all required data under this Rule.

General Financing Provisions

Rule 6. Hearing.

(a) Each year, the Board of Managers shall hold a public hearing on the amounts of any mandatory payments that the Board intends to require during the year and how the revenue derived from those payments is to be spent.

(b) Not later than the fifth (5th) day before the date of the hearing required under Subdivision 6(a), the Board of Managers shall publish notice of the hearing in a newspaper of general circulation in the Hospital District.

(c) A representative of a paying hospital is entitled to appear at the time and place designated in the public notice and to be heard regarding any matter related to the mandatory payments.

Rule 7. Depository and Investment of Funds.

(a) The Hospital District shall designate one or more banks as the depository for the Hospital District local provider participation fund.

(b) All income received by the Hospital District under these rules and procedures, including the revenue from mandatory payments remaining after fees for assessing and collecting the payments are deducted, shall be deposited with the Hospital District depository in the District's local provider participation fund and may be withdrawn only as provided by these rules and procedures.

(c) All funds under these rules and procedures shall be secured in the manner provided for securing other Hospital District funds.

(d) All funds received under these rules and procedures may be invested consistent with the Investment Policy of the Hospital District, except that such investment shall be limited to overnight funds.

Rule 8. Local Provider Participation Fund; Authorized Uses of Money.

(a) If the Hospital District requires a mandatory payment, it shall create a local provider participation fund.

(b) The local provider participation fund of the Hospital District consists of:

(1) all revenue received by the Hospital District attributable to mandatory payments;

(2) money received from the Texas Health and Human Services Commission as a refund of an intergovernmental transfer under the Program, provided that the intergovernmental transfer does not receive a federal matching payment; and

(3) the earnings of the fund.

(c) Money deposited to the local provider participation fund may be used only to:

(1) fund intergovernmental transfers from the Hospital District to the State of Texas to provide the nonfederal share of Medicaid payments for:

(A) uncompensated care payments to hospitals in the Medicaid managed care service area in which the Hospital District is located, if those payments are authorized under the Texas Healthcare Transformation and Quality Improvement Program waiver issued under Section 1115 of the federal Social Security Act (42 U.S.C. Section 1315);

(B) delivery system reform incentive payments, if those payments are authorized under the Texas Healthcare Transformation and Quality Improvement Program waiver issued under Section 1115 of the federal Social Security Act (42 U.S.C. Section 1315);

(C) uniform rate enhancements for hospitals in the Medicaid managed care service area in which the Hospital District is located;

(D) payments available under another waiver program authorizing payments that are substantially similar to Medicaid payments to hospitals described by Paragraph (A), (B), or (C); or

(E) any reimbursement to hospitals for which federal matching funds are available;

(2) pay the administrative expenses of the Hospital District in administering the Program, including the collateralization of deposits;

(3) refund of a mandatory payment collected in error from a paying hospital;

(4) refund to paying providers the proportionate share of money that the Hospital District:

(A) receives from the Texas Health and Human Services Commission that is not used to fund the nonfederal share of Medicaid supplemental payment program payments or uniform rate enhancements described by Subdivision (1)(C); or

(B) determines cannot be used to fund the nonfederal share of Medicaid supplemental payment program payments of uniform rate enhancements described by Subdivision (1)(C).

(5) transfer funds to the Texas Health and Human Services Commission if the Hospital District is legally required to transfer the funds to address a disallowance of federal matching funds with respect to programs for which the Hospital District made intergovernmental transfers described by Subdivision (c)(1); and

(6) reimburse the Hospital District if the Hospital District is required by the rules governing the uniform rate enhancement program described by Subdivision (1)(C) to incur an expense or forego Medicaid reimbursements from the State because the balance of the local provider participation fund is not sufficient to fund that rate enhancement program.

(d) Money in the local provider participation fund may not be commingled with other Hospital District funds.

(e) An intergovernmental transfer of funds described by Subdivision (c)(1) and any funds received by the Hospital District as a result of an intergovernmental transfer described by that rule may not be used by the State, Hospital District, or other entity to expand Medicaid eligibility under the Patient Protection and Affordable Care Act (Pub. L. No. 111-148) as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152).

Mandatory Payments

Rule 9. Mandatory Payments Based on Paying Hospital Net Patient Revenue.

(a) Except as provided by Rule 11, if the Board of Managers collects a mandatory payment, it may require that a mandatory payment be assessed annually or periodically throughout the fiscal year at the discretion of the Board of Managers on the net patient revenue of each institutional health care provider located in the boundaries of the Hospital District.

(b) The Board of Managers shall provide an institutional health care provider written notice of each assessment and the mandatory payments shall be made 30 days following the date of receipt of the notice of payment.

(c) In the first year in which the mandatory payment is required, the mandatory payment is assessed based on the most recent fiscal year data collected pursuant to Subdivision 5(a). If no such data are available for an institutional health care provider, the mandatory payment may be calculated based on the institutional health care provider's Medicare cost report submitted for the previous fiscal year or for the closest subsequent fiscal year for which the provider submitted the Medicare cost report.

(d) The net patient revenue basis of the mandatory payment may be updated during the fiscal year using the most recent fiscal year data collected pursuant to Subdivision 5(a). Use of data that is updated during the fiscal year does not require Board of Managers approval.

Rule 10. Mandatory Payment Requirements

(a) The amount of a mandatory payment must be uniformly proportionate with the amount of net patient revenue generated by each paying hospital in the Hospital District.

(b) If the Board of Managers requires a mandatory payment, it shall set the amount of the mandatory payment; the aggregate amount of the mandatory payments required of all paying providers in the Hospital District may not exceed six percent (6%)

of the aggregate net patient revenue from hospital services provided by all paying providers within boundaries of the District.

(c) Subject to the maximum amount prescribed by Rule 11(a), if the Board of Managers requires a mandatory payment, it shall set the mandatory payments in amounts that in the aggregate will generate sufficient revenue to cover the administrative expenses of the Hospital District for activities under these rules and procedures and to fund purposes described in Rule 8(c).

(i) The annual amount of revenue from mandatory payments used for administrative expenses of the Hospital District for activities under these rules and procedures is \$150,000, plus the cost of collateralization of deposits, regardless of actual expenses.

(d) The mandatory payment may not be collected for the purpose of raising general revenue or any amount in excess of the amount reasonably necessary to fund the nonfederal share of a Medicaid supplemental payment program or Medicaid managed care rate enhancements for hospitals to cover the administrative expenses of the Hospital District associated with the Program.

(e) To the extent any Program provision or procedure causes a mandatory payment to be ineligible for federal matching funds, the Board may provide by rule for an alternative provision or procedure that conforms to the requirements of federal Centers for Medicare & Medicaid Services.

Rule 11. Mandatory Payment Prohibitions.

(a) The amount of the mandatory payment required of each paying hospital may not exceed an amount that, when added to the amount of the mandatory payments required from all other paying hospitals located in the boundaries of the Hospital District, equals an amount of revenue that exceeds six percent (6%) of the aggregate net patient revenue of all paying hospitals in the Hospital District.

(b) A mandatory payment may not hold harmless any institutional health care provider, as required under 42 U.S.C. Section 1396b(w).

(c) A paying provider may not add a mandatory payment required under this section as a surcharge to a patient.

(d) A mandatory payment assessed hereunder is not a tax for hospital purposes for purposes of Texas Constitution, Section 4, Article IX or Texas Health and Safety Code, §281.045.

(e) The amount of the mandatory payment required of each paying hospital may not be discounted.

Rule 12. Assessment and Collection of Mandatory Payments.

(a) The Hospital District may designate an official of the Hospital District or contract with another person to assess and collect the mandatory payments.

(b) The person charged by the Hospital District with the assessment and collection of mandatory payments shall charge and deduct from the mandatory payments collected for the Hospital District a collection fee in the amount not to exceed the person's usual and customary charges for like services.

(c) If the person charged with the assessment and collection of mandatory payments is an official of the Hospital District, any revenue from a collection fee charged under Subdivision (b) shall be deposited in the Hospital District's general fund and, if appropriate, shall be reported as fees of the Hospital District.

EXHIBIT A-1

Institutional Health Care Providers

1. CHRISTUS Spohn Hospital Corpus Christi
2. Corpus Christi Rehabilitation Hospital
3. Driscoll Children's Hospital
4. PAM Rehabilitation Hospital of Corpus Christi
5. PAM Specialty Hospital of Corpus Christi North
6. South Texas Surgical Hospital (CHRISTUS Surgical Hospital)
7. The Corpus Christi Medical Center – Bay Area

CHRISTUS Health OxBlue Construction Time-Lapse Camera

OxBlue Login

URL: <https://app.oxblue.com/login>

USERNAME: jonny.hipp@nchdcc.org

PASSWORD: NCHD

ZOLL AED Plus®

NOT ALL AEDS ARE CREATED EQUAL

A sudden collapse. You have an AED. Are you ready?

While only 50% of cardiac arrest victims will initially need a shock, all will require CPR to increase the flow of oxygenated blood to the heart and brain. The AED's first heart analysis is critical. If it calls for no shock, only high-quality CPR can lead to a shockable rhythm on the next heart analysis.

More than CPR. This is Real CPR Help.

How can you tell if you are providing high-quality CPR?

- Real CPR Help® guides rescuers in delivering high-quality CPR that is consistent with current guidelines
- Integrated real-time feedback on depth and rate of compressions and visual prompts provide support throughout the rescue

How do you know that Real CPR Help is effective?

Research has shown ZOLL defibrillators equipped with Real CPR Help – providing real-time feedback for depth and rate of chest compressions – combined with training, more than doubled the chance of survival from cardiac arrest.¹

Ready for the rescue

When it comes to cardiac arrest, lives are not saved by AEDs alone. People save lives – using an AED. This requires confident rescuers who provide high-quality CPR and use an up-to-date AED.

- Pads and batteries last an industry-leading five years
- Less frequent maintenance that can improve device readiness

Smart investment with a low total cost of ownership

Once installed, the AED Plus has the lowest total cost of ownership compared with other AEDs. The AED Plus delivers considerable cost savings over time and is an invaluable investment.

¹Bobrow B, et al. Annals of Emergency Medicine. July 2013;62(1):47-56.31
²AHA CPR Quality Consensus Statement. Circulation. 2013;128; pg. 420



“...monitoring of CPR quality is arguably one of the most significant advances in resuscitation practice in the past 20 years and one that should be incorporated into every resuscitation and every professional rescuer program.”²

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MCN PP 1802 0309

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AED

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Assembly information label at the top of the battery compartment:

ASSEMBLY INSTRUCTIONS
 1. REMOVE THE BATTERIES FROM THE CASE.
 2. INSERT THE BATTERIES INTO THE BATTERY COMPARTMENT.
 3. CHECK THE BATTERY POLARITY (+/-).
 4. CLOSE THE BATTERY COMPARTMENT COVER.

Labels on the battery board:

- ZOLL**
- AED PLUS**
- BATTERY BOARD**
- COPYRIGHT © 2013**
- RoHS COMPLIANT**

Safety icons: a triangle with an exclamation mark, a battery symbol, and a crossed-out battery symbol.

X110618639
[Barcode]

IGT RESPONSIBILITY CONTRACT
BETWEEN
THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION
AND
NON-STATE GOVERNMENTAL ENTITY

This Contract is between the Texas Health and Human Services Commission (“**HHSC**”) and Nueces County Hospital District, (“**Governmental Entity**”) (individually, a “**Party**” and collectively, “the **Parties**”).

I. LEGAL AUTHORITY

This Contract is entered into pursuant to Chapters 531 and 791 of the Texas Government Code.

II. BACKGROUND AND PURPOSE

- A. HHSC is the single state agency designated in Texas to administer the medical assistance program known as Medicaid.
- B. HHSC administers the Network Access Improvement Program (“**NAIP**”) through Medicaid managed care organizations (“**MCOs**”). The Centers for Medicare and Medicaid Services (“**CMS**”) has determined that NAIP payments meet the following definition of “pass-through payments” contained in 42 C.F.R. §438.6(a):

[A]ny amount required by the State to be added to the contracted payment rates, and considered in calculating the actuarially sound capitation rate, between the MCO, PIHP, or PAHP and hospitals, physicians, or nursing facilities that is not for the following purposes: A specific service or benefit provided to a specific enrollee covered under the contract; a provider payment methodology permitted under paragraphs (c)(1)(i) through (iii) of this section for services and enrollees covered under the contract; a subcapitated payment arrangement for a specific set of services and enrollees covered under the contract; GME payments; or FQHC or RHC wrap around payments.

Under NAIP, MCOs will be required by HHSC to provide pass-through payments to eligible Public Hospitals.

- C. The purpose of this Contract is to:
 - 1. Provide terms and conditions for the Governmental Entity to transfer non-federal Public Funds to HHSC for use as the non-federal share of NAIP pass-through payments; and

2. Describe the process that will be used to reconcile the non-federal percentage of payments from HHSC to the MCOs with the amount of funds transferred to HHSC from the Governmental Entity.

III. DEFINITIONS

For purposes of this Contract, the following terms have the meanings as described below:

- A. Intergovernmental Transfer (“**IGT**”) -- A transfer of Public Funds from a Non-state Governmental Entity to HHSC.
- B. Managed Care Organization (“**MCO**”) -- A Medicaid managed care organization contracted with HHSC to provide health care services to Medicaid recipients.
- C. Non-state Governmental Entity -- A hospital authority, hospital district, health district, city or county.
- D. Public Hospital -- The hospital owned and operated by the Governmental Entity.
- E. Public Funds -- Funds derived from taxes, assessments, levies, investments, and other public revenues within the sole and unrestricted control of the Governmental Entity that owns and operates the Public Hospital. Public funds do not include gifts, grants, trusts, or donations, the use of which is conditioned on supplying a benefit solely to the donor or grantor of the funds.

IV. CONTRACT PERIOD AND RECONCILIATION PERIOD

- A. The term of this Contract (the “**Contract Period**”) begins on September 1, 2023, and ends on August 31, 2024.
- B. The Contract Period may be modified by written agreement between the Parties.

V. CONTRACT AMOUNT

- A. For each Medicaid managed care program and service area in which the Public Hospital participates in a NAIP pass-through payment arrangement, HHSC's managed care contract with participating MCOs will require the MCOs to allocate a fixed percentage of the capitation rates to the Public Hospital's NAIP payments (the “**NAIP Rate Component**”).
- B. The non-federal percentage of the NAIP Rate Component equals 100 percent minus the applicable Federal Medical Assistance Percentage for Medicaid for Texas in effect when HHSC incurs the expense.
- C. The Parties agree this Contract will not exceed \$7,563,719.00 (“**Contract Amount**”), which equals (1) the non-federal percentage of the pass-through payment amount plus 10 percent, and (2) the non-federal percentage of the risk margin, administrative fee, and any other NAIP-related amounts HHSC is required to pay each applicable MCO pursuant to

the associated managed care contract between HHSC and the MCO. The Contract Amount is subject to the provisions of Section VI.A. and Article VII.

VI. STATEMENT OF SERVICES TO BE PERFORMED

A. Governmental Entity's responsibilities under this Contract include the following:

1. Beginning on August 10, 2023, and continuing on the tenth day of each month through July 10, 2024, the Governmental Entity will transfer to HHSC an amount equal to at least one-twelfth of the Contract Amount. If at any time during the Contract Period, HHSC determines that the Contract Amount is likely to exceed the amount described in Section V.C., HHSC will notify the Governmental Entity in writing of a revised amount that the Governmental Entity must transfer on the tenth day of each month remaining in the Contract Period.
2. The Governmental Entity will transfer to HHSC any shortfall amount calculated as described in Article VII within 30 days of receipt of HHSC's notice.

B. HHSC's responsibilities under this Contract include the following:

1. HHSC will provide the Governmental Entity with the NAIP Rate Component for each applicable MCO, Medicaid managed care program, and service area in which the Public Hospital participates in NAIP.
2. HHSC will perform the reconciliation processes described in Article VII.

VII. RECONCILIATION

HHSC will complete the reconciliation (referred to as the "**Reconciliation Period**") in multiple parts:

A. HHSC will confirm that the amount owed by the Governmental Entity under this Contract equals the amount actually paid by the Governmental Entity under this Contract by completing a reconciliation in multiple parts, as follows:

1. For each Medicaid program and service area in which the Public Hospital participates in NAIP, HHSC will determine the non-federal percentage of the NAIP Rate Component expended by HHSC for the Contract Period by multiplying the NAIP Rate Component by the total member months included in the Contract Period. Total member months include any adjustments to enrollment that occurred for the Contract Period prior to the reconciliation.
2. HHSC will compare the amount transferred by the Governmental Entity to HHSC for the Contract Period to the non-federal percentage of the NAIP Rate Component expended by HHSC for the Contract Period.
 - a. If the amount transferred by the Governmental Entity exceeds 102% of the non-federal percentage of the NAIP Rate Component expended by HHSC:

- I. HHSC will refund the difference between the amount transferred and 102% of the amount expended by HHSC; and
 - II. HHSC will return any excess funds following the reconciliation described in Section VII.C.
 - b. If the amount transferred by the Governmental Entity is less than 102% of the non-federal percentage of the NAIP Rate Component expended by HHSC, HHSC will notify the Governmental Entity of the amount of the shortfall. The Governmental Entity will have 30 days to transfer the shortfall to HHSC, unless HHSC, at its sole discretion, extends the deadline.
- B. The Reconciliation Period will end no later than August 31, 2026. HHSC may complete interim reconciliations between August 31, 2024, and August 31, 2026, as updated enrollment data for the Contract Period, as reflected in adjusted member months, becomes available. HHSC will follow the process described in Section VII.A. for such interim reconciliations.
- C. HHSC will complete the final reconciliation no later than August 31, 2026, to ensure that payments under this Contract are based on final enrollment figures for the Contract Period.
 1. For each Medicaid program and service area in which the Public Hospital participates in NAIP, HHSC will determine the non-federal percentage of the NAIP Rate Component expended by HHSC for the Contract Period by multiplying the NAIP Rate Component by the total member months included in the Contract Period. Total member months include any adjustments to enrollment that occurred subsequent to a reconciliation.
 2. HHSC will compare the amount transferred by the Governmental Entity to HHSC for the Program Period to the non-federal percentage of the NAIP Rate Component expended by HHSC for the Contract Period.
 - a. If the amount transferred by the Governmental Entity exceeds the non-federal percentage of the NAIP Rate Component expended by HHSC, HHSC will refund the excess and the amount retained under Section A.2.a.II. of this Article VII;
 - b. If the amount transferred by the Governmental Entity is less than the non-federal percentage of the NAIP Rate Component expended by HHSC, HHSC will notify the Governmental Entity of the amount of the shortfall. The Governmental Entity will have 30 days to transfer the shortfall to HHSC, unless HHSC, at its sole discretion, extends the deadline.

VIII. TERMINATION

- A. HHSC may terminate this Contract at any time, in its sole discretion, by providing written notice to the Governmental Entity through the individual identified in Section X.A.

IX. ADDITIONAL TERMS

- A. The services specified above are necessary and authorized for activities that are properly within the statutory functions and programs of the Parties.
- B. The services contracted for are not required by Section 21 of Article XVI of the Constitution of Texas to be supplied under contract given to the lowest responsible bidder.
- C. The proposed arrangements serve the interest of efficient and economical administration of state government.
- D. All acts required under this Contract will be done in conformity with federal and state laws and regulations.
- E. If any portion of this Contract is held to be invalid or unenforceable, the remainder of the Contract remains valid and enforceable.
- F. The dispute resolution process provided for in Chapter 2260 of the Texas Government Code (Resolution of Certain Contract Claims Against the State) will be used by the Governmental Entity to attempt to resolve any claim for breach of the Contract.
- G. This Contract may only be amended or modified by written agreement of the Parties.
- H. Information related to the performance of this Contract may be subject to Chapter 552 of the Texas Government Code (Public Information Act) and will be withheld from public disclosure or released to the public only in accordance therewith. The Governmental Entity shall make any information required under the Public Information Act available to HHSC in portable document file (".pdf") format or any other format agreed between the Parties.
- I. This Contract and the rights and obligations of the Parties hereto shall be governed by, and construed according to, the laws of the State of Texas, exclusive of conflicts of law provisions. Venue of any suit brought under this Contract shall be in a court of competent jurisdiction in Travis County, Texas. The Governmental Entity irrevocably waives any objection, including any objection to personal jurisdiction or the laying of venue or based on the grounds of forum non conveniens, which it may now or hereafter have to the bringing of any action or proceeding in such jurisdiction in respect of this Contract or any document related hereto. **NOTHING IN THIS SECTION SHALL BE CONSTRUED AS A WAIVER OF SOVEREIGN IMMUNITY BY HHSC OR GOVERNMENTAL IMMUNITY BY THE GOVERNMENTAL ENTITY.**
- J. If any provision contained in this Contract is held to be unenforceable by a court of law or equity, this Contract shall be construed as if such provision did not exist and the non-

enforceability of such provision shall not be held to render any other provision or provisions of this Contract unenforceable.

- K. Neither Party shall assign or subcontract the whole nor any part of the Contract, including any right or duty required under it, without the other Party's prior written consent. Any assignment made contrary to this shall be void.
- L. All terms of this Contract will survive during any period where the Contract is going through reconciliation.

X. NOTICE

- A. All communications to the Governmental Entity under this Contract will be sent to:

Name: Jonny F. Hipp, ScD, FACHE
Title: Administrator/Chief Executive Officer
Address: Nueces County Hospital District
555 North Carancahua St, Suite 950
Corpus Christi, TX 78401-0835

- B. All communications to HHSC under this Contract will be sent to Victoria Grady, Director of Provider Finance, Health and Human Services Commission, North Austin Complex, 4601 W. Guadalupe St., Austin, TX 78751.

XI. SIGNATURE AUTHORITY

Each Party represents and warrants that the person executing this Contract on its behalf has full power and authority to enter into this Contract. Any services or work performed by the Governmental Entity before this Contract is effective or after it ceases to be effective are performed at the sole risk of the Governmental Entity. By signing this Contract, the person signing on behalf of the Governmental Entity certifies that this Contract has not been altered, amended, or changed from the version of the Contract sent by HHSC to the Governmental Entity.

SIGNATURE PAGE FOLLOWS

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

SIGNATURE PAGE FOR HHSC CONTRACT NO. HHS001339400008

**Texas Health and Human Services
Commission**

Governmental Entity

By: DocuSigned by:
Emily Zalkovsky
6A89FCFF81104AB...

By: DocuSigned by:
Jonny F. Hipp
0A62B4B2DB3F439...

Emily Zalkovsky

Name: Jonny F. Hipp

Chief Medicaid and CHIP Services Officer

Title: Administrator/CEO

Signature Date: July 19, 2023

Signature Date: July 18, 2023

THE FOLLOWING ATTACHMENT IS HEREBY INCORPORATED BY REFERENCE:

ATTACHMENT A – SFY 2024 NAIP PROGRAM FINANCIAL ASSUMPTIONS

ATTACHMENT A – SFY 2024 NAIP PROGRAM FINANCIAL ASSUMPTIONS

Superior - CHRISTUS Spohn Health System

September 1, 2023 - August 31, 2024										
Program	SDA	All Funds	IGT (w/o 10% buffer)	FMAP	Net to Provider	TAXES	TAXES %	ADMIN	ADMIN %	Monthly IGT w/ 10% Margin
STAR, STAR+Plus	Nueces	5,791,065	2,275,309	60.71%	5,675,244	101,344	1.75%	14,478	0.25%	208,570
STAR, STAR+Plus	Nueces	4,508,781	1,771,500	60.71%	4,418,605	78,904	1.75%	11,272	0.25%	162,388
		10,299,846	4,046,809		10,093,849	180,247		25,750		370,958

United - CHRISTUS Spohn Health System

September 1, 2023 - August 31, 2024										
Program	SDA	All Funds	IGT (w/o 10% buffer)	FMAP	Net to Provider	TAXES	TAXES %	ADMIN	ADMIN %	Monthly IGT w/ 10% Margin
STAR+Plus	Nueces	5,791,065	2,275,309	60.71%	5,675,244	101,344	1.75%	14,478	0.25%	208,570
STAR	Nueces	1,410,000	553,989	60.71%	1,381,800	24,675	1.75%	3,525	0.25%	50,782
		7,201,065	2,829,298		7,057,044	126,019		18,003		259,352



**BOARD OF MANAGERS RESOLUTION
JULY 24, 2023**

**AUTHORIZING APPROVAL OF PROPOSED TEXAS
STATEWIDE OPIOID SETTLEMENT AGREEMENTS**

WHEREAS, the Nueces County Hospital District obtained information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, "Defendants") have engaged in fraudulent and/or reckless marketing and/or distribution of opioids that have resulted in addictions and overdoses; and

WHEREAS, these actions, conduct and misconduct have resulted in significant financial costs in the past to the Nueces County Hospital District and will undoubtedly result in significant financial costs in the future; and

WHEREAS, the Nueces County Hospital District brought or has investigated claims against (1) Walgreens Co., ("Walgreens Defendants"), CVS Health Corporation and CVS Pharmacy, Inc ("CVS Defendants"), and Walmart, Inc. ("Walmart Defendants), and certain other defendants related to potentially released claims; and (2) other defendants in the opioid supply chain on behalf of the Nueces County Hospital District in *In Re: Texas Opioid Litigation*, MDL No. 2018-63587, currently pending in the 152nd District Court of Harris County, Texas and/or removed pending remand; and

WHEREAS, on May 16, 2023, the Walgreens Defendants, June 6, 2023 the CVS Defendants, and June 22, 2023 the Walmart Defendants in the opioid litigation brought by the Nueces County Hospital District, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Walgreens Texas Settlement Agreement and Release, CVS Texas Settlement Agreement and Release, and Walmart Texas Settlement Agreement and Release (hereinafter collectively the "Texas Agreement"); and

WHEREAS, Special Counsel and the State of Texas have recommended that the Nueces County Hospital District Board of Managers support the adoption and approval of the Texas Agreement in its entirety; and

WHEREAS, even though the payments from the settlements reflect partial compensation to the Nueces County Hospital District for the past damages it has suffered or the future damages it is likely to incur, given the risks of litigation, the fact that it is to the benefit of Texas and the Nueces County Hospital District and its residents, and that it reduces the risks associated with protracted litigation.

NOW, THEREFORE, BE IT RESOLVED that we, the Board of Managers of the Nueces County Hospital District:

1. Support the adoption and approval the Texas Agreement.
2. Authorize the Nueces County Hospital District to execute the Texas Release for the Texas Subdivision Participation Form and Release.
3. Finds as follows:
 - a. There is a substantial need for repayment of past opioid-related expenditures and payment to help abate current and future opioid-related harms in and about Nueces County Hospital District, Texas; and
 - b. The Nueces County Hospital District Board of Managers supports in its entirety the Texas Agreement. The Nueces County Hospital District Board of Managers understands that the purpose of each Settlement is to effectuate resolution of the Opioid Litigation against the Walgreens Defendants, CVS Defendants and Walmart Defendants. We also understand that an additional purpose is to ensure the effective means of distributing any potential settlement funds obtained under settlements in Texas and under the jurisdiction of Texas Courts in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic in this County and throughout Texas.
4. The Nueces County Hospital District is hereby authorized to approve and accept the Texas Agreement as set forth herein.
5. The Administrator of the Nueces County Hospital District is hereby authorized to execute and deliver the settlement documents recommended for approval by Special Counsel in the above referenced case and to approve such terms and provisions for the full and final settlement of all matters set forth therein.

[THIS SPACE INTENTIONALLY LEFT BLANK]

**NUECES COUNTY HOSPITAL DISTRICT
BOARD OF MANAGERS**

John E. Valls, MBA
Chairman

Vishnu V. Reddy, M.D.
Vice Chairman

Sylvia Tryon Oliver
Member

Belinda Flores, R.N.
Member

Judge Mariana Garza
Member

Efrain Guerrero, Jr.
Member

Arthur Granado
Member

CERTIFICATE FOR RESOLUTION

**A RESOLUTION AUTHORIZING APPROVAL OF PROPOSED TEXAS
STATEWIDE OPIOID SETTLEMENT AGREEMENTS**

THE STATE OF TEXAS §
 §
COUNTY OF NUECES §

THE UNDERSIGNED HEREBY CERTIFIES that:

1. The members of the Board of Managers (the "Board") of the Nueces County Hospital District (the "Hospital District") have been duly appointed pursuant to Texas Health and Safety Code (the "Health Code"), §281.021.

2. Pursuant to Health Code, §281.021(a), the Board been duly appointed; pursuant to Health Code, §281.048, the Board is the governing body of the Hospital District; and pursuant to the collective authorities of Health Code, §281.047 and §281.048, the Board has, and the time of adoption of this Resolution had, full power and authority to manage, control, administer, and to adopt rules governing operation of the Hospital District.

3. On the **24th day of July 2023** the Board convened in a regular meeting at the Hospital District's regular meeting place (the "Meeting"), the duly constituted members and officers of the Board being as follows:

John E. Valls, MBA, Chairman
Vishnu V. Reddy, M.D, Vice Chairman
Sylvia Tryon Oliver
Belinda Flores, R.N.
Judge Mariana Garza
Efrain Guerrero, Jr.
Arthur Granado

and all of said persons were present, except the following absentees:

_____,
,
and _____, thus constituting a quorum.

4. Among other business considered at the Meeting, the attached resolution entitled:

**RESOLUTION AUTHORIZING APPROVAL OF PROPOSED TEXAS
STATEWIDE OPIOID SETTLEMENT AGREEMENTS**

is a true copy of a resolution introduced and submitted to the Board for consideration toward passage and adoption (the "Resolution"). After presentation and discussion, it was then duly moved and seconded that the Resolution be passed and adopted. The motion to pass and adopt the Resolution prevailed and carried by the following viva voce vote:

YEAS: _____
NAYS: _____
PRESENT NOT VOTING: _____
ABSENT:

all as shown in the official Minutes of the Board for the Meeting.

5. The attached Resolution is a true and correct copy of the original on file in the official records of the Hospital District; the duly qualified and acting members of the Board on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the Board was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Resolution would be considered; and the Meeting and deliberation of the aforesaid public business, was open to the public and written notice of said meeting, including the subject of the Resolution, was posted and given in advance thereof in compliance with the provisions of Chapter 551, Texas Government Code, as amended.

6. I am the Secretary of the Board having been duly appointed pursuant to Health Code, §281.023(b).

7. The foregoing Resolution is in full force and effect; that the same has not been rescinded, nor has it been amended or modified in any way.

IN WITNESS WHEREOF, I have hereunto signed my name is officially and affixed the seal of the Hospital District on this the **24th day of July 2023**.

Jonny F. Hipp
Secretary, Board of Managers

{DISTRICT SEAL}