

**Minutes of the OPC Area Board Meeting
Thursday, October 9, 2008
Administrative Office - Europa Center**

BOARD MEMBERS PRESENT

Commissioner Moses Carey, Commissioner Kyle Puryear, Commissioner Tom Vanderbeck, Sue Schwartz, Amanda Blanks, John Stewart, Lynn Ikenberry, Virginia Hill, Rachel Winstead, and George Greger-Holt

BOARD MEMBERS ABSENT:

Lori Ireland, Richard Edwards, Sandra Herring, and Debbie Carson

STAFF PRESENT:

Judy Truitt, Dave Jenny, Lynne Hamlet, Donna Prather, Debra Farrington, Ivy Williams, Cim Brailer, Michael Norton, and Janine Reda

GUESTS PRESENT

LeAnn Nease Brown, OPC Attorney
Angela Hunt, North Carolina Central University Student and Person County Resident

CALL TO ORDER

OPC Chair Sue Schwartz called the meeting to order at 7:01 p.m.

CALL FOR PUBLIC COMMENT

Ms. Schwartz opened the floor for public comment. There was none. A welcome was extended to Angela Hunt from NCCU.

READING OF THE MINUTES

John Stewart motioned to approve the September 2008 minutes of the OPC Area Board meeting as written. Commissioner Tom Vanderbeck seconded the motion. The motion carried with 10 Board members voting in favor and none opposing.

REPORT OF THE CHAIRPERSON

Ms. Schwartz opened the floor for public comment. There was none.

AREA DIRECTOR'S REPORT

1. Ms. Truitt updated the Board as to the concerns affecting North Carolina's state psychiatric hospitals:
 - a. Cherry Hospital recently lost their certification. This will stop the hospital from billing Medicaid or Medicare for any client. The projected annualized loss is seven million dollars for the State.
 - b. Broughton Hospital lost their accreditation. They have filed an appeal to reestablish their accreditation; they continue to bill Medicaid and Medicare but it is unsure what the results of the appeal will be.
 - c. The merger of Dorothea Dix and Central Regional has been put on hold. The state does not have any funds remaining in the budget to run Dorothea Dix.

- d. Central Regional is currently billing under Dorothea Dix's number, which has now been identified as problematic.
2. At the recent Area Director's meeting, Phillip Hoffman indicated that all state agencies were being instructed to begin a two percent holdback.
3. Crisis Funding
 - a. Durham is the lead in planning how to utilize the additional Mobile Crisis funds. Ms. Truitt and other OPC staff have attended several meetings with Alamance Caswell and Durham staff. The funding that was initially allocated for this project has been cut. The current amount is \$150K; Ms. Truitt expects that funds allocated for mobile crisis, walk-in crisis and inpatient hospital beds could possibly face additional cuts. Durham, Alamance-Caswell and OPC agreed to divide the funds among the two already existing teams.
 - b. Walk-in Crisis funds are going to be used to place a full time psychiatrist at the Access Crisis Center in Durham. The plan is to use the remaining funds to begin tele-psychiatry sites throughout the six counties. The consumer will then speak with the psychiatrist who will be physically located at the Durham site using video feed.
4. Continuity of Care Letter to DMH
 - a. Ms. Truitt provided to the Board the letter she drafted to respond to the Division of Mental Health/Development Disabilities /Substance Abuse Services (hereafter referred to as DMH) assertion that OPC failed to achieve the statewide average percentage for the final two quarters of the state fiscal year 2007-2008. The letter articulates that OPC is not out of compliance according to the criteria outlined in both the past and current contracts between Local Management Entities (hereafter referred to as LMEs) and DMH. Ms. Truitt solicited questions from the Board. Commissioner Vanderbeck motioned to approve Ms. Truitt's letter. Dr. Rachel Winstead seconded. The motion carried with 10 Board members voting in favor and none opposing.
5. Progress Indicators Report
 - a. Ms. Truitt recommended to the Board that Management team would like to begin electronically forwarding the Progress Indicators Report to Board members. This would cut back on the amount of paper used in the Board packet. In the packet we will include the matrix DMH recently created to compare LMEs to one another and the chart created by Lynne Hamlet that compares OPC against itself for the current quarter against past quarters.
6. Wake NAMI report
 - a. The National Alliance on Mental Illness (hereafter referred to as NAMI) for Wake County completed an analysis and survey of all NC LMEs. The LMEs were assessed using consumer based criteria. This is the first time a report has rated LMEs based upon outcomes for people with mental illness in contrast to the state-contracted Mercer report which ranked LMEs based upon certain management criteria. OPC was ranked fifth overall out of all LMEs.
 - b. The report presents fifteen recommendations for improving the mental health system. Several of the recommendations involve establishing additional

psychiatric beds either in state run psychiatric hospitals or in local community hospitals. As part of engaging local hospitals in helping solve the problem, the report suggests revising the state's Certificate of Need process to encourage hospitals to operate psychiatric beds as they expand other types of hospital beds and services.

- c. Janine Reda will be forwarding the full report out to the Board early next week. Please contact Ms. Truitt if you have any questions.
7. Business system
 - a. Ms. Truitt updated the Board regarding implementation of OPC's business system. She indicated that despite continuous efforts by staff, the agency continues to experience problems with submitting required data and successfully adjudicating provider claims. This could potentially result in OPC receiving notification that we are failing to meet performance expectations in this area. OPC and Five County held a conference call with UniCare and once again defined the specific areas of concern. OPC's attorney has also been in contact with UniCare's CEO. UniCare has agreed to prioritize the outstanding issues, with a weekly conference call to manage the project.
 8. NC Council of Area Programs - Annual Pinehurst Conference
 - a. The annual North Carolina Council of Area Programs Pinehurst conference will take place in December 2008. Ms. Truitt encourages Board members to attend if desired. Please contact Ms. Reda with any questions.
 9. Policies and Procedures
 - a. OPC's current policy and procedure manual was created in 2000 during the first accreditation process. Lynne Hamlet has been managing the task of updating and rewriting the policies for CARF accreditation. Ms. Hamlet received help from an internal policy committee, AQIC, CFAC and Management Team. Each group reviewed the policies that are now before the Board. The policy committee was made up by one OPC staff person from each department. Please see the list below for a complete list of policies:

Administrative Section

1. Abbreviations
2. Access to Services
3. Accessibility
4. Authorization to Videotape/Photograph-Participation in Public Activities
5. Bloodborne Pathogen Exposure Control
6. Bomb Threats
7. CAP-MR/DD Waiver Slot Allocation
8. Complaints - Consumer
9. Complaints - Provider
10. Concealed Handgun Applications
11. Conflict of Interest - Board
12. Conflict of Interest – Staff
13. Consumer and Family Member Stipend - Policy & Form
14. Consumer Rights Policy

15. Consumer Rights: Guardianship
16. Deficit Reduction Act
17. Delegation of Authority
18. Endorsement Review Appeal Process
19. Fire Drills
20. HIV
21. Incident Reporting & Review
22. Inspections and Preventive Maintenance
23. IPRS Provider Network
24. Legal Services
25. Medical Emergencies
26. Non-Discrimination
27. Notice of Privacy Practices
28. PCP Reviews
29. Personal Property Loss
30. Policy Approval
31. Political Activities
32. Privacy and Security Official Designation
33. Privacy Policy
34. Provider Monitoring
35. Quality Improvement
36. Record Retention/Storage of Discharged Records
37. Refusal of Payments for Referrals
38. Research Review
39. Restrictive Interventions
40. Screening
41. Signature File
42. Stationery & OPC Letterhead
43. Strategic Planning
44. TB Testing
45. Transportation Policy
46. Treatment of Family Members of OPC Employees
47. Utilization Management Appeals
48. Waiting Lists
49. Weapon Possession

Finance Section

50. Budgeting Process
51. Capital Assets
52. Deposit Policy
53. Direct Deposit
54. Disposition of Assets
55. Payroll Deductions
56. Purchasing
57. Purchasing Card
58. Vehicle Maintenance
59. Vehicles - Acquisition/Disposal of

- 60. Vehicles - OPC
- 61. Vehicles – Personal

Human Resources Section

- 62. American with Disabilities Act
- 63. Appointments
- 64. Benefits
- 65. COBRA
- 66. Criminal Records Check
- 67. Disability Plan
- 68. Disciplinary Action, Suspension, Demotion, and Dismissal
- 69. Donation of Annual Leave
- 70. Drug Free Workplace
- 71. Drug and Alcohol Testing
- 72. Dual Employment
- 73. Employee Appearance
- 74. Employee Assistance Program
- 75. Employment of Relatives
- 76. Equal Employment Opportunity/Affirmative Action (EEO/AA)
- 77. Fair Labor and Standards Act
- 78. Family and Medical Leave Act of 1993
- 79. Flex Schedules
- 80. Grievance - Employee
- 81. Health Care Benefits for Eligible Retirees
- 82. Health Care Benefits for Employees
- 83. Holiday
- 84. Human Resources (HR) System
- 85. Incident Reporting – Employees
- 86. Inclement Weather
- 87. Job Posting/Recruiting
- 88. Leave-Annual, Sick, Civil, Military, Educational, LWOP
- 89. Longevity Plan
- 90. Misuse of Agency Property
- 91. Participation in OPC Benefit Programs
- 92. Performance Evaluations
- 93. Position Classification
- 94. Reduction in Force
- 95. Sexual Harassment
- 96. Smoke Free Workplace
- 97. Staff Numbers
- 98. Supervision - Admin Staff
- 99. Supervision - Direct Service Staff
- 100. Termination of Benefits
- 101. Training
- 102. Transfer, Promotion, Demotion, and Separation
- 103. Vacancy
- 104. Verification of Employment

- 105. Violence in the Workplace
- 106. Volunteers
- 107. Wage and Salary
- 108. Worker's Compensation

Medical Records Section

- 109. Administrative Terminations
- 110. Admission Documentation Requirements
- 111. Assigning and Correcting Consumer Numbers
- 112. Authority to Access Protected Health Information
- 113. Authority to Document, Authentication, and Countersignatures
- 114. Consumer Access to Records
- 115. Disclosure of Protected Health Information
- 116. Fees for Copying Consumer Protected Health Information
- 117. Financial Records
- 118. Inactive Status Documentation
- 119. Legal Documents
- 120. Medical Records
- 121. Order for Services
- 122. Procedures for Consumer Contesting Documents in Medical Record
- 123. Protection of Medical Records
- 124. Recording and Correcting Entries in the Medical Record
- 125. Rediscovery of Consumer Information
- 126. Secured/Hot File Policy
- 127. Security of Service Records
- 128. Service Event Documentation
- 129. Standing Orders Policy
- 130. Subpoenas and Court Orders Seeking Records of OPC
- 131. Transfer/Discharge Summary
- 132. Transporting Medical Records

Service Section

- 133. Admission Criteria
- 134. Aftercare
- 135. Alcohol/Other Drug Use
- 136. Child Care for Substance Abuse Clients
- 137. Commitment Procedures
- 138. Consent for Treatment
- 139. Continuity of Service Providers
- 140. Discharge from Services
- 141. Laboratory Testing
- 142. Minors - Treatment Without Parental Consent, Confidentiality
- 143. No-Shows
- 144. Non-Traditional/Unconventional Treatments
- 145. Payment Policy
- 146. Privileging Policy
- 147. Services to Families with Children

- 148. Services to Victims of Abuse and Neglect
- 149. Treatment/Habilitation Services

Technology Section

- 150. Assistive Technology
- 151. Backup Policy
- 152. Disaster Recovery Preparedness
- 153. Hardware
- 154. Security
- 155. Software
- 156. Virus Protection

Commissioner Kyle Puryear motioned to approve the updated OPC Policy and Procedure Manual. Mr. Stewart seconded the motion. The motion carried with 10 Board members voting in favor and none opposing.

FINANCE OFFICER'S REPORT

Mr. Jenny presented the Financial Activity Report for the October Board Meeting:

- A September 11, 2008 memorandum from DMH announced the simplification of IPRS. Twenty-three (23) IPRS target populations were eliminated along with the target population hierarchy. This will require a reassignment and reenrollment of consumers between October 1 and December 31, 2008.
- As reported earlier OPC has received 1/12 of their 2008-09 allocation as a lump sum payment. We are waiting on instructions on how the LME's and the State will account for this payment. Finance officers are hoping this will be addressed at the NC FARO conference later this month.
- Unicare has recently released a software update to correct problems in reporting CDW information to the state. We are in the testing phase now.
- OPC had our annual Workers' Compensation audit on September 3rd. We have not received any report to date.
- Mr. Jenny distributed the financial statements. He noted that on the income statement DMH claims are running behind because of our recent billing problems. Medicaid billing is ahead of where it is on average. Expenses including salaries and departmental spending are well within budget. Mr. Jenny included a 13% rate increase for group insurance costs for next calendar year. Operating expenses are running just under budget. The non-UCR payments are under budget currently, Mr. Jenny indicated that those payments have begun to enter our system and he expects them to even out in the next few months.
- Amanda Blanks requested information concerning Five County's handling of OPC's billing. Mr. Jenny reported that initially things started out rocky but have been running fairly smoothly during the past four weeks. The greatest issue is currently within the

ProFiler system as discussed earlier in the meeting.

Mr. Stewart motioned to approve the Finance Officer's report. George Greger-Holt seconded the motion. The motion carried with all Board members voting in favor and no one opposing.

COMMITTEE REPORTS

Finance Committee:

Mr. Stewart had nothing new to report and deferred to Mr. Jenny's report. The next Finance Committee meeting will be held on November 13, 2008 at 6 p.m.

Provider Community/Quality Management Committee:

Ms. Blanks reported that the Provider Community Committee discussed the fourth quarter Progress Indicators Report and the NAMI scorecard. They also reviewed the items that create a person centered plan and the new provider monitoring tool. Their next meeting will be held on November 13, 2008 at 5:30 p.m.

Service Management Capacity Committee and Public Awareness and Advocacy Committee:

Mr. Greger-Holt summarized some of the events OPC participated in over the course of the last month. Two hundred consumers attended Project Homeless Connect, 70 more than last year; organizers are considering holding two events a year. CFAC held the Peer Support Workshop; it was a great success. New groups are being created to discuss transitioning children to adulthood in the service world. Community members are interested in the how to help families and providers transition people as they age out of child services. Eleven LMEs are working together to standardize processes. They are beginning with the authorizations process. In January, these 11 LMEs will begin to implement the standardization. The State is performing a Medicaid review of the top 10% of consumers who receive community support. OPC has 26 consumers. The State asked OPC to look into these cases and establish if community support services are appropriate for each consumer. Once the LME determines if the services are fitting, they have no way to implement changes as the State has not designated that power.

The Committees also discussed the 90 day clock for Care Coordination services and the Wake NAMI report. The next committee meeting will be held on November 13, 2008 at 5:30 p.m.

Public Awareness and Advocacy:

The Public Awareness and Advocacy Committee met with the Service Management Committee. The next committee meeting will be held on November 13, 2008 at 5:30 p.m.

Human Resources Committee:

Mr. Stewart indicated that there was no report for the HR committee. The HR committee is currently meeting on an as-needed basis. Mr. Stewart expressed his thanks to Ivy Williams for all her work on the HR policies.

Client Rights Committee:

Ms. Blanks indicated that the Client Rights Committee met but there were no plans to review. They discussed incident reports and new ways to stay involved with the LME. DMH has created specific duties for the Committee to perform or review and they are developing a plan for implementation. The next committee meeting will be held on November 11, 2008 at 4:30 p.m.

Consumer & Family Advisory Committee:

Virginia Hill, CFAC Co-Chair advised the Board of the success of the Peer Support Workshop. The attendees listened and learned from one another.

At the last CFAC meeting, many policies were reviewed and a DMH staff attended to discuss Central Regional Hospital. Many of the updates given at that time have changed. The next CFAC meeting will take place on October 16, 2008 at 6:00 p.m.

Old Business:

Ms. Truitt indicated that the presentation for the Healthy Carolinians of Orange County went well. She will distribute the PowerPoint presentation used during the meeting to Board members as basic information that could be used in discussions regarding mental health.

New Business:

The Board plans to discuss the holiday schedule at the November meeting. Commissioner Vanderbeck motioned to hold the November Board meeting and discuss the holiday schedule during that meeting. Dr. Winstead seconded the motion. The motion carried with all Board members voting in favor and no one opposing.

Mr. Greger-Holt would like the Board to consider another day of the week to convene the Board. Ms. Reda will begin pulling together the Commissioners' schedules for 2009. The suggestions were the 4th Tuesday, Monday or Wednesday.

Board Meeting:

The OPC Board will next meet on November 13th, 2008 at 7 p.m.

Adjournment:

Ms. Blanks made the motion to adjourn the OPC Board meeting and Commissioner Carey seconded. The motion carried with all Board members voting in favor and no one opposing. The meeting adjourned at 8:17 p.m.

Respectfully submitted,

Amanda Blanks
Secretary