

**Minutes of the OPC Area Board  
May Board Meeting  
Monday, June 13, 2011  
Administrative Office - Europa Center**

**BOARD MEMBERS PRESENT:**

Commissioner Jimmy Clayton, Commissioner Steve Yuhasz, Lynn Ikenberry, Amanda Blanks, Mary Cay Corr, Bill Gentry, Tom Glendinning, George Greger-Holt, Heather Nash, John Stewart, Tom Vanderbeck, Carol Mitchell, Mike Rosenthal

**BOARD MEMBERS ABSENT:**

Commissioner Brian Bock, Rachel Winstead, Richard Edwards, Heather Johnson

**STAFF PRESENT:**

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

**GUESTS PRESENT**

LeAnn Nease Brown, OPC Attorney

**CALL TO ORDER**

OPC Board Chair Dr. Lynn Ikenberry called the Board meeting to order at 7:16 p.m.

**CALL FOR PUBLIC COMMENT**

Dr. Ikenberry opened the floor for public comment. There were no comments.

**READING OF THE MINUTES**

George Greger-Holt motioned to approve the May 2011 Board Minutes, removing Lynne Hamlet's name from the list of staff attendees. John Stewart seconded the motion. The motion carried with all Board Members voting in favor and none opposing.

**REPORT OF THE CHAIRPERSON**

Dr. Ikenberry introduced the Board to the service dog he is training, Mac. He then deferred the remainder of his time to Judy Truitt.

**AREA DIRECTOR'S REPORT**

**1. State Contract**

- a. The Division of Mental Health/Developmental Disabilities/and Substance Abuse Authority (DMH) and Division of Medical Assistance (DMA) have issued a draft contract for state fiscal year 2011-2012. The contract contains some fairly significant changes for how LMEs will function and questions have been raised as to the applicability given the changes that will be occurring in the system. The North Carolina Council and representative Area Directors are meeting with DHHS staffs, who have agreed to delay implementation of the new contract for 90 days. Negotiations as to details will continue. LMEs are currently working under extensions of the contract originally signed on July 1, 2009.

**2. Merger/Medicaid Waiver Timelines**

- a. During the earlier system update section of the meeting Ms. Truitt brought Board members up to date on negotiations with PBH and future plans. Tom Glendinning motioned for OPC staff to continue in

merger negotiations with PBH and recommended that the County Commissioners to plan for the OPC LME to dissolve on June 30, 2012. John Stewart seconded the motion. Discussion ensued.

- b. The current merger timeline would have PBH assuming control of OPC's Medicaid and State funds on 4.1.2012 and OPC dissolving on 6.30.2012.
- c. PBH's administrative/corporate functions in the future will be renamed, while their local community operations center will be called PBH. It is expected that the local community operation centers will all keep their current names. The community centers will house staff from the Screening-Triage-Referral, Customer Service, Community Planning, Care Coordination, and Quality Management departments. Every community center will have these functions.
- d. With Dan Coughlin retiring, which PBH has been planning for two years, Pam Shipman is going to take over as chief executive officer (CEO). The person hired into the chief operating officer (COO) position will be responsible for managing the four community centers. The COO, CFO, Human Resources Director, and the head of the legal department will all report to the CEO. The Directors of the Community Center will have a direct relationship with the CEO at regional management team meetings.
- e. OPC's Management Team has been working to discuss the benefits for current OPC employees. PBH has indicated they will accept an employee's annual leave if they are in agreement with OPC transferring funding to cover it, rather than a direct payout of those funds; PBH will also accept OPC employees' seniority. Retirement issues remain of concern to many OPC staff. PBH does not participate in the state employees' retirement system. PBH does aid their employees in saving for retirement by placing a percentage of the employee's salary in a 401K; the employee does not have to contribute or match this amount. If an employee does contribute to the 401K, PBH will match up to a specific percentage. Our HR department will be setting up lunch & learn events with representatives of the State Employees Retirement System to provide staff an opportunity to discuss options.
- f. Staff sick leave will not transfer as there are not funds available to cover.
- g. While the salaries of staff across the various sites has not been compared, it is unlikely that OPC's pay scale is higher than the other programs given our inability to provide routine raises over the last few years.
- h. OPC staff will be given priority status for open positions in Concord.
- i. An organizational chart (O-chart) has been developed for Alamance-Caswell; this O-chart is likely to look different from the OPC O-chart. Ms. Truitt will meet with PBH to design the OPC appropriate O-chart.
- j. The Board passed Mr. Glendinning's motion with unanimous approval.

### **3. Adult Care Homes**

- a. Ms. Truitt provided information to Board members regarding the pending lawsuit related to adult care homes and MH/DD/SA consumers who live there. She also distributed information developed

by the DHHS Secretary for use with legislators in explaining the issues in the case.

## **FINANCE OFFICER'S REPORT**

Dave Jenny presented the Financial Activity Report at the June Board Meeting:

- Preliminary fieldwork for SFY 2011 audit was performed the week of May 23, 2011 by our audit firm LarsonAllen.
- The State announced the settlement letters for FY 2008 and FY 2009 are scheduled to be mailed the week of May 2<sup>nd</sup>.
- The Utilization Management Committee request to realign \$1.3 million in service funds was approved. The request to move from UCR to non-UCR funds is to provide more flexibility and support in areas of crisis and psychiatry.
- The House has passed their budget for 2012 – 2013 biennium. The question now is after the House and Senate budgets are reconciled will the governor veto the budget.
- Cash outstanding from the state is presently \$3.6 million. Of that amount \$2.3 million is for services provided and the other \$1.3 million is the year-end advance drawdown for services to be provided by June 30<sup>th</sup> and billed by mid-July.
- Mr. Jenny also presented the financial report and OPC's Continuation Budget for SFY11-12.

Mr. Stewart motioned to approve the Financial Report and Budget updates as presented. Mr. Glendinning seconded the motion. The motion carried with all Board members voting in favor and no one opposing.

Mr. Vanderbeck motioned to approve the Continuation Budget. Mr. Stewart seconded the motion. The motion carried with all Board members voting in favor and no one opposing.

## **COMMITTEE REPORTS**

### **Finance Committee:**

The Finance committee had no further information beyond Mr. Jenny's report.

### **Human Resources Committee:**

The HR Committee is currently meeting on an as-needed basis.

### **Client Rights Committee (CRC):**

Ms. Blanks reported that CRC reviewed a behavioral plan, discussed incident reports with a specific focus on day treatment facilities having a larger number of restraints and there being an increase in the family to consumer assaults in recent months. Their next meeting is July 5, 2011.

### **Consumer & Family Advisory Committee (CFAC):**

Heather Nash indicated that CFAC discussed the OPC merger, homeless shelter relocation, CFAC budget, and the State Budget. Dr. Ikenberry asked about the discussion surrounding the homeless shelter; Ms. Nash indicated that CFAC discussed

mental health stigma in the community. CFAC meets regularly on the third Thursday of the month at 6 p.m.

**NEW BUSINESS:**

1. Ms. Truitt issued her thanks to Richard Edwards and Rachel Winstead for their time on the OPC Board. The Board asked staff to send their best to the departing Board members. With Dr. Winstead leaving a new Secretary will need to be elected into office. Mr. Stewart indicated he will gather thoughts from the nominating committee.
2. Because OPC will be moving forward in negotiations with PBH & the governance board will be restructured as part of the merger, Ms. Truitt recommended that the County Commissioners not actively pursue any new appointments at present.
3. Ms. Truitt noted that with passage of the continuation budget there was an opportunity for the OPC Board to take a summer break. Mr. Vanderbeck motioned to cancel the July 2011 Board meeting and next meet in August 2011. Commissioner Yuhasz seconded. The motion carried with all Board members voting in favor and no one opposing.

**OLD BUSINESS:**

There is no old business at this time.

**Board Meeting:**

The next OPC Board meeting is scheduled for August 8, 2011 at 6:00 p.m. The Finance Committee will begin at 6:00 p.m. The Finance Committee will disband at 6:30 p.m., System Updates will be given from 6:30 p.m. to 7:15 p.m., and the Board will officially convene at 7:15 p.m.

**Adjournment:**

Mr. Vanderbeck motioned to adjourn the OPC Board meeting and Mr. Glendinning seconded. The motion carried with all Board members voting in favor and no one opposing. The meeting adjourned at 8:24 p.m.

Respectfully submitted,

Amanda Blanks, Vice-Chair & Acting Secretary

**System Updates**  
**May 9, 2011**  
**Administrative Office – Europa Center**

1. State and Regulatory Updates
  - a. On Friday, June 10<sup>th</sup>, the State budget passed. Governor Bev Purdue vetoed the budget on Sunday evening. There seems to be an adequate number of votes to override her veto. However, a vote is not likely until mid-week; therefore, there will likely be a budget moving forward by the week's end.
  - b. The Governor's original budget included a service funding cut of \$20M and a Local Management Entity (LME) Administrative cut. The House Budget removed the LME administrative cut, but included a secondary service cut of \$25M. The House stated that this \$25M cut would need to be back filled by LME fund balances. The Senate also removed LME administrative cut funding but included the two service funding cuts with the \$25M backfill. Ms. Truitt reminded the Board that due to the changing structures of the LMEs is it not clear at this time how the reductions will be spread to the LMEs.
  - c. OPC proactively created a letter outlining the expected costs of the merger activities. When Ms. Truitt spoke with Steve Jordan, the Division of Mental Health/Developmental Disabilities/and Substance Abuse Authority (DMH) Director, about this information he indicated the Department of Health and Human Services (DHHS) would be very receptive to this information.
2. Budget Cuts
  - a. Service cuts to many state programs are currently being discussed in the news. At this time, it has been announced that Drug Treatment courts will be closing down due to lack of funding. Smart Start and More at Four are also expected to be greatly reduced. These cuts are concerning to all and Management Team will work to keep the Board informed.
3. OPC Contracts
  - a. OPC will be issuing contracts to providers for the coming fiscal year. The contracts will include revenue for the first six months. OPC's provider community will be informed about the anticipated reductions in funding and the final figures upon their release.
4. House Bill 916, the Medicaid Waiver and Expansion
  - a. House Bill 916 was written to support expansion of the 1915 b/c waiver. It has been a controversial bill; at many points it was possible that it would be defeated, but it was ultimately passed.
  - b. Ms. Truitt outlined the 12 LMEs who responded to the RFA and the possible partnerships that are being negotiated:
    1. PBH; OPC; Alamance/Caswell; Five County
    2. East Carolina Behavioral Healthcare
    3. Western Highlands
    4. Sandhills
    5. Smoky Mountain Center
    6. Pathways; Mental Health Partners; Crossroads
    7. Center Point
    8. Durham; Johnson; Guilford; Cumberland

9. Wake

10. Eastpointe; Beacon Center; Southeastern Regional

11. Southeastern Center; Onslow; Carteret

12. Mecklenburg

The LMEs highlighted in red would be the lead LME for their area.

- c. PBH is assuming operational management of Alamance Caswell on July 1, 2011; will begin managing their state funds on September 1, 2011 and will be bringing up the waiver on October 1, 2011. PBH will then plan to implement the waiver in Five County on January 1, 2012 and OPC on April 1, 2012. There is a significant amount of pressure being put on the collective to complete this endeavor. PBH and the State both want the alliance transition to be completed by June 30, 2012.
- d. A placeholder bill was written related to governance for the new sites. It has been recognized for some time that the governance rules in NCGS 122C will not be applicable in the new organizations. It has been recommended that this placeholder bill become a study bill, with the expectation that the new structure will be ready for implementation by the time that the waiver has gone statewide. It has been agreed that the local community operation centers will have advisory boards that have representation on the governance board. This will also be true for CFAC and Client Rights Committees.

5. OPC's Public Forums

- a. Ms. Truitt then described the plans for the public forums. Three public forums will be held regarding the waiver at the following dates and locations:
  - i. June 15, 2011 6-8 pm Sunrise Church Chapel Hill, NC
  - ii. June 22, 2011 6-8 pm Chatham County Agriculture Auditorium Pittsboro, NC
  - iii. June 29, 2011 6-8 pm Piedmont Community College Auditorium Roxboro, NC
- b. The forums will be about the future of Mental Health in NC. Ms. Truitt will give an overview of what LMEs looked like prior to reform, how LMEs are currently organized and what they will look like in the future. The Board was offered flyers in both English and Spanish to share with their community.
- c. Concern has been expressed about the forum locations; at this time they are as centrally located within the county as possible and the locations were chosen for their cost and their ability to provide the space and equipment necessary. This is the first series of forums, there will be additional forums held in winter months.
- d. Management Team and the Social Marketing Committee specified on the flyer that if there are translation needs or questions to please contact the agency. While concern was issued by a community member about transportation there have been no requests for transportation.