

MINUTES
Cheshire County Commissioners Meeting
Wednesday, March 25, 2015 09:30AM
Commissioners Meeting Room
12 Court Street
Keene, NH 03431

PRESENT: Commissioners Stillman Rogers, Chuck Weed, and Peter Graves.

STAFF: Finance Director Trombly, Behavioral Health Director Potter, Maplewood Administrator Kindopp, Sheriff Rivera, and Assistant County Administrator (ACA) Bouchard

GUESTS: Westmoreland Selectman J. Hammond, and members of the public.

Chairman Rogers opened the meeting at 09:31AM and recognized Sheriff Rivera. Rivera spoke of the upcoming "National Public Safety Telecommunicators Week" from April 12th to April 18th that focuses on the critical role that Dispatchers play in law enforcement. The Sheriff asked that the Commissioners recognize the County Dispatch team with a County issued Proclamation that recognizes the County Dispatch team for their excellent work. Following a short discussion **Commissioner Weed moved to sign the proclamation and was seconded by Commissioner Graves. Upon vote the motion passed unanimously. All three Commissioners then signed the proclamation.**

Master Agenda Item #199: Behavioral Health Quarterly Report was then taken up and Director Potter presented the following report:

First Quarter Report 2015

Cheshire County Behavioral Health Court Program (CCBHCP)

The end of 2014 yielded an increase in productivity within the two County Court programs of Alternative Sentencing (ASP) and Mental Health Court (MHC). 119 individuals were served with a 70% successful completion rate. This is the highest number of individuals served within the last thirteen years.

CCBHCP started off the year with a carry-over of 46 clients. 15 were in ASP and 31 in MHC. In comparison to the beginning of January 2014, which there were 23 individuals that were carried over from 2013 (9 in ASP and 14 in MHC). As of March 9th, there are a total of 42 clients in CCBHCP. ASP has 12 and MHC has 30. There were 14 admits and 19 completions. Out of 19 completions, 15 were successful and 4 were non-compliant discharges. In comparison to the same time period in 2014, there was an average of 21 individuals in the programs per week. In the first quarter in 2014, there were a total of 8 people admitted, 4 successfully completed and 7 were non-compliant discharged.

65% of the current client population has a co-occurring disorder (mental health and substance use disorder). We are seeing 78% of the MHC population with a substance use disorder (SUD) and 36% of the ASP population have a mental health disorder (MHD).

Over the last two years, the data indicates that there is a shift from the primary drug of choice (defined as the drug that the participants prefer to be using) from alcohol to opiates/opioids. 40% of the MHC clients that are co-occurring are using opiates or opioids. 25% are reporting

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the primary drug of choice as alcohol. 25% are reporting cannabis and 10% are using a variety of other drugs. Out of the ASP clients, 57% are reporting opiate/opioid use as their primary, 36% alcohol and 7% cannabis.

We have continued to see a decrease in pretrial clients and an increase in post adjudication due to the way arraignments are conducted (video arraignments from the House of Corrections). It is believed that this may change as the County Justice System explores ways to identify and provide faster service to those with SUD and MHD individuals that find them in the legal system.

Since the rollout of New Hampshire's Health Protection Program, the number of clients who have enrolled increased. This has occurred through the combined effort of CCBHCP, the House of Corrections, Planned Parenthood of Northern New England and Service Link. Once all of the services for Well-Sense and Healthy Families come on line there should be a decrease in needed county funding for treatment. However, because of changes in these new insurance programs, if a person is sentenced to CCBHCP after or before a 30 day or longer stay in the HOC and are in need of inpatient treatment they will not be accepted unless CCBHCP pays for it.

There have been some inquiries regarding recidivism data for the two programs that make up the CCBHCP. Until three years ago the program was collecting data from the Safety Department at \$25 per individual search. The Commissioners at that time felt it would be more appropriate to use data collected from the Cheshire County House of Corrections (CCHOC) instead of the State as a means to contain cost the use of the State statistics were discontinued. However when the CCHOC changed computer programs CCBHCP lost the ability to continue to collect this data. This was due to (1) the program change at the HOC, (2) the decrease of CCBHCP support staff who handled the job of data collection and (3) the involvement of the remaining staff in helping create, organize and work as the case managers in the grant funded Drug Court program. The next steps are to gain permission from HOC Superintendent Van Winkler (permission has been sought) and to create the time to learn the new system and begin collecting the data. Hopefully, this system will be more "user friendly" and less time consuming than the old program.

What to expect in CCBHCP's future: As we work with those individuals with co-occurring disorders and persistent and chronic mental illness, we are finding that their needs are greater than those without these complications. These individuals need more time with their CCBHCP case managers in order to assist them to process their life situations and the new skills that are being presented to them by their therapists. Furthermore, if the current trend continues to yield increased number of individuals that are being sentenced to ASP and MHC; we will assuredly need additional personnel in the area of case management and supportive staff.

An extended discussion began concerning many aspects of the program, services, staff, funding, clients, and operations of the programs.

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Director Potter said that 2014 was the most successful year for the program since its inception and that twenty-three (23) clients were carried over from 2014 into 2105. He said that State funding cut-backs proposed for local mental health programs could be devastating to the population that he serves and cited a case where a person was held at the jail for over thirty (30) days because an outside program could not be found for them.

He said that an analysis of the current per day client cost shows the lowest amount since the program began, \$18.80 per day, partially because of the large number of clients being served.

Also discussed was the use of drugs such as Methadone and Soboxin to treat his clients and the problems that have to be addressed when using these drugs as therapeutic agents.

The Commissioners thanked Director Potter for his report and then took-up discussion of Master Agenda Item #203: Limited English Proficiency (LEP) Policy and Procedure.

Grants Manager Bansley was recognized and addressed the draft supplied to the Commissioners for the County's Limited English Proficiency (LEP) Policy and Procedure document. Bansley said that the policy document is required by the Federal government for all grants and going forward and a copy will need to be supplied with all grant documentation that is submitted for new grants. Bansley asked that the Commissioners review the document and if no changes were required requested authorization to submit to an Attorney for legal review. The Commissioners will review and this item will carry over to next week's meeting for disposition.

Bansley then asked for the Clerk and the Chairman to re-sign the Anti-displacement document for Micro-Enterprise grant that was presented and approved at the Delegation Budget review meeting on March 16th and to also resign the DOT Transportation Grant documentation that was found to have missing / incorrect information on one of the documents.

The Commissioners then signed both documents.

Bansley then discussed attending a local Grants Professional Association meeting and asked for permission to join the local chapter. She said that the dues are \$25.00 per year for national membership and \$10.00 per year for chapter membership. She said that she wished to join the local chapter because they provide training and information exchanges at low cost with very little travel expense. She then asked to be able to attend quarterly training seminars for \$92.00 a quarter.

Following discussion, **Commissioner Weed moved to authorize Manager Bansley to join the local Grants Professional Association chapter and to attend the quarter meetings. Commissioner Graves seconded the motion and upon vote the motion passed unanimously.**

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Master Agenda Item #202: Maplewood Quarterly Report was then taken-up for discussion.

Administrator Kindopp presented the following report:

Maplewood Report to Commissioner's
Covering Q4 FY2014

Accomplishments:

- This quarter focused on facility-wide staff training to our upgraded clinical software that includes the new ability to do medication administration as we have discussed and been planning for years.
- Hosted the Westmoreland Fire Dept for a combined training opportunity on vertical evacuation with our new Med-sled device.
- Further work has been ongoing relating to enhancing our staff policy/response to aggressive physical resident behaviors.
- HOC Superintendent returned for further staff training relating to managing aggressive resident presentations; over 40 staff able to attend this session.
- Completed additional staff training drills on response to resident aggressive behaviors.
- Work on updating HIPAA policies ongoing, drafted replacement policies for further review.
- Continued to work with DH's and EAP relating to areas for leadership training
- RFP for Food Service Contract went out in October for the bidding process.
- Met with Trust House services group on food purchasing.
- Met with Glendale Senior Living, Morrison Sr. Dining, Health Services Group and with Fitz-Vogt – tours given, clarifications answered relating to RFP related questions.
- Completed reviews of food service bids with Commissioners; Commissioners chose Glendale Sr. Living to begin 4/1/15.
- The 22 MNH veterans living with us that were honored 11/11/14 by the Commander and members from Keene Post 799 and an Ambassador from Freedom Team Salute of the US Army.
- Purchased a generator for fail-safe in case generator fails relating to MAR's.
- Completed 2015 budget review with Commissioners.
- 124 MNH staff attended outdoor Fire extinguisher training with live fires to be put out.
- Completed continuing education hours for PT licensure; renewed CPR recertification.
- Met with DH's involved in new staff orientation to plan our 2015 dates/topics changes.
- MNH hosted the annual Commissioners Longevity Awards luncheon.
- MNH staff member was awarded a nursing scholarship from the LTC foundation.
- MNH chose a new ADNS; coincidentally she is also our winner for County Nursing Home Employee of the year that happened during this quarter.
- MNH offered its annual craft fair and cider social event for resident families.

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Staff Turnover

- 18 staff hired this quarter.
- 15 staff left this quarter, (5 of which were within their first year).
- 2 were offered positions elsewhere; including a shorter commute and one was offered a job elsewhere that did not require weekend work. The others had time and attendance issues. Several long term staff members retired this past quarter.
- A Dance Movement Therapy student continued her internship this quarter.

Grievances/concerns

- There were no grievances for Administrator's level review.
- Relating to our requirement for reporting of abuse and neglect – which includes resident to resident altercations and misappropriation of resident property – we accomplish this through shift to shift reports, ongoing education on what is reportable, audit of documentation and any and all concerns are reviewed to determine if they rise to the level of full report. During 2014, Maplewood made 39 official reports, 5 were investigations for misappropriation of property, the rest were classified under resident abuse and neglect and all involved investigations of resident to resident altercations.
- 5 suggestion box papers received; 4 appropriate for responses, completed and posted.
- Coordinated work with local law enforcement (including State Troopers and Sheriff's staff) and HOC staff to manage through a difficult time span relating to resident behaviors on our TLC unit.
- Staff incident/injury reports; 12 injuries, 15 lost days, 39 light duty days.

Admissions/discharges

2014 fourth quarter totals as follows:

- 19 admissions (9 from CMC and 5 from DHMC, 1 from Boston, 2 from ALF's and 2 from home).
- 9 discharges (home or lesser care level facility).
- 11 deaths.
- In the fourth quarter, we received 119 referrals; the last month saw an uptick with more referrals from the local hospital due to the increased flu in our area and other homes having to close to admissions. Many of the referred patients still end up going directly home from the hospital, so this skews the numbers.

Medicaid

- Rate during **Q4 FY2014**= \$168.42
- Ongoing work and focus with contracting company to train, support and audit our MDS process and staff who oversee this during this quarter.

Medicare

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- Ongoing work (10/17, 11/17, 12/17) and focus with contracting company to train, support and audit our team system for Medicare part A management.
- Oct average daily rate \$417.13; total net billing \$109,288.56 (9 res).
- Nov average daily rate \$425.85; total net billing \$62,174.15 (6 res).
- Dec average daily rate \$466.37; total net billing \$69,955.00 (6 res).
- 2 ongoing PT part B denials; proceeding to Administrative Judge level appeal PT has 2 denials for services provided in 2012 that have been denied again at the second level of appeal. We have chosen to pursue the third level of appeal, the ALJ level. We are pursuing the third level as we feel, and Harmony Healthcare supports, that we have the clinical documentation necessary to meet Medicare's guidelines and ALJ hearing are most frequently decided in favor of the provider. It might be 1-2 years before we get a date for the hearing, due to the backlog of denials and hearing. Medicare is now paying interest on claims where payment was improperly withheld.
- 1 part A denial (still pending – some federal reports take months to years to process).

Revenue/Census goals (revenues are rounded off – see finance statements for actual figures)

- 2014 overall census goal set at 135 residents; actual for quarter = 136.
- 2014 overall part A goal set at 9 residents; actual = 7.
- Part A gross revenue goal set for just under 350K per quarter = just over 300K this quarter.
- Medicaid revenues set just under 1.3M per quarter; actual this quarter = just over 1.3M.
- Private pay goal set at 552K per quarter; actual this quarter = 557K.
- Atypical pay goal set just over 341K per quarter; actual this quarter = 445K.

Meetings Review

- Quarterly CQI (continuous quality improvement) meeting completed per regulation with all mandatory staff in attendance.
- Monthly Infection Control/CQI meetings completed.
- Monthly DH meetings completed.
- KK provided training twice monthly to staff at annual orientation.
- Meetings I don't attend routinely but assure compliance with occurring:
- Hospice meetings (every 2 weeks with alternating hospice entities) completed.
- Weekly Medicare meetings completed.
- Resident Care Planning meetings completed (each floor does them on a specific day of the week each week).

Administrator Kindopp attended/traveled to the following meetings in October:

- Attended a state wide Medicaid Managed care forum in Hillsboro.
- Attended the NHAC executive meeting to hear Commissioner of Health and Human Services, Nick Toumpas, speak.
- Met with Finance, social services and another Medicaid planner in our region.
- Participated in all 4 Commissioner Hearings on the Future of Maplewood.
- Ongoing requests for extensive tours of our building due to publicity surrounding the task

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- force; some are candidates for the upcoming election.
- Met with State Trooper and Sheriff relating to our calls to them for back up support during certain resident behavior challenges; formulated a new response direction.
- Participated in the Governor's Commission on Managed Care meeting this month; further delays were announced during this quarter – start-up scheduled for 09/15.
- Attended the NHAC annual conference including the Administrator's affiliate meeting.
- KK attended/traveled to the following meetings in November:
- Attended the NHAC NHA Affiliate meeting in Merrimack
- Completed MNH joint loss safety inspection with County team
- Participated in new county officials orientation at HOC
- Attended Primex roundtable meeting with other county homes and discussed our evacuation sled and training with our local Fire Dept.
- Met with representative from New Hampshire Healthy Families relating to issues with transportation broker they use
- Attended OLTCO meeting representing county nursing homes
- JW and KK offered a "town hall meeting" for MNH staff relating to "future of MNH"
- KK attended/traveled to the following meetings in December:
- Attended the local stakeholder meeting from DHHS on Medicaid Managed care
- Ongoing requests for extensive tours of our building continued
- Attended a "Beyond Maplewood" meeting at HCS
- Attended the NHAC NHA Affiliate meeting in Concord
- Attended the county joint loss meeting at the annex
- Attended and presented quarterly MNH report for Commissioners meeting
- Met with Resident Council; gave updates relating to "future of Maplewood"; reinforced that no decisions have been made, and the Delegation will begin to study this in 2015
- DON, Social Services Director, Medical Director and Administrator met with a team from TCMC relating to resident transfers/behavioral issues as well as initiating a conversation about participating in a Medicare waiver program; will f/u in 2015

Kindopp highlighted the new electronic medication system and discussed being interested in having IT provide direct application support for the program in lieu of one of the nurses. She also discussed the training need for the staff in dealing with resident behavioral problems and the negative impact that the recent large uptick in tour requests has placed on her and the staff. At the conclusion of the discussion the Commissioners thanked Kindopp for her report and then addressed Master Agenda Item #204: Hemenway Trust Annual Receipt of Funds. Director Trombly said that the County has received the annual distribution of the Hemenway Trust Fund and this year the amount received was \$19,806.81. The Commissioners asked what the total amount in the fund stood at and Trombly said approximately \$86,000.00 in total.

In response to a question by Commissioners concerning the use of the Trust funds, Trombly distributed copies of the Hemenway Will to the Commissioners directing them to the section of

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the document that states the money is to be used by the Commissioners ...“to be used at their discretion for the young, infirm, and elderly”. The Commissioners then discussed possible uses of the funds to benefit County residents and will review options for the trust in the coming weeks.

Master Agenda Item #195: NACO Prescriptions Program - Follow-up report was then taken-up. ACA Bouchard recapped the recommendation from the previous week to maintain NACO membership based on the success of the Prescription Program and then reported out his findings on the new low cost dental and health program discount programs. He said that only the dental program seemed to have a sufficient number of local providers in the area and that the other program elements either had one (1) or no local providers.

Discussion of the options for participating in the low cost dental and health programs was covered and it was decided to move forward with distribution of the program literature as there is no cost to the County and some County taxpayers who may not be covered by insurance may find the discount services offered to be very beneficial.

Commissioner Weed moved to authorize the membership payment in the amount of \$800.00 for 2015 and to participate in the NACO Prescription, Dental, and Health discount programs. He was seconded by Commissioner Graves and upon vote the motion passed unanimously.

Bouchard then presented Master Agenda Item #205: NH Municipal Association - Letter and Follow-up Call.

Bouchard said that he had contacted the Executive Director of the NH Municipal Association concerning the invitation to join as an associate member. He said that in discussion with the Director he had determined that the training that is offered alone would justify the cost and it will also provide a closer link with the towns in the County and help the County and Municipalities speak with one voice on issues such as unfunded State mandates. Bouchard also said that the funds for the membership were placed in the budget by the previous County Administrator and were approved at the Budget Review meeting on March 16th.

Following discussion Commissioner Weed moved to authorize the staff to complete and submit a membership application to join the NH Municipal Association for 2015 for the cost of \$500.00 for 2015. Commissioner Graves seconded the motion and upon vote the motion passed unanimously.

Director Trombly was then recognized to discuss a recent real estate lien that was placed on a resident property after reviewing problems in receiving payment for the residents care. She said that she had consulted with the family of the resident and told them of the process that was

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needed to ensure that the nursing home was reimbursed for the cost of the care it has provided without, as of yet, receiving any payment from State Medicaid. She said the lien will be for approximately \$6,000.00. The Commissioners discussed the process and asked questions concerning the circumstances in the case agreed it was the prudent action to take.

The letter sent to the five (5) towns effected by the proposed Kinder Morgan pipeline was discussed and the subsequent follow-up letter sent out last week was reviewed. Commissioner Weed agreed to be the spokesman for the Commissioners on this project will contact the towns to further discuss and review next steps.

The Weekly census was then reviewed.

Commissioner Weed then moved to accept the Weekly Manifest as presented and was seconded by Commissioner Graves. Upon vote the motion unanimously.

The minutes of March 18, 2015 were then reviewed and Commissioner Weed moved to accept the minutes as presented. Commissioner Graves seconded the motion and upon vote the motion passed unanimously.

The Commissioners then reviewed the Commissioners Calendar.

At 12:41PM Pursuant to RSA 91-A (II) (a), (b) and (c), Commissioner Graves moved to go into non-public session to discuss the dismissal, promotion or compensation of a public employee or the disciplining of such employee, without that employee having requested an open meeting. Commissioner Weed seconded the motion. Upon vote the motion to enter non-public session was approve unanimously.

As a result of the deliberations in nonpublic session a vote to increase the hourly rate for R. P. to \$15.50 per hour was approved unanimously by the Commissioners based on R. P.'s documented performance, letters of support from department heads, and his expanded duties, responsibilities, and accountabilities.

At 1:17PM The Commissioners unanimously voted to return to public session.

At 1:18PM there being no further business to discuss, Commissioner Weed moved to adjourn the meeting. The motion seconded by Commissioner Graves and upon vote the motion passed unanimously.

Respectfully Submitted,
P. Graves, Clerk