

**NUECES COUNTY HOSPITAL DISTRICT
Board of Managers - Regular Meeting
Tuesday, May 22, 2018 at 12:30 PM**

Agenda

- 1. CALL TO ORDER**

- 2. ESTABLISHMENT OF QUORUM**

- 3. PUBLIC COMMENT** - Persons wishing to comment must sign-in on the "Agenda Item Request to Speak" form provided at the entrance of the Board meeting room at least five (5) minutes prior to commencement of the Board meeting. See the "Public Comment" section of the preceding General Information page for additional Public Comment-related information; commenters shall limit their comments to three (3) minutes.

- 4. CONSENT AGENDA:**
 - A. Approve minutes of Board of Managers meetings:
 - 1) Regular Meeting of February 13, 2018; and
 - 2) Special Meeting of March 2, 2018.

 - B. Receive listing of new vendors as of May 16, 2018; listing pursuant to Board of Managers Bylaws, Article 2, §2.1 B and Texas Local Government Code, Chapter 176.

 - C. Receive hospital providers' quarterly reports relating to certain Indigent Care Affiliation Agreements associated with participation in the Texas Healthcare Transformation and Quality Improvement Program Medicaid 1115 Waiver for the calendar quarters ended December 31, 2017 and March 31, 2018:
 - 1) CHRISTUS Spohn Health System Corporation Hospitals: Alice, Beeville, and Kleberg (Consolidated Report);
 - 2) Corpus Christi Medical Center;
 - 3) DeTar Healthcare System; and
 - 4) Driscoll Children's Hospital.

 - D. Receive fiscal year-to-date revenue report relating to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement.

 - E. Receive summary information on medical and hospital care provided to the Nueces Aid population consistent with the CHRISTUS Spohn Health System

Corporation Amended and Restated Membership Agreement for Calendar Year-to-date ended March 31, 2018.

- F. Receive summary payment information for current fiscal year-to-date:
- 1) Medical services at Nueces County juvenile detention facility;
 - 2) Emergency medical services in unincorporated areas of Nueces County;
 - 3) Supplemental funding for Behavioral Health Center of Nueces County; and
 - 4) Salaries, benefits, and supplies at Corpus Christi/Nueces County Public Health Department.
- G. Receive summary report of intergovernmental transfers made in support of local and other healthcare providers participating in Medicaid supplemental payment programs sponsored by the Texas Health and Human Commission for fiscal year-to-date:
- 1) Texas Healthcare Transformation and Quality Improvement Program (Medicaid 1115 Waiver):
 - a) Hospital Uncompensated Care (UC) pool; and
 - b) Delivery System Reform Incentive Payment (DSRIP) pool;
 - 2) Disproportionate Share Hospitals (DSH) program;
 - 3) Network Access Improvement Program (NAIP); and
 - 4) Uniform Hospital Rate Increase Program (UHRIP).
- H. Receive April 2018 statement of escrow amounts deposited and/or withdrawn by CHRISTUS Spohn Health System Corporation; deposits and withdrawals pursuant to and consistent with Section 3.9.7 of Amended and Restated Schedule 1 to CHRISTUS Spohn Health System Corporation Amended and Restated Membership Agreement, as amended.
- I. Ratify Administrator's action(s) performed as part of his duties directing the affairs of the District and/or as required by the Board of Managers; duties established pursuant to Texas Health and Safety Code, §281.026(e):
- 1) Submission of Calendar Year 2017 unreimbursed health care expenditure amounts to the Texas Department of State Health Services for pro-rata share distribution of Calendar Year 2017 income from the Tobacco Permanent Settlement Trust Account; expenditure submission pursuant to Texas Administrative Code, Title 25, Part 1, Chapter 102, Rules §102.1(b) and §102.3(a), (e)(2), and (f);
 - 2) Authorization of escrow amount disbursement for achievement of second milestone relating to Level II Trauma Designation at CHRISTUS Spohn Shoreline Hospital campus; milestone achievement and escrow amount

- disbursement pursuant to Amended and Restated Schedule 1, Section 3.9.7(c) and (d) of Amended and Restated Membership Agreement between Hospital District and CHRISTUS Spohn Health System Corporation, as amended;
- 3) Execution of Medicaid Network Access Improvement Program (NAIP) Inter-Governmental Transfer Responsibility Agreement with Texas Health and Human Services Commission (HHSC) for the term September 1, 2018 - August 31, 2019; NAIP organized and operated by HHSC for the purposes of increasing Medicaid managed care members' access to primary and specialty care and related services from providers affiliated with public hospitals; and
 - 4) Execution of custodian-related agreements relating to bank depository's collateral securing Hospital District's deposits:
 - a) Addendum to Public Funds Entity Security Agreement with Frost Bank adding the Bank of New York Mellon as a custodian of Frost Bank's collateral securing Hospital District deposits; and
 - b) Third Party Custodian Agreement with Frost Bank and the Bank of New York Mellon (BNY Mellon) allowing BNY Mellon to provide safekeeping services and hold any securities pledged by Frost Bank for benefit of the Hospital District.
- J. Receive information relating to U.S. Department of Health and Human Services (DHHS) Poverty Guidelines:
- 1) Annual update of the DHHS Poverty Guidelines from Federal Register, Vol. 83, No. 12, January 18, 2018, pp. 2642-2644; and
 - 2) Prior DHHS Poverty Guidelines and Federal Register References, 1982 - 2018.
- K. Receive notice of annual increase adjustments of Nueces Aid Program's Eligibility Guidelines; increases effective March 1, 2018 for:
- 1) Household Resources as required by Program's Handbook Policy No. NA002, Attachment 2, Sections I-B, I-C-1, I-C-23, and I-F; and
 - 2) Household Income as required by Program's Handbook Policy No. NA002, Attachment 4, Section I-F-3.
- L. Receive information on State Comptroller of Public Accounts' 2018 pro-rata distributions of Calendar Year 2017 income from Tobacco Permanent Settlement Trust Account; distributions pursuant to Texas Administrative Code, Title 25, Part 1, Chapter 102, Rule §102.2.
- M. Adopt Board of Managers Resolution relating to annual review of investment policy and investment strategies and adopting no changes to either the policy or strategies; annual review pursuant to Texas Government Code, §2256.005(e).

- N. Adopt Board of Managers Resolution relating to annual review and adoption of listing of qualified broker/dealers authorized to engage in investment transactions; adopted list to be effective August 1, 2018; annual review and list adoption pursuant to Texas Government Code, §2256.025.
- O. Approve form of Easement Agreement with Regional Transportation Authority (RTA) for RTA's construction of an upgraded bus shelter at Dr. Hector P. Garcia Memorial Family Health Center located at 2606 Hospital Boulevard, Corpus Christi, Texas; and authorize Administrator to negotiate final shelter site and other Agreement terms and execute Agreement.
- P. Receive supporting documentation relating to achievement of Administrator's performance goals for fiscal year ended September 30, 2017 and approve related performance goal achievement payment.

5. REGULAR AGENDA:

A. Finance Matters:

- 1) Receive and approve unaudited financial statements for the months and fiscal year-to-date periods ended January 31, February 28, and March 31, 2018. (***ACTION***)
- 2) Receive and approve investment reports and ratify related investment transactions:
 - a) Quarterly Investment Report for fiscal quarter ended March 31, 2018; and
 - b) Interim Investment Transactions Report for period of April 1, 2018 to present. (***ACTION***)
- 3) Adopt Board of Managers Order relating to maintenance of minimum fund balances. (***ACTION***)

B. Other Matters:

- 1) Approve Board of Managers Order authorizing the Administrator to execute a Professional Services Agreement (Contingent Fee Special Counsel for Opioid Litigation) with The Law Office of Richard Schechter, P.C., The Lanier Law Firm, P.C., Reich & Binstock, LLP, The Law Office of James B. Ragan and their respective team; and The Purnell Law Firm, Phipps Anderson Deacon, LLP and their respective team to represent Nueces County Hospital District in legal matters that involve responsible parties who caused and contributed to an epidemic of opioid addiction in Nueces County and related matters; and authorize the Nueces County Attorney to request approval of the related Professional Services Agreement from the Texas Comptroller of Public Accounts. (***ACTION***)

2) Approve Interlocal Agreement with Nueces County and the Behavioral Health Center of Nueces County (BHCNC) to provide funding to BHCNC for the period July 1 - September 30, 2018 for certain mental health-related programs to be provided by or through BHCNC relating to the diversion of persons from jails or other detention facilities, provision of crisis intervention teams, expansion of mobile crisis outreach, and development of jail-based competency restoration, including services associated substance abuse issues. **(ACTION)**

3) Approve Third Amendment to Lease Agreement with ERF Tower II, Inc. for reduced office space at 555 N. Carancahua Street, Suite 950, Corpus Christi, Texas for the term June 1, 2018 - May 31, 2023; and authorize the Administrator to execute Amendment. **(ACTION)**

6. **CLOSED MEETING** - Public notice is hereby given that the Board of Managers may elect to go into closed meeting session(s) at any time during the meeting to discuss any matter(s) listed on the agenda, when so authorized by the provisions of the Open Meetings Act, Texas Government Code, Chapter 551; the Texas Health and Safety Code, Chapter 161; and the Texas Occupations Code, Chapters 151 and 160; and that the Board specifically expects to go into a closed session(s) on the matters listed below. In the event the Board elects to go into closed session(s) regarding an agenda item(s), the section(s) of the Open Meetings Act authorizing the closed session will be publicly announced by the presiding officer. Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in closed session(s), then the final action, final decision, final vote shall be either: (a) in the open meeting covered by the Notice upon reconvening of the public meeting; or (b) at a subsequent public meeting of the Board upon notice thereof, as the Board shall determine pursuant to applicable laws.

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

B. Consult with attorneys on matters related to sale of Hospital District-owned real property presently known as CHRISTUS Spohn Hospital Corpus Christi-Memorial (formerly known as Memorial Medical Center) located at 2606 Hospital Boulevard, Corpus Christi, Texas; consultation pursuant to Open Meetings Act,

Texas Government Code, §551.071.

7. OPEN MEETING

8. Final action, final decision, or final vote on matter(s) covered during Closed Meeting.
(ACTION AS NEEDED)

9. ADJOURN

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