



## **BOARD OF TRUSTEES**

### **Regular Meeting**

December 3, 2020

Minutes

10:00 am

#### **Members Present:**

Rod Waeckerlin, *President*

Garry Goergen, *Treasurer*

Jerry Steele, *Secretary*

Mark Kostovny, *Member*

#### **Members Absent:**

Jason Campbell, *Vice President*

#### **Administration:**

Ken Harman, *Chief Executive Officer*

Jon Smith, *Chief Financial Officer*

Collin McDonald, *Compliance and Risk Management Director*

Lisa Woodcock, *Director of Human Resources*

Dr. Johnson, *Chief of Staff*

#### **Guests:**

Abbi Forwood, *Legal Counsel* (via phone)

Woody White, QHR, *Vice President, Finance* (via Zoom)

Mike Lujan, Micheal's Big City Steakhouse, *Owner*

Jody Shields, ALIGN, *Vice President* (via Zoom)

Jan Gulbrandson, *Radiology Manager*

Aimee Hickman, *Human Resources Specialist*

Christina Baugh, *Director of Quality and Infection Control*

Bill Minion, *OR Manager*

Rod Waeckerlin, President, called the Memorial Hospital of Carbon County Board of Trustees meeting to order at 10:03am. The Pledge of Allegiance and a moment of silence for those affected by COVID-19 followed.

President Waeckerlin gave Michael Lujan, owner of Micheal's Big City Steakhouse, an opportunity to express his appreciation for the donations and help with providing the community free Thanksgiving meal. Mr. Lujan shared that 1,000 people were served, strictly by delivery to their homes, with 80 turkey donations from the community. He expressed his sincere gratitude for allowing him to serve our community and being able to carry on his family's tradition.

#### **Approval/Amendment of Agenda:**

Mark Kostovny made a motion, and Garry Goergen seconded the motion to approve the agenda as presented. Motion carried.

## **Approval of Regular Board Minutes from Board of Trustees 10.29.2020:**

Garry Goergen made a motion, and Mark Kostovny seconded the motion to accept the minutes as presented. Motion carried.

### **Community Needs Assessment Report presented by Jody Shields, ALIGN, Vice President:**

- Mrs. Shields presented a PowerPoint presentation with the results from the Community Needs Assessment that was conducted in Carbon County. She explained that this first component to this assessment is a requirement for the Community Services Block Program (CSBG), which helps to create a funding stream for communities to address poverty on the local level, and establishes the needs and resources in the community. The second component is a health needs assessment. Unfortunately, due to COVID-19, the surveys had to be conducted via mail and online only, rather than in person interviews. In summary, the results of the assessment showed that food assistance, reliable transportation, employment opportunities, healthcare services, childcare and housing assistance were identified as the highest priorities. Amongst the highest healthcare needs noted in responses were cost of healthcare, cancer, and chronic disease management. The full report will be available soon for additional information.

*Discussion:* There was some discussion regarding the transportation issue, as that was surprising to some. The Board was informed that MHCC offers taxi vouchers to those patients who do not have transportation and who we can assure have a need for them. Dr. Johnson noted that it has become an even bigger concern due to the restrictions in the waiting room. President Waeckerlin expressed the need to address this issue. Ken Harman, CEO, added that, while the hospital plays a role in the needs of the community, so do other organizations, and we will offer our assistance wherever we can.

### **Medical Staff Report presented by Greg Johnson, MD, Chief of Staff:**

- Dr. Johnson reported that the Medical Executive Committee approved the following individuals for credentialing privileges:
  - Scott Bennion, MD - Dermatology: Courtesy Staff Reappointment
  - Brandon Bennion, DNP, FNP-BC - Dermatology: Allied Health Staff Reappointment
  - Jennifer Motley, MD - OB/GYN: Courtesy Staff Appointment
  - David Klein, MD - Sleep Medicine: Courtesy Staff Appointment
  - Denise Rice, LCSW – Carbon County Mental Health Examiner: Allied Health Staff Appointment
  - Joanne Reints, LPC – Mental Health: Allied Health Staff Appointment
  - Richard Rossin, MD (DR) – Radiology: Telemedicine Staff Appointment
  - Stephanie Chiu, MD – Family Medicine with Obstetrics: Active Staff Reappointment
  - David Cameron, MD (MIA) – Radiology: Courtesy Staff Reappointment
  - Stephanie Chiu, MD - Family Medicine: Active Staff (requesting limited, emergent OB privileges)

The Medical Executive Committee also approved provisional status for the following individuals:

- Ashton Crain, AuD - Audiology: Allied Health Staff
- Russell Kosik, MD - Radiology: Telemedicine Staff
- Bao Nguyen, MD - Radiology: Telemedicine Staff
- Anjali Roy, MD - Radiology: Telemedicine Staff
- Chere Bohr, FNP – Allied Health Staff
- Kristen Grubb, MD (DR) – Radiology: Telemedicine Staff
- Yuming Yin, MD (DR) – Radiology: Telemedicine Staff
- Eric Schubert, MD – Neurosurgery: Courtesy Staff
- Daniel Wandsneider, DO – Family Medicine: Active Staff
- Razi Saydjari, MD – General Surgery: Courtesy Staff

Dr. Johnson added that additional OB privileges were approved for Dr. Chiu to have in emergent cases, and Yvonne Bodemann, DO, one of our Hospitalist with Rural Physician's Group, resigned her privileges.

*Discussion:* President Waeckerlin inquired about the status of the sleep clinic. CEO Harman informed him that it had gone dormant for a while due to COVID and not having a provider credentialed for it, but the plan is to start it back up as soon as possible.

After being asked how everyone was doing with the COVID surge, Dr. Johnson expressed his surprise with how difficult it has been to transfer patients, as he has never seen Cheyenne and Casper on diversion like they have been recently. However, he added that the staff is doing great handling those difficulties, as well as staff shortages due to quarantines.

In addition, Mr. Kostovny asked about the process for assuring quality of care from our providers. CEO Harman and Dr. Johnson explained that the Clinical Care Review Committee establishes the peer review process, which consists of internal chart reviews, as well as some random third party chart reviews. The committee then has a corrective action process that they follow depending on the issue.

There was also some discussion regarding the status of the PPE supply. Dr. Johnson assured everyone that the COVID-19 Steering Committee is monitoring the supply very closely, and Derek Elliott, Materials Manager, is working hard to meet or exceed the par levels. Joy Ohnstad, Pharmacist, is also being very proactive and doing a great job at keeping the staff informed of medicine shortages. Mr. Harman added that the QHR Supply Chain has been a great resource for us to use, as well as the State, in getting us the supplies we need.

### **Administrative Report: Consent Agenda**

*Discussion:* Treasurer Goergen asked how the temperature issues are in OR, as the report said they were down for four days. Bill Minion, OR Manager, reported that they are still working on the air handler, but there have not been any issues for the last two days. Mr. Harman clarified that there were four days that the temperature was outside the parameters, so they are working on keeping the system calibrated correctly.

Mr. Kostovny also inquired about the status of the Employee Engagement Survey, as it was asked for two years ago. CEO Harman assured him that it would be complete by the end of the fiscal year in June.

Mr. Harman addressed the heating issue at Family Practice Clinic-Rawlins that Secretary Steele questioned, by informing the Board that Long did not have the devices communicating correctly, so they reprogrammed them after getting pressure from LM Olson. President Waeckerlin commented that we need to have an alternative in place for next time.

Mark Kostovny made a motion, and Jerry Steele seconded the motion to accept the items within the Consent Agenda as presented. Motion carried.

Open Session dismissed for a 10-minute restroom break at 11:15am.

Open Session resumed at 11:25am.

### **QHR Report presented by Woody White, QHR, Vice President, Finance:**

- Mr. White reported that QHR continues to grow their services. He noted that the emphasis right now is on the Price Transparency Regulation that is going into effect January 1<sup>st</sup>, 2021. He warned everyone that, although we may want to do some test runs on the website, it is prohibited to let the information out before January 1<sup>st</sup> according to the contracts with the insurance companies.

Mr. White also mentioned that QHR will be rolling out some enhancements to their Supply Chain, and he reminded everyone that their dedicated Pharmacy is here to help answer any questions about the 340B program.

**Corporate Compliance Report presented by Mark Kostovny, Board of Trustees, Member:**

- Mr. Kostovny reported that there was one call on the Compliance Line, which was about our Compliance Director. He continued to explain that it appears to be a miscommunication, as the employee thought that Mr. McDonald was trying to encourage staff to not call the Compliance Line about the issues surrounding the Extended Sick Leave Policy. Mr. McDonald clarified his comment by saying he was simply asking employees to wait 24 hours, so he could get some additional information and clarification on the issue. Mr. Kostovny added that this complaint assured us that the Compliance Line is working the way it is intended to.

Mr. Kostovny also noted that the Compliance Committee meeting for this month was cancelled due to the increased workload and other priorities for many of the members.

**Compliance and Risk Report presented by Collin McDonald, Compliance/Risk Management Director:**

- Mr. McDonald reported that he did a HIPAA audit at FPC-Hanna, and they did very well. The staff did ask him to explain to them a little more about “minimum necessity”. There were a couple of other concerns, such as keeping the medication room locked and the exterior handrail, which should be corrected with the remodel project scheduled to be done soon. Mr. McDonald added that he and/or the Director of Clinics will make monthly visits to the clinic.

Mr. McDonald also informed the Board that there are three insurance companies that will be presenting bids next week.

*Discussion:* Treasurer Goergen asked who would be making the decision on the insurance bid, to which he was informed that it would be a committee decision, based on dollars and service.

**Financial Report presented by Jon Smith, CFO:**

- October 2020 Summary: October 2020 showed a small profit from operations of \$4,809 and a total net income of \$20,824 compared to a budgeted net loss of -\$184,813. Volumes continue to be down significantly in most services lines. Historically, the first four months of each fiscal year have been down, and this one is proving to be no different. However, we have adjusted expenses to meet decreased revenues. The recognition of the COVID grants and the Qualified Rate Adjustment program has led to our modest positive net income for the month. Gross patient revenues were 24% below budget, while operating expenses were over budget by 11%, primarily coming from supplies and contract services, as well as minor equipment, which will mostly be covered by grant funds.

Mr. Smith also noted that the number of days’ cash on hand were 130 in October, but now sits at 141 as of yesterday, December 2<sup>nd</sup>. Also, the annual Cost Report has been completed and submitted, and MHCC will receive \$1,973,378.

*Discussion:* Treasurer Goergen questioned the \$2 Million outstanding balance owed to vendors and the calculation of the \$923,000 in insurance money. CFO Smith assured him that the outstanding balance is simply due to timing of invoices and grant money, and that the insurance money was not calculated as revenue, but, rather, as a receivable, so it shows in cash. And, although it doesn’t affect this year’s bottom line, it impacts the balance sheet, as the \$1.2 Million profit from last fiscal year would have been much lower.

President Waeckerlin commented that he is surprised to see that we were above the break-even point for the clinics. He also inquired about why AR was up, to which Mr. Smith replied that the Business Office is working round the clock to try to figure out what’s going on. He explained that the old VA and Medicaid claims have been fixed, but we are still struggling to see the indicators, even with the Denials Management System. Mr. Waeckerlin asked Mr. Smith to bring back a receiving report next month to make sure we are getting what was promised from Resolution.

Mark Kostovny made a motion, and Garry Goergen seconded the motion to approve the financials for the period ending 10.31.2020 as presented. Motion carried.

Jerry Steele made a motion, and Garry Goergen seconded the motion to approve the vouchers for the period ending 10.31.2020 as presented. Motion carried.

**Old Business:**

- PTO related to COVID-19 - Ken Harman, *Chief Executive Officer*: Mr. Harman explained that, after a Board Member approached him about doing more to help our employees during the pandemic, Administration and Human Resources are proposing a temporary sick leave donation policy. This policy will allow any employee who has exhausted all of their PTO and Extended Sick Leave to be able to request additional hours from a donation bank if they have tested positive for COVID-19 or are officially quarantined due to COVID-19.

*Discussion:* After some questions, CEO Harman clarified that we already have a PTO bank; this would be strictly for sick leave. Mr. Kostovny voiced his concern over the fact that, although there is PTO and sick leave, there is no solution for a long-term absence, such as long-term disability insurance. Treasurer Goergen agreed that this should be looked at during the next budget process, while Mr. Harman assured them that he would be getting quotes for it.

Garry Goergen made a motion, and Mark Kostovny seconded the motion to approve the *Temporary Sick Leave Donations-COVID-19* policy as presented, with the addition of an end date of December 31, 2021. Motion carried.

Open Session dismissed for a 5-minute restroom break at 12:25pm.

Open Session resumed at 12:30pm.

**New Business:**

- Extended Sick Leave Policy Review - Ken Harman, *Chief Executive Officer*: Mr. Harman informed the Board that there have been some issues and inconsistencies with how the current Extended Sick Leave policy is being interpreted and practiced, which is a compliance issue. He explained that the element in question is whether employees who have been here for more than three years should be allowed to use ESL for non-extended situations, while employees with less than three years can only use it starting on the third day of the absence. After several concerns and objections were raised at the last Department Manager Meeting, Mr. Harman told them that this would be taken to the Board for a decision.

*Discussion:* An extensive discussion occurred following Mr. Harman's explanation of the background of the policy, where several opinions were voiced from a handful of employees. The caveat of the policy, that an employee who has been here for more than three years can retroactive their ESL hours back to the first day after they have missed more than two consecutive days, whereas, employee with less than three years must use PTO for the first 16 hours and then ESL kicks in on the third day without the ability to retroactive those hours, is what causes the confusion. In summary, longer term MHCC employees expressed that the policy was written and intended to benefit vested employees, and they have always been able to use ESL starting on day one of an absence due to an illness. Others argued that that is not how it was intended, but that the policy was being interpreted and used improperly, and that ESL is only to be used on the third day of an absence for all employees, with the only difference being that those with more than three years can retroactive those hours.

The Board Members also each shared their thoughts and views pointing out that, although the issued needed to be resolved now, there are future discussions that need to be had in search of a long-term solution. It was noted that MHCC has a very generous PTO policy compared to other organizations; however, some would rather see it changed back to sick time and vacation time, since there is so much controversy over the intended use of PTO and ESL.

Mark Kostovny made a motion, and Jerry Steele seconded the motion to implement the policy as it was practiced prior to the revision in July 2019, allowing employees who have worked for MHCC for three years or more to use sick leave starting on day one of an absence due to illness. Motion carried.

President Waeckerlin requested that a copy of the revised policy be sent to the Board Members and Legal Counsel, Abbi Forwood. He also thanked everyone for their professionalism in dealing with the disagreement.

Open Session dismissed for a 5-minute restroom break at 1:50pm.

Open Session resumed at 1:55pm.

- MRI Capital Equipment Replacement Proposal - Jan Gulbrandson, *Radiology Manager*: At the request of the Board of Trustees, Mrs. Gulbrandson presented them with a proposal for a new MRI, after having been a contingent on the Capital Equipment Budget for the last two years. The proposal is for a GE Cigna Magnet, wide bore machine with upgrade pathways, and she assured them that this is best deal we can get, as it is an “end-of-the-year deal” at \$998,000. That will put the payment for a 5-year purchase lease at about \$19,400/month.

*Discussion:* The Board was in agreement that this is a necessity since MHCC is losing so much revenue when the current machine is down. It was noted that it will also help enhance the services that MHCC can offer. CEO Harman noted that there will be about \$10,000-\$15,000 in additional costs associated with getting the project approved through the State and the possibility of the down time during the transition.

Mr. Goergen asked about the turn-around time on the project, to which Mrs. Gulbrandson said it takes at least 90 days for them to build it from the date of order, so we are looking at installation in April and in operation by May.

Mark Kostovny made a motion, and Jerry Steele seconded the motion to approve the purchase of the GE MRI at \$998,000 as presented. Motion carried.

**Open Discussion/Citizen Participation:** No comments were made.

The Board joined CT Coachworks via Zoom for a virtual tour of the Mobile Clinic that is scheduled to be complete and delivered soon.

**Motion Recess Board of Trustees Public Meeting to go into Executive Session.**

Jerry Steele made a motion, and Mark Kostovny seconded the motion to move the Board of Trustees into Executive Session. Motion carried.

Mark Kostovny made a motion, and Jerry Steele seconded the motion to recess the Board of Trustees Public Meeting for Executive Session at 2:53pm. Motion carried.

Board convened to Executive Session at 2:53pm to discuss personnel issues and to consider or receive any information classified as confidential by law.

**Resume Board of Trustees Public Meeting.**

Mark Kostovny made a motion, and Jerry Steele seconded the motion to resume the Board of Trustees public meeting at 3:42pm. Motion carried.

**New Business Continued:**

- Credentialing:
  - Scott Bennion, MD - Dermatology: Courtesy Staff Reappointment
  - Brandon Bennion, DNP, FNP-BC - Dermatology: Allied Health Staff Reappointment
  - Jennifer Motley, MD - OB/GYN: Courtesy Staff Appointment
  - David Klein, MD - Sleep Medicine: Courtesy Staff Appointment
  - Denise Rice, LCSW – Carbon County Mental Health Examiner: Allied Health Staff Appointment

- Joanne Reints, LPC – Mental Health: Allied Health Staff Appointment
- Richard Rossin, MD (DR) – Radiology: Telemedicine Staff Appointment
- Stephanie Chiu, MD – Family Medicine with Obstetrics: Active Staff Reappointment
- David Cameron, MD (MIA) – Radiology: Courtesy Staff Reappointment
- Stephanie Chiu, MD - Family Medicine: Active Staff (requesting limited, emergent OB privileges)

Mark Kostovny made a motion, and Jerry Steele seconded the motion to approve credentialing privileges for the individuals listed above and as presented. Motion carried.

- Provisional Reviews:
  - Ashton Crain, AuD - Audiology: Allied Health Staff
  - Russell Kosik, MD - Radiology: Telemedicine Staff
  - Bao Nguyen, MD - Radiology: Telemedicine Staff
  - Anjali Roy, MD - Radiology: Telemedicine Staff
  - Chere Bohr, FNP – Allied Health Staff
  - Kristen Grubb, MD (DR) – Radiology: Telemedicine Staff
  - Yuming Yin, MD (DR) – Radiology: Telemedicine Staff
  - Eric Schubert, MD – Neurosurgery: Courtesy Staff
  - Daniel Wandsneider, DO – Family Medicine: Active Staff
  - Razi Saydjari, MD – General Surgery: Courtesy Staff

Mark Kostovny made a motion, and Jerry Steele seconded the motion to approve provisional status of the individuals listed above and as presented. Motion carried.

- Resignation of Privileges:
  - Yvonne Bodemann, DO - Internal Medicine: Active Staff

Mark Kostovny made a motion, and Jerry Steele seconded the motion to approve provisional status of the individuals listed above and as presented. Motion carried.

- Request for Additional Privileges:
  - Stephanie Chiu, MD - Family Medicine: Active Staff (requesting limited, emergent OB privileges)

Mark Kostovny made a motion, and Jerry Steele seconded the motion to approve provisional status of the individuals listed above and as presented. Motion carried.

- Employment Contracts

Mark Kostovny made a motion, and Garry Goergen seconded the motion to approve the waiver request for the CRNA Employment Contract Waiver Request for Joseph Skinner, Jr., CRNA as discussed and presented. Motion carried.

- Consideration and/or approval of contracts and additional Board business:
  - Holiday Bonus

Mark Kostovny made a motion, and Garry Goergen seconded the motion to pay MHCC employees a holiday bonus as discussed and presented. Motion carried.

**Adjournment:**

Mark Kostovny made a motion, and Garry Goergen seconded the motion to adjourn the Board of Trustees public meeting at 3:45pm with no further business coming before the Board.

The next Board of Trustees meeting will be January 28, 2021.

Respectfully Submitted.

Chandra Buchholz, Executive Assistant  
Jerry Steele, Secretary, Board of Trustees

crb