

*****APPROVED 5/8/2024*****

**MINUTES
CENTRAL UTAH COUNSELING CENTER
AUTHORITY BOARD MEETING**

DATE: March 13, 2024

PLACE: 282 S 100 E
Richfield, UT 84701

TIME: 4:30 PM

PRESENT: Commissioner Scott Bartholomew, Commissioner Dennis Blackburn, Commissioner Ralph Brown, Commissioner Marty Palmer, Commissioner Sam Steed, Nathan Strait, Richard Anderson, Anna LaDamus, Jared Kummer, Lynnette Robinson, Holly Kunzler, Jace Ellsworth, Christian Matthews, Matt Church, Mitch Longson

EXCUSED: Commissioner Trevor Johnson, Chad Williams, Julie Lynn

I. APPROVAL OF MINUTES:

A motion was made by Commissioner Ralph Brown to approve the minutes of the February 21st, 2024 Authority Board Meeting. The motion was seconded by Commissioner Sam Steed. Votes by voice included Commissioner Scott Bartholomew yes, Commissioner Sam Steed yes, Commissioner Dennis Blackburn yes, Commissioner Ralph Brown yes, Commissioner Marty Palmer yes, and Commissioner Trevor Johnson absent. Motion carried.

II. APPROVAL OF FINANCIAL REPORT:

Richard Anderson presented the fiscal year (FY) 2024 financial report. Annual reserve balances were shown beginning with 2017. The reserve balance in 2022 was \$7 million, which resulted after \$1 million was taken to pay for the Richfield residential. The reserve balance in 2023 was \$6.8 million. If Medicaid sends the \$2.6 million PRISM shortfall, the 2024 reserve balance should be close to \$7 million at the end of the fiscal year. Spending \$1.5 million from reserves for the administration building will still leave \$5.5 million. The comfort number in the past was \$2 to \$3 million but has increased to \$5 million. The Center is a bigger organization with additional risk. Commissioner Scott Bartholomew asked when Medicaid will send the money. Richard stated the money is supposed to be sent within the current fiscal year.

Underfunding of the Mobile Crisis Outreach Team (MCOT) was discussed in the commission meetings. Richard was able to solicit MCOT funds from other Centers to fully fund the program. The Center receives \$490,000 annually, but MCOT costs about \$1.2 million to run. Salt Lake County has indicated they will have a significant amount of funding available. Richard requested the funds first, but many other centers are also in need. Bear River Mental Health has committed

their extra funding to the Center. Richard is unsure of the dollar amounts but is hoping for \$700,000 to fully fund MCOT this year. Sheriffs in the catchment area would agree that MCOT is the most significant thing the Center has done for the community. It is the face of the organization. It may go through some modifications but should exist indefinitely.

A combustion analyzer was purchased for approximately \$1,300 to test ambient air for carbon monoxide, oxygen, and hazardous gas. David Bradley is over maintenance and uses this analyzer to test near furnaces and vents. Carbon monoxide monitors are also in place. Commissioner Marty Palmer asked how often David completes this testing. Richard stated David tests the facilities about once per month, though certain areas are tested more often. The analyzer showed the Richfield residential at 20.9% oxygen in the regular air with zero parts carbon monoxide, which is normal. Commissioner Dennis Blackburn asked if David is recording the tests. Richard stated David records the information, and the analyzer also records automatically. Commissioner Dennis Blackburn asked if the analyzer lasts more than a year, and Richard answered that it does. Most carbon monoxide detectors do not last very long.

The old Richfield clinical building through the block is listed for sale. It has not been advertised very much yet. Someone in the community looked at it but said they wanted to pursue building a new facility. After they contacted a contractor and looked at building costs, they reached back out to the real estate agent with additional interest. A virtual tour has been created that they will view. Hopefully it works out, and the building can sell in a timely fashion. The sale will pay for 80% of the administration building.

County match decreased by \$9,954. Lynnette Robinson will work with the county clerks to invoice the correct amounts. Some counties have already paid and will be receiving a refund check. New invoices will be sent to the counties who have not yet paid. Mental health match is the only thing that decreased by \$308,556. Commissioner Dennis Blackburn asked why it decreased. Richard stated there was a change in funding for early intervention. The state has been moving around funds to help themselves but in turn ended up reducing county match. The state has a little flexibility on some funding streams, and this is a byproduct of that.

With 67% of the year gone, revenues are at 55%. Last month was 38% so some funding has flowed through. Medicaid is such a big dollar amount that any change in percentage really affects the total. On the expenditure side, wages and fringe are at 65%. This may continue to decrease with staff on leave of absence. There is nothing very concerning with travel. Some costs associated with the National Conference have been paid. Inpatient looks really good but does not include pending claims. If the \$1.9 million taken out of reserves for the new Richfield building is excluded, spending is lower than anticipated. The substance use disorder side is a little higher, but those dollar amounts are smaller. Overall, spending is \$800,000 under budget.

A motion was made by Commissioner Scott Bartholomew to approve the financial report as presented. The motion was seconded by Commissioner Dennis Blackburn. Votes by voice included Commissioner Scott Bartholomew yes, Commissioner Sam Steed yes, Commissioner Dennis Blackburn yes, Commissioner Ralph Brown yes, Commissioner Marty Palmer yes, and Commissioner Trevor Johnson absent. Motion carried.

III. APPROVAL ADMINISTRATION BUILDING:

Richard stated he was waiting to start the administration building until receiving center funding came through to help pay for site upgrades. Since additional funding was not approved, it is time to move forward with the administration building using money out of reserves. Richard is seeking approval to begin that process. Commissioner Scott Bartholomew stated Gunnison City will be very happy the project is beginning.

A motion was made by Commissioner Scott Bartholomew to give Richard Anderson the approval to go ahead with the administration building. The motion was seconded by Commissioner Dennis Blackburn. Votes by voice included Commissioner Scott Bartholomew yes, Commissioner Sam Steed yes, Commissioner Dennis Blackburn yes, Commissioner Ralph Brown yes, Commissioner Marty Palmer yes, and Commissioner Trevor Johnson absent. Motion carried.

IV. PERSONNEL ACTIONS:

Jace Ellsworth stated Michelle Folkner, Jenny MacKay, Lauren Miller, and Victor Tua'one were approved for a leave of absence. Crystal Barnes was approved to move from full-time to part-time with her hours incrementally increasing until she is back full-time.

V. FRAUD RISK ASSESSMENT:

Richard stated the fraud risk assessment must be completed each year as part of the audit. The Center has full points on every item except number three, which asks if there is a certified public accountant (CPA) or another similar credentialed employee. The Center does not have any of these staff members. The total score is 375 out of 395. Separation of duties questions are all marked "yes" due to the requirements of separation in Richard, Lynnette, and Julie Lynn's roles. An approval is requested for Commissioner Trevor Johnson to sign the assessment, which will then be uploaded to the Utah State Auditor's website. Commissioner Sam Steed asked if this is an in-house assessment, and Richard answered that it is.

A motion was made by Commissioner Dennis Blackburn to approve the fraud risk assessment and allow Commissioner Trevor Johnson to sign it. The motion was seconded by Commissioner Scott Bartholomew. Votes by voice included Commissioner Scott Bartholomew yes, Commissioner Sam Steed yes, Commissioner Dennis Blackburn yes, Commissioner Ralph Brown yes, Commissioner Marty Palmer yes, and Commissioner Trevor Johnson absent. Motion carried.

VI. LEGISLATIVE REPORT:

Nathan Strait provided an update on bills the Center has been tracking. H.B. 501 Health Amendments provided a little over \$4 million ongoing and \$1.4 million one-time into the system, specifically for behavioral health. This is targeted to offset the Federal Medical Assistance Percentage (FMAP) that decreases federal Medicaid matching in the behavioral health system when the state is doing well. Hospitals will also receive a significant amount of this funding. This will help the counties with correctional facilities. The legislation asks the Department of Health and Human Services (DHHS) to apply for a waiver from the Centers for

Medicare and Medicaid Services (CMS) to allow individuals Medicaid eligibility 90 days prior to release from jail, which is currently excluded. Jails will contract with Medicaid providers. This is a very positive thing. Commissioner Marty Palmer asked if the prisoners will be required to meet other eligibility requirements. Nathan stated they will have to meet Medicaid eligibility requirements and will be given a fee-for-service type of Medicaid similar to Targeted Adult Medicaid (TAM).

H.B. 71 Behavioral Health Crisis Response Modifications started out requesting four additional MCOTs and two receiving centers. Nathan was hoping to apply for an additional MCOT because the Center is realistically running two teams to cover the catchment area. The bill was reduced to two MCOTs and one receiving center, then completely eliminated both. The bill transitioned to a transportation bill for nonemergency secured behavioral health transport that looks at providing another avenue than the burden being on Emergency Medical Services (EMS) and the sheriff offices to transport those who need to go to an inpatient psychiatric facility. The bill requires the DHHS to apply for a waiver from CMS who nationally does not pay for this type of transport, where other insurances do. This is a good step in rectifying the unfunded mandate placed on sheriff offices for so many years. This is another positive thing. Commissioner Ralph Brown stated the commissioners need to push harder on a receiving center in this area. Nathan stated Representative Steve Eliason initially released the bill and had a lot of support from the legislators. Executive appropriations stated there is no money available for it. Commissioner Ralph Brown stated he will talk to the governor again. He spoke to him when he was in Richfield about how it takes two officers, a car, and a day to transport someone from rural Utah. During a three day weekend, they made 10 transports. The emergency rooms are turning into receiving centers. The governor agreed that a receiving center makes sense for rural Utah. Nathan stated the Center is second in line. Over the last 10 years, mental health and substance use disorder legislation has exponentially increased from one or two bills to dozens that he ends up tracking.

S.B. 26 Behavioral Health Licensing Amendments looks at new licenses and allows those with a bachelor's degree in psychology to be able to get into the field. Currently, additional classes and a master's degree are required. The bill also increased direct supervision hours from 75 to 100 for those with a master's degree working on full independent licensure. The public health system does a really good job with supervision, and this helps the private practice providers get up to speed. The bill approved doctors of psychology prescribing rights after taking a year of classes. These are all positive things for the system.

H.B. 299 Court-Ordered Treatment Modifications started out as the sale of the Utah State Hospital. A senate sponsor could not be found so the bill was revised to change discharge notifications and rights requirements. The Center already follows these guidelines, but now they are statutorily required. The bill also looks at limits and expectations of a locked facility.

H.B. 203 Involuntary Commitment Amendments looks at the requirements of civil commitment. Utah Support Advocates for Recovery Awareness (USARA) will complete a study.

Nathan contacted Fountain Green Senator Derrin Owens regarding running legislation on carbon monoxide monitors. He is very interested in this, but it was too late when Nathan called during the legislative session. Nathan will give him a call after the session ends.

Commissioner Scott Bartholomew stated H.B. 378 First Responder Mental Health Services Amendments was discussed last night at the district fire meeting. This bill passed and requires emergency services to contract mental health services, which falls back on the counties. The Mount Pleasant Fire Department looked into it, and the provider wanted \$30,000 to provide the service. This would bankrupt any of the fire departments. The bill covers EMS, fire departments, police departments, etc. Representative Steven Lund stated there is one-time funding but no ongoing. Nathan is not familiar with this bill but will look into it. He does not want to commit to it but thinks the Center may be the logical solution for the counties. Richard stated MCOT could also be a solution. Anna LaDamus stated Sanpete County Sheriff Jared Buchanan has a contract with some of their deputies, and she has sat in on meetings. He may have more information.

VII. EXECUTIVE SESSION:

A motion was made by Commissioner Scott Bartholomew to move into Executive Session for the purpose of discussing pending or threatened litigation and/or the character, professional competence of employee(s), property, or strategy session as provided by Utah Code Annotated §52-4-205. The motion was seconded by Commissioner Ralph Brown. Votes by voice included Commissioner Scott Bartholomew yes, Commissioner Sam Steed yes, Commissioner Dennis Blackburn yes, Commissioner Ralph Brown yes, Commissioner Marty Palmer yes, and Commissioner Trevor Johnson absent. Motion carried. Roll call of those in attendance included Commissioner Scott Bartholomew, Commissioner Sam Steed, Commissioner Dennis Blackburn, Commissioner Ralph Brown, Commissioner Marty Palmer, Nathan Strait, Richard Anderson, Lynnette Robinson, Jace Ellsworth, Matt Church, and Mitch Longson.

A motion was made by Commissioner Scott Bartholomew to move out of Executive Session. The motion was seconded by Commissioner Dennis Blackburn. Votes by voice included Commissioner Scott Bartholomew yes, Commissioner Sam Steed yes, Commissioner Dennis Blackburn yes, Commissioner Ralph Brown yes, Commissioner Marty Palmer yes, and Commissioner Trevor Johnson absent. Motion carried.

VIII. EXECUTIVE SESSION ACTION:

Not needed.

IX. MEETING SCHEDULE:

Nathan stated the next Authority Board Meeting is scheduled for April 10th, which is the week before the National Conference in St. Louis, Missouri. The next date would be May 8th where the preliminary budget will be discussed. There is not anything pressing for the April meeting at this point, and the board and administration will be together at the National Conference. Jace stated there may be an approval request for a leave of absence that ends at the end of April. If the staff member would like to extend the leave request, they need to make the request at the April meeting. The attorney would need to be in attendance. The April 10th meeting will be held as

tentative and held virtually if necessary. Otherwise, the next meeting will be held Wednesday, May 8th at 4:30 p.m. at Steve's Steakhouse in Richfield.

X. OTHER:

Nothing to report.

XI. MATTERS FROM THE BOARD:

Nothing to report.

A motion was made by Commissioner Dennis Blackburn to adjourn the meeting. The motion was seconded by Commissioner Scott Bartholomew. Votes by voice included Commissioner Scott Bartholomew yes, Commissioner Sam Steed yes, Commissioner Dennis Blackburn yes, Commissioner Ralph Brown yes, Commissioner Marty Palmer yes, and Commissioner Trevor Johnson absent. Motion carried.

The meeting was adjourned at 7:30 p.m.

Julie Lynn, Accountant