



AT THE SOUTHERN NEVADA HEALTH DISTRICT

## MINUTES

### SOUTHERN NEVADA COMMUNITY HEALTH CENTER GOVERNING BOARD MEETING

March 21, 2023 – 2:30 p.m.

Meeting was conducted In-person and via WebEx Event

Southern Nevada Health District, 280 S. Decatur Boulevard, Las Vegas, NV 89107  
Red Rock Trail Rooms A and B

**MEMBERS PRESENT:** Jose L. Melendrez –Chair, Consumer Member (*via Webex*)  
Brian Knudsen – Consumer Member (*via Webex, Call-in User 2*)  
Erin Breen – Community Member, UNLV Vulnerable Road Users Project (*via Webex*)  
Donna Feliz-Barrows – Consumer Member (*In-person*)  
Gary Costa – Community Member, Golden Rainbow (*via Webex*)  
Lucille Scott – Consumer Member (*In-person*)

**ABSENT:** April Allen-Carter – Consumer Member  
Scott Black – Community Member, City of North Las Vegas  
Luz Castro – Consumer Member  
Father Rafael Pereira – Community Member, All Saints Episcopal Church

**ALSO PRESENT:**

**LEGAL COUNSEL:** Heather Anderson-Fintak, General Counsel

**EXECUTIVE DIRECTOR:** Fermin Leguen, MD, MPH, District Health Officer

**STAFF:** Tawana Bellamy, Andria Cordovez Mulet, Cassius Lockett, Cortland Lohff, Randy Smith, Donnie (DJ) Whitaker, Fernando R. Lara, David Kahananui, Cassondra Major, Justin Tully, David Kahananui, Greg Tordjman, Jonna Arqueros, Kyle Parkson, Maria Arganoza-Priess, Joe Ginty, Sean Beckham, Fidel Cortes Serna

#### II. PLEDGE OF ALLEGIANCE (Heard out of order)

III. **FIRST PUBLIC COMMENT (Heard out of order):** A period devoted to comments by the general public about those items appearing on the agenda. Comments will be limited to five (5) minutes per speaker. Please clearly state your name and address and spell your last name for the record. If any member of the Board wishes to extend the length of a presentation, this may be done by the Chair or the Board by majority vote.

Seeing no one, the Chair closed the First Public Comment portion.

#### VI. REPORT / DISCUSSION / ACTION (Heard out of order)

6. **Highlights from the February 2023 Operational Report;** direct staff accordingly or take other action as deemed necessary (*for possible action*)

Randy Smith, FQHC Operations Officer presented the following highlights from the February 2023 Operational Report:

- Served 1,088 unduplicated patients in Primary Care, Ryan White, Family Planning and Behavioral Health.

- Still waiting on a final response from HRSA regarding 2022 UDS report.
- HRSA supported COVID-19 funding for the Health Center will end May 31, 2023:
  - Testing, vaccines, outreach and education.
  - Services will continue with other funding through July 31, 2023.
- Service Area Competition (SAC) grant Notice of Funding Opportunity (NOFO) is anticipated to be released soon and due to HRSA in August 2023.
  - Focus area: Needs Assessment portion of the narrative and the Community Characteristics.
  - This is a useful tool in helping to inform some of the Strategic Planning work.
- Behavioral Health clinic build out at Decatur anticipated to commence in the summer of 2023.
  - To support the growth and the program, a Behavioral Health Manager position is planned for FY24.
- Title X Family Planning program audit is scheduled to occur in September 2023.
- Oral Health services at Fremont
  - Met with Henry Schein, a dental company, in January 2023. Expecting schematics back from them soon.
  - Had conversations with UNLV School of Dentistry to engaged them for support.
- Azara DRVS Population Health software implementation
  - Had a kickoff meeting this month.
  - Data Integrity - Intent is to overlay on top of the Electronic Health Record (EHR)
  - Care Gap Reports & Pursuit Lists
  - Reporting – UDS, FPAR and Ryan White
- Sexual Health Clinic integration with the FQHC – July 1, 2023
  - Leveraging FQHC benefits:
    - PPS Reimbursement
    - FTCA Medical Malpractice Insurance
    - NHSC Loan Repayment
    - Supplemental Grants opportunities

*Member Knudsen joined at 2:45 p.m.*

#### **I. CALL TO ORDER and ROLL CALL**

The Chair called the Southern Nevada Community Health Center (SNCHC) Governing Board Meeting to order at 2:50 p.m. Tawana Bellamy administered the roll call and confirmed a quorum. There was a delay in calling the meeting to order due to lack of quorum.

Mr. Smith continued to provide highlights from the February 2023 Operational Report.

- Governing Board Updates:
  - One candidate for a Community Board Member position has been identified.
    - One phone conversation and one in-person orientation with the FQHC Operations Officer
    - Nominating Committee (March/April) – **to be scheduled**
    - Provided the committee recommends moving forward with the candidate, bring forward to the April 2023 board meeting for a vote
- Tim Burch's resignation last month created another vacancy for a Community Board Member.
  - Recruitment for this seat is commencing
- Committee Assignments approved February 21, 2023.
- Finance Committee meeting schedule needs to be set.
- Quality, Credentialing & Risk Management Committee meeting in April – **to be scheduled**

#### **IV. ADOPTION OF THE MARCH 21, 2023 MEETING AGENDA (for possible action)**

*A motion was made by Member Feliz-Barrows, seconded by Member Breen, and carried unanimously to approve the March 21, 2023 Agenda, as presented.*

#### **V. CONSENT AGENDA:** Items for action to be considered by the Southern Nevada Community Health Center Governing Board which may be enacted by one motion. Any item may be discussed separately

per Board Member request before action. Any exceptions to the Consent Agenda must be stated prior to approval.

1. **APPROVE MINUTES – SNCHC Governing Board Meeting: February 21, 2023** (*for possible action*)
2. **Approval of Against Medical Advice Policy**; direct staff accordingly or take other action as deemed necessary (*for possible action*)
3. **Approve Credentialing and Privileging for Provider Cortland Lohff, MD, MPH**; direct staff accordingly or take other action as deemed necessary (*for possible action*)
4. **PETITION #03-23: Approval of an Interlocal Agreement between the City of Las Vegas on behalf of the Department of Health and Human Services to identify and implement best practices for improving health literacy to enhance COVID-19 vaccination and other mitigation practices among underserved populations**; direct staff accordingly or take other action as deemed necessary (*for possible action*)
5. **PETITION #04-23: Approval of an Agreement with Lambda-Cade Health Care LTD, (Jerry Cade, MD), to Provide Professional Services in the Southern Nevada Community Health Center Clinics**; direct staff accordingly or take other action as deemed necessary (*for possible action*)
6. **PETITION #05-23: Approval / Ratification of a non-exclusive Client Services Agreement between RPh on the Go USA, LLC, and the Southern Nevada Community Health Center for the purpose of referring and placing licensed pharmacists for assignments at the Southern Nevada Community Health Center Clinic**; direct staff accordingly or take other action as deemed necessary (*for possible action*)

*A motion was made by Member Feliz-Barrows, seconded by Member Scott, and carried unanimously to approve the Consent Agenda, as presented.*

## **VI. REPORT / DISCUSSION / ACTION**

### Recommendations from the March 20, 2023 Finance & Audit Committee

1. **Receive, Discuss and Approve the Recommendations from the March 20, 2023 Finance & Audit Committee meeting regarding the FY24 Annual Budget**; direct staff accordingly or take other action as deemed necessary (*for possible action*)

Donnie Whitaker, Chief Financial Officer presented the FY24 Annual Budget with the following highlights:

- FY24 Budget is effective July 1, 2023 through June 30, 2024.
- Nevada Revised Statutes (NRS) outlines the purpose of Local Government Budget and Finance Act - NRS 354.472.
- FQHC's Budget is included in the County's budget, which is due by April 1, 2023.
- Sexual Health Department will be part of FQHC Division effective July 1, 2023 (FY24) formerly from Primary & Preventive Care Division.
- Combined Revenue (General Funds and Special Revenue) – proposed FY2024 Annual Budget Revenue was \$30.1M.
- Combined Revenue (General Funds and Special Revenue) FY2023 Augmented Budget Revenue was \$24.5M.
- General Fund:
  - Total charges for services revenue were projected at \$20.3M, an increase of \$4.9M or 32.3% compared to FY2023 augmented budget of \$15.4M
  - Based on new FQHC revenue model, revenues increased by \$2.6M in anticipation of new providers and projected patient visits of over 29,000.

- Sexual Health revenue was projected at \$1.3M and Pharmacy revenue was expected to increase of \$1.0M.
- Special Revenue Fund:
  - Federal and Pass Thru (Intergovernmental) revenue was projected at \$8.4M compared to \$7.7M in FY2023.
- Combined Expenditures (General Funds and Special Revenue)
  - FY2024 is \$37.5M, an increase of 26.3% compared to \$29.7M in the augmented FY2023 budget.
  - Sexual Health department will be part of FQHC in July 2023 and projected total expenses is \$3.5M.
  - General Fund Pharmacy Medical supplies increased \$1.1M from \$10.7M to \$11.8M. Contractual also increased by \$600K.
  - Total salaries and benefits for General & Grants funds increased by \$4.8M from \$8.9M to \$13.7M in FY2024 due to additional personnel and Sexual Health reorganization.
  - Net Income/Loss for FY2023 Augmented Budget was negative \$5.25M and the projected FY2024 Annual Budget is negative \$7.4M – this includes Sexual Health.

At the request of Member Father Rafael, Ms. Whitaker provided additional detail to show revenue, expenses and combined funds net income/loss by department.

- Staffing (includes Sexual Health)
  - Out of the 21 vacant positions, 10 are additional employees requested for FY2024.
  - 123.3 active full-time employees (FTE).

*A motion was made by Member Feliz-Barrows, seconded by Member Costa, and carried unanimously to approve the FY24 Annual Budget, as presented.*

**2. Receive, Discuss and Approve the Recommendations from the March 20, 2023 Finance & Audit Committee meeting regarding the January 2023 YTD Financial Report; direct staff accordingly or take other action as deemed necessary (for possible action)**

Ms. Whitaker presented the January 2023 YTD Financial report as of January 31, 2023 and provided the following highlights:

FQHC – All Funds by Division:

- Pass-Thru Revenue – Delay in approval of Ryan White budget from the county lead to backlog of requests for reimbursement. We get to post back to the date of the award and will see some change in February or March.
- Net Position – Budget was negative \$2.8M, Actuals was negative \$1.97M.
- Charges for Services – The increase is significantly related to Pharmacy. Payer mix includes a higher percentage of commercially insured patients combined with an increase in prescription medications per encounter.

Patients by Department (number of encounters from July 1, 2022 through January 31, 2023):

- Total patients for all departments: 14,372
  - Behavioral Health: 925 patients
  - Pharmacy: 6,329 (largest number of encounters)

Revenue by Department:

- Total Revenue – Budget was \$13.6M, Actuals was \$14.5M,

There were no further questions.

*A motion was made by Member Feliz-Barrows, seconded by Member Scott, and carried unanimously approve the January 2023 YTD Financial Report, as presented.*

**3. Receive, Discuss and Approve the Recommendations from the March 20, 2023 Finance & Audit Committee meeting regarding the Federal Poverty Levels/Sliding Fee Schedule; direct staff accordingly or take other action as deemed necessary (for possible action)**

Ms. Whitaker presented the Federal Poverty Levels/Sliding Fee Schedule and provided the following highlights:

- HRSA requires the Health Center to provide a Sliding Fee Schedule for qualifying patients.
- No changes to the Sliding Fee Schedule policy this year.
- Purpose of the Sliding Fee Policy is to ensure that the Health Center provides services to all patients without regards to patient's ability to pay and no patient will be denied services due to an individual inability to pay.
- Sliding Schedule is tied to the Federal Poverty Guidelines (FPG).
  - The Federal Poverty Guidelines are published annually by Health and Human Services (HHS).
  - It was published January 19, 2023 to account for last calendar year's increase in prices as measured by the Consumer Price Index.
- 2023 rates reflect the 8% increase to the Consumer Price Index for all Urban consumers (CPI-U) from calendar year 2021 and 2022.
  - After adjusting for inflation, the following guidelines are rounded and adjusted to standardize the differences between family sizes of 1 to 8.

Ms. Whitaker commented that the information presented today is related to adjusting the poverty levels to qualify for the sliding fee not related to the actual fees. The billing fee schedule will be presented in April 2023.

- Current sliding fees:

	Sliding Fee Range	Charge
Primary Care	\$20 to \$55	Full charge for incomes 200% above FPG
Family Planning	\$0 to \$60	Full charge for incomes 250% above FPG
Sexual Health Clinic	\$20 to \$60	Full charge for incomes 250% above FPG
Ryan White	\$0 t \$55	Full charge for incomes 200% above FPG

- Ryan White Limits:
  - Equal to and below 100% - No charge to patients.
  - Over 100% up to and equal to 200% of FPG, patient pays no more than 5% of their total income.
  - Over 200% and up to and equal to 300% of FPG, patient pays no more than 7% of their total income.
  - Over 300% of FPG, patients pay no more than 10% of their total income.
- Application for Sliding Fee Requires:
  - Proof of income to determine Sliding Fee.
    - Income and employment status, patient or partner weekly income before taxes and if they are living with parents.
  - All income types identified.
  - Number of people supported by the income.

Ms. Whitaker reviewed the FPG for each poverty level from 100% to 250%. Each illustrated the poverty level, family size, income levels and what the charge is currently for each program.

Mr. Smith commented that the policy states that no patient is denied service for inability to pay. As people's income increases, what they are responsible for increases, but if they are unable to pay, we will provide care for them regardless.

Member Feliz-Barrows commented that at the Finance & Audit Committee meeting, she inquired about Primary Care and Sexual Health charge to patients was \$20 and the other programs were \$0

at the 0-100% of FPG. Member Feliz-Barrows further commented that a person could choose to feed their children for \$20 over going to see if they had an STD. Member Feliz-Barrows commented that it is more important for us to get them in the door and to have a \$0 charge at that point. If people call and ask, they will not come in the door and we will not get the chance to tell them do not worry, we will still provide the service.

Mr. Smith advised that is a good point. Mr. Smith commented that this is a conversation the board can provide input on. Mr. Smith advised we can do some market analysis to see what the nominal fee is at other health centers in Las Vegas to benchmark ourselves against them. Mr. Smith further advised we can also look at the rate of participation amongst our existing patients to find out for those who are currently charged a fee if they participated. These are good pieces of information to help guide a decision about nominal and sliding fees. Also, it is important that we are training our staff on how to interact with our clients, whether on the phone or in person so that the charge to the patient is not a barrier to individuals seeking care. We want people to come in and receive the care they need and address the fees later. The messaging is important.

Member Costa inquired about the percentage of clients that have an inability to pay and what has been the trend. Mr. Smith commented that we need to do some research on the data for that. We have some of that information available to us. We can bring that information to the board later.

Member Breen commented that there are people today that have never been in a position to ask for help. However, because of the wild prices of everything and post COVID-19, there are people that are really asking for help that never thought they needed it. Member Breen further commented that she is all for doing whatever we can to make sure people will not be turned away.

Ms. Anderson-Fintak advised the Chair that they are not voting on the fee schedule but on the change to the federal poverty levels that allows more people to qualify for our services. This allow us to adjust what the federal poverty levels are. This was voted on and recommended by the Finance & Audit committee yesterday. The fee schedule will be presented next month.

There were no further comments.

*A motion was made by Member Feliz-Barrows, seconded by Member Scott, and carried unanimously approve the Federal Poverty Levels/Sliding Fee Schedule, as presented.*

#### SNCHC Governing Board

#### 4. **Review and Approve the Submittal of the Federal Tort Claims Act (FTCA) Deeming Application;** direct staff accordingly or take other action as deemed necessary (for possible action)

Mr. Smith advised that the FTCA Deeming application was submitted to HRSA in December 2022. We received feedback that our application has some gaps that needed to be addressed. Mr. Smith commented that staff has worked hard to address gaps in the following areas:

- Claims Management
- Employee Training Program
- Risk Management Assessments/Plan
- Privileging and modification/removal of privileges

Mr. Smith commented that HRSA requires the Governing Board to approve the submission of application. Our intent is to submit the application before the April 2023 Governing Board meeting.

*A motion was made by Member Feliz-Barrows, seconded by Member Scott, and carried unanimously to approve the Submittal of the Federal Tort Claims Act (FTCA) Deeming Application, as presented.*

5. **Review and Discuss FQHC Assessments;** direct staff accordingly or take other action as deemed necessary (*for possible action*)

Sean Beckham, Facilities Services Manager presented the Physical Security Assessment with the following highlights:

- Security Assessment conducted at Decatur on September 26-27 in 2022 by Legal and Liability Risk Management Institute.
- Recommendations:
  - Add new procedures to the Security Manual to cover a wider variety of types of emergency situations.
  - Encouraged to evaluate personnel staff at Decatur – added one security personnel to have good coverage of the facility.
  - Provide De-escalation training – Choose Crisis Prevention Institute's training for security officers and other areas, including the FQHC and Immunizations.
  - Encouraged to improve Emergency Action Plan to have clear communication for different types of emergencies that may occur as Decatur.
    - Chemical Spills/ Toxic Emissions
    - Deceased Persons
    - Natural Disasters
    - Power Failure
  - Encouraged to provide emergency card to employees. On March9, 2023, The Central Safety Committee adopted that and setup the cards to be distributed over the next few months.

There were no further questions.

Kyle Parkson, Compliance Officer presented the Health Insurance Portability and Accountability Act (HIPAA) Inspection Assessment with the following highlights:

- Conducted a HIPAA audit in the clinical areas at Decatur and Fremont.
  - Looked for paperwork that could personally identify the patients, such as name, date of birth, medical records.
- HIPAA Deficiencies Identified:
  - Unlocked doors and draws in clinical spaces.
  - Protected Health Information (PHI) / Personal Identifying Information (PII) left out on desks and common employee areas
  - PHI/PII left on printer
  - Lab results
  - Unlocked Computers
- Contacted Mr. Smith and supervisors to inform them of the findings.
- Attended staff meetings to let staff know about the issues and why it is important to secure PHI/PII information.
- Reminded staff to clear their desk when they are not actively using PHI/PII.
- Annual HIPAA training refreshers to all staff.
- Working with management to create Standard Operating Procedures on how to follow regulations.

There were no further questions.

VII. **BOARD REPORTS:** The Southern Nevada District Board of Health members may identify and comment on Health District related issues. Comments made by individual Board members during this portion of the agenda will not be acted upon by the Southern Nevada District Board of Health unless that subject is on the agenda and scheduled for action. (*Information Only*)

There were no Board reports.

**VIII. EXECUTIVE DIRECTOR & STAFF REPORTS (Information Only)**

Dr. Leguen advised that the Sexual Health Clinic will transition into the Health Center on July 1, 2023. Dr. Leguen commented that we do not want to create disruption with the financial and Human Resources in the middle of the fiscal year. Dr. Leguen advised staff will present the sliding fee schedule to the board next month. Dr. Leguen advised that the board recently approved the FY24 budget for the Health Center. The ten new positions will enhance the services we deliver to the community. Dr. Leguen advised the financial operations of the Health Center is being supported by SNHD. There are things we plan to do to break even. Dr. Leguen advised that it is going to take a while, maybe a year. Dr. Leguen advised that we must emphasize the importance of the Health Center and its services in the community, make sure services are available and people in the community know about the Health Center. Dr. Leguen advised that for the Health Center to be sustainable, the most important item is volume of services to break even. The Health Center's operation is having an impact on the finances of the rest of the organization. That is why we must make sure the Health Center is efficient about what we do, how we deliver services, and how we train our staff and clinicians to be able to deliver quality service. Dr. Leguen also advised that we must make sure the revenues are there so that we can continue delivering the services to the community.

**IX. INFORMATIONAL ITEMS**

- Community Health Center (FQHC) February 2023 Operations Reports

**X. SECOND PUBLIC COMMENT:** A period devoted to comments by the general public, if any, and discussion of those comments, about matters relevant to the Board's jurisdiction will be held. Comments will be limited to five (5) minutes per speaker. If any member of the Board wishes to extend the length of a presentation, this may be done by the Chair or the Board by majority vote.

Seeing no one, the Chair closed the Second Public Comment portion.

**XIII. ADJOURNMENT**

The Chair adjourned the meeting at 3:40 p.m.

Fermin Leguen, MD, MPH  
District Health Officer/Executive Secretary/CHC Executive Director

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