

MINUTES
CMSP GOVERNING BOARD
Thursday, October 10, 2019

Governing Board Conference Room
1545 River Park Drive, Suite 435-A
Sacramento, CA 95815

MEMBERS PRESENT

Patrick Blacklock, County Administrator, Yolo County
Sanja Bugay, Health and Human Services Director, Kings County
Birgitta Corsello, County Administrator, Solano County
Richard Egan, County Administrator, Lassen County
Richard Forster, County Supervisor, Amador County
Brendan McCarthy, Assistant Secretary, California Health and Human Services Agency
Brad Wagenknecht, County Supervisor, Napa County

MEMBERS ABSENT

Elizabeth Kelly, Director, Colusa County Human Services
Tammy Moss-Chandler, Health and Human Services Director, Mendocino County
Leonard Moty, County Supervisor, Shasta County
Christine Zoppi, Health Director, Glenn County

Opening of Meetings

Request for Public Comments

There were no public comments and the Board convened in Closed Session.

Welcoming Remarks

Brad Wagenknecht, Chair, opened the Open Session meeting and introduced himself. He invited Board members and members of the public to introduce themselves. Mr. Wagenknecht invited public comment and there was no public comment.

Correspondence and Consent Calendar

Mr. Wagenknecht requested a motion on the Correspondence and Consent Calendar.

ACTION MSC: Approve the Correspondence and Consent Calendar for
October 10, 2019.

APPROVED	Votes:	Aye	6
		Nay	0

Report on Closed Session

Cathy Salenko, CMSP General Counsel, reported that the Governing Board met in Closed Session and provided direction to the Administrative Officer concerning contract terms pertaining to negotiations with specified health care providers, and took no action. The Board also discussed one potential Governing Board litigation matter and provided direction to the Administrative Officer. The Board also discussed the Administrative Officer's performance evaluation, but took no action.

Report from Legislative Representative

Paul Yoder of Shaw Yoder Antwih Schmelzer & Lange (SYASL) greeted the Governing Board. He advised the Board that Karen Lange was delayed but expected her to arrive shortly. Mr. Yoder reported that the Governor now has three days to act on about 200 remaining bills. While there is nothing of major significance to CMSP, there are various bills of interest to counties.

Fiscal Year 2018-19 ended with a little more money in the General Fund than anticipated that will carry forward into the current fiscal year. Further, the first months of the current fiscal year have brought more money than originally projected. In looking forward to FY 2020-21 the Governor has recently sought to downplay legislative and interest group expectations. However, future funding for homeless services appears to be a good possibility for counties.

Because 2020 will be the second year of a two-year legislative session, all of the bills that were introduced in 2019 and did not get out of their house of origin must be approved and out of their original house by the end of January. This, along with the introduction of the state budget in January, will make January very busy.

Looking ahead to 2020, key non-CMSP issues will likely involve new scrutiny into PG&E's strategy for power shut-offs as well as a refocus on SB 1. Recently, based on an executive order, the Newsom administration indicated that it intends to move SB 1 funds away from roads and into rail, possibly transit rail, as a means for working towards the state's climate goals.

In the area of behavioral health, it is anticipated that a former Assemblyman, Mike Gotto will be taking an initiative to the State to give counties broader responsibility and authority for dealing with mental illness, substance abuse, and homelessness issues.

Ms. Lange arrived and reported that she, Mr. Yoder and Kari Brownstein recently convened to discuss strategies for keeping CMSP on the radar with state officials. Mr. Yoder stated that he recently heard rumors about a potential revisiting of the arrangement in AB 85 for larger counties, which may have some spillover onto CMSP. Ms. Lange also reported that there were roughly three to four legislative meetings during the past legislative session regarding potential revisions to Proposition 63, but no

formal proposals came forward. It is expected that efforts to revisit Proposition 63 will commence again in 2020.

Board Member Richard Forster brought up AB 1642 (Woods) and the imposition of fiscal penalties on county mental health programs, and the added difficulties counties have in meeting local mental health mandates when programs have received financial sanctions.

Mr. Yoder reported that Medicaid Waiver conversations with the federal government have been taking place for several months but the timeline for decision-making is unclear because of different waiver application deadlines. For example, the 1915(b) waiver expires in June 2020 and the 1115 waiver ends in December 2020.

Board Member Brendan McCarthy, Assistant Secretary, California Health and Human Services Agency, stated that he anticipates that the content of the 1115 waiver will likely shift into the 1915(b) waiver and the Administration will be looking at this as a way to reshape Medi-Cal over the next 10 years. Mr. McCarthy stated that the Administration envisions major changes to Medi-Cal, including taking lessons from Whole Person Care and other efforts. Ms. Lange reported that CSAC is holding a regular Monday conference call with counties to provide a forum for discussing the Medi-Cal Waiver process.

Affordable Care Act (ACA)

Kari Brownstein, Administrative Officer, reported that a review of Texas litigation against the ACA by the US Court of Appeals for the Fifth Circuit is underway, and the court's decision could be released in the midst of the 2020 presidential election cycle. Oral arguments were given in July and a decision is expected before the end of the year.

Board Member Terms and Elections

Ms. Brownstein reported that the terms of three Governing Board members end December 31, 2019 and elections will need to be held for the open positions before the end of the year. The Board members with terms ending are:

- Leonard Moty, Supervisor, Shasta County
- Birgitta Corsello, County Administrator, Solano County
- Tammy Moss Chandler, Health and Human Services Director, Mendocino County

ACTION MSC: Governing Board direct SYASL to conduct the elections for the open County Supervisor and County Administrative Officer Governing Board positions and direct the Administrative Officer to conduct the election for the Health Director.

APPROVED	Votes:	Aye	6
		Nay	0

Report on CMSP Regional Administration of Substance Use Disorder (SUD) Services

Lee Kemper, Policy and Planning Consultant, outlined the overall structure of a potential Medi-Cal SUD Services program for CMSP counties that could be administered by the Governing Board. He then outlined the following recommended next steps for Board staff and consultants:

- Work with DHCS staff to define the key contractual requirements contained in the State's contract for the Standard Benefit program;
- Work with DHCS staff to define the financing structure, including the use of federal block grant and Medicaid matching funds, and all non-federal funds (including Realignment and other county funds), and define how costs will be allocated to participating counties;
- Work with DHCS to define the claiming structure for receipt of federal and non-federal funds;
- Develop estimates of the population to be served in each participating county;
- Develop fiscal estimates for program administration, including Governing Board administration and subcontracted third party administration; and,
- Solicit interest and feedback from CMSP counties concerning their interest in participating in a Governing Board administered Drug Medi-Cal program through a Sacramento convening of all interested county representatives.

ACTION MSC: Governing Board approve the proposed next steps (specified above).

APPROVED	Votes:	Aye	6
		Nay	0

Meaghan McCann, Assistant Health & Human Services Director, Inyo County, suggested that some counties, such as Inyo County, may need assistance with certain services, such as Perinatal, MAT and NTP, but not other services.

Proposed Services Agreements

Ms. Brownstein presented a proposed Service Agreement with Crowe LLP. Ms. Brownstein stated that the Governing Board has utilized Crowe LLP for audit services for several years and requested that the Board approve the proposed Services Agreement for the Fiscal Year 2018-2019 audit.

ACTION MSC: Governing Board approve the proposed Services Agreement with Crowe LLP.

APPROVED	Votes:	Aye	6
		Nay	0

Ms. Brownstein presented a proposed Amendment with Kemper Consulting Group. Ms. Brownstein stated that the Governing Board has utilized the firm for policy and planning services since 2012. She asked that the Governing Board approve an Amendment to extend the current Services Agreement for two years.

ACTION MSC: Governing Board approve the proposed amendment to extend the Services Agreement with Kemper Consulting Group for two years.

APPROVED	Votes:	Aye	6
		Nay	0

Wellness and Prevention Grants

Laura Moyer, Program Analyst, reported that there are 30 active Wellness and Prevention Pilot Projects with a collective award amount of \$6,681,670. The grant agreements call for project activities to conclude December 31, 2019 and final project reports to be submitted March 31, 2020.

Ms. Moyer reported that 16 projects requested a one-year no-cost extension and the Governing Board approved 12 requests at the Board's July 25, 2019 meeting. Under the revised grant agreements those 12 projects will have until December 31, 2020 to conclude project activities and final reports will be due March 31, 2021. Decisions concerning extension requests for 4 other projects were deferred to the Board's October 10, 2019 meeting to allow grantees more time to address outstanding issues.

CMSP staff consulted with the 4 projects on the issues needing resolution. Based on the work completed by the four projects, CMSP staff recommended the Board take the following actions:

- Approve no-cost extension requests for Colusa County and Siskiyou County;
- Defer the El Dorado County extension request to the Board's December 19, 2019 meeting; and,
- Decline the Mariposa County request.

Discussion among Board members ensued.

ACTION MSC: Governing Board approve the extension requests for Colusa County and Siskiyou County and defer action on the other 2 extension requests to the December 19, 2019 Board meeting.

APPROVED	Votes:	Aye	6
		Nay	0

Anthony Wright, Executive Director, Health Access California, expressed appreciation to the Board for Path to Health program and for the Board's efforts to get more providers participating, especially in the central valley. He offered Health Access' assistance with recruitment of clinics into Path to Health.

Path to Health Provider Agreements

Ms. Kellen reported that the Governing Board's General Counsel drafted proposed amendments to the CMSP Provider Agreement pertaining to Path to Health. Three separate sets of amendments would authorize and specify the terms for the provider's participation and claims submission for services provided to Path to Health Members. Ms. Kellen briefly outlined each set of amendments:

- Amendment to Provider Agreement (Phase 1 Agreements)

Proposed amendments to the Phase 1 agreements would modify the age range for Path to Health participation to account for coverage of individuals 65 years and older and, in preparation of adults 21-25 years receiving full-scope Medi-Cal coverage beginning January 2020. The proposed amendment would modify references to "ages 21-64" to instead use the term "adults." Additionally, the proposed amendment removes the reference to "up to 25,000" adults and revises the program name from "Path2Health" to "Path to Health."

- Amendment to Provider Agreement (Phase 2 Agreements)

The proposed Provider Amendment would make the same changes as described for the Phase 1 sites and make the effective date is November 1, 2019 in anticipation of the go-live target date of November 18, 2019.

- Amendment to Provider Agreement (Ampla Health and CommuniCare)

Ms. Kellen stated that two (2) clinic organizations participating in Phase 1 have had a tremendous response to Path to Health enrollments and have surpassed 50% of their approved enrollment cap: Ampla Health (Butte, Colusa, Glenn, Sutter, Tehama and Yuba Counties) and CommuniCare (Yolo County). The provider amendments for these two providers would address the changes made for the other Phase 1 sites and provide an increase to the organizations' enrollment caps.

Ms. Kellen requested the Board's approval of the proposed amendments.

ACTION MSC: Governing Board approve the three separate sets of amendments to the provider agreements pertaining to Path to Health.

APPROVED	Votes:	Aye	6
		Nay	0

Path to Health Enrollment

Ms. Kellen reported that there continues to be steady enrollment growth in the Path to Health membership and staff is working to determine the percentages of new enrollments, re-enrollments, and drops without re-enrollments. The addition of older adults 65 years and older to Path to Health was successfully implemented on September 6, 2019 and to date, thirteen (13) individuals 65+ have enrolled in Path to Health.

Path to Health Evaluation

Ms. Brownstein reported that UCLA, the Path to Health evaluation contractor has begun visiting the Path to Health provider locations and has reported that dissemination and implementation strategies vary by site which is mostly driven by staffing and local clinic leadership support; sites that are actively tracking their enrollment numbers and progress tend to perform better; and, concerns over public charge have come up at all of the sites visited to date. UCLA intends to proceed with gathering patient feedback following the site visits.

Path to Health Marketing

- JP Marketing Services Agreement Amendment

Ms. Brownstein reported that the Governing Board hired JP Marketing in the Fall of 2018 to serve as the Board's marketing vendor following a Request for Proposals process. The original agreement term is November 2018 through October 2019.

Ms. Brownstein outlined a proposed Amendment to the Services Agreement with JP Marketing that would continue the provision of marketing services through October 2020 and add marketing services for CMSP as well as new programs that may be developed throughout the year. Compensation for these services will not exceed \$211,429. Ms. Brownstein requested the Governing Board approve the proposed Amendment with JP Marketing.

ACTION MSC: Governing Board approve the proposed Amendment to the JP Marketing Services Agreement.

APPROVED	Votes:	Aye	6
		Nay	0

- Path to Health Phase 3 & 4 Media Campaign Proposal

Ms. Brownstein stated that the Governing Board approved a second phase for the Path to Health media campaign by JP Marketing at the Board's July 2019 meeting and approved a budget of \$230,150. She also stated that JP Marketing developed recommendations for Phase 3 and Phase 4 media campaigns that would run through September 2020. Ms. Brownstein introduced Josh Ders and Judy Soper from JP Marketing, who presented the proposed Phase 3 and Phase 4 media campaigns, which would have a budget of \$454,250, for the Board's consideration. Discussion among Board members ensued.

ACTION MSC: Governing Board approve the JP Marketing proposed Phase 3 and Phase 4 Media Campaign.

APPROVED	Votes:	Aye	6
		Nay	0

CMSP Program Expansions

Extended Primary Care Benefit

Ms. Brownstein stated that creation of a new Primary Care Benefit Program for CMSP eligible persons would call for creation of a new enrollment system for CMSP eligible persons, in lieu of seeking enrollment in CMSP through county welfare departments. In light of this, research and development has been initiated with Alluma, the Board's Path to Health enrollment system vendor. To date, meetings between Alluma and Governing Board representatives have focused on eligibility requirements, income and individual tax reporting. Ms. Brownstein stated that next efforts would focus on Covered California's structure for enrollment and that of selected counties that conduct indigent care program eligibility using Alluma systems.

Path to Health Benefit Coverage for Persons Ages 65+

Ms. Brownstein stated that the eligibility expansion to include persons ages 65 and older has been implemented.

Local Indigent Care Needs (LICN) Grant Program

Technical Assistance Request for Proposals

Ms. Kellen stated that the Technical Assistance RFP for the Local Indigent Care Needs Program proposes an initial three-year service term (plus up to two one-year

extensions) to carry out a wide range of TA activities to support LICN Planning Grant and Implementation Grant funded projects. Services would include a survey of LICN grantee TA needs; a Planning Toolkit; web-based training for all grantees; quarterly TA conference calls/webinars with grantees; Implementation Project grantee conferences; site visits to all grantees; one-on-one communication with grantees; ad hoc TA support; and, periodic reporting to the Governing Board. Proposals will be sought from qualified businesses, non-profit organizations and academic institutions. As referenced earlier, the Planning and Benefits Committee reviewed the proposed RFP and provided input. Discussion among Board members ensued.

ACTION MSC: Governing Board approve the proposed LICN Technical Assistance RFP.

APPROVED	Votes:	Aye	6
		Nay	0

LICN Request for Proposals

Ms. Kellen presented the LICN Program RFP and briefly described the proposed grant program, which is intended to provide funding to CMSP counties and community based organizations in CMSP counties to address locally defined indigent care needs with approaches that supplement current state programs and address gaps in existing local service delivery systems. The proposed program would provide grants to fund Planning and Implementation efforts by counties and non-profit organizations. Discussion among Board members ensued regarding the amount of funding available to grant recipients.

ACTION MSC: Governing Board approve the proposed LICN RFP with an annual recipient grant amount not to exceed \$500,000 and a total 3-year grant amount not to exceed \$1.5 million.

APPROVED	Votes:	Aye	6
		Nay	0

Specialty Care Access Pool

Lee Kemper, Policy and Planning Consultant, reported that continued research and development has been conducted to assess possible partnering strategies for expanding access to specialty care services to uninsured CMSP county residents. Notably, Mr. Kemper reported that he has been in discussions with Operation Access, an existing grantee under the CMSP Health Systems Development Grant Program, regarding expansion of specialty care services in CMSP counties beyond the 8 CMSP counties already being served. He reported that discussions have also been held with the San Diego Medical Society regarding a possible expansion of their San Diego-based specialty care efforts into Imperial County.

Mr. Kemper stated that the potential partnering with both organizations is focused on supporting the efforts of these organizations to develop and manage the delivery of pro-bono specialty care services to uninsured and under-insured persons in CMSP counties. Mr. Kemper briefly outlined frameworks for potential proposals from each organization and stated that he expects formal proposals from both organizations will be presented to the Governing Board for consideration at the Board's December 19, 2019 meeting.

CMSP Financial Reports

CMSP Balance Sheet

Ms. Brownstein presented financial statements for the following: July 31, 2019 and August 31, 2019. The CMSP Balance Sheets show:

ITEM	7/31/19	8/31/19
Total CMSP Funds	\$407,060,717	\$406,268,927
Total Assets	\$411,181,286	\$411,123,739
Total Liabilities and Equity	\$411,181,286	\$411,123,739

FY 2019-20 Program Budget Expenditures Year-to-Date

Ms. Brownstein presented a report on year-to-date actual versus budgeted Program expenditures. As of July 31, 2019 there were expenditures of \$989,965 (accrual basis). As of August 31, 2019 there were expenditures of \$ 1,810,412 (accrual basis). The approved Program Budget for FY 2019-20 is \$33,468,000.

FY 2019-20 Administrative Office Budget Expenditures Year-to-Date

Ms. Brownstein presented a report on year-to-date actual versus budgeted Administrative Office expenditures. As of July 31, 2019 there were expenditures of \$129,320 (accrual basis). As of August 31, 2019 there were expenditures of \$347,801 (accrual basis). The approved Administrative Office Budget for FY 2019-20 is \$3,458,000.

Program Administration

County Medical Services Program

Ms. Kellen discussed a handout titled Supplemental Information on CMSP Granting Efforts Update.

Advanced Medical Management (AMM)

Ms. Brownstein reported that several AMM staff have left the organization, including the Account Manager, who has since been replaced by another staff with CMSP experience.

MedImpact

Ms. Brownstein stated that MedImpact has made updates to incorporate the population of persons 65 and older into Path to Health so that pharmacy claims can process for this added population. One finding from the claims data is that pharmacy utilization under Path to Health has been less than expected.

Low Income Health Program (LIHP) Transition

Ms. Brownstein reported that there is a LIHP receivable of over \$3 million and reconciliation for that is expected to start sometime in 2020.

Public Comments

Mr. Wagenknecht asked for public comments and there were no public comments. The next Board meeting is December 19, 2019.