



## BOARD OF TRUSTEES MEETING

FRIDAY, JULY 26, 2019

9:00AM-5:00PM

Conference Center at Highland Care Pavilion

1411 East 31<sup>st</sup> Street Oakland, CA 94602

Ronna Jojola Gonsalves, Clerk of the Board

(510) 535-7515

### MEMBERS

Joe DeVries, *President*

Kinkini Banerjee, *Vice President*

Maria G. Hernandez, *Secretary*

Noha Aboelata, MD Tracy Jensen

Taft Bhuket, MD Ross Peterson

Louis Chicoine

*Chief of Staff – AHS Medical Staff:* M. Kelley Bullard, MD

*Chief of Staff - AH Medical Staff:* Joseph Marzouk, MD

*Chief of Staff - SLH Medical Staff:* Michael Ingegno, MD

## BOARD OF TRUSTEES REGULAR MEETING MINUTES

**THE MEETING WAS CALLED TO ORDER AT 9:00 AM**

**ROLL CALL WAS TAKEN AND THE FOLLOWING TRUSTEES WERE PRESENT:** Noha Aboelata, MD (Arrived 9:15 AM), Kinkini Banerjee, Taft Bhuket, MD, Louis Chicoine, Joe DeVries, Maria Hernandez, Tracy Jensen (Arrived 9:15 AM), Ross Peterson

**ABSENT:**

Trustee DeVries announced that they would adjourn to Closed Session after Agenda Item C.

### CLOSED SESSION

#### **1. Potential Litigation**

*M. D. Moye, General Counsel*

Significant Exposure to Litigation

[Government Code Section 54957.9(d)(4)]

## **2. Conference with Labor Negotiators**

[Government Code Section 54957(b)]

Labor Negotiators: Tony Redmond, Chief Human Resources Officer  
Athena Buenconsejo, Director, Labor Relations

Five (5) Matters:

- Committee on Interns and Residents (CIR) (Highland Hospital)
- CNA – San Leandro Hospital
- CNA – Alameda Hospital
- BTC and ILWU (Highland Hospital)
- UHW (South Shore/Park Bridge)

## **3. Public Employee Performance Evaluation**

[Government Code Section 54957(b)]

Title: Chief Executive Officer

*(Reconvene to Open Session)*

## **A. REPORT ON ACTION TAKEN IN CLOSED SESSION**

### **B. BOARD PRESIDENT/CEO WELCOME and CONTEXT SETTING**

*Joe DeVries, President*

*Delvecchio Finley, Chief Executive Officer*

Trustee DeVries and Mr. Finley discussed the agenda for the day.

## **C. DISCUSSIONS**

### **C1. Status of Efforts to Prevent Closures of Programs/Facilities**

- c1a. Update on Evaluation of the Performance and Capabilities of PES, OB, and NICU  
*Delvecchio Finley, Chief Executive Officer*

Mr. Finley and Dr. Smith reviewed the report beginning on page seven of the agenda packet.

- c1b. Board Discussion  
*Louis Chicoine, Trustee*

The Board discussed the importance of targeted marketing to increase the utilization of the AHS Family Birthing Center and divert patients from leaving Alameda County in light of the Mission Bay facility.

Trustee Banerjee asked if Children's Hospital had any plans regarding Mission Bay. Mr. Finley said he had met with the Physician Strategy Lead and the CEO of Children's Hospital, he said they did not have any concrete plans in place in response to the impact of Mission Bay.

Trustee Hernandez asked what the ethnic back ground of AHS OB patients were. Dr. Smith said the large majority were Latinx, the second highest majority were African American. Trustee Hernandez asked for a deliberate campaign in Spanish to clarify that AHS provides a whole family experience.

Trustee Banerjee said that branding all of the other services needed to be focused on as well.

The Board discussed working to reverse the community opinion that Alta Bates was the “nice” hospital and encourage patients to both deliver and have their post-delivery care at AHS. They also discussed how OB services were required for the level two trauma certification.

The Board discussed engaging with community OBGYNs and Pediatricians. Dr. Smith said that there were 20K patients sent outside of CHCN that AHS could try to capture.

Trustee Aboelata said that more than half of the counties Medi Cal patients were seen outside of FQHC and the County systems, meaning private doctors. AHS needed to consider private doctors who did take Medi Cal. She said that her organization ran two satellites in youth shelters and saw a tremendous number of pregnant youths, or youth who were trafficked or homeless. And they partner with AHS and have amazing birth outcomes. They were very proud of that. Trustee Aboelata said that tours of the birthing center had to be promoted. She said they needed to consider how to reflect that the baselines of their patients were challenging yet the outcomes were successful.

The Board discussed communications and outreach outlets such as word of mouth, radio and school-based health programs.

Mr. Finley discussed the NICU strategies presented on page 10 of the agenda packet.

Trustee DeVries said that the County partners needed to be at the table in the next few weeks because all these strategies were dependent on the County.

Trustee Chicoine asked who was legally responsible for providing the service and what AHS’s role was. Mr. Finley said that the Mental Health Services Act gave counties the ability to designate crisis stabilization units and psychiatric emergency units. State law didn’t have a designation for psychiatric ER. The County designated that and 5150 receiving facilities.

Trustee Aboelata asked if they were at risk for all the denials even given the parameters. Mr. Finley said the delivery model had costs within these parameters that did not allow AHS to seek robust reimbursement as demonstrated on page 13 of the agenda packet.

Trustee DeVries asked, of the \$42M, how much came from outside sources and how much from an adjustment. Mr. Finley said that would be part of the analysis the County would do.

Trustee DeVries asked for a bottom-line impact to the County. Mr. Finley said that he thought there were times when Counties got mental health act dollars and there were instances when counties had had to give money back to the State. Trustee Peterson said the Mental Health Services Act did not allow for reimbursement on involuntary services.

Trustee Chicoine discussed the ability to have a conversation with the County. Mr. Finley said there were always challenges around assumptions about why AHS was losing money. Trustee Chicoine said the BOT could not keep accepting this level of covering loss.

Trustee Hernandez said there were many organizations who benefited from AHS keeping people safely cared for, such as businesses and other entities, including the County. One thing Pay for Success has illuminated was that if you were successful at doing what you do you needed identify the benefactors of your services and have them chip in so that you could cover the costs. She asked that if the County couldn't step up and help fix this, they explore who else could.

Trustee DeVries clarified that the system was structured in a way that put AHS in this hole, it was not the County that put AHS in the hole. Some of this could be resolved with Prop 63 dollars if they were moving through the system. Some could be resolved with changed rates for PES versus crisis stabilization. They needed to immediately explain the patchwork and sit with the decision makers at the County.

Trustee DeVries left at 10:20AM.

The Board discussed the need for collaboration with the County to move quickly and the need to have the data in place and create alignment and strategies for collaboration quickly.

Break: 10:37AM

The Board adjourned to closed session at 10:45AM.

Mr. Moyer announced that the Board of Trustees were adjourning into Closed Session to discuss the agenda items per the applicable Government Codes.

Trustee Jensen recused herself from the Closed Session conversation regarding Alameda Hospital as a member of the City of Alameda Health Care District Board.

The Board returned to open session at 12:25PM.

Mr. Moyer announced there was no reportable action taken in Closed Session.

## **C2. Communications Strategies Regarding Budget**

- c2a. Review of Communications Related to Development of FY 19-20 Operating Budget  
*Delvecchio Finley, Chief Executive Officer*

Carol Barazi discussed the bargaining unit ongoing problems.

Mr. Finley discussed the memo beginning on page 20 of the agenda packet.

c2b. Board Discussion  
*Maria Hernandez, Trustee*

Trustee Hernandez discussed how staff was hearing about the budget shortfall and how to get the staff engaged. Mr. Finley said that they had a presentation planned for that later. He said there had been conversations about “leadership” not discussing the concerns. He said that “leadership” included site-based leaders.

Trustee DeVries asked if there was a guide for when it should be the executive leaders communicating versus managers. Mr. Finley said there was not a formula, but situations were evaluated, and decisions were made as needed.

Trustee Hernandez said she wanted more guidance around what they expected of the leadership team. She said the Town Hall meetings were an opportunity to find agreement on the talking points among the C-suite and the Board. She was concerned that in terms of the conversations with staff they were still seeing a gap. She suggested they use a video or pod cast to distribute communications internally. She'd still like to see staff have a chance at question and answer sessions.

Trustee Chicoine said he wanted to be intentional regarding the objective of communication. Checking in with what the meetings were about was an important piece. He wanted to determine why some people were not understanding what happened. He said sometimes leaders needed to slow down to listen to the staff while at the same time being careful about jumping to conclusions when people say they were not heard.

The Board discussed solutions such as including people in remote locations, addressing rumors via an electronic bulletin board, providing solutions for staff to be active in, communicating more frequently in good times and in challenging times, using Teach Back techniques, asking questions of participants to ensure comprehension, and seeking alignment both at the beginning of conversations/meetings, and at the end.

Mr. Finley discussed the public comment section of Board agendas. He said that the public comes and speaks and then leaves. He suggested the public hear the Board discussion then comment. He suggested public comment for non agenda items move to the end of the meeting.

Trustee Hernandez asked if they could address public comments on the website or somewhere. Mr. Finley said that restructuring the public comment period per his suggestion would provide more opportunity for real time responses and allow for the Board and the public to have a better understanding of how the comments were being handled.

The Board discussed changing the process to hold the presentation, public speaking time, then Board discussion.

Mr. Finley suggested that for retreats they plan items that have a longer-term trajectory to ensure the Board was participating in the strategic process.

Trustee Hernandez said that she wanted a master calendar for the Board Playbook that included work on the budget or other strategic topics. She requested the calendar be placed at the beginning of the binder and delineated by quarter.

Trustee DeVries said that they had been having the strategic planning retreats as possible, though 2019 had been challenging.

David Tutha spoke regarding a staff member who was losing her job that day. He said that last year they worked to find ways to save jobs but this year there was no effort made to do so.

Trustee Hernandez requested a take away. Mr. Finley recapped the discussions from the meeting. He said there were some recommendations for enhancing communications around what they were already doing, including using technology such as pod casts and video through internal channels. There were recommendations regarding recognizing the importance of question and answer and face to face meetings. He said they discussed developing consistent talking points and being intentional about communications. They discussed the frequency of the town hall meetings, slowing down, listening, and checking in. There was also a conversation on rumor mill management and using internet, responding and encouraging engagement, more frequent communication, and the Rule of Seven. They discussed direction alignment and commitment. He said there was conversation about partnering with the Board regarding structuring communication in the context of Board and Committee meetings, and revisiting where we left off on our work around strategic planning, retreats, and seeing if they could continue to have that balance between timely communications.

Board members emphasized that during times of crisis there were more communications needed to overcome rumors, anxiety, and fear and the potential need for a monthly newsletter on the public website. They suggested these communications include information about positions being eliminated and that the Trustees and Supervisors be included in the communications.

The Board agreed to hear Item C5 next.

**C3. Wrap up of Morning Sessions/ Trustee Q&A**  
*Maria Hernandez, Trustee*

**C4. Opportunities for Revenue Enhancement/Efficiency Savings**

c4a. Review of Staff Engagement in Cost-Cutting Measures  
*Delvecchio Finley, Chief Executive Officer*

Mr. Finley discussed the presentation beginning on page 26 of the agenda packet.

c4b. Board Discussion  
*Maria Hernandez, Trustee*

Trustee Jensen asked if he was concerned about the Employee Suggestion Form being successful. Mr. Finley said they did want to make sure there was infrastructure behind the suggestions and a mechanism for responses.

Trustee DeVries said the form was important to simplify and implement. He liked the Green/Yellow/Red report.

Trustee Hernandez suggested they change “what needs improvement” to “what is wrong”. She encouraged them to not force the submitter to explain the benefits or results. She also said there should be an option to submit anonymously and that there should be a non electronic way to submit a suggestion.

Trustee DeVries suggested they include language that informs that while the form can be submitted anonymously, they won’t be able to offer feedback or ask for clarification with no name.

Trustee Aboelata added that they also can’t follow up on personnel issues.

Trustee DeVries asked if August was the right time to release this given the current concerns. Trustee Hernandez said it was the right time.

Trustee Hernandez said they need to celebrate the good ideas. Mr. Finley said they felt like they could do that. He said they received a lot of feedback about not doing the employee recognitions any more. He said they do service awards, but they were trying to balance service time with accomplishments. The Board discussed finding a middle ground.

Trustee Hernandez asked if there had been any thought of an informal gathering. Mr. Finley said that they did a variety of employee appreciation events. Trustee Hernandez asked for something more focused on achievements. Mr. Finley said they will consider ways to do that, while still being mindful of cost, and come back to the Board.

**C5. Interface Between Quality and Finance**  
*Taft Bhuket MD, Trustee*

Trustee DeVries wondered how AHS was doing with paying doctors to spend more time with patients and having administrative staff do the admin work. Trustee Bhuket said he had a full clinic recently, none of the patients spoke English which doubled the time with the patient. Then he did enough charting to help staff do the tasks that needed done. But he hadn’t done the clinical charting. It took two hours after work on his own time at night.

Trustee Hernandez said that EHR does a wonderful job of quantifying patient issues but it would not improve the quality of care.

Trustee DeVries asked, regarding support staff, where they were ratio-wise compared to other systems. Mr. Finley said it varied per service. Trustee Bhuket said that he had a medical assistant assigned to him when he's in clinic, but if there is another doctor in clinic some days the medical assistant would have to manage both doctors. The Board discussed the benefits and efficiencies of having scribes, the ability for them to increase productivity of the provider and provide better experience scores.

Trustee Aboelata clarified that it was a very small percentage of the organization that was going from paper to electronic. Most were going from one EHR to another. Other than those paper folks AHS was gaining efficiency with EPIC.

The Board discussed the mobile MRI unit, the distribution of other equipment, and how it impacted services. Quality and access factored into the process. Mr. Fonseca said that as they managed the process, they revamped the MRI contract.

Mr. Fonseca discussed, as an example, the concerns brought up by some physicians a while back when AHS wanted to change suture brands. He discussed the Value Analysis Committee composition, which included Dr. Bullard. To make sure they are bringing in the right supplies at the right price. Trustee Jensen asked if a doctor wanted a different suture if they could get it. Mr. Fonseca said the short answer was yes, but they had to demonstrate a real value need. Dr. Bhuket said that he had recently been able to bring a very expensive item through the Value Analysis Committee, where robust discussions took place and the determination was made that the item could save lives and it was purchased.

Trustee Hernandez said it was important to take patients with more complex cases into consideration with EPIC. Mr. Finley said that without standard work there could be no improvement. Then they could analyze who was performing against that and analyze what the performance factors were and adjust the templates accordingly.

The Board discussed social determinate modules in EPIC. Trustee Aboelata stated that they don't track it over time, but it was a good start. Trustee Hernandez said they could also look at Alameda County's map of social determinants.

Trustee Chicoine asked how the Community Health Records fit in. Mr. Finley said it was part of it. But it was mostly collecting on a high-risk high utilizer population. The data AHS was inputting would allow for the record to capture a broader population. There was a data governance committee guiding and supporting the CHR's oversight committee on how to properly utilize that data. Trustee Bhuket said that homeless status and language were not included in the Case Mix Index.

Trustee Peterson said that length of stays were longer when they had no safe place to go. Mr. Finley said that one challenge was utilizing the space they don't have. For example, a lot of joint replacements were moving to the outpatient settings. AHS didn't have outpatient ambulatory facilities. Trustee Peterson said the plan still had to have somewhere to go, outpatient joint replacement for a homeless person doesn't make sense.



Trustee Jensen asked what the value analysis was of using the quality process for more decisions. Trustee Bhuket said they needed to be careful to not complicate the decision-making structure, but it was important to consider.

Trustee Chicoine asked for consideration of manifesting quality metrics into the dashboards.

**D. Retreat Wrap up and Evaluation**

*Joe DeVries, President*

Mr. Moyer announced that the Board of Trustees were adjourning into Closed Session to discuss the agenda items per the applicable Government Codes.

**CLOSED SESSION**

**1. Public Employee Performance Evaluation**

[Government Code Section 54957(b)]

Title: Chief Executive Officer

*(Reconvene to Open Session)*

**E. REPORT ON ACTION TAKEN IN CLOSED SESSIONS**

Trustee DeVries announced there was no reportable action taken in Closed Session.

**PUBLIC COMMENT:** None

**TRUSTEE REMARKS:** None

**ADJOURNMENT:** 5:00 PM

This is to certify that the foregoing is a true and correct copy of the minutes of the regular meeting of July 26, 2019 as approved by the Board of Trustees on September 26, 2019.

  
Ronna Jojola Gonsalves  
Clerk of the Board

APPROVED AS TO FORM:

Reviewed by: \_\_\_\_\_

  
M.D. Moyer  
General Counsel