

MINUTES OF THE
SANTA FE COUNTY
INDIGENT HOSPITAL & HEALTHCARE BOARD

August 31, 2010

This meeting of the Indigent Hospital & Healthcare Board was called to order on the above-cited date in the Legal Conference Room at the County Courthouse at approximately 9:05 a.m. by Vice Chair Virginia Vigil.

Roll was called and indicated the presence of a quorum with the following County Commissioners present:

Members Present:

Virginia Vigil, Vice Chair
Kathy Holian
Mike Anaya
Harry Montoya, Chair [9:20 arrival]

Member(s) Excused:

Liz Stefanics

Staff Present:

Penny Ellis-Green, Interim County Manager
Rachel Brown, Deputy County Attorney
Joseph Gutierrez, Community Services Director
Greg Smith, Healthcare Assistance Program Manager
Priscilla Vigil, Indigent Claims Investigator
Teresa Martinez, Finance Division Director

Others Present:

Larry Martinez, HPPC
Rebecca Frenkel, League of Women Voters
Alex Valdez, CEO CHRISTUS St. Vincent
Kathy Etre, Contractor for CHRISTUS St. Vincent
John Cassidy, La Familia
Rebecca Frenkel, League of Women Voters

APPROVAL OF AGENDA

No changes were suggested and upon motion by Commissioner Holian and second by Commissioner Anaya the agenda was unanimously approved.

APPROVAL OF MINUTES: July 27, 2010

Staff noted Kathy Erte's name was misspelled.

Upon motion by Commissioner Holian and second by Commissioner Anaya the minutes were approved as corrected.

MATTERS OF PUBLIC CONCERN – NON-ACTION ITEMS

Rebecca Frenkel from the League of Women Voters referred to a question about the history of the Indigent Fund. She stated the League has been monitoring the fund. It was intended for people who could not pay their hospital bills and was supported by self-taxation. She pointed out that 50 percent of the current bankruptcies are filed due to medical expenses. A study was done in 1995 and the League determined that the fund would run out of money eventually. Changes have occurred, such as modification of the reimbursement rate, so the money goes further.

Ms. Frenkel said she personally believed the program should remain providing services only to county residents to ensure the solvency of the fund. The application is now so much easier funds are sure to be used up earlier.

Larry Martinez stated that payments are made 20 percent higher than the Medicaid rate. Documentation is still required to apply for indigent funds but they no longer need to be notarized. He agreed the process is now less onerous.

Alex Valdez pointed out sole community provider funds can be leveraged if the hospital can make direct payments to the providers. This will allow more money into the system.

John Cassidy from La Familia noted there is no money available for operations, only for capital expenditures.

FINANCIAL REPORTS FOR FY 2010

- A. Comparison of FY 2010 to FY 2011 Claims**
- B. Sole Community Provider Hospital**
- C. Contracted Expenditures for FY 10 and FY 11**

Mr. Smith said there was nothing out of the ordinary to report for the fiscal year.

Mr. Valdez asked that the hospital be provided copies of the financial reports.

NEW BUSINESS

- A. Consideration and/or Possible Approval of new HPA Rules & Regulations**

Commissioner Vigil pointed out that one of the two options was voted down at the previous meeting and Rachel Brown said that option cannot be voted on again since no request was made for reconsideration, however, there is a new option being proposed.

Mr. Smith said six items for streamlining the process came before the Board, five of which are still included in the new options. The only question is whether to require a social security number.

Commissioner Anaya asked if the other five options (change the definition of liquid assets limitations, extend applicant eligibility period, rescind the notarization process, extend the claim submission period to 240 days from 120 days for providers, modify and condense the application form) were recommended by staff.

Mr. Smith indicated there appeared to be consensus on those. Ms. Frenkel said the

League is also in agreement with those changes. They also believe other forms of picture identification should be allowed.

Commissioner Holian asked how the amount of claims would change if social security numbers were not required. Mr. Smith said it is not known for sure but the number of claims could rise significantly. A problem could occur where providers could “stack” claims, meaning they would be required to pay providers even after the funds have run out. This would make budgeting impossible and they would find themselves paying claims for fiscal year 12 in fiscal year 13. He said it could be a “risky gamble” at this point in time.

Commissioner Holian asked if HPPC did a projection about the possible effect of the changes. Mr. Martinez said they did not come up with estimated figures. The impetus behind the changes was the fact that monies were not being spent and Commissioner Stefanics asked that the process be streamlined. HPPC has recommended expansion of eligibility to make it easier for people to get help in this economic climate. He noted immigration status is not asked for by providers. In the past, as the allocated amount is approached the provider will stop submitting applications.

Ms. Frenkel stated Resolution 2000-4 says if the indigent funds run short monies must be reverted from the EMS and Fire Department. So there is a risk there.

Finance Director Teresa Martinez said the bills could stack up and the fund get years behind. If the sole community obligation skyrockets programs such as the RECC could be at risk.

Mr. Cassidy said that at La Familia status is not asked about but anecdotally they know that about one third of their clients could be undocumented. He understood that some of the funding came from GRT, and this is paid by everyone. The hospital should not be in the business of providing primary care. “These folks have got to be served.”

Commissioner Vigil asked if there was sufficient staff to handle this, and Mr. Smith said he and two staff members do the work. Commissioner Vigil said without social security numbers it will be difficult tracking the clients. She spoke in favor of also allowing a tax ID and photo identification. Mr. Smith said he did not know how many people that would apply to, but if there is a social security number requirement people can become fearful about coming in.

Ms. Frenkel said not even the Census Department can provide numbers on how many undocumented people would be using care.

Commissioner Holian asked if it would be possible to exclude the social security number requirement for a specified period of time to gather data. Ms. Brown said the proposal can be modified. Penny Ellis-Green indicated there is a problem in having, say, a two-month period where social security numbers are not required in that two years could elapse before the billings came in. Thus the data would take a long time to assemble. Mr. Smith added the new provisions allow longer times for claims submission, so timelines would be difficult.

Commissioner Vigil reiterated the need for tracking. She said there are so many different situations involved there could be a potential for the better billers to get all of the indigent funds. Control mechanisms should be in place. Mr. Smith said if they can help even two people more than they did before that’s an impact.

Commissioner Anaya asked about the fifth provision relating to billing time. Mr. Smith said the previous time was 90 days and they have increased that by one month.

Commissioner Anaya moved to approve the second option, including the social security, but not to include the fifth provision.

Mr. Smith said that time was changed because a client currently has 90 days from the date of application and that did not change. This allows providers more time to submit. Mr. Martinez pointed out there are sometimes delays due to labs, etc. and this gives more time to gather information and do more accurate billing.

Commissioner Anaya said he would remove that proviso from his motion.

Commissioner Holian proposed a friendly amendment that tax ID numbers be accepted, and that tracking be done. She said Somos un Pueblo Unido say there are a number of people here who pay income taxes and don't have a social security number. Mr. Smith said they sometimes ask for tax records and this also establishes residency. Commissioner Holian noted that children don't have social security numbers or tax IDs. Mr. Smith said they would be covered by Medicaid, not the indigent fund.

Commissioner Anaya rejected the friendly amendment saying this was designed for the citizens of Santa Fe County.

Commissioner Montoya seconded the motion, which passed 3-1 with Commissioner Holian casting the nay vote.

Commissioner Holian said they should provide care to all the people who work, live and pay taxes in our community. She spoke for the need for more data.

B. UPDATE: Health Policy and Planning Commission

Mr. Martinez referred to a letter in the packet containing an analysis of federal health care reform. There is an immediate impact from funding reductions from the State Department of Health and DFA is estimating an additional \$200 million shortfall from previous budget projections. A 3.5 percent reduction is possible, with cuts to rural primary healthcare, maternal and child healthcare. More analysis will be forthcoming.

C. CHRISTUS St. Vincent Regional Medical Center

Alex Valdez, CSVPMC CEO, said he appreciated County support in leveraging money since they are obliged to treat everyone at the emergency room. He has heard of a large influx of people coming in from Arizona. He said the hospital needs to sit down with the County to make sure the budgets are in sync. He stated he would be attending the BCC meeting to discuss the Lovelace matter.

D. Matters from the Board

None were offered.

E. Approval of Indigent Hospital and County Healthcare Claims

There were no issues that required meeting in executive session.

Commissioner Montoya moved to approve 767 claims totaling \$734,435,60 as recommended by staff, and Commissioner Anaya seconded. The motion passed by unanimous [4-0] voice vote.

ADJOURNMENT

This meeting adjourned at approximately 10:10 a.m.

Approved by:

Virginia Vigil
Virginia Vigil, Vice Chair
Board of County Commissioners

Valerie Espinoza
VALERIE ESPINOZA
COUNTY CLERK

Respectfully submitted by:

Debbie Doyle
Debbie Doyle, Wordswork



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss INDIGENT MINUTES
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I Hereby Certify That This Instrument Was Filed for
Record On The 29TH Day Of December, 2010 at 11:32:43 AM
And Was Duly Recorded as Instrument # 1621524
Of The Records Of Santa Fe County

Deputy *Valerie Espinoza* Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM

STC CLERK RECORDED 12/29/2010