

**MINUTES OF THE**  
**SANTA FE COUNTY**  
**INDIGENT HOSPITAL & HEALTH CARE BOARD**

**September 27, 2011**

Commissioner Kathy Holian called this meeting of the Indigent Hospital & Health Care Board to order at approximately 9:20 a.m. in the County Administrative Legal Conference room.

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

**Members Present:**

Liz Stefanics, Vice Chair [late arrival]  
Robert Anaya  
Kathy Holian  
Danny Mayfield

**Member(s) Excused:**

Virginia Vigil, Chair

**Staff Present:**

Kathy Miller, County Manager  
Penny Ellis-Green, Deputy County Manager  
Rachel Brown, Deputy County Attorney  
Teresa Garcia, Finance Director  
Joseph Gutierrez, Community Services Director  
Steve Ross, County Attorney  
Greg Smith, Health Care Assistance Program Manager  
Lisa Garcia, Health Care Assistance Program  
Chris Barela, Constituent Liaison

**Others Present:**

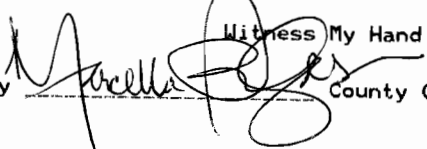
Alex Valdez, Christus St. Vincent  
Kathy Armijo Etre, Christus St. Vincent  
Judy Williams, HPPC Chair  
Rebecca Frenkel, League of Women Voters  
Kathleen Rowe, HPPC



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

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I Hereby Certify That This Instrument Was Filed for  
Record On The 25TH Day Of October, 2011 at 04:25:00  
And Was Duly Recorded as Instrument # 1649055  
Of The Records Of Santa Fe County

Deputy  )  
Witness My Hand And Seal Of Of  
Valerie Espinoza  
County Clerk, Santa Fe

**III. APPROVAL OF AGENDA**

In order to facilitate Alex Valdez' schedule, Commissioner Anaya requested that the items relating to Christus St. Vincent be moved to the top of the agenda or after the arrival of Commissioner Stefanics.

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Commissioner Anaya moved to approve the agenda as amended. His motion was seconded by Commissioner Mayfield and passed by unanimous [3-0] voice vote.

**IV. APPROVAL OF MINUTES: August 30, 2011**

Commissioner Anaya moved to approve the minutes as submitted. His motion was seconded by Commissioner Mayfield and passed by unanimous [3-0] voice vote.

**V. MATTERS OF PUBLIC CONCERN – NON-ACTION ITEMS**

None were presented.

**VI. INFORMATIONAL ITEMS**

**A. Comparison of FY 2010 to FY 2011 Claims**

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

**B. Sole Community Provider Hospitals FY-2012**

*[Exhibit 1: NM HSD SCP Fund report]*

Mr. Smith said HSD provided information regarding the FY12 state allocation. The County share of the match for FY12 will be \$2,099,283.

Mr. Smith identified that CSV will receive \$6,359,826 which includes the County's share and the federal match. The total SCP that will be provided for the County and the state match will be \$6,875,006. He explained that the number is based on what the BCC approved as the contribution to each of the three providers.

**C. Contracted Expenditures for Fiscal Years 2011 and 2012**

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

**D. Christus St. Vincent Regional Medical Center – Standing Item**

*[Exhibit 2: CSV: Charity & Indigent Care report, 9/27/11]*

Alex Valdez, CSV CEO, said last week he received notification from NM HSD that CSV was eligible for approximately \$18.8 million in supplemental sole community provider funding. In order to be able to draw down the entire \$18.8 million a match from Santa Fe County of approximately \$5.7 million would be required, with the remaining \$13.1 million being federal dollars that would come to CSV.

Mr. Valdez said he was formally requesting the Santa Fe County assist CSV by providing a match for supplemental. He said that supplemental SCP funding is a function of upper payment limit by federal law and regulation. He said the increase in supplemental funding is a result of Medicaid and uncompensated care. Given a \$27 million budget impact plus an additional \$14 million as a result of the federal referral for last quarter of FY11, the impact to

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CSV at this point from a budgetary perspective is approximately \$40 million. The total of uncompensated and undercompensated care so far this year has been in the range of \$32 million.

Mr. Valdez urged the County to consider CVS's request to help facilitate funding supplemental for this year.

Mr. Valdez said during a teleconference with HSD and several County employees, he said he asked whether the September 30<sup>th</sup> date was solid. He said it appeared HSD responded no, that there was leeway beyond that date.

Commissioner Mayfield made a motion to amend the agenda and discuss IX. A. Commissioner Anaya seconded and the motion passed by majority [3-1] voice vote with Commissioner Holian voting in the negative.

**IX. Action Items**

**A. Discussion/Action on Sole Community Provider (SCP) Supplemental Payment [*Exhibit 3: Indigent Services Fund FY2012 Outlook*]**

Vice Chair Stefanics asked County Manager Miller to comment on the feasibility of CSV's request.

Ms. Miller stated that the County separated out the different funding sources, particularly removing the RECC, fire staff, indigent and jail medical. The entire SCP match was derived from the Indigent Fund. Revenues were estimated at the beginning of the year at \$4,275,000. The SCP commitment is \$2.1 million, leaving \$2.165 million after the match. Subtracting program expenditures and payment to other providers there is an estimated \$380,078 available.

Ms. Miller noted that GRT for the first quarter 2012 was 2 percent better than budgeted. She said there was nothing near the \$5.6 million requested by CSV. She suggested the County could consider \$200,000 to \$300,000 to allocate to supplemental. If so directed, Ms. Miller said she would review the general fund for additional funds.

Teresa Garcia, Finance Director, cautioned that it is very early in the fiscal year to make a generality about the GRTs. In 2008, the County's revenues were reduced by 19 percent.

Ms. Miller said HSD was vague in regards to the deadline for the supplement. She said a specific date beyond September 30<sup>th</sup> was not offered.

Vice Chair Stefanics offered the Board a series of options regarding action on this item including hearing the item at the BCC meeting where the public can provide input.

Responding to Commissioner Anaya, Ms. Miller said last year's match included taking the entire RECC funding out of cash. Last year's total payment to SCP was \$6 million. Ms. Garcia noted that this year the SCP is being funded solely from the Indigent GRT at \$2.1 million.

Commissioner Anaya stated for the record that current fiscal year SCP incurred a \$4 million reduction from the previous fiscal year.

Commissioner Anaya asked whether supplemental would increase the SCP base. Ms. Garcia said it is up to the counties to determine what they can commit to for SCP. The supplemental would not add to the base.

Vice Chair Stefanics referred to a handout from Anna Bransford of the HSD Medical Assistance Division indicating that whatever the counties provide in a supplemental will be added to the base. She said the state provided a power point at an Association of Counties meeting that indicated a supplement was an expected component of the next year's base.

Commissioner Anaya said the Board needs more time to review and collect financial information to evaluate the request.

Mr. Valdez said the cost for uncompensated care was \$16.4 million from FY11. He said \$13.8 million is from Santa Fe County. The undercompensated care was approximately \$14.8 million. The hospital had a total of \$31.3 million for under- and uncompensated care.

The next HPPC meeting was scheduled for October 7<sup>th</sup> and Commissioner Anaya asked that CSV's request for funding be placed on the agenda.

Mr. Valdez verified that with the help of Christus Health and SupportCo, CSV acquired Physicians Medical Center.

Regarding the union strike at CSV, Commissioner Anaya said he wanted to make the following public comment:

"I want to say publicly, I had the opportunity to have discussions directly with the nurses on more than one occasion and I also had the opportunity to have several discussions with the corporate office of Christus St. Vincent. I didn't, frankly I didn't on purpose have discussions with the local office because I wanted to garner a different perspective so I had conversations with the operations director, made contact with the CEO and was never able to have direct conversations with him. But the one thing I want to say publicly is that when I asked the nurses pointblank in a very difficult and highly emotional situation – I asked the nurses, and the mayor was present and Commissioner Vigil was present, Representative Lucky Varela was present at this particular meeting. I asked the nurses pointblank, I said, what is your bottom line desire associated with this issue? And they said frankly we want to get through and have some leeway to have some say. Staffing patterns was one of the largest, most contentious issues...bottom line they didn't want to not work... That being said, when you peel away all of the emotion, the bottom line is there was an aversion of a strike that kept people working. And to me, that's great. I want to say publicly associated with those discussions that all parties, not any one party or any one effort, there was a lot of political discussions from the Board of Commissioners to try and get the parties to work together, the unions, the community, the papers, the mayor, the representative, I mean everyone. But the bottom line is that the strike was averted and people continued to work. We have may other challenges associated with sole community and I would like to see some discussion and feedback."

Commissioner Anaya said he wanted the HPPC to have a comprehensive analysis of the County's funding history with CSV to facilitate their review of the SCP supplemental and

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forward a recommendation or report to the Board.

Commissioner Holian referred to a handout from HSD, and cited that “consistent with its constitutional, statutory and fiduciary obligations, the local government entity may evaluate a private hospital’s historical experience in providing indigent care in the community.” Based on that information, Commissioner Holian recommended that the County make a formal request to HSD for claims data from Christus St. Vincent for the last 10 years to obtain a historical picture. It was her understanding that HSD receives a standard bill from Christus that she would like to review.

Commissioner Holian said the amount the County provides to CSV should equal the eligible unreimbursed care. Commissioner Stefanics asked what position the Commissioner would take in the event CSV’s claims exceeded the GRTs. Commissioner Holian said that requires additional review.

Mr. Smith verified that at this point CSV is the only hospital that has requested supplemental funding from Santa Fe County. He added that the \$5.6 million is Santa Fe County’s portion of the supplemental to fund CSV, Los Alamos and Española hospitals.

Commissioner Mayfield asked that staff contact Los Alamos and Española hospitals in relation to the supplemental funding.

Based on the information presented and to demonstrate that the Board is beyond the talking phase, Commissioner Anaya moved to, 1) approve \$250,000 for supplemental funding and 2) forward a formal letter to HSD requesting pertinent claims data. The motion failed for lack of a second and no further motions were made.

Concerned that the requested information from HSD would take too long to receive, Commissioner Mayfield suggested obtaining the information from CSV.

Ms. Miller said CSV submits claims for indigent eligible Santa Fe County residents and last year that amounted to \$13.7 million. She said the County reimburses at the Medicaid rate which is about 45 percent of the actual bill. That gap creates a financial loss to the hospital. The data that may be useful from HSD is the uncompensated care.

Mr. Valdez said the hospital could provide the information that is submitted to HSD.

Commissioner Stefanics suggested this item be placed on the October 11<sup>th</sup> BCC agenda. Commissioner Anaya said he’d prefer it as an item on a November agenda and directed staff to get a solid date from HSD on the deadline.

Mr. Smith referred to a memo from Ms. Bransford that outlines the \$5.7 million supplemental payment and states HSD’s preference that a September 30<sup>th</sup> deadline be met. He said they appear willing to work with the County and be flexible to accommodate additional time.

Commissioner Holian cautioned about shortchanging any other non-profit medical providers in the community. She asked that HPPC consider that in their discussions.

Commissioner Stefanics said the state deadline will drive the discussion.

Mr. Valdez excused himself from the remainder of the meeting.

**D. Christus St. Vincent Regional Medical Center – Standing Item (con't)**

Kathy Armijo Etre, Christus St. Vincent, said the hospital provides approximately \$6.2 million in community services. She said the \$6.2 million is derived from the hospital's budget. She outlined the community provider funding that the hospital provides in the amount of \$510,000. Ms. Etre provided an update on the top 25 Emergency Department users, including jail time, and the progress that is being made with them.

Ms. Etre said CSV was awarded the Christus Health Touchstone award for community benefit and the 2011 Corporate Leadership Award by the New Mexico Coalition Against Domestic Violence.

Commissioner Anaya said it was imperative that we continue communication and coordination with the hospital and work closely with our HPPC and other non-profit community groups as well. He said the Sobering Center was very a great benefit to the community.

**E. HPPC Update**

Judy Williams, HPPC Chair, reported that the past few months HPPC has been working with CSV and the Corrections Department to determine what activities are being done to coordinate care and reduce the high utilization of the ED. The Corrections Department is working with the hospital's Behavioral Health Working Group. She said HPPC was advised that individuals arrive at jail with acute health care needs requiring ED care.

Ms. Williams said HPPC will be focusing on school health issues and continued concern regarding the State's behavioral health care contractor.

Ms. Williams said CMS requires that all hospitals submit claims of their Medicaid and Medicare services. CMS works this data into a great resource of material including uncompensated charity care and how much local government sources contribute. She said that information would be valuable for the Commission to use and HSD has it in a database.

Commissioner Anaya asked that staff draft a letter to HSD from the Commission Chair and HPPC Chair. He said he appreciates the work of HPPC.

Commissioner Holian asked when additional members would be added to the HPPC. Mr. Smith said the positions were advertised but responses were low. Commissioner Stefanics requested that staff prepare an update on that information and mentioned the importance of diversity on the HPPC.

Commissioner Anaya said he was not suggesting promising inmate care but he did not believe inmates should receive better health care that the general public receives.

Commissioner Stefanics asked staff to begin preparing for a joint report with HPPC on jail health with a cost/benefit analysis.

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**VII. MATTERS FROM STAFF**

None were presented

**VIII. MATTERS FROM THE BOARD**

None were presented.

**IX. ACTION ITEMS**

**B. Approval of County Payment Program Certification of Local Government Entity Participation [Exhibit 4: Attachment F]**

Ms. Miller said the Association of Counties, CMS and HSD have been working on a settlement relative to the last quarter last fiscal year and first quarter of this fiscal year to determine SCP funding. A certification program has been developed that requires Board approval.

Commissioner Holian moved to approve the County Payment Program Certification of Local Government Entity Participation. Commissioner Stefanics seconded and the motion passed by unanimous [4-0] voice vote.

**IX. EXECUTIVE SESSION**

It was deemed unnecessary.

**X. ACTION ITEMS**

**A. Approval of Indigent Hospital and County Health Care Claims**

Commissioner Holian moved to approve 532 claims totaling \$520,230.34 as recommended by staff, and Commissioner Anaya seconded. The motion passed by unanimous [4-0] voice vote.

**XI. ADJOURNMENT**

This meeting adjourned at approximately 10:20 a.m.



ATTEST  
*Valerie Espinoza*  
VALERIE ESPINOZA  
COUNTY CLERK

Approved by:

*Liz Stefanics*  
Liz Stefanics, Vice Chair  
Board of County Commissioners

Respectfully submitted by: Karen Farrell

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