

**SANTA FE COUNTY
HEALTH POLICY & PLANNING COMMISSION**

Minutes- August 7, 2009

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1) The next HPPC Executive Committee Meeting is scheduled for Wednesday, August 19, 2009 from 8:30-10:00 a.m. at the Santa Fe County Health and Human Services Department, Suite B.		
2) The next scheduled regular HPPC meeting is September 4, 2009 from 8:30 a.m. at the Santa Fe County Health & Human Services Department, Suite B.		
3) Jail Health Subcommittee meeting is on September 16, 2009 from 2:30-4:00 p.m. at the Santa Fe County Health and Human Services Department, Suite B.		11
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MINUTES OF THE
SANTA FE COUNTY
HEALTH POLICY & PLANNING COMMISSION

August 7, 2009

A Regular Meeting of the Santa Fe County Health Policy and Planning Commission was called to order at 8:30 a.m. by Chairman Larry Martinez on the above-cited date at the Santa Fe County Health & Human Services Department, 2052 Galisteo Street, Suite B, Santa Fe, New Mexico.

Roll call indicated the presence of quorum for conducting official business as follows:

MEMBERS PRESENT:

Larry Martinez, Chairman
Terrie Rodriguez, Vice Chair
Arturo Gonzales, Vice Chair
Rick Adesso
Erika Campos
John Cassidy
Louis Carlos
Dr. Frantz Melio
Tanya Montoya
Elizabeth Reynolds
Beverly Russell
Lydia Zepeda Jennings

MEMBER(s) ABSENT:

Daniel Burke, excused
Valery Henderson, excused
John "Jack" White, excused
Melissa Manlove, excused

STAFF PRESENT:

Marie Garcia, Health and Human Services Division
Mary Justice, CARE Connection/Sobering Center
Steve Shepherd, Health and Human Services Division Director

OTHERS PRESENT:

Nancy Adelsheim, Women Health Services
Karen Rowell, Youth Shelters

Shelley Mann-Lev, Santa Fe Tobacco Free Coalition
Debbie Vigil, Santa Fe Tobacco Free Coalition
Julia Valdez, Constituent Services Liaison for BCC Commissioner Liz Stefanics
Jo Ann G. Valdez, Stenographer

APPROVAL OF THE AGENDA

**Commissioner Melio moved to approve the agenda, as presented.
Commissioner Cassidy seconded the motion, which passed unanimously by voice vote.**

APPROVAL OF THE MINUTES: June 5, 2009

Chairman Martinez noted that he had some minor revisions to the Minutes and would be willing to share those, if any one is interested. He asked members if there were any corrections or additions to the Minutes.

Commissioner Gonzales moved to approve the Minutes of the June 5, 2009 meeting, as amended. Commissioner Adesso seconded the motion, which passed unanimously by voice vote.

PRESENTATION:

a) Second Hand Smoke

Chairman Martinez introduced Ms. Shelley Mann-Lev and Ms. Debbie Vigil of the Santa Fe Tobacco Free Coalition. Ms. Vigil and Ms. Mann Lev presented information on second hand smoke and the proposed Smoke-Free Public Housing Policy in Santa Fe County. The Santa Fe Tobacco Free Coalition is proposing that the Housing Authority amend their policy to include smoke free requirements and they would like this Commission's support.

Ms. Vigil explained the reasons for creating smoke-free housing as follows:

- Adults are protected at workplaces and children need to be protected at home.
- Harmful health effects of secondhand smoke
- Cost of allowing smoking: fire, insurance, clean up
- Smoke doesn't stay in a housing unit
- Protects those most at risk
- It is legal to have smoke-free housing
- No state law is required
- No local ordinance is required
- Over 114 Housing Authorities have converted to Smoke-Free
- Santa Fe County would be the first in New Mexico
- HUD strongly encourages adopting smoke-free policies
- Less than 20% of New Mexico adults smoke; 70% of low income residents don't smoke and 90% of 65 and older don't smoke. Most smokers don't want smoke in their home.

Cost of Allowing Smoking:

At a minimum:

- Cigarette burn damage
- Stench in carpets, drapes, counters
- Smoke residue on walls and window coverings
- Poses fire hazard

Ms. Mann-Lev reported on the steps to Smoke-Free Housing as follows:

- Door to door tenant survey
- Tenant education-survey: Smoking rates, views on exposure on secondhand smoke, current exposure to smoke, desired policy elements, health vulnerabilities like asthma, need for cessation support.
- Decide on elements of policy
- Amend existing housing policy
- Notify tenants of the plan
- Implement and monitor the new policy

Ms. Mann-Lev said their timeline to do this is 60-90 days, from adoption of the rule change. They will discuss whether or not to have smoking areas, or to have a complete ban, the procedure for handling violations and whether or not there will be cessation resources available.

Ms. Mann-Lev reported on preparing for implementation as follows:

- Written notification to tenants
- Post new policy in common areas
- Sign lease amendment
- Publicize and offer cessation support
- Inform tenants how to address violations
- Continue education

When the 90 days are up: “It’s Smoke-Free Time”

- Put up smoke-free signs
- Continue to offer cessation support
- Provide information about how to handle violations
- Address violations in the same way as other rules are handled
- Continue education

Ms. Mann-Lev said the impact of the Smoke-Free policy would be substantial in terms of health.

Chairman Martinez asked if the County Housing Authority is required to have a public comment period before adopting changes to their policy.

In response, Mr. Shepherd said yes, and they would probably want to have meetings with the Resident Councils at the three housing sites prior to that to get input.

Ms. Vigil mentioned that they have team leaders in each neighborhood.

Chairman Martinez asked what happens to those individuals who are addicted to cigarettes and may not be able to stop. He asked if there would be an alternative area where these individuals could smoke.

In response, Ms. Vigil said they would like to have an outdoor space for this. Ms. Mann-Lev added that this would be determined in discussions with the Resident Councils.

Commissioner Carlos asked if they would be focusing on children too. Ms. Mann-Lev said yes absolutely - everyone.

Commissioner Melio said he supports the idea but he would like to see what is being proposed in terms of a policy.

Commissioner Campos encouraged them to have a way where they offer smoking cessation on site.

Commissioner Rodriguez mentioned that the Civic Housing Authority will be building some new units and possibly they could have some units that are designated for smoking.

Ms. Mann-Lev said this is something that could be considered.

Commissioner Melio moved that the HPPC endorses the concept but requests a draft policy for the Commission to review and possibly offer comments (asking that the County Housing Authority share their policy). Commissioner Gonzales seconded the motion, which passed unanimously by voice vote.

Ms. Mann-Lev and Ms. Vigil will return with the draft policy either in September or October.

HPPC EXECUTIVE COMMITTEE REPORT

a) Jail Health Subcommittee

Chairman Martinez explained that the Jail Health Subcommittee decided not to have a meeting in July or August because they were trying to conduct their meetings consistent with the Corrections Advisory Committee. However, the Santa Fe County Commission has decided to dissolve the Corrections Advisory Committee.

[Copies of the newspaper article with regards to this were distributed in the Commissioners' packets. The article states that Commissioners Liz Stefanics and Virginia Vigil feel that the duties of the committee could be taken on by the HPPC. Commissioner Vigil has suggested the HPPC as one candidate for taking over the jail inspection duties.]

The next Jail Health Subcommittee meeting is scheduled for September 16, 2009 from 2:30 p.m. to 4:00 p.m. at the Santa Fe County Health & Human Services Department Conference Room, Suite B.

b) Introduce New Commissioners (June BCC Appointees)

Louis Carlos/DWI Planning Council

Elizabeth Reynolds/CARE Connection

Chairman Martinez introduced Louis Carlos and Elizabeth Reynolds, newly appointed Commissioners. The County Commission formally appointed Mr. Carlos and Ms. Reynolds as HPPC Commissioners at their July 28th meeting. Mr. Carlos and Ms. Reynolds both provided a history of their backgrounds.

c) Approval of Additional Commissioners for August BCC

[Copies of the applications and resumes of possible candidates to fill the Commission vacancies were distributed in the Commissioners' packets.]

Chairman Martinez reviewed the HPPC Executive Committee recommendations for the vacant Commissioner positions. He noted that this is the first time that they received this many applications. He explained that there were a number of things that the Executive Committee felt was important in making recommendations to the Board of County Commissioners. One of them was some knowledge of Santa Fe and the community and they noted that there were a number of applicants who just moved here or are new to the community.

Commissioner Gonzales moved that the HPPC accept the HPPC Executive Committee recommendations for the additional commissioner positions. Commissioner Zepeda Jennings seconded the motion, which passed unanimously by voice vote.

Mr. Shepherd noted that the recommendations are on the BCC Agenda for their August 25th meeting.

d) Update of the July 22nd Special HPPC Meeting

The HPPC held a Special Meeting on July 22nd at 1:30 p.m. in the County Commission Chambers in the county building at 102 Grant Avenue. Vice Chair Gonzales chaired the Special Meeting. Chairman Martinez explained the reason for the Special Meeting noting that during a recent meeting of the Santa Fe Board of County Commissioners, concern was expressed regarding the inclusion of possible clauses in the physician contracts with CHRISTUS/St. Vincent Regional Medical Center requiring them to comply with "the doctrinal and moral traditions of the Roman Catholic Church." As a result of this expressed concern, Commissioners Liz Stefanics and Virginia Vigil asked the Health Policy and Planning Commission (HPPC) to conduct a public meeting to address and discuss this and other issues.

Chairman Martinez reported that the HPPC Executive Committee met and drafted a letter addressing these concerns. He referred to the letter to CHRISTUS/St. Vincent

Regional Medical Center from Vice-Chairpersons Gonzales and Rodriguez dated July 20, 2009. (A copy is hereby incorporated to these Minutes as Exhibit "A". The letter explains that the HPPC has been asked to formally address this letter to the CEO of CHRISTUS/St. Vincent Regional Medical Center concerning some issues that have surfaced and are lingering within the public's view of the Hospital.)

The additional issues include the following:

- Clarification as to whether or not the above referenced language in the physician contracts has in fact been removed.
- A request for information on the roles of St. Vincent Support Co (Specifically Commissioner Stefanics is interested in whether Support Co. has assisted persons and whether it has a reporting mechanism for the public.)
- Clarification on the issue raised by individuals about the possibility of being charged Physicians (MD) rates for services performed by Physician Assistants (PA's). Also, she indicated that it would be helpful to know if CHRISTUS/St. Vincent is considering replacing some of the physicians with PA's.
- Lastly, the final issue has surfaced as to whether the Board of Directors of CHRISTUS/St. Vincent Regional Medical Center and that of the St. Vincent SupportCo. would consider opening their meetings to the public.

The HPPC Executive Committee received a response from CHRISTUS/St. Vincent Regional Medical Center CEO J. Alex Valdez dated July 22, 2009. A copy is hereby incorporated to these Minutes as Exhibit "B".

The letter states that the "physician contracts" that HPPC referenced was a "draft physician contract" that had been provided to their employed physicians for their consideration and deliberation. It was not intended to be the final contract. The draft contract was a contract template provided by CHRISTUS Health throughout its 43 hospital system in 13 regions throughout the country and in Mexico. When this matter was raised with CHRISTUS Health they agreed without hesitation to deletion of the referenced language."

The second question asked for information on the role of St. Vincent SupportCo and (specifically whether SVH SupportCo. has assisted persons and whether it has a reporting mechanism for the public).

The letter states: "SVH SupportCo is a private not-for-profit organization whose corporate purpose is to promote and support, directly and/or indirectly, the interests and purposes of St. Vincent Hospital. In an attempt to educate and inform physicians and other health care providers as to the existence and purpose of SVH SupportCo, it has prepared and disseminated a brochure to physicians throughout Santa Fe County that discusses its purpose and its support of women's health services. In this brochure it discusses the method by which a physician can ask for financial support from SVH SupportCo, in furtherance of women's health services and in particular sterilization services. SVH SupportCo has already provided assistance in this regard. SVH SupportCo and CSVRMC have also instituted a process for payment and reimbursement for sterilization services (during or following a birth while the mother is at the hospital) that have been performed

at CSVRMC in order to assure that CSVRMC remain compliant with its agreements forming the relationship with CHRISTUS Health while assuring our community's access to such services. In answer to the second part of the question, SVH SupportCo does not have a formal reporting mechanism to the public but does, as exhibited through the publication of its brochure and in public forums, such as this hearing, inform the public."

The third question asks for clarification on the issue about the possibility of individuals being charged physician (MD) rates for services provided by physician assistants (PA's).

The letter states: *"Patients will be charged for services in accordance with the service that was provided. The rate is based on the service and not the provider. The third party payors then look at the provider number and will automatically reduce the rate based on who provided the service. This is standard national billing methodology. As to our patients who are self-pay and meet our charity policy, we provide discounted rates for service. As to the second part of the question and Commissioner Stefanic's interest in whether we are considering replacing some of the Physicians with PA's, we currently employ a number of mid-level providers including physician assistants and will continue to do so as we seek to enhance our services and improve the efficiency of our physicians. It is our intent to continue to improve the quality of service provided to patients in our hospital system by assuring that each patient in our hospital is treated and seen by a physician daily and supported by the services of mid-level providers"*.

The final question asks whether the Board of Directors of CSVRMC and that of SVH SupportCo would consider opening up their meetings to the public.

The letter states: *"Both CSVRMC and SVH SupportCo are private not-for-profit corporations that are not subject to the Open Meetings Act of the State of New Mexico. St. Vincent Hospital has been in service since 1865 and has never been a public entity or held open board meetings. It is important to keep meetings closed because of the strategic long range business planning and confidential nature of our deliberations. Regardless of preference, we exist in a competitive environment. Our deliberations must remain confidential. Even UNM Hospital, clearly a public entity, is able to close its meetings "where strategic and long range business plans or trade secrets are discussed". (See Open Meetings Act Compliance guide provided by the Office of the Attorney General Gary King 2007). It is also well established case law in New Mexico (See Memorial Medical Center v. Tatsch Construction, Inc., at 129 N.M. 677 (2000), that if under the totality of the circumstances a private corporation conducts itself as a public entity, it may be found to be deemed a public entity and therefore subject to a number of laws applicable to government entities. Conducting up our Board meetings as public meetings may position us as a public entity, clearly a position we are not. With this said; however, we are prepared to discuss any number of community events and forums where we participate and seek to inform, as well as, be informed as to the needs of the community. In addition, I also want to mention that our Hospital Board of Directors is comprised almost entirely of members of our Community where they live and work. They are members of our community and exercise their decision making in the best interest of our Health system that serves our community."*

Commissioner Campos said that there seems to be some confusion of the gay/lesbian/transgender community about differences with respect to treatment. She said SVRMC offers them the same partner benefits and continue to do a series of meetings at Rainbow Vision Community to share CSVRMC policies. They are also thinking of making an ongoing group from the list of participants to get feedback. There is also the “Compassion for Choices” group.

Commissioner Campos said another issue that people were confused about had to do with “*Do Not Resuscitate*” orders. She noted that CSVRMC prepared a “*Frequently Asked Questions*” sheet when the partnership was being considered. This covered a series of questions related to the concerns. She offered to e-mail it to the Commissioners.

Commissioner Gonzales suggested that a summary be done of the meeting to the Board of County Commissioners so that it is clear where the HPPC stands. The Commission can also cite the follow up that Commissioner Campos reported on.

Mr. Shepherd noted that a video of the Special HPPC Meeting is also available. This is available on the County’s website at [Santa Fe County.org](http://SantaFeCounty.org).

Ms. Garcia will check on the availability of the minutes of that meeting. The minutes will be verbatim.

Ms. Julia Valdez suggested that they have something they can put on the County’s website and that they run this through Legal Counsel.

Chairman Martinez said maybe that’s what the HPPC’s recommendation should aim for- to provide clarity with respect to the relationship between the County and CSVRMC.

Commissioner Gonzales suggested that the Commission develop a 1-page “*Frequently Asked Questions*” handout also.

Chairman Martinez recommended that the HPPC Executive Committee take these recommendations and draft a letter to the BCC. He encouraged the HPPC to establish a regular communication link between the HPPC and that the County and possibly establish a website that contains facts and has specific responses to the questions and issues.

Commissioner Cassidy said that the issue of assisted suicides and pain management was brought up frequently at the Special Meeting and SVRMC addressed this fairly clearly. He suggested that the letter address these concerns also.

Commissioner Zepeda-Jennings said there is also concern about inadequate medication.

Commissioner Campos recommended that the HPPC make a hospital update as a standing agenda item.

Commissioner Rodriguez agreed that this be referred to the Executive Committee.

A draft letter will be done at the HPPC Executive Committee meeting on August 19, 2009.

MATTERS FROM THE COMMISSION:

a. Health Para Todos Radio Program Update

Chairman Martinez reported that Alex Valdez, the CEO of SVRMC was a guest on the radio program following the July 22nd Special HPPC meeting. Commissioner John Cassidy was a guest on the radio program recently and gave a report on La Familia Medical Center. Linda Roebuck, the State Mental Health representative was a guest in June and she talked about the transition from Value Options to Optum Health.

They would also like to have a representative from Optum Health, Commissioner Carlos to talk about Crimes against Children and the New Executive Director of Women Health Services, Ms. Nancy Adelsheim, on a future broadcast.

Commissioner Gonzales noted that there is Saboxone training that will be held in Albuquerque. He reported that they will have Dr. Cameron on a future broadcast to discuss what is involved with Suboxone and where the training is.

Commissioner Gonzales mentioned that the radio show contracts are coming up. He explained that they have to pay for the airtime.

Chairman Martinez noted that the federal grant for SBIRT will end in September.

**b. Other Matters from the Commission-Subcommittee Updates
Community Benefit Funds Committee**

Commissioner Campos said there is a conversion of activities on the behavioral health front and the Community Benefit Funds Committee received many applications that they perceived might have been similar services. The group felt that some of these services should be grouped together as continuum of care that is being provided, etc. Then there is the Alcohol Abuse Task Force and Chairman Martinez serves on the Task Force. Commissioner Campos noted that she and Chairman Martinez have been working with Sam Baca who is with the local State Behavioral Health Collaborative. They are taking all the organizations that are providing behavioral health and substance abuse services and matching them with the services they offer- to survey the supply and demand in the community. Commissioner Campos said they want to see how this group could help and possibly make recommendations on who the Task Force should contact.

Chairman Martinez said that SVRMC has been looking at how they provide behavioral health services. He explained that they would like to bring some kind of order with respect to behavioral health services. He noted that they will be inviting the schools to participate, specifically the SWAT teams from the schools. He said a Resolution was passed that requires the Task Force to have recommendations by 60 days.

Commissioner Gonzales expressed concerns that SBIRT was not invited to participate on the Task Force and the fact that the HPPC heard about this after the fact. He suggested that a letter be sent to the City about the HPPC and the willingness to participate.

STAFF REPORTS

a. CARE Connection/Sobering Center

[Copies of the CARE Connection Advisory Council Progress Report were distributed.]

Ms. Justice gave an update on the Assessment Center noting that the Assessment Center has assessed 6,553 clients since opening in February 2005. A total of 8,242 vouchers have been issued since opening in 2005: 4,678 were clinical treatment vouchers and 3,564 recovery support vouchers. Ms. Justice explained that the Central Intake must complete at least 80% follow up of Access to Recovery (ATR) clients and they are now at 90% follow up. Optum Health is now contracting with central intake to administer the ATR voucher program. Ms. Justice reported that the contract for this current fiscal year was \$100,000 less than was budgeted because of some unusually high provider billings. The contract also drastically reduced the number of vouchers they can issue to 35 a month compared to 150 of which eight of those have to be for methamphetamine clients so effectively. They only have 27 vouchers for both the Santa Fe and Pojoaque offices. Ms. Justice noted that President Obama has put \$100 million into his budget for another round of ATR grants. If CARE Connection's request survives the federal budget process, they should know by December or January if New Mexico can apply for a new grant.

Ms. Justice reported that they held CIT training for law enforcement in June that was held at the Law Enforcement Academy. They covered topics like Alzheimer's and Dementia, developmental disability, active listening, depression, suicide, suicide by cop co-occurring disorders, traumatic brain injury, psychosis/meds, officer awareness and tactical considerations. The Crisis Company from Colorado provided actors for all the role plays. 12 officers from the City Police Department and 5 officers from the Sheriff's Office attended the training. Ms. Justice noted that the 36-hour training/course was accredited by the Law Enforcement Training Academy for advanced training. They are trying to link behavioral health clients with the CIT officers.

Ms. Justice reported that the CARE Connection received funding from Value Options to hire a social worker who will work with the CIT trained officers to help follow-up on the people they encounter who have behavioral health problems. This person will also work with the ACT team of PMS, Emergency Department Crisis workers and police.

B. Sobering Center Update

Ms. Justice reported that the Sobering Center has done a total of 1858 intakes since opening in November. 31% of those intakes were with repeat clients, a total of 1264 were unduplicated clients. The average length of stay is 87 hours and the average age is 38. Ms. Justice noted that they have seen a 5% increase in female clients over FY 2008. 37% of intakes occur on the weekend (Thursday evening to early Sunday morning; 68% occur during the week). She reported that 12.9% of the clients are Native Americans and 73.18% are Hispanic. Because of an increase in Sobering clients who also have a serious mental

illness, one of the new Sobering Operations Supervisors who is a licensed therapist, will be providing some training to the Sobering Center staff to address this. The use of substances changed from FY08-FY09: Alcohol as the most frequently used substance went from 64% in FY08 to 58% in FY09; heroin went from 11% to 15% and painkillers from 3% to 6%. Ms. Justice mentioned that they are looking at the idea of having a triage similar to the one in Bernalillo County.

PUBLIC COMMENT

None presented.

ANNOUNCEMENTS:

a. Next meetings:

- 1) The next HPPC Executive Committee Meeting is scheduled for Wednesday, August 19, 2009 from 8:30-10:00 a.m. at the Santa Fe County Health and Human Services Department, 2052 Galisteo Street, Suite B.
- 2) The next scheduled regular HPPC meeting is September 4, 2009 from 8:30 a.m. to 11:30 a.m. at the Santa Fe County Health & Human Services Department, 2052 Galisteo, Suite B.
- 3) The next Jail Health Subcommittee meeting is scheduled for September 16, 2009 from 2:30 p.m. to 4:00 p.m. at the Santa Fe County Health & Human Services Department, 2052 Galisteo, Suite B.

Chairman Martinez announced that there will be an Opiate Addiction Suboxone Training/Seminar that is being sponsored by UNM Project Echo on Friday, October 2nd from 8:00 a.m. to 5:00 p.m. Ms. Garcia noted that the Commissioners received an e-mail about the training.

Commissioner Campos announced that SVRMC will be doing their annual prostate screening on September 26th and their annual breast cancer screening on October 3rd.

ADJOURNMENT

Having completed the agenda and with no further business to come before the Commission, Commissioner Carlos moved to adjourn, seconded by Commissioner Campos, and passed by unanimous voice vote, the meeting adjourned at 11:30 a.m.

Approved by:

Larry Martinez, Chairman

Respectfully submitted by:

Jo Ann G. Valdez, Stenographer