



SOUTHEAST IOWA LINK (SEIL)

MENTAL HEALTH AND DISABILITY SERVICES REGION

DES MOINES, HENRY, JEFFERSON,
KEOKUK, LEE, LOUISA, VAN BUREN
& WASHINGTON COUNTIES

DATE	CONVENING TIME	LOCATION
May 8, 2019	1:30pm	Henry Co. Emergency Management 900 West Washington St. Mount Pleasant, IA 52641

Southeast Iowa Link Governing Board

Approved Minutes

Present: Rick Larkin, Jack Seward Jr., Marc Lindeen, Tom Broeker, Dee Sandquist, Michael Berg, Chris Ball, Mark Meek, Ryanne Wood, Ken Hyndman, Sarah Berndt, Sandy Stever, Tami Gilliland, Bobbie Wulf, Lee Dimmit, Joe Mitchell, Daryn Hamilton, Bob Bartles

1. Approve Agenda

There will be a change to the order of the agenda. Agenda item eighteen will go to the top of the agenda. Agenda items sixteen and seventeen will be discussed when Representative Mitchell arrives.

Motion to approve the agenda as modified

By Marc Lindeen

Second Tom Broeker

Motion passes

2. Consider Approval of April 10, 2019 minutes

The minutes were reviewed via overhead projector.

Motion to approve April 10, 2019 minutes

By Chris Ball

Second Michael Berg

Motion passes

3. Update from Advisory Board members

Advisory talked about core services and children services. There is going to be an inventory of children's services currently available. A transition plan for children's services is required by April 1st, 2020. There is a cost for a new staff person that regions are required to have for the children's system with no state funding provided, nor is there funding for the mission of the new staff at this point in time. Advisory is concerned with unfunded mandates and unfunded mandates for children. There will be potential harmful effects if the limited non-core services of jail diversion and drop-in center services are eliminated from the services the region funds.

A provider identified that for April services they invoice the region for it could take ninety days to get paid. There is a cash flow concern for providers. Needing timely payment is getting critical for providers. With a new managed care organization (MCO) claims submitted to that MCO will be slow to be paid. Advisory is asking for consideration for the governing board to retroactively approve payment for services already approved through the contracts providers have with the region. This would allow providers to be paid in thirty to forty-five days instead of ninety days. When the March governing board meeting was moved back a week that changed the claim cycle for the approved claims to be paid to two weeks later. The region management plan and contracts say SEIL has sixty days to pay claims. The provider was saying it was taking 60 days to be paid. By going to a retroactive approval of claims it would take thirty to forty-five days to be paid. The provider has up to sixty days to submit their invoices to the region for payment. The difficulty is when the



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second Tuesday of the month is really close to first of the month. The provider invoicing cycle may close after the deadline for claims to be submitted and set up for payment. It takes the region a little bit of time to get invoices set up for payment and approval by the governing board. This then causes the provider to wait a month for those invoices to be paid if they come in after the deadline for claims entry to be completed. This will be an agenda item for the governing board meeting next month.

4. Consider Approval of Claims as per Running Totals Document- April

The document was reviewed via overhead projector.

Motion to approve the claims per running totals document for April

By Marc Lindeen

Second Jack Seward Jr.

Motion passes

5. Consider Approval of Claims for Fiscal Agent Account as per Claims 5-8-2019

The document was reviewed via overhead projector.

Motion to approve claims for 5-8-2019

By Jack Seward Jr.

Second Marc Lindeen

Motion passes

6. Receive and File Fiscal Agent Report- April

The report was reviewed via overhead projector.

Motion to receive and file fiscal agent report for April

By Tom Broeker

Second Mark Meek

Motion passes

7. Presentation of Crisis Intervention Training (CIT) Report and monthly reports ongoing

The monthly report will be provided beginning with the June governing board meeting.

8. Receive and File CIT training review

The document was reviewed via overhead projector. This CIT training had law enforcement and corrections officer attend. There were fifteen attendees; ten volunteered to be there. The overall score for the training was 7.53 out of a total score of 8. Fourteen people would recommend this training to others. Strengths included role plays, officer experiences in dealing with these issues, lived experience speakers and being able to respond to calls with a few more tools. Weaknesses included redundant information, not enough officers speaking about their experience, having slide shows on everything, need to focus on street officers and training leader. There was a new addition of C3 de-escalation and this presentation did connect well with officers. Based on the feedback on the C3 session this will be modified for the next CIT.

9. Discuss and Consider Approval of FY20 Southeastern Iowa Community Health Center contract

The document was reviewed via overhead projector. The Community Health Center (CHC) is in Burlington. The contract is for the CHC to complete assessments for individuals to get into crisis stabilization residential



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services (CSRS). The rate for the assessment is the providers Medicaid rate. The CHC has not completed any assessments the region has paid for.

Motion to approve the Southeastern Iowa Community Health Center FY20 contract

By Mark Meek

Second Jack Seward Jr.

Motion passes

10. Discuss and Consider Approval of FY20 Counseling Associates contract

The document was reviewed via overhead projector. This contract is the same as the fiscal year nineteen contract. Rates are established with the providers Medicaid rate. Contract language is similar to other contracts with like services offered.

Motion to approve the Counseling Associates FY 20 contract

By Jack Seward Jr.

Second Michael Berg

Motion passes

11. Discuss and Consider Approval of FY20 Hope Haven contract

The document was reviewed via overhead projector. The services are CSRS and drop-in center services. The CSRS cost went down one-point seven percent for an annual savings of eleven thousand seven hundred and five dollars. The drop-in center costs in Lee County went up two and a half percent and the costs in Louisa County went down.

Motion to approve the Hope Haven FY 20 contract

By Michael Berg

Second Jack Seward Jr.

Motion passes

12. Discuss and Consider Approval of FY20 Optima contract

This contract needs to have updated budget detail information provided before it can be approved.

Motion to table action on this contract

By Michael Berg

Second Tom Broeker

Motion passes

13. Discuss and Consider Approval of FY20 River Hills contract

The document as reviewed via overhead projector. This contract is the same as fiscal year nineteen with the addition of prescriber time for Safenet Rx. There as a need for one prescriber appointment for Safenet Rx per month, two appointments would be a better fit to provide an appointment in the morning and one in the afternoon.

Motion to approve the River Hills FY 20 contract

By Michael Berg

Second Tom Broeker

Motion passes

14. Discuss and Consider Approval of FY20 Tenco contract

The document was reviewed via overhead projector. Tenco had a staff shortage during the fiscal year



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nineteen contract year. The daily cost for the service is going from one thousand four hundred seventy-eight dollars down to one thousand four hundred fifty-three dollars. Both the Hope Haven and Tenco crisis homes provide reports every six months to the management team.

Motion to approve the Tenco FY 20 contract

By Tom Broeker

Second Mark Meek

Motion passes

15. Discuss and Consider Approval of FY20 Van Buren Job Opportunities contract

The document was reviewed via overhead projector. There are no changes to this contract for fiscal year twenty. The rate for supported employment is the Medicaid rate. Van Buren Job Opportunities provides services to an average of six individuals a month.

Motion to approve the Van Buren Job Opportunities FY 20 contract

By Chris Ball

Second Tom Broeker

Motion passes

16. Discuss next steps related to HF690 pertaining to Children's Behavioral Health system

Representative Joe Mitchell was introduced to the governing board. The governing board and members of the audience introduced themselves also. Representative Mitchell wanted to take questions from the governing board on legislation that was passed this session. There was discussion of the two percent property tax cap. Representative Mitchell stated the two percent property tax increase cap is a soft cap designed to allow for more transparency in the process by requiring an extra hearing when the board of supervisors raises taxes above the two percent.

Issues identified included that legislators passed legislation calling them policy bills with no funding, the children's mental health system is a prime example of that. In 2018 HF 2456 was passed with no funding and is a significant cost to regions. The county mental health levy is capped, policy bills are passed, no new funding is made available and counties don't have the ability to generate revenue to pay the costs mandated by policy bills. It took a provider over a year to become accredited for a Medicaid service the managed care organizations (MCO) can fund. This process took two years to accomplish and in October of 2018 the provider had contracts signed with the MCO's and it has still taken an additional three to four months for the provider to begin to be paid for the Medicaid services they are providing. During this two-year time frame the region is fully funding a Medicaid eligible service. It took that long to get one mandated service eligible for Medicaid funding and the state has mandated six more, along with mandating a children's service system to be paid by the regions. Another local hospital provider is trying to accredit a service and they asked for an education list in November and it took until April to get that information to the provider. The Department of Human Services is not communicating so processes can be accomplished timely.

The state Legislative Services Agency has identified that HF 2456 created a deficit spending situation of over five million dollars for the mandated services passed. Then this legislative session the state passes the children's system legislation without addressing the adult service system that is deficit spending. This is



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problematic. Though the region agrees that children and their families deserve a system that works for them and on their behalf, you have to manage the systems and set priorities. You can't roll out more on a system that is already struggling.

County jails are allowed to charge room and board for inmates, but that goes unpaid. The funds from the room and board payments are to be used to provide courtroom security. Judges are saying the prisoners are indigent and don't require them to pay room and board. The county doesn't get paid for room and board, yet the county is still required to provide courtroom security. More and more judges are sentencing prisoners who should be going to a state prison to a year or less in county jails because of overcrowding in state prisons. Once again county tax payers are paying those costs.

The governing board expressed appreciation to Representative Mitchell for attending the governing board meeting and listening to the issues.

Obstacles the regions are facing are the directive to have a children's coordinator of disability services without any funding. A children's coordinator was not accounted for in the fiscal year twenty budget. The region doesn't hire staff, current employees doing region work are county employees. There is no administration to connect families to services which would help with continuity of care. A transition plan for the children's system must be submitted to the Department of Human Services (DHS) on April first of twenty-twenty. There will also be a rule making process for how the core and additional core to be defined for the children's system. The statewide work group identified children are not little adults, they need services that meet their needs.

Services already in place for children include integrated health home for children, public health does early detection testing for developmental issues, preschools and head start are doing assessments, community mental health centers provide children's services, behavioral health intervention services do skill development with children in their homes, these are programs offered through other sources. SEIL doesn't know how many serious emotional disturbance (SED) diagnosed children are in our region. SEIL is asking stakeholders identify the children's population that meet the SED category.

For the children's system the focus will be on core services only, getting families connected to existing services, the governing board will have new members and a new advisory board to the governing board that is specific to children. New governing board members represent the area education agency, a parent of a child and a children's services provider are the children's system representatives who join July first twenty-twenty. New children's services members would not be given voting rights on the governing board. SEIL will have to modify 28E.

Fee for service could identify cost for those services but crisis residential services couldn't be cost out because the level of need is unknown. There are parallel services being funded, shelter care is an example, but they don't focus on SED children. We will know more once there is definitions for the children's system core services.



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17. Discuss next steps related to HF691 pertaining to Region Excess Cash Flow Funds

House File 691 addresses cash flow funds, provides no additional dollars, regions can carry over additional fund balance up to forty percent. Counties could adjust the fiscal year twenty budget. Recommendation from the region CEO is not to modify county budgets as those have been already been certified.

An information sheet from the annual service and budget was requested to be provided to the governing board at the June meeting. This will show what the region is funding and the maximum revenue available.

18. Discuss and Consider Approval of next steps related to unfunded mandates

Lee Dimmit Jefferson County Board of Supervisor discussed the information contained in Iowa Code 25B.6 as this relates to House File 2456. When Mr. Dimmit attended the governing board meeting in April he asked for the support of the SEIL Governing Board to reach out to Larry Vest, Tama County Board of Supervisor and Carlton Salmons, attorney regarding a letter written by Mr. Salmons to Mr. Vest discussing unfunded mandates as they relate to House File 2456. Lee wanted to determine if Tama County wanted other counties to come on board if there was going to be a law suit. The brief prepared by Mr. Salmons was just an information letter for the regions having information on Iowa Code 25B.6 and unfunded mandates. Mr. Vest agreed to call Mr. Salmons and let him know he could release the information to Mr. Dimmit. Mr. Salmons stated he was opposed in his opinion to suing because that put those who brought the suit at a disadvantage. It would be better to be a defendant in a lawsuit because everything was in the defendants favor, i.e. cap on mental health levy, mandates are unfunded and with the cap being in place there is a limit on what can and cannot be implemented on any new programs or services. Mr. Salmons recommendation was if anything was going to be done would be to serve notice to the Department of Human Services that the region is not implementing any new programs due to the lack of funding. Mr. Dimmit obtained a copy of the administrative rule fiscal impact statement dated June 22, 2018 and read from that document “this fiscal impact statement does not include the cost of services already developed or planned to be developed. It only included increased utilization of service that HF 2456 requires be made available that the Department believes are undeveloped or unplanned at this point.” Further down the document Mr. Dimmit read “the department assumes the Medicaid cost of comprehensive crisis services will be offset by savings in other areas of Medicaid. 80 percent occupancy is assumed with the remainder of cost funded by the regions.” Mr. Dimmit went on to read “for FY19 revenue by source was listed as Medicaid funds \$821,470 general fund, federal funds \$1,228,617, other funds MHDS Region revenue \$4,324,822. Estimate of year 2 FY 20 the state contribution is \$821,470, federal funds 8,898,801 and \$9,999,781 from the regions.” The regions are expected to come up with an additional \$5.7 million. Total revenue estimate is \$19.7 million for FY 20. Additionally, in the report the expenditure cost for the state is \$821,000, federal funds \$8,898,801 and regions is \$9,999,781 with the total expenditures of \$24,848,439 and a deficit spending of \$5,128,387. Mr. Dimmit spoke to State Senator Ken Rozenboom who said the next legislative session they will look into funding mental health. Mr. Dimmit said to Senator Rozenboom at that time the mental health redesign was implemented the state was to contribute \$40 million dollars a year termed as equalization dollars. The state determined after two years they could no longer contribute the \$40 million due to the cost of Medicaid. The state has appropriated another \$150 million of new money towards the managed care organizations (MCO), with one MCO stating they have lost \$250 million. Mr. Dimmit read another statement “the Mental Health and Disability Services regions are expected to incur costs in the development and start-up of the new and expanded services. These costs have been



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anticipated and will primarily be paid by current county mental health property tax fund balances. The costs of the new and expanded services will be paid for eligible individuals through the state Medicaid program and the costs for non-Medicaid eligible individuals will generally be paid by the MHDS regions.”

Mr. Dimmit is leaving it to the governing board to send a letter of notice to the Department of Human Services stating due to lack of funds the region will not start funding any new services. Mr. Dimmit also recommends each member county board of supervisors be asked to support the region decision by passing a resolution in support of the letter.

The letter would need to include specific budget numbers that support the statement the region lacks the funds for new services. The budget would need to identify priorities and what choices we would have to make as far as continuing current services, which services are core, and which are core plus. Identify the maximum dollars the region can levy to fund services and at what point our region reaches maximum expenditure limits.

It is known that as it relates to crisis stabilization residential services and sub-acute services that Medicaid is nowhere near the eighty percent reimbursement to contracted providers for those services. Of the existing stand-alone services available now that will become components of the access center in the future the region has been the primary funding source of those Medicaid services. If the providers are going to provide the services in the access center array they must become Chapter 24 accredited before an MCO will contract with the provider. While the provider is going through the accreditation process those services are fully funded by the region. These new mandated services were pulled from the adult system and listed as core services for the children’s system. The region can only assume the same will occur while providers are accredited to provide children’s services.

19. New Business

The letter discussed in agenda item eighteen would be written to the Department of Human Services Director Foxhoven with a copy to the governor. There needs to be solid expenditure budget numbers to support stating the region will not start funding any new services. Right now, not all member counties are at their maximum levy capacity. The finance committee needs to identify the numbers that would be behind sending the letter.

The finance committee will also look at the adjustment for payment of the CEO stipend and paying into IPERS. The region could pay the stipend to Lee County and this would be a pass through to be able to pay into IPERS for the employee. The finance committee will have a presentation ready for the June governing board meeting.

20. Adjourn

Motion to adjourn
By Chris Ball

Second Marc Lindeen

Motion passes

Minutes submitted by Marc Lindeen, Secretary, May 23, 2019. MLsb