

BOARD OF TRUSTEES OF THE FUND FOR HOSPITAL CARE TO
INDIGENT PERSONS (BOARD)

Nevada Revised Statute (NRS) 428.195

December 12, 2018, 9:00 a.m.

Nevada Association of Counties

304 South Minnesota Street

Carson City, NV 89703

ADOPTED MINUTES

ATTENDANCE: Humboldt County Commissioner French, Nye County Commissioner Wichman, Eureka County Commissioner Sharkozy, Clark County Human Services Director Pawlak and NACO staff (Dagny Stapleton and Amanda Evans)

OTHER ATTENDANCE: Bill Welch, Nevada Hospital Association; Sarah Lamb, Buddy Milazzo and Marianne Lockyer, NV Department of Health and Human Services, DHCFP; Churchill County Human Services Director Shannon Ernst and Nye County Human Services Director Karyn Smith.

The meeting was called to order at 9:00 a.m.

1. **Public Comment.** None was given.
2. **Approval of Agenda.** The agenda was approved on a motion by Commissioner Wichman with second by Mr. Pawlak.
3. **Approval of Minutes for the March 22, 2018 Meeting of the Board.** The minutes were approved on a motion by Commissioner Wichman with second by Commissioner Sharkozy
4. **Review and Possible Approval of Claims from Hospitals for Reimbursement from the Fund for Hospital Care to Indigent Persons (Fund) for Unpaid Charges for Hospital Care for Indigent Persons Injured in a Motor Vehicle Accident (NRS 428.245).** No claims were submitted to the Board, no action was taken.
5. **Review and Possible Approval of Requests from Counties for Reimbursement from the Fund to Satisfy a Portion of the Counties' Obligation to Pay the Nonfederal Share of Expenditures for Long-Term Care Pursuant to the State Plan for Medicaid (NRS 428.206).** Dagny reminded the Board that the application process was reworked earlier in the year to make both the application and the process clearer for counties as well as to ensure that counties were eligible to apply for reimbursement from the Fund. She informed the Board that the application process was opened in October, that there is \$2M set aside for potential reimbursements and that any reimbursements are at the Board's discretion. She also noted that it is primarily rural counties that apply for reimbursement since a large portion of the Fund had been repurposed to assist the

hospitals and urban counties. Dagny reviewed each of the applications received and the summary included in the agenda packet. Mr. Pawlak noted that there was an error in the summary, specifically that Carson City is at their Indigent Tax Levy cap. Mr. Pawlak inquired as to the administrative costs and what is included in the administrative costs. Amanda clarified that it was verified with the counties that any administrative costs were only for staff salaries and do not include any indirect costs. Chair French also noted that it was the consensus of the Board during previous conversation that the purpose is not to fund positions not directly related to indigent care. Dagny also noted that the costs included in the application are to provide a guide to the Board to show how much a county spends on indigent services, in their deliberation on how much of, if any, an award for reimbursement should be. The Board had no questions regarding the application from Churchill County. The Board requested additional information regarding the audit finding listed on Humboldt County's application. Chair French inquired about Nye County's administrative costs and it was clarified that the amount was for strictly salary costs - Karyn Smith, Nye County's Human Services Manager, verified that amount is for a percentage of salaries for employees who work directly on medical indigency and/or inmate medical programs. There were no questions from the Board regarding the application from Pershing County. Dagny concluded her review by reminding the Board that there is \$2M available for reimbursement. Additional discussion from the Board included the fact that the amount the counties had paid for Medicaid Match was over \$2M, and Dagny reminded the Board that any reimbursement amounts are at the Board's discretion. Chair French noted that some of the rural counties had not previously been able to benefit from the program, until the application and process was changed earlier in the year. Commissioner Wichman noted that all applications show specific needs and Mr. Pawlak noted that a reimbursement of 84% of each application would not exceed the \$2M cap. Mr. Pawlak inquired as to if these were the only counties that had expenditures that exceeded their match amount and noted concern with diluting the funds available over time by basing reimbursements on a percentage of all those who applied. Commissioner Wichman noted concern with counties not at their indigent tax cap, but at the total property tax cap and counties with the ability to increase their indigent tax rate. Dagny informed the Board that there was a workshop with the county human services administrators to ensure that the application addressed needs and not only expenses. She also noted that all counties were informed that the application process was opened. It was noted that of the counties that submitted applications only Humboldt County can increase their indigent tax rate. Chair French noted that many counties quit applying under the old application process and the perception was that counties that were trying to be tax friendly were being penalized under the old application approval formula. Dagny noted that the Board could choose to award reimbursement based upon a percentage as well as need, and that future application cycles as well could include the determination of award on need, programing, demographics and impacts. Chair French concurred that future application discussions would require more robust conversation and need to have county representatives available to present additional information to the Board. Mr. Pawlak inquired as to the indicator included in the application regarding the General Fund balance and what kind of measure that is. Chair French noted that it is somewhat of a false indicator of a county's fiscal health because that fund includes pass through funds that are not directly

available and does not give an accurate picture of needs that a county has experienced following the end of the fiscal year. Commissioner Wichman also noted that Nye County had reduced staff to meet contingency fund levels required by law and concurred that the end fund balance is not a good indicator of fiscal health of a county. Dagny reviewed the Board's conversation regarding approval of claims and that possible changes to the application could be placed on a future agenda. The Board approved reimbursement of the five applications received at a rate of 84% of their county match, with the receipt of additional guarantees that Carson City's administrative costs were directly attributed to salaries and information on the resolution of Nye County's audit finding. The motion was made by Commissioner Wichman with a second by Mr. Pawlak.

6. **Approval of Renewal of the Interlocal Contract Between the Board, NACO, and the State for NACO's Services Including Technical Assistance, Record Keeping, Programming and Research.** Dagny provided the Board with an overview of the contract, which contained no major changes. The Board approved the contract for an additional two years on a motion from Commissioner Wichman with second by Commissioner Sharkozy.
7. **Discussion of Future Agenda Items and Future IAF Meeting Dates Including IAF Meeting Date for January 2018 to Approve the Amount of the IAF Medicaid Non-Federal Share Transfer for 2020.** Dagny informed the Board that the Department of Health and Human Services (DHHS) will produce a document summarizing the sources and uses for the IAF account, including the amount approved today for the reimbursement for the county long term care, and the Board would need to approve the transfer to DHHS for the non-federal share in January. She noted that additional changes to the Medicaid Match application could be discussed in January as well. She outlined the previous discussion of the Board, suggested the addition of a question as to how counties who received an award during the previous cycle used those funds and requested any additional changes to the application to more accurately measure a county's fiscal health be submitted to her by January 15th. The Board decided to meet on January 30th at 9:00a, upon verification from the members not in attendance that they are available.
8. **Public Comment.** Mr. Pawlak inquired as to the term of appointment and it was clarified that the appointments are for two years. It was noted that all members term's expire in June 2019 except for Mr. Pawlak whose term expires December 2018. Dagny clarified that the seat is for a county human services director and that she can bring the appointment to the NACO Board in January, Mr. Pawlak informed her that either himself or another member of Clark County Human Services Department staff would be interested in continuing to serve on the Board and he would let Dagny know whom prior to the NACO Board meeting.

The meeting was adjourned on a motion by Mr. Pawlak with second by Commissioner Wichman at 10:07 a.m.