

**SAGINAW COUNTY COMMUNITY MENTAL HEALTH AUTHORITY
REGULAR MONTHLY BOARD MEETING MINUTES
JANUARY 13, 2025, 2022 – 5:15 PM
ROOM 190**

PRESENT: Tracey Raquepaw, Mike Cierzniewski, Cym Winiecke, Lisa Coney, John Pugh, Jake Kerns, Susan McCauley, Jaime Huffman, Jill Armentrout

VIRTUAL: Joan Williams

ABSENT: Maria Vela, Robert Woods

GUESTS:

STAFF: Sandra Lindsey, Jan Histed, Ryan Mulder

I. CALL TO ORDER

Tracey Raquepaw – Chair called the meeting to order at 5:17 p.m. A quorum was established, and verification of posting was determined.

II. PUBLIC PARTICIPATION

There was no public participation.

III. SWEARING IN OF NEW BOARD MEMBERS – JAIME HUFFMAN, JACOB KERN, SUSAN MCCAULEY

Jaime Huffman, Jacob Kern and Susan McCauley were sworn in as SCCMHA Board member. All also signed the Oath of Office and returned to Ryan for filing in SCCMHA records.

IV. APPROVAL OF BOARD MINUTES

A. Board Meeting – December 9, 2024

Motion made by Lisa Coney and supported by Cym Winiecke to approve the December 9, 2024 SCCMHA Board Meeting minutes with edits. Motion carried.

V. APPROVAL OF COMMITTEE REPORTS

A. Governance Committee – No Meeting
Mike Cierzniewski, Chair / *Vacancy*, Vice Chair

B. Recipient Rights Committee – No Meeting
Deb Nagel, Chair / *Lisa Sawyer*, Vice Chair

C. Ends Committee – No Meeting
Jill Armentrout, Chair – Tracey Raquepaw, Vice Chair

D. Executive Limitations – No Meeting
Cym Winiecke, Chair – Tracey Raquepaw, Vice Chair

VI. CEO REPORT

Summary of Changes to Union Contracts:

AFSME (24 Full-time Supervisor Members),
Service Employees International Union (186 Full -time and 46 Part-time members)
Michigan Nurses Association (6 full-time Nurse members)

Commonalities between Contracts and Non-Union "Me Too" Provisions:
Ratified three year contracts that went into effect on January 1, 2025 -December 31, 2027

- 4% Compensation increase in each of the next 3 years and "Me Too" for Non-Union Staff
The total cost of increased compensation for **calendar 2025 is \$1,317, 790.65.**
The total cost anticipated for **three years for all filled positions is \$4, 339,619.75.**
- One Time Contract Ratification Payment to members of unions with amounts varying between contracts and between Full-time and Part-time status and years of service.

This does not apply to Non-union staff.

AFSME, (all Full- time members) – reduction from \$750 to \$500

MNA, (all Full time members)- \$450.00

SEIU, Full-time staff increased from \$375.00 to \$450.00 and Part-time from \$187.50 to \$225.00

Total Cost of the Signing Bonus was \$118,050.00.

Other Changes: Items with * also apply to Non-union staff members.

- Juneteenth added as paid holiday. *
- Medical Insurance Annual Opt-Out payment increase from \$75.00 to \$175.00. *
- Restructured PTO Benefit and Years of Service Requirements. *
- Current Bereavement hours transferred to Employee PTO Bank (PTO and Bereavement no longer separate benefits.). *
- Formally recognize past practice of providing 12 weeks paid maternity leave based on 60% of cost paid by our short-term disability insurance. *
- All union contracts have changes in % of PTO Payout at separation from SCCMHA with variation based upon stratified years of service with maximum hours eligible for payout determined by contract. *

Note: Jan Histed will be presenting the Employer costs for the three new union contracts and equivalent non-union compensation increase and on par terms at the January 22nd Executive Limitations meeting. Presentation documents will then be included in the February 10th Board packet.

2025 Medicaid Funding and Medicaid Policy Uncertainties

2025 Medicaid Mid-Year Rate Increase

CMHA and all PIHPs and CMHSPs are still advocating for FY 2025 Medicaid rate increases.

Centers for Medicare/Medicaid (CMS) Waiver and other Medicaid Program Authorities Approval for Next 5 Years, 2025-2030

- Serious Emotional Disorders Waiver (SEDW) – Approved with Conflict Free Assessment and Planning language included.
- Home and Community Service Waiver (HSW) – Approved with Conflict Free Assessment and Planning language included.
- IDD Children' Waiver Program (CWP) – No word yet from CMS on waiver approval.
- 1915 iSPA – No word yet from CMS on waiver approval.
- EPSDT Benefit Authority – No word yet for CMS on approval.
- Medicaid State Plan Services – No word yet from CMS on approval.

Waskul Settlement for Self Determination CLS Cost Increase Contingencies

In late December of 2024, the Federal Court indicated that it was going to approve the *Waskul* settlement reached by MDHHS and Plaintiffs.

The Board may recall concerns about the settlement requiring the CMHSPs state-wide to pay Community Living Support Services for consumers on the Habilitation Supports Waiver (HSW) in Self Determination arrangements, of \$31.00/hour. This would be an increase to what SCCMHA pays current providers of between \$8.57-12.57 more per hour. SCCMHA currently pays on average \$19.45 per hour for this service. Our increased cost estimate is \$1.245 Million for the 35 HSW Cases in SD Arrangements as documented in the concerns expressed by myself in June of 2024 when I sent in a Declaration to the federal court on behalf of SCCMHA, objecting to the Waskul Settlement. It is worth noting that at the time of our Declaration to the federal court, SCCMHA Had 614 additional consumers receiving CLS and the settlement CLS rate would not apply to these cases.

The Court did not provide its reasoning yet and has not entered its order. While the judge has approved the settlement, this issue is far from settled. Once the settlement is formally approved by the court, MDHHS must satisfy the following conditions:

1. Minimum fee schedule provisions:
 - a. For the minimum fee schedule provisions to take effect: CMS approval of any amendments to the HSW, any contract amendment to the MDHHS contract with the Community Mental Health Partnership of Southeast Michigan (CMHPSM), and any capitation rate increase for all PIHPs.

- CMHPSM must agree to the MDHHS contract amendment for the minimum fee schedule provisions to take effect.
- b. In the event the minimum fee schedule provisions do not take effect, MDHHS must amend the Medicaid Provider Manual to change the costing rules.
2. MDHHS must change the Administrative Law Judge (ALJ) rules, applying to Medicaid Fair Hearings, to expand the ALJ's authority over HSW Self-Determination CLS participants' appeals. These rule changes include:
 - a. ALJ authority to review authorized units for HSW SD CLS and HSW SD OHSS.
 - b. ALJ authority to review HSW SD CLS budget attached to a recipient's Individual Plan of Service (IPOS).
 - c. ALJ authority to order a specific budget or authorization for HSW Self-Determination cases for Community Living Supports (CLS).
 3. MDHHS must change the Medicaid Fair Hearings rules to give ALJs the authority to review a decision to terminate a Self Determination arrangement.
 4. MDHHS must also make a number of other changes to the Medicaid Provider Manual and separately provide non-binding guidance on all of the new rules.

Legislative Uncertainties on New Minimum Wage and Earned Sick Time Act Labor Law

MI Legislative labor law changes for Minimum Wage Increases and Earned Sick Time Benefit are set to go into effect at the end of February. However, the new Republican MI House Speaker has indicated changes are coming before the law goes into effect.

See provisions of the Minimum Wage and Earned Sick Time Benefit in the Information Section of the Board packet VII. I.

The MI House now led by Republicans, has a series of changes to the existing law (set to go into effect in late February), which will be introduced soon.

See article on this subject from the MI Chamber of Commerce brought to the Board meeting, hard copy.

CMHSPs of MSHN Region 5 Investigating Legal Action on Funding Against MDHHS. CMHSPs in the MSHN Region with significant deficits will have to cover unfunded Medicaid costs with GF and Local Funds after MSHN Internal Service Fund (ISF) is depleted. CMHSPs have no litigation standing for Medicaid funding, but may have standing with regard to General Fund, Local Funds and County financial exposure. Legal opinion is underway.

Motion made by Mike Cierzniewski with support from Lisa Coney to receive & file this report. Motion carried.

VII. BOARD ACTION

- A. Report from CEO Contract Committee and Recommendation for 2025 – 2026 Contract**

The new CEO Contract document was discussed, and Board members were able to ask questions of Sandra Lindsey and the CEO Contract Committee. The term of the contract is January 1, 2025 – April 1, 2026. Compensation increases percentage, will be on par with other non-union staff. The contract also includes activities and a schedule for recruitment and selection of a new CEO.

Motion made by Cym Winiecke with support from Mike Cierzniewski to approve the CEO Contract for 2025 – 2026. Motion carried.

VIII. BOARD INFORMATION

- A. CMHA Weekly Update – December 2024 links: <https://cmham.org/resources/weekly-update/>**
- B. SCCMHA CAC Minutes <https://www.sccmha.org/about/board-agendas-and-meetings.html>**
- C. Email R.Sheehan re: Update on Several Advocacy Fronts – 12/18/24**
- D. Email R.Sheehan re: Key Factors to Include in FY 25 Rate Adjustments – 12/19/24**
- E. Letter from C.Boyd re: SCCMHA Board Appointments – 12/23/24**
- F. January is Mental Wellness Month & MLD Day (20th)**
- G. SCCMHA Sponsorship of GLB Mental Health Partnership Lifting Our Voices: Discovering HOPE fundraising breakfast – 01/31/25**
- H. SCCMHA Sponsorship of CAN Council's Mardi Gras Auction – 02/27/25**
- I. New Earned Sick Time Act-Slide Deck from MI Labor and Economic Development and Overview of Act**

IX. MEDIA / PUBLICATIONS

- A. SCCMHA Provider News – December 2024**

X. OTHER ITEMS OF INTEREST

XI. ADJOURNMENT

Motion by Mike Cierzniewski supported by Cym Winiecke to adjourn this meeting at 6:23 PM p.m. Motion carried.

**Minutes prepared by:
Ryan Mulder
Executive Assistant to CEO**