

**Local Advisory Council  
Minutes  
April 16, 2019 – 3:00 p.m.  
Northeast State Community College - Blountville Campus  
Room “BASLER L226”  
2425 Highway 75, Blountville TN 37617**

Members Present: Doug Varney, Chairman; Dennis Phillips, Chairman Elect; Rep. David Hawk (by phone); Dan Pohlgeers; Dr. Linda Latimer; Dr. Jerry Miller; Gary Mayes; Dr. Karen Shelton (by phone); and Dr. Brenda White-Wright (by phone)

Tennessee Department of Health (TDH) Staff Present: Jeff Ockerman, Director, Division of Health Planning; Judi Knecht, Population Health Program Manager, Division of Health Planning

Others Present: Larry Fitzgerald, COPA Monitor; Lina Zimmerman, Cooperative Agreement Analyst from the Virginia Department of Health; Brenden Rivenbark, Senior Policy Analyst from the Virginia Department of Health; Gary Miller, COPA Compliance Officer

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CALL TO ORDER

The meeting was called to order by Chairman Varney at 3:15 p.m.

DISCUSSION ON PROPOSED MISSION STATEMENT

Chairman Varney asked all to review the proposed mission statement and comment. Dr. Brenda White Wright made a motion to approve the mission statement. Mr. Pohlgeers seconded the motion. Chairman Varney asked if the group wanted any discussion.

The group discussed how they and the public had been confused about the role of the LAC. Dr. Latimer suggested that the word “advisory” may be part of what has led to the confusion. Chairman Varney added that this first year has been a learning experience for the LAC members and the public, but that they need to stay clear that the LAC’s role is to gather public input and to report it.

Mr. Ockerman pointed out that the LAC’s Annual Report was helpful in providing recommendations to the Tennessee Department of Health (TDH) and summarizing the variety of public input. He stated that the COPA Monitor and TDH will respond to the group’s recommendations in their upcoming reports. Mr. Ockerman also explained that there are several issues that the Attorney General’s Office is looking into but which TDH cannot comment on.

Several members of the group expressed frustration at not having the authority to anything more than listen to complaints. Members discussed the nature of the complaints they’d received: consolidations, firing concerns, cleanliness, staffing issues, licensure issues, worker’s comp issues, in addition to cost and quality. Mr. Ockerman agreed that understanding which of the various sectors handles each of these issues – billing, licensure, violations, etc. - can be complicated.

Dr. Latimer restated that these issues are important, but addressing and resolving them was not what the LAC was tasked to do. That job falls within the COPA Monitor’s and others’ responsibilities. Chairman Varney reminded the group that it is the job of Ballad’s Board to make executive decisions.

Mayor Phillips stated that the public needs to be better connected to those who have the authority to answer or resolve questions. Dr. Miller added that the COPA Compliance Officer has been difficult to get a hold of.

Chairman Varney stated that he was pleased with the report the LAC put out and that now it was up to licensing and other entities. He asked the group to vote on the motion to approve the mission statement. The vote was 7 ayes and 0 nays. The motion was approved.

#### DISCUSSION ON PUBLIC INPUT PROCESS

Ms. Knecht gave a brief presentation on the Public Input Process Proposal. Dr. Miller asked about the expected timeline to complete the Process as proposed. Chairman Varney thought it would take a full fiscal year. The Chairman stated there was a need to think through how the proposed public input process could be logistically done. The group decided that a smaller workgroup could meet to think through the logistical details and then present the details to the larger group for consideration.

#### DISCUSSION ON PUBLIC COMMENT TIME

Chairman Varney asked for the LAC members to comment on whether they thought allowing public comment time at each working meeting was appropriate. The Chairman started the discussion by raising several of his concerns with allowing public comments, including the expectation that the LAC would respond to all questions, including those about non-COPA issues.

Mayor Phillips stated that under normal circumstances most boards allow up to 30 minutes for public comment, but that having some restrictions, such as limiting each comment to 3 minutes or not allowing every comment to be on the same topic, would be good.

Rep. Hawk agreed that it would be helpful to limit the number of speakers on any single topic and suggested that people could call or email TDH about their issue of interest ahead of time and each topic would be given some time. This way, the LAC could hear about new issues.

Dr. Latimer suggested that the group get a few more meetings under their belt first. Chairman Varney agreed to wait a little while.

#### THE LAC MEETING SCHEDULE

Ms. Knecht confirmed that the LAC Charter states that the LAC shall hold meetings at least four times each fiscal year. Mr. Ockerman reminded the LAC that at their Public Hearing in February the group did conduct some business, so the requirement was met for FY 2019.

Chairman Varney asked if it was the will of the group to set up the next 4 meeting now. Mr. Pohlgeers proposed the first week of the quarter on Thursday and then asked if the work group could get together once before the June meeting.

Mayor Phillips expressed his concern that the city of Kingsport feels more divided than he has experienced previously. He stated that many issues dividing Kingsport are beyond the COPA and that people need to start coming together because the alternative - of the merger not working - is much worse for everyone.

Chairman Varney added that he didn't think it was appropriate for members to attend other meetings as an LAC representative. He understood that many LAC members are leaders in the community and can do what they want as an individual but must be careful not to look like they are connected to what this

group is doing. The Chairman concluded by emphasizing the seriousness of the COPA and asked that all members protect the integrity of this workgroup!

#### MEETING ANNOUNCEMENTS

Chairman Varney announced his decision to step down from his role and leave the Local Advisory Council. He stated that he had planned to only serve in the LAC's inaugural year and that he wanted to devote his time to his family.

Mr. Ockerman announced that the Commissioner had asked the Division of Health Planning to review and possibly amend the LAC's Charter and Bylaws to make them mesh a little better.

Chairman Varney noted that all of this work is new and that he appreciates the Department's efforts to clarify where the authority lies. He stated, "I always thought it was the Commissioner who had the authority." The Chairman asked if there was any other business.

Mr. Fitzgerald updated the group on his activities over the last few months and thanked them for the six recommendations to him in the LAC report. Mr. Fitzgerald explained that he was investigating the three recommendations related to HR issues brought forth by the public. He summarized his initial findings by stating that overall, nurses received an increase in compensation based on changes to pay and benefits made subsequent to the merger. He admitted that for a few that may not be the case, but for the vast majority of nurses, compensation was increased. Mr. Fitzgerald added that he would be writing these facts up and submitting them to the group.

The group discussed how different this news was from what they'd been hearing from the public and members noted information was not well delivered from Ballard to the public. Chairman Varney explained that Ballard is trying to do many tasks at the same time. The Chairman continued by stating that pay equalization after a merger usually drops to the minimum, so it was unfortunate that Ballard hadn't gotten that positive message out.

Mr. Pohlgeers then stated that he had asked a question regarding Ballard's ability to sell assets in prior meetings. He restated that he wanted to know whether or not, under the COPA, an entity that purchases a Ballard Health asset would have to follow the COPA Terms of Certification. Mr. Pohlgeers additionally asked if the sale of shares is considered the sale of an asset under the COPA's Terms of Certification, and would the entity purchasing shares be bound by Ballard's contract.

Chairman Varney asked how that question was relevant to this particular group. He suggested it was a question for the Attorney General. Mr. Pohlgeers responded that he believed the COPA was designed to provide local control, lower costs, and improve quality.

Mr. Ockerman mentioned he would ask the Attorney General's Office to comment.

Dr. Latimer stated that Population Health improvement for the region was a major benefit of the COPA and requested that the group have a Population Health discussion relatively soon.

#### MEETING ADJOURNMENT

The meeting adjourned at 4:28 pm