

**Local Advisory Council  
Minutes  
June 6, 2018 – 3:00 p.m.  
Northeast State Community College - Blountville Campus  
Room “BASLER L106”  
2425 Highway 75, Blountville TN 37617**

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

Tennessee Department of Health (TDH) Staff Present: Dr. John Dreyzehner, State Health Commissioner; Jeff Ockerman, Director, Division of Health Planning (DHP); Judi Knecht, Population Health Program Manager, DHP

Others Present: Janet Kleinfelter, TN Deputy Attorney General; Larry Fitzgerald, COPA Monitor; Erik Bodin, Office of Licensure and Certification, Virginia Department of Health; Lina Zimmerman, Office of Licensure and Certification, Virginia Department of Health

CALL TO ORDER

The meeting began at 3:03 p.m.

Dr. Dreyzehner’s opening remarks

Commissioner John Dreyzehner, MD, MPH, opened the meeting by thanking all who have participated in the process so far and for the LAC members who have taken on this important role.

Dr. Dreyzehner reviewed LAC responsibilities to the members as detailed in the Terms of Certification:

- Advising TDH and the Commissioner of Health;
- Must meet at least four times a year ;
- Publish a Local Advisory Council Annual Report after a public hearing opportunity; and
- Provide recommendation to TDH on expenditures from Population Health Initiatives Fund.

Dr. Dreyzehner told the members they were selected because of their expertise, deep knowledge of, and commitment to this region. He stated that the state is wearing two hats – working to ensure population health improvement and providing a supervisory role.

Dr. Dreyzehner then introduced, as Chairman of the LAC, Douglas E. Varney, former Commissioner of the Tennessee Department of Mental Health and Substance Abuse Services. He expressed his gratitude for Mr. Varney’s willingness to serve as chair.

Chairman Varney’s opening remarks

Chairman Varney thanked Dr. Dreyzehner and welcomed the members to this first meeting. He summarized the LAC charge and stated the role of the LAC is to hear from the citizens and formulate a process to communicate that input to TDH.

## INTRODUCTIONS

The LAC members in attendance introduced themselves.

Stephanie Wilkinson, with the Federal Trade Commission, introduced herself and stated that she was observing the meeting by phone.

Judi Knecht introduced herself as the COPA Coordinator in TDH's Division of Health Planning.

Janet Kleinfelter introduced herself, representing Attorney General and Reporter Herbert H. Slatery, III, who assisted in the TDH decision to grant the COPA and is also charged, along with Commissioner Dreyzehner, with oversight of Ballad. She then introduced Larry Fitzgerald, the COPA Monitor and expressed thanks to the LAC members on behalf of her office.

Jeff Ockerman introduced himself and stated that this is a great opportunity to impact health in the region and that TDH is intentional about being a regulator and supervisor.

Chairman Varney explained that the state has tremendous data on population health and asked the DHP to create a Population Health data summary sheet.

Erik Bodin and Lina Zimmerman were introduced. Janet Kleinfelter told those in the room that the two states had entered into a Memorandum of Understanding and had been and are on weekly phone calls, demonstrating how seriously the states are taking coordination and communication.

Representative Hawk asked if Virginia had a similar Advisory Council. Erik Bodin explained that Virginia has the Southwest Virginia (SWVA) Health Authority and is utilizing it in a similar capacity, instead of creating a new body.

Chairman Varney stated that the SWVA Health Authority is a well-established group and he hopes the two groups have linkages.

Varney stated that a few individuals initially appointed to the LAC are no longer able to serve due to conflicts or potential conflicts identified by legal counsel, and that the LAC will need a few additional members.

## CHARTER REVIEW

Chairman Varney stated that the Charter looks straightforward and he recommended that the group adopt it. Gary Mayes made a motion to approve. Dennis Phillips seconded the motion. The LAC members declined Chairman Varney's request for discussion. There was none mentioned. The motion was approved 7-0.

Chairman Varney asked that the Division of Health Planning post the executed LAC Charter.

## GOING FORWARD

- Regarding Future meetings - schedule and locations:

Chairman Varney asked the LAC members if they were agreeable to begin with 4 meetings per year and to discuss preferred times, places, etc.

Dr. Miller asked whether the LAC members can meet in private. Ms. Kleinfelter advised that the LAC is not subject to open meeting act as it is not formed by the Legislature, but that the LAC can provide public notices of its meetings. Representative Hawk suggested that the LAC keep all meetings open to public.

Chairman Varney asked to set the next meeting date and asked what TDH staff recommended. Mr. Ockerman told the group that at the end of July Ballad is to submit a Population Health Plan to the states. Chairman Varney asked the members if the middle of September would be agreeable and allow enough time for the members to individually review the plan before getting back together. The members agreed to a mid-September next meeting date.

The group then discussed timing and venues of the future meetings. The Division of Health Planning agreed to send out a proposed schedule, starting with a mid-September date for the LAC's second meeting, and provide venue options for the group to consider.

- Regarding electing the Chair-Elect and Secretary:

Chairman Varney asked for nominations for Chair-Elect and for Secretary. Mr. Mayes nominated Mayor Phillips for Chair-Elect. Mayor Phillips indicated his willingness to serve. Representative Hawk made a motion to approve the nomination. Dr. Latimer seconded the motion. The motion was approved 7-0.

Chairman Varney asked for nominations for Secretary. Dr. White-Wright indicated her willingness to serve, . Representative Hawk moved that Dr. White-Wright be approved as Secretary. Dr. Miller seconded the motion. The motion was approved 7-0.

- Division of Health Planning's duties

Ms. Knecht stated that the Division of Health Planning would provide staff support, take meeting minutes, and schedule and organize meetings. She informed the members that she would be confirming contact information with each member individually and seeking permission to include the information on a contact information sheet that could be distributed within the group. She would also be collecting w9 forms for those who wanted to be reimbursed for mileage expenses related to attending these meetings and would be setting up a SharePoint site where the LAC calendar and reports would be housed.

Ms. Kleinfelter advised the members to use business emails instead of personal email addresses on documents submitted to TDH, because the information submitted to TDH is a public record. The

members received W9 and SharePoint forms to complete. Members were invited to email them to Ms. Knecht at their convenience.

#### PROCESSING PUBLIC INPUT

Members discussed the best way for them to be a conduit for the public's communication to the TDH. Ms. Kleinfelter suggested communicating with the COPA Monitor, who may be able to address issues more quickly than can the Commissioner.

The Division of Health Planning agreed to distribute Mr. Fitzgerald's contact information to the LAC.

Representative Hawk restated that the LAC is not going to Ballad Health with their community input, they are going to the Commissioner and the COPA Monitor.

Mr. Ockerman suggested that the LAC be set up with a separate email address for the public to use so that the members can all get email directly. Chairman Varney said he agreed that the LAC needs a vehicle to solicit input. He stated that in addition to public hearings, the LAC should consider surveys or a key informant process.

Mr. Fitzgerald added that Ballad will be administering satisfaction surveys and engagement surveys and so there will be that form of public/patient input. Chairman Varney said they may want to look at additional channels of communication. Ms. Kleinfelter listed the additional reports that will be submitted by Ballad, by the Compliance Officer, by the COPA Monitor, and by TDH, that would be made available to the LAC as long as any information contained in those reports is not considered confidential.

Dr. Miller questioned the ability for the LAC to access info from Ballad. Ms. Kleinfelter responded that any person with a complaint can contact the Ballad Compliance Office, which is charged with researching complaints and reporting them to the Ballad Audit and Compliance Committee.

Ms. Kleinfelter further explained the state's active supervision structure, outlining the roles of the Ballad Compliance Officer, the COPA Monitor,, the TDH, and the Attorney General's Office.

Chairman Varney outlined a vision for the LAC's role of keeping track of information and summary reports, but not being the primary receiver of complaints, which is the shared role of the COPA Monitor and the Ballad Compliance Officer, while still providing the opportunity for residents to reach out to the LAC.

Ms. Kleinfelter advised the LAC that its members, as well as the COPA Monitor and TDH, have to be careful not to overstep their "active supervisory" authority and insert themselves into Ballad's operational practice. Chairman Varney restated that the LAC is just one component to the supervision and asked for information on who they can contact for each request.

The Division of Health Planning agreed to provide the LAC with an information sheet on whom the LAC members can contact for each request.

Further discussion was held on the role of the LAC, with agreement reached that it is the Commissioner's role to determine whether or not Ballard is operating within bounds of the COPA, and that as the LAC members will help make that role clear to the public.

#### MISSION AND VISION DISCUSSION

Chairman Varney then referred the LAC members to a list of questions regarding the LAC's mission and vision for discussions.

Mr. Mayes suggested that the LAC should collect public input in coherent way, looking for themes and identifying issues.

Chairman Varney agreed that the LAC will need to understand its place in the active supervision structure.

The Division of Health Planning will set up an LAC email inbox for Chairman Varney and the Division of Health Planning to monitor, review, and/or distribute to the LAC members.

Ms. Kleinfelter advised that once Ballard submits its Plans to TDH, the states can meet with the LAC and the Monitor and begin collecting info, gathering data, and assessing it. Ms. Kleinfelter also suggested the LAC could be a resource for the COPA Monitor, providing him additional information and perspective that will help inform his work.

Chairman Varney then led a discussion on values that are important to the LAC and its work, with suggestions including experience, communication skills, knowledge, caring, representing the public interest, transparency, good communication with regulators, being committed to the COPA's public benefit, and ensuring population health and wellbeing of the area.

Chairman Varney asked the group, in the interest of time, to consider the distributed values and visioning questions further on their own to help ground them for this work.

Chairman Varney and others recapped the next steps:

- 1) Schedule the next meeting date (TDH, Division of Health Planning)
- 2) Commitment to read through the plan and be ready to comment on plan (LAC members)
- 3) Announce meeting to media (TDH, Division of Health Planning)
- 4) Consider allowing public to make comments at the start of each meeting.
- 5) Committee to get a rundown of the COPA – especially what are spending commitments and Population Health requirements (TDH Division of Health Planning or AG's Office)
- 6) Send recommendations on meeting places to Judi at TDH Division of Health Planning.
- 7) Consider having Ballard's Compliance Officer Gary Miller here at next meeting to introduce himself and explain his role.

#### ADJOURN

The meeting adjourned at approximately 4:35 p.m.