

COÖS COUNTY DELEGATION
SPECIAL MEETING
Wednesday, September 26, 2018 - 1:00 P.m.
Coos County Nursing Hospital - W. Stewartstown, NH

Present: Representatives Robert Théberge-Chair; Wayne Moynihan-Vice Chair; Larry Laflamme-Clerk; John Fothergill, Bing Judd, Troy Merner, Herb Richardson, Yvonne Thomas and Edith Tucker. Also present: County Commissioners Tom Brady & Paul Grenier; County Administrator Jennifer Fish; Superintendent Ben Champagne; Nursing Hospital Administrator Laura Mills; Nursing Home Administrator Louise Belanger; Director of Finance Carrie Klebe; County Treasurer Sue Collins; Administrative Assistant Linda Harris; and a member of the press.

Chairman Théberge requested all to stand for the Pledge of Allegiance.

Chairman Théberge opened the meeting at 1:02 p.m. The Clerk, Representative Laflamme, called the roll. There were nine members present. Representative Hatch was excused.

Review & Approval of the Minutes of the September 6, 2018, quarterly meeting, as distributed: A motion was made by Representative Richardson, seconded by Representative Judd to approve the minutes of the September 6, 2018, quarterly meeting. The minutes were approved unanimously by a voice vote.

Hearing of the Public:

- Commissioner Grenier provided the Delegation with a copy of the 2018 Coös County Tax Apportionment. The increase from 2017 was \$489,018. He noted that this would be the time to share the wealth and decrease the amount to be raised by taxes. He asked the Delegation to reconsider the vote from the illegal meeting which the Delegation had voted in favor of returning 50% of the excess proshare to the IDN funding.

Representative Moynihan questioned whether the IDN funding should be discussed prior to discussing the September 12 meeting. Chairman Théberge noted that Commissioner Grenier had the right to be heard under “hearing of the public”. Representative Tucker noted that she wanted to hear County Treasurer Sue Collins’ view of the proshare funding.

Representative Richardson stated that two of the Representatives questioned the legality of the September 12 meeting as the Delegation meeting was not posted as a separate meeting. He was also told by the Commissioner of HHS that a supplemental budget meeting would not be required; however, he has learned since that a supplemental budget meeting would be required. He moved to reconsider all of the items discussed at the meeting.

Chairman Théberge acknowledged that Representative Tucker had questioned whether the separate Delegation meeting on September 12 was a legal meeting as he was under the impression that the meeting was a continuation of the September 6 meeting. Chairman Théberge stated that he had spoken with several people who understood that the meeting was indeed illegal. Representative Fothergill stated that at the September 6 meeting there was discussion of a joint meeting with the commissioners. Commissioner Brady explained that the Delegation adjourned the September 6 meeting and held a joint meeting with the Commissioners on September 12. The joint meeting was adjourned after the Attorney General’s presentation. Representative Fothergill questioned if someone had dropped the ball on not properly noticing the meeting. Representative

Moynihan also stated that the agenda was not posted on the website. County Administrator Jennifer Fish replied that the agenda was posted and provided a copy of the agenda. A motion was made by Representative Tucker, seconded by Representative Richardson to revoke on the IDN funding for the sake of transparency. Representative Richardson urged everyone to vote no due to the inaccurate information provided by DHHS. Representative Moynihan stated that the implications of a back room meeting in Commissioner Samson's letter in the local newspapers is incorrect and unwarranted. Representative Laflamme read the following from the September 6 minutes:

Representative Th  berge concluded by stating that the Delegation was not prepared to vote on the issue. He noted that a special meeting will be required to discuss the matter further. After a brief discussion, it was decided that the Delegation would vote on the matter at the end of the Joint Meeting on September 12.

Representative Moynihan also stated that it was not appropriate to refer to the September 12 meeting as illegal. The meeting was not properly noticed. The implication of an illegal meeting is wrong. Commissioner Grenier suggested improperly noticed meeting. The motion was unanimously approved by voice vote.

- County Treasurer Sue Collins distributed the report she had presented to the Commissioners at an earlier meeting. The report read as follows:

*ProShare Payments to New Hampshire's Counties increased a great deal this year. Some 10-12 years ago the counties argued with the State of NH that legitimate nursing home expenditure deficits were going unmatched by federal dollars. The NH Association of Counties hired Washington consultants to produce the data to justify the case for **Certified Public Expenditures**. These efforts fell on deaf ears at NH Department of Health & Human Services (and perhaps at the federal level).*

As recently as last year, NH DHHS filed a Demo Waiver with the Centers for Medicare and Medicaid for Delivery System Reform Incentive Payment. The 5-year waiver was approved by the feds. The funding under this waiver finally recognizes certified public expenditures being funded by the County homes.

As a result of the approved waiver, the 2018 ProShare Payments to Counties reflected increased federal matching funds.

My argument is that Co  s County should keep a very large percentage of the so-called windfall being requested by DHHS to fund IDN 7 due to the property tax commitment in our county versus the 9 other counties in this state. The following 2017 chart published by the NH Department of Revenue Administration (ORA) depicts the average county tax effort versus total tax effort by counties in New Hampshire:

County	2017 Total Tax Rate Per Thousand (Average for All Towns in the County)	County Tax Rate as a % of Total Rate	Amount of Funding Requested by DHHS at 50% of ProShare Increase
Belknap	\$18.74	6.52%	\$1,339,515
Carroll	\$13.27	10.73%	\$166,210

Cheshire	\$28.89	12.13%	\$612,439
Coös	\$24.41	19.82%	\$695,700
Grafton	\$22.03	8.54%	\$287,234
Hillsborough	\$24.00	5.42%	\$4,199,571
Merrimack	\$25.78	11.42%	\$947,549
Rockingham	\$20.03	5.18%	\$1,180,308
Strafford	\$26.73	10.36%	\$1,277,812
Sullivan	\$25.88	11.39%	\$1,417,819

*It is clear that property taxpayers in Coös County have a county tax effort that is almost **4** times what it is in Rockingham and Hillsborough Counties.*

It is also clear that Coös County gets a higher amount of Proshare than its wealthier neighbors in Carroll and Grafton Counties because the Medicaid case load in Coös County is larger than our neighboring counties.

Therefore, members of the Delegation, Coös County has the highest county tax effort in the state half of which is due to the losses in our nursing homes that have some of the heaviest Medicaid caseloads in the State. The 2018 budgeted deficit for the two nursing homes was \$9,102,400 less \$2,000,000 Proshare leaving a nursing home funding gap of \$7,102,400 to be funded by property taxes.

I just signed the 2018 County Tax bills to the towns and City totaling \$15,573,805, an increase of \$489,018 over 2017.

*Although the IDN 5-year demonstration project is admirable, I support providing some support for the IDN's but at a level no higher than our neighbors in Carroll and Grafton Counties - **perhaps \$165,000 (as in Carroll County) to \$280,000 (as Grafton County).***

Please remember that IDN7 encompasses a large geographic area and a sparse population concentrated in approximately 7 sub-regions mostly centered around the hub towns of Berlin, Colebrook, Conway, Lancaster, Littleton, North Haverhill and Wolfeboro.

I canvassed the commitments to DHHS to date by New Hampshire's counties. Here is a summary:

County	Commitment as of September 25, 2018
Belknap	Meeting this week; no decision yet.
Carroll	Delegation voted to return 50%; Commissioners voted not to return the money at this point.
Cheshire	Voted to send \$578,756 a bit shy of the requested \$612,439
Coös	
Grafton	No information received.
Hillsborough	No information received.
Merrimack	Plans to return \$947,549 sometime this year.
Rockingham	Has not met with DHHS yet; has not voted.
Strafford	Voted to send \$1,277,812.
Sullivan	Voted to send 50% \$1,417,819

Ms. Collins stated that if the Delegation were to recommend any funding she suggested in the area of \$165,000 - \$280,000 which were roughly the amounts from Carroll and Grafton counties. The

\$695,000 from Coös County is astronomical. Representative Merner stated that Hillsborough County has a stipulation. They would agree to the 50% if all counties agreed on the 50%. Representative Moynihan read RSA 24:40a. Commissioner Grenier stated the Delegation may appropriate funds but cannot spend funds.

Ms. Collins stated that she read that \$44 million in federal funding would be made available to the State of New Hampshire for the fight against opioids. Representative Tucker replied that it was not clear how much of the funding would come to Coös County. Representative Tucker did note that Commissioner Meyers had altered the agreement to one year instead of three years. Ms. Collins asked why Medicaid money for the elderly be diverted towards the opioid crisis.

Representative Moynihan asked if the supplemental budget would affect the county tax. County Administrator Jennifer Fish replied not this year; however, that portion of the surplus would be used to reduce the county tax.

Louise Belanger, NHA, stated that the two nursing homes have paid over \$76,000 in bed tax on the extra proshare money received, if the Delegation in considering giving back the full amount, they need to remember the added amount paid via the bed tax. She also highlighted an email between herself and Northern Human Services. It was explained that Northern Human Services does not need to provide services to the nursing home residents, that their first priority is the community and after that, they do what they can with left over time. She mentioned that the email commented on Coös County Nursing Home being the only contract left with Northern Human Services. Mrs. Belanger went on to state that she has verified that they do provide services via contracts to other nursing homes. Currently psychiatric services are \$250 per hour and \$150 per hour for an APRN to provide mental health services to the nursing home residents. Northern Human Services voiced that services to the nursing home are not billable and this is why they bill the nursing home however, it can be billed with some changes during the provider visits with the resident. The nursing home is looking to make those changes and bill for the visits to offset the charges from Northern Human Services. Mrs. Belanger went on to say that the new IDN services that will be provided in the community will be billable hours. Mrs. Belanger reported that she will be meeting with Northern Human Services to discuss options relating to the Psychiatric care needs of the residents and changes needed in order to bill for services. Now that the nursing home has a Medicare license it allows for certain services to be billed.

Laura Mills, NHA, also reported that she had a contract with Northern Human Services for mental health services at \$7,200 per month year. No psychiatric services are provided. The Nursing Hospital has a contract with a private provider who bills the nursing hospital directly.

Representative Richardson reiterated that the Delegation was misled by Commissioner Meyers when he stated that a supplemental budget would not be needed. Commissioner Grenier stated that Commissioner Meyers explicitly stated that the IDN funds could not be paid from proshare funds. There is no appropriation for the IDN amount to be spent from the current budget which means a supplemental budget including a public hearing and notices to all of the towns. As an added piece of information, Commissioner Grenier reported that the state assistance line items in the budget will be possibly overdrawn in 2018.

Representative Laflamme asked if the excess proshare funds had been received. Ms. Collins replied in the affirmative. She explained that any type of funds may be received by the county; but, the county cannot spend without a appropriated line item.

Commissioner Brady stated that if the Delegation were to vote any IDN funding, she suggested that funds be transferred by line item transfers to the HCBC line item and a supplemental budget could be avoided. Ms. Collins explained that the Finance Director and the County Administrator would go through all departmental budgets and transfer excess funds to the HCBC line item.

Representative Tucker stated that those were not logistics on how to find the money. She questioned what behavioral health improvements will Coös County residents get. Why not keep the money and say no. There's no guarantee that Coös will obtain services. The request came too late in the year and too many questions are not answered. Representative Thériège agreed with Representative Tucker.

Representative Fothergill stated that he was worried about any services coming back to Coös County. He suggested using some of the proshare funds to set up our own programs.

Representative Judd stated that Coös County should not be supporting Carroll and Grafton counties.

Representative Moynihan asked if a decision had to be made at the meeting or could the decision wait until the next budget cycle. Representative Thériège replied that Commissioner Meyers had an end of September deadline.

Commissioner Brady stated that the nursing homes have problems. The wage scale for nurses is lower than most facilities in the county. Band-Aids have been used to keep the budgets afloat. The unexpected windfall in proshare will alleviate some of the stress.

Representative Thériège polled the Delegates in regards to the funding of IDN:

- Representative Tucker: zero;
- Representative Richardson: zero;
- Representative Judd: \$250,000;
- Representative Laflamme: zero;
- Representative Moynihan: zero;
- Representative Thomas: zero;
- Representative Fothergill: \$200,000 should be used for local groups;
- Representative Merner: zero – set up a different line item for next year;
- Representative Thériège: zero.

Commissioner Grenier stated that the 2019 budget could be set up based on Representative Fothergill's recommendation.

A motion was made by Representative Tucker, seconded by Representative Richardson that in 2018 the Delegation agrees to not send any proshare money to Commissioner Meyers. In the year 2019, a funding mechanism will be created for IDN funding.

Representative Richardson questioned if funding requests for 2019 could be part of the motion as some members may not be part of the Delegation after the election. Representative Moynihan noted that Coös should not snub the state and recognize the needs.

The motion passed by roll call vote 8-1. (*Representative Richardson*)

Representative Théberge asked that a copy of the minutes as well as Ms. Collins' attachments be sent to Commissioner Meyers.

A motion was made by Representative Judd, seconded by Representative Richardson to adjourn the meeting at 3:07 p.m. The motion was approved unanimously by voice vote.

Respectfully submitted,

Representative Larry Laflamme, Clerk