



State Health Services Council Meeting

Emergency Telephone Meeting

Public Access Meeting Site:

Department of State Health Services (DSHS)

Robert E. Moreton Building, Public Hearing Room

1100 W. 49th Street, Austin, Texas

October 14, 2014

11 a.m.

Minutes

Council Members Present on Line – Tuesday, October 14, 2014

Jacinto Juarez, Ph.D., Laredo – Chair

Dr. Kirk Calhoun, Tyler

Dr. Lewis Foxhall, Houston

Rev. William Lovell, Dallas

Carmen Pagan, McAllen

Dr. Jeffrey Ross, Houston

Dr. David Woolweaver, Harlingen

Council Members Not Present

Nancy Townes, Granbury

Jay Zeidman, Houston

Visitors – Tuesday, October 14, 2014

Kate Murphy – Texas Public Policy Foundation

Kay Hart – Office of the Governor

Courtney Hoffman – CRH Capitol Communications

Haley Cornyn – Hillco Partners

Mike Edwards – Horne, LLP

Alice Bufkin – Texans Care for Children

Katharine Teleki – Sunset Commission

Emily Babcock – Texas Medical Association

Carolyn Bivens, Council Liaison, performed a roll call of members participating by telephone.

A quorum was present.

1. **Call to Order** – Council Chair Dr. Jacinto Juarez called the meeting to order at 11:09 a.m. Technical difficulties prevented the members from hearing each other. All members on the call indicated that they were available to continue the meeting Wednesday, October 15, at 11:00 a.m. Meeting recessed at 11:30 a.m. on October 14 until 11:00 a.m. on October 15, 2014.

Council Members Present on Line – Wednesday, October 15, 2014

Jacinto Juarez, Ph.D., Laredo – Chair

Dr. Kirk Calhoun, Tyler

Dr. Lewis Foxhall, Houston (left call at 12:20 p.m.)

Rev. William Lovell, Dallas

Carmen Pagan, McAllen

Dr. Jeffrey Ross, Houston

Dr. David Woolweaver, Harlingen

Council Members Not Present

Nancy Townes, Granbury

Jay Zeidman, Houston

Visitors – Wednesday, October 15, 2014

Kate Murphy – Texas Public Policy Foundation

Danette Castle – Texas Council of Community Centers

Anna Chatillon – Texas Women’s Healthcare Coalition

Janet Paleo – Texas Council of Community Centers

Lee Johnson – Texas Council of Community Centers

Shannon Noble – Texas Counseling Association

Mike Edwards – Horne, LLP

Katharine Teleki – Sunset Commission

Haley Cornyn – HillCo

Emily Babcock – Texas Medical Association

Tanya Lavelle – Easter Seals of Central Texas

Jolene Sanders – Easter Seals of Central Texas

Carolyn Bivens, Council Liaison, performed a roll call of members participating by telephone.

A quorum was present.

1. **Call to Order** – Council Chair Dr. Jacinto Juarez called the meeting back to order at 11:01 a.m.
2. **Action Items:** The Sunset Advisory Commission has requested the Council’s input regarding the recommendations included in the *Sunset Advisory Commission Staff Report on the Health and Human Services Commission and System Issues*. The Sunset Advisory Commission has requested the Council’s input on an expedited basis. The Council met in an emergency telephone meeting for the sole purpose of considering the recommendations. Because the limited purpose of the meeting was to obtain Council input regarding the recommendations, public comment was not taken during this meeting.

A roll call vote was taken on the following items:

- a. Recommendations on Issue 1: *The Vision for Achieving Better, More Efficiently Run Services Through Consolidation of Health and Human Services Agencies Is Not Yet Complete.*

Council members expressed concerns about the recommendation to do away with the agency advisory councils. They pointed to the success of the State Health Services Council in that 99 percent of recommendations made to the Health and Human Services Commission have been approved.

Members said that advisory councils help the public in getting and providing feedback. Without the councils, there would be less transparency and less public engagement. They indicated that one of the things they do is help the public in getting and providing feedback. Without the council, a forum for testimony for public opinion will be eliminated. Eliminating the councils would only save a small amount of money, compared to what the Commissioner would have to do versus what the councils do now on a voluntary basis. They pointed out that many council members serve as ad hoc members of other committees.

While members recognized the Sunset Commission's attempt to address redundancies, they indicated that there are other ways this can be handled. They stated that other steps could be taken to ensure better interagency cooperation and coordination without changing the structure of the agencies or the councils. Members indicated that there may be ways to reorganize DSHS in some areas to better focus on its mission, but that they cannot support the consolidated structure recommended in the report.

Rev. Lovell made a motion to vote against Issue 1 recommendations. Dr. Woolweaver seconded the motion. Dr. Calhoun asked for a clarification about whether the motion was about being against doing away with the councils, or the entire recommendation, which includes consolidation of the agencies.

Rev. Lovell restated the motion to vote against the recommendation to eliminate the councils and consolidate agencies, but are open to changes that would improve the ability of the Department of State Health Services to focus on its core mission. Dr. Woolweaver seconded the motion.

Roll Call Vote:

Jacinto Juarez – yes

Kirk Calhoun – yes

Lewis Foxhall – yes
William Lovell – yes
Carmen Pagan – yes
Jeffrey Ross – yes
David Woolweaver – yes

Motion passed.

- b. Recommendations on Issue 2: *Incomplete Centralization of Support Services Deprives the State of Benefits Envisioned in Consolidating the Health and Human Services System.*

Council members stated that they were unclear as to the impact of the centralization recommended. They expressed concern about the potential loss of control over areas that are critical to the functioning of the agency.

Dr. Calhoun made a motion that the Council stands mute on this recommendation. Rev. Lovell seconded the motion.

Vote:

Jacinto Juarez – yes
Kirk Calhoun – yes
Lewis Foxhall – yes
William Lovell – yes
Carmen Pagan – yes
Jeffrey Ross – yes
David Woolweaver – yes

Motion passed.

- c. Recommendation on Issue 3: *Fragmented Administration of Medicaid Leads to Uncoordinated Policies and Duplicative Services and Could Place Future Transitions to Managed Care at Risk.*

Council members spoke to both the advantages and disadvantages of this recommendation. There was concern expressed about separating related programs, such as the YES waiver that is integrated into mental health program. Members indicated that they would not support anything that would diminish the care to the communities or make it harder to deliver the services and care. They also spoke to the advantages of putting all Medicaid programs into one department and consolidating administrative functions.

Dr. Calhoun made a motion to support this recommendation with the qualifier that, in respect to patient care delivery, DSHS maintain the relationships with the entities involved. Rev. Lovell seconded the motion.

Vote:

Jacinto Juarez – yes
Kirk Calhoun – yes
Lewis Foxhall – yes
William Lovell – yes
Carmen Pagan – yes
Jeffrey Ross – yes
David Woolweaver – yes

Motion passed.

- d. Recommendations on Issue 4: *HHSC Has Not Fully Adapted Its Processes to Managed Care, Limiting the Agency's Ability to Evaluate the Medicaid Program and Provide Sufficient Oversight.*
- e. Recommendations on Issue 5: *Fragmented Provider Enrollment and Credentialing Processes Are Administratively Burdensome and Could Discourage Participation in Medicaid.*
- f. Recommendations on Issue 6: *The State Is Missing Opportunities to More Aggressively Promote Methods to Improve the Quality of Health Care.*

Council members had no questions or comments on recommendations on Issues 4-6, which were considered together. Rev. Lovell made a motion that the Council take no position on recommendations for Issues 4-6. Dr. Foxhall seconded the motion.

Vote:

Jacinto Juarez – yes
Kirk Calhoun – yes
Lewis Foxhall – yes
William Lovell – yes
Carmen Pagan – yes
Jeffrey Ross – yes
David Woolweaver – yes

Motion passed.

- g. Recommendation on Issue 7: *HHSC Lacks a Comprehensive Approach to Managing Data, Limiting Effective Delivery of Complex and Interconnected Services.*

Council members had no questions or comments. Rev. Lovell made a motion that the Council take no position on Issue 7 recommendations. Dr. Calhoun seconded the motion.

Vote:

Jacinto Juarez – yes
Kirk Calhoun – yes
Lewis Foxhall – yes
William Lovell – yes
Carmen Pagan – yes
Jeffrey Ross – yes
David Woolweaver – yes

Motion passed.

- h. Recommendations on Issue 8: *Administration of Multiple Women’s Health Programs Wastes Resources and Is Unnecessarily Complicated for Providers and Clients.*

Council members discussed how women’s health programs provide significant preventive health screening services that would be removed from the purview of the agency with this recommendation. However, it was also acknowledged it is possible that the delivery of women’s health screenings and family planning services can be accomplished in concert with Medicaid, where you have a single enrollment process. This would allow DSHS to have a say about the important issues regarding women’s health, but not necessarily have to administer the day to day activities of the programs.

Dr. Calhoun made a motion to support this recommendation. Dr. Ross seconded the motion.

Vote:

Jacinto Juarez – yes
Kirk Calhoun – yes
Lewis Foxhall – abstain
William Lovell – yes
Carmen Pagan – yes
Jeffrey Ross – yes
David Woolweaver – no

Motion passed – 5 in favor, 1 abstain, 1 against

- i. Recommendations on Issue 9: *NorthSTAR’s Outdated Approach Stifles More Innovative Delivery of Behavioral Health Services in the Dallas Region.*

Council members expressed concerns that the recommendation did not specify what model would replace NorthSTAR. They indicated that they were reluctant to vote to do away with the current model without knowing what the new model would be.

Rev. Lovell made a motion that the Council is against the proposal as stated and that more information is needed about the model that would replace NorthSTAR. Dr. Woolweaver seconded the motion.

Vote:

Jacinto Juarez – yes
Kirk Calhoun – present, not voting
Lewis Foxhall – yes
William Lovell – yes
Carmen Pagan – yes
Jeffrey Ross – yes
David Woolweaver – yes

Motion passed.

- j. Recommendations on Issue 10: *Poor Management Threatens the Office of Inspector General's Effective Execution of Its Fraud, Waste, and Abuse Mission.*
- k. Recommendations on Issue 11: *Credible Allegation of Fraud Payment Hold Hearings Do Not Achieve the Law's Intent to Act Quickly to Protect the State Against Significant Cases of Fraud.*

Council members had no questions or comments on recommendations on Issues 10-11, which were considered together. Council opted to pass on these recommendations and not take a vote, as they did not pertain to DSHS.

- l. Recommendations on Issue 12: *HHSC's Uncoordinated Approach to Websites, Hotlines, and Complaints Reduces Effectiveness of the System's Interactions With the Public.*

Council members indicated that while consolidation of websites seems to makes sense, there is a concern about how long approval might take when we have a major health challenge and need to get information out.

Dr. Calhoun made a motion that the Council stay neutral on the recommendations for this issue. Rev. Lovell seconded the motion.

Vote:

Jacinto Juarez – yes

Kirk Calhoun – yes

Lewis Foxhall – was no longer on the call for the vote

William Lovell – yes

Carmen Pagan – yes

Jeffrey Ross – yes

David Woolweaver – yes

Motion passed.

- m. Recommendations on Issue 13: *HHSC's Advisory Committees, Including the Interagency Task Force for Children With Special Needs, Could be Combined and Better Managed Free of Statutory Restrictions.*
- n. Recommendations on Issue 14: *HHSC Statutes Do Not Reflect Standard Elements of Sunset Reviews.*

Council members had no questions or comments on recommendations on Issues 13-14, which were considered together. Rev. Lovell made a motion to take no position. Ms. Pagan seconded the motion.

Vote:

Jacinto Juarez – yes

Kirk Calhoun – yes

Lewis Foxhall – was no longer on the call for the vote

William Lovell – yes

Carmen Pagan – yes

Jeffrey Ross – yes

David Woolweaver – yes

Motion passed.

- 3. Adjourn – Motion to adjourn made by Dr. Ross. Seconded by Rev. Lovell. Meeting adjourned at 12:26 p.m.

Reviewed and approved by Council Members.



Jacinto Juarez, Council Chair

November 20, 2014

Date