

Taunton Nursing Home
350 Norton Avenue, Taunton, MA 02780
508-822-1132

Board of Directors Minutes

Date: January 29, 2016

Board Members: Theresa Swartz, Chair
Joseph Martin
Gina Hyde

Also present were City Council President Jeanne Quinn and Council Members Debra Carr, John McCaul, Estelle Borges, Dan Dermody, DON Heidi Paquin, SDC Helen Boarman, Fiscal Agent Michelle Mercado and Admissions Coordinator Cathy Saunders.

Due to the fact no quorum was present at 6:00 pm John A. Brennan, Administrator opened the meeting as informational.

Mr. Brennan introduced the new recording secretary, Kelley McGovern. Kelley has 5 years' experience taking the minutes for the Raynham Board of Selectman and is a Scheduler at TNH. If Kelley can't make a meeting Michelle Mercado or Debra Dunn will take the minutes.

Mr. Brennan stated that TNH had a very nice Christmas party for the residents with the BaHa brothers and Miss Taunton.

Heidi is scheduled for training in April with Mass Senior Care and Boston University.

A quorum was present at 6:20 when Gina Hyde arrived.

CPE Money

Mr. Brennan stated that the 2013 CPE money was collected in the amount of \$340,000.00 and the 2014 CPE was filed for another \$340,000.00 and expected by June 2016. We will begin filing for the 2015 CPE money in the spring.

CPE is money allowed under Medicare to public medical facilities. We are allowed costs lost which is filed with the Federal Government. It's a process that takes time.

It is an off the books transaction that we don't have on the AR as it is not a receivable. Years ago Medicare ancillaries were posted and that's how Medicare rates were determined. It has been eliminated and it doesn't affect our rates anymore. So whatever we file won't be reimbursed until the following year. There is no maximum amount. It is compared to your private pay rate vs. Medicare and that is what you are making. It's a win for the state and a win for us. It's not guaranteed money. If you

become a privately owned facility it is not applicable. The state bills the feds for the entire amount and the state is reimbursed 50% which is what we receive. The lowest rate from the state is \$120/day for a resident.

Boudreau Recovery

The Boudreau recovery was an opportunity to go back to 1992-2002, Bulletin 94 is a State Bulletin stating that there is an issue with payment in this range, if you were interested and wanted to join the suit you would have to provide information that proved you were underpaid. They get a percentage of it. We collected about \$100,000.00, Mr. Brennan believes there is a lot more out there. Whatever we get is a positive. It was deposited in 2015. Basically it was unplanned cash flow. We are paying the lawyers 33% of the cash collected.

There was a meeting recently on this and Mr. Brennan is optimistic there is more money out there.

Bristol County District Attorney

The other recovery project is that Mr. Brennan has been in touch with the Bristol County District Attorney's Office regarding 7 accounts totaling \$500,000.00. These are major accounts where people have not paid the facility.

Examples: one guy wrote checks to himself using his parent's money, one guy took all of his mother's money, and another guy took his father's money and is living in Florida. The facility is billing and trying to collect when they convert to long term. There are rules and regulations and a lot of people don't qualify for long term. Once a person is in the building we are responsible for them. There are many family members who take advantage of their elderly family members and then they become cash poor. If the family takes the money, Medicaid still believes the resident has assets because things are still in their name and then the resident is fined by Medicaid on what their assets are on paper. That is then the amount that Medicaid uses to determine how long they can pay privately before they become Medicaid residents. The problem is they don't have the money, the family does and it is very difficult to collect. We cannot discharge for safety reasons or they have nowhere to go. John and Michelle pursued all possible avenues. This falls under senior financial abuse and the BCDA has a task force working on this. This bad debt is over a period of time not just recent. When someone steals their parents social security checks we don't provide free care at TNH.

Laundry Fire

There was a little fire in the dryer a few weeks ago but it has all been taken care of. It was caused by a loose wire. The staff acted properly handling the incident.

ADA Sign Project

One other project is the ADA sign project with Kevin Scanlon which is being done city wide. We will be re-signing the building. We are working with a vendor they will go through the building and present proofs. They will be installed by our maintenance department. A study was done of the whole city. The

estimate for the signs is \$10,000.00. The city has a vendor, Milhench, for the sign piece. Some signs we bought through Grainger. It will be approximately 200 signs.

Basement Door Replacement

We received 2 prices on the door for the basement. One quote from Advanced Lock was for \$2,900.00 a second quote from Strojny was for \$2,887.00. Strojny was the low quote and with the Boards approval, John will contact Strojny and they will have to go to City Hall for permits. We are getting a new door and frame. We have to bid out instead of using the city. The frame has separated from the door. The quote was not broken up by product and labor. We will ask for a breakdown of the costs by the vendor. We asked the City Building Department to install the door and we were told they were unable to do so. There was no reason given. TNH would be glad to pay for the door and frame if the City Building Department would come out and install it.

Requests for Proposals (RFPs)

Three (3) RFPs have gone out, one for oxygen, a second for housekeeping and a third for pharmacy.

We received four housekeeping responses. Mr. Brennan knows all the vendors and they are all good. Performance is our current vendor, Heritage was our previous vendor. Heritage is the low bidder at \$478,000.00 for 201 hours; Performance bid was \$485,000.00 for 201 hours; Clean Facilities bid was \$702,000.00 for 236 hours and Healthcare Services Group bid was \$438,000.00 for 160 hours. All bids have been compared. Performance is doing a wonderful job but Heritage is the lowest bidder. Healthcare services underbid the number of hours needed, if it was 201 hours it would be more expensive than the other two low bidders. Mr. Brennan will let the City Solicitor know we would like to keep Performance but they are not the lowest bidder. This will be a 3 year contract. All the companies came in and toured the building to determine how many hours would be needed in a 7 day week. Based on our requirements we need 201 hours a week.

Four companies submitted bids for the Oxygen contract, Enos, Life Supply, SMS and O2 Safe Solutions. Enos was the low bidder. They are our current vendor. We are very pleased with Enos. Oxygen bids out for 50 cents per pound. If you do the math Enos is the low bidder.

We received 5 responses for the Pharmacy contract, Partners, Woodmark, West River, Preferred, and Omnicare. We are still working on the low bid; there are a lot of variables evaluating these 5 companies and the services they provide. Partners are our current vendor, and Pharmerica did not file a bid. They are all reputable vendors. You need a pharmacy that will respond to the needs of your nursing home. Service, consult advice and expertise is important for a pharmacy vendor. We want them to be dependable. Mr. Brennan knows all the vendors and will take the bids to the city Solicitor and recommend we stick with Partners. We have references as part of the bid process.

Theresa Swartz moved to direct Mr. Brennan to go to City Solicitor on the above mentioned contracts, Joe Martin seconded.

The contracts will be effective Feb 1st but can be extended. A three (3) year contract is a good amount, if it is longer it would need to be approved by the City Council first. Three years seems to be the standard. The pharmacy industry is growing and we want to lock in prices.

Commonwealth Pay for Performance Program

With regard to the Commonwealth Pay for Performance Program – if you do certain things with certain indicators they will pay you a little extra reimbursement. We need to sign up by Feb. 4. Mr. Brennan will run this program by the QA meeting. The important thing is that the last time state did this we met all the indicators and then the state had no money to reimburse.

Administrator in Training

Our Fiscal Agent Michelle Mercado completed her AIT (Administrator in Training) program; she completed a total of 960 hours. She had to sit with each department and learn each department. She is also Serve Safe Certified. Now Michelle is eligible to take the Administrators exam. She is just waiting for approval.

Retirement/Job Posting

Admission Coordinator Cathy Saunders is retiring as of February 12, 2016.

We have received two applications for the Admissions Coordinator position, one is not licensed and the other is a RN but not a LICSW. If they are not a LICSW (Licensed Social Worker) we will need to have a consultant in the building. Heidi will give copy of applications to the Board. Does the salary change if person is not an LICSW? In the past it was an RN in the position then it was changed to RN or LICSW which requires a consultant if it is an RN. Cathy would be eligible to be a consultant at an hourly fee. Where is it posted? The posting goes to Maria Gomes, HR Director, the appropriate union rep and on our website and in the paper.

Is it unusual to only have 2 responses? We only got one applicant for the Social Worker position.

Can we post the position on the Senior Care Association? We are not a member of the mass federation. and it is expensive to become a member. We will put it in the 2017 budget, however in the past it has been denied.

Do we post at colleges? No. To become a LICSW is a very rigorous process and would not be someone right out of school.

Maria Gomes posts jobs on Monster. It is also posted under TNH on the Taunton City Website.

We will call and see if we can post at Mass Federation even if we are not a member. It is a resource for information for nursing homes, ie: seminars, questions on billing collection, etc. It is not a legal service it is a trade association. Most nursing homes are connected to it. As a sole facility it is a great resource.

Phone Contacts

Mr. Brennan stated that he is putting together list of all Taunton Nursing Home personnel phone contacts for the Board. Estelle Borges has it to give to the City Council. Mr. Brennan will keep updating and will make sure everyone gets a copy.

Budget

At the City Council meeting it was mentioned that the budget that has been done for the past year the DOR can go back and change. The city has to present to the DOR a balanced budget to show that we did not deficit spend. Our numbers were in flux due to the CPE money that came in late, we are waiting for DOR to certify. The budget had to be certified by December 31st. The Mayor alluded to the fact that there is a cutoff date and money that comes in after is not counted. Part of the issue is the difference between a fiscal year and calendar year. The budget director said the nursing home was not in deficit and now we hear there is a million dollar deficit. Can we get clarification from the budget director? If they were talking about the money that came in December it should be 2015 money not 2016. Will ask the Budget Director to give an explanation.

We received the email from Gill Enos to begin to build the budget for 2017. When Gil gets back to Mr. Brennan he will email him with any cuts. How do you dispute the cuts? The process is that since we are an enterprise account we have a whole list of capital items we need. However we don't have revenue stream to pay for it ourselves, we do not have the ability to borrow. We have a whole list of things we would like to fund. What matters is the cash. If we put \$500,000.00 for windows the City is going to say great how are you going to pay for it? It's usually the indirect costs first, 80% is for labor, healthcare and pension, which leaves 20% to work with.

Medical Director

Medical Director Ryan Welter's contract is up June 30th. He is paid \$3000 a month. Several people are not pleased with his performance. He can never be reached by phone, it's important to be able to reach him. He is the only doctor with Morton Hospital privileges. He should be attending the Board meetings quarterly. We would love to have a tie in with Morton for referrals, etc. We have a good relation with Morton and have for many years. Has Steward been contacted with regard to requesting Doctors who might be interested?

It was suggested that the Medical Director should have a job description. Does the contract identify his services? Mr. Brennan stated that he might have to change the contract. Heidi Paquin, DON feels the Medical Director should be at all QA meetings not just quarterly. He's a great guy and smart but getting paid \$36,000.00 to come to the TNH 4 times a year. When he is called he needs to pick up his phone and answer.

Posting of Board Minutes

We will make sure that the City Council gets copies of our minutes and documentations every month. Last year a citizen requested that our minutes be put on the City website and it is now there every month. We will also send a copy to the Clerk of Committees.

Financial

Does this board get copies of financials? We do on a regular basis. We do not go over anything official from the city. Mr. Brennan presents a simple excel format that is tracked by our census. We track our cash and our expenses. Our budget for the year is 8 million. We budget a census of 96 and for the first 6 months we averaged 94. Revenue is what we bill. We billed 3.82 million and cash collected 4.096 million on a per day basis we are talking \$237.00 dollars per bed. \$340,000.00 is the CPE. Mr. Brennan is tracking what the user fee would be. Payroll for the first six months is \$2,212,400.00 payroll budget \$4,457,000.00. Our indirect cost is largely pension and healthcare. We show that we are \$75,000.00 in the red. Which is not a problem if you look at the payroll and indirect cost you see that the bulk of expense is payroll healthcare and pension. The reimbursement does not reflect 75-80% of our cash on payroll and benefits. This is the type of thing we look at on a regular basis. Then we hear we have a deficit of \$1,000,000.00. Where is that coming from? The revenue that we get is fixed by the government. Expenses are negotiated with the city. We can't bill that back to the government. We are fixed on what we are bringing in but on the other side costs are going up. We are tracking payroll pretty well. We don't get specifics on indirect costs from the city.

The 2% increases go back retroactively to July. It will be about a \$30,000.00 payroll and going forward payroll will increase about 2%.

When we look at the budget this year health care will go up at least 10% and we have to look at where to cut back.

The payor mix is a problem. We can't get any managed care residents because we are not Joint Commission certified. If you are Joint Commission certified you will be recommended to all managed cares. More people are being pushed out to outpatient services and home services instead of nursing home care. Right now we have only one Medicare resident. You make the money on the Medicare residents. A census of 94 is not bad. Census is down everywhere due to changes in healthcare. We don't have any say in that. Mr. Brennan never refuses a resident in need. If they are from Taunton we will take them in. Our private rate is \$225 which is probably the lowest in the area. Nursing notes need to be done correctly. If we can't account for those services we will lose money.

Matrix AMR

The Matrix AMR is still at a standstill. It will help when we can get documentation done electronically so it will flag errors. It will help raise our rates because it will force things to be documented correctly. The contract rate is \$15,000.00 to start and \$1,200.00/month in maintenance fees. The issue is that it is an out of state vendor and we cannot indemnify a vendor in another state and the second issue is that the

contract needs to be based on Mass Law. We cannot take the next step. The law department does a good job and this indemnification point is important.

MDS information goes to state so they already know when they walk in the door. This software can flag issues for your nurses, etc. before it goes to the state for correction. It's important to discuss the MDS issues that come up. Patti Lavoie, MDS Coordinator should attend Board Meetings to give this information. At each meeting they can look at the previous month for flags that might come up that the state would look at. The QI meeting notes should also be presented to the Board.

Nursing

Heidi Paquin, DON is working on cutting nursing overtime. She is looking at different ways to do that by talking to the team. She presented a packet to Theresa Swartz so she could see what is being done on a day to day basis. She has also reconfigured some of the forms that are being used to document. One of the flags that came up from the MDS Coordinator was that we were using the wrong mattresses. We did a QA project and corrected it. We were using regular mattresses not non-pressure mattresses. We replaced 20 mattresses.

The mattresses were \$139.00 each for a total of \$3,000.00. The mattresses need to be replaced after a while due to stains and rips. All of the green mattresses were replaced. The expense will have to be fit into our supply budget. We try to squeeze all of our expenses into our budget. When we need something we get it. One of the harder things is that in this nursing home we don't have bathrooms in every room and people do not want to come here for that reason. We have 40 old beds and 60 new beds. The new beds are shared by two rooms, so 4 people share one bathroom. We have two private rooms with baths and showers. Basically 35 years ago when they added the rooms they didn't add bathrooms, so 40 beds share the hallway bathrooms. The dining rooms and common bathrooms have been redone.

Report of Director of Nursing

The overtime will be sent to Teresa Swartz. There are a few different ideas one thing is to reconfigure the job descriptions which will have to be sent to HR for approval. We have to tighten it up. In order to facilitate less overtime usage we can actually change some of the duties and tasks in a job description to delegate differently. So basically the overtime is because the nurses have too much to do. If we change a few things and delegate it differently between the MDS and supervisors and change a few things we should be able to save on the overtime. They aren't big changes. There is some room to change things but not much. The problem could be the management position, the MMQ Nurse. She should not be doing management duties. Her duties need to be reconfigured.

The Unit Supervisor will give report so the nurse's would only have to count off. This means we will have to be diligent and be on the unit watching to make sure things are followed through. The Supervisor would be giving report which is what takes most of the time. There shouldn't be a problem with state survey at all. It is actually common to have reports done with tape recorders to save on time and cost. Supervisors are on salary and don't want to be here any longer than necessary. At other

nursing homes it will be a unit manager who hears the full report in the morning and then they gather information for the report later in the day before the nurse leaves. It is doable.

We've asked nicely to try to keep it within a certain time frame; there's been a lot of work to do here since I started. There is a lot of noncompliance and it is coming along a little more. You need strict oversight of things will go back to the way they were. You need someone continuously on it.

The only other issue is the mandation. We have been hiring CNAs and it is getting better. We are working with a lady from Lifestream who is sending people over here. Helen contacts Red Cross once a month and also Attleboro unemployment office, and has gone to the Taunton Career Center several times but most just want their forms signed. They weren't interested in the job themselves. Fall River was the same thing; they just want their papers signed. CNAs are very difficult to get and to keep good ones and ones that speak English. The benefits from the City of Taunton are excellent and should help.

We went through all forms and cut the admission process almost in half. Our incident reports were 7 pages long and there was no compliance to it. So now it is double sided and we have had full compliance with it. That alone is worth a lot of money. When the state sees a form not fully documented they will go right for the jugular.

It's not that services are bad or good; it's that the document is not there or complete. Can't say that if it was done differently, but it could have been handled differently. The biggest thing the state wants to know is what your interventions are. Matrix doesn't allow you to go past that screen until it is complete. There are billing guidelines that have to be followed and it will pick up 98% of errors. Processes to double check are important. Another set of eyes might pick something up that you aren't seeing. Documentation affects everything.

Theresa Swartz stated that nursing homes have clinical issues and its how you address them and handle them afterwards. The state survey is supposed to be a good thing. The lack of knowledge in what is being looked at is a bad thing for the nursing home.

General Business

Councilor Borges stated that the councils job is not to micro manage the Board. Some things they have heard are that the council receives all the Board's information. The council gets none of the information. They are getting more tonight than at any other time. If there are concerns the Council needs to know about it and would like to know before it hits the media or social media. We can work together to make things happen. It would be helpful to receive the Board minutes. Send them to Clerk of Committees or Council President Quinn. Things in the past have been sent to City Hall and cc'd to the Council but the Council didn't receive them. If it goes to the Mayor it goes to the Mayor and he decides whether to pass it along. If you want it to go to the Councilors it should be sent to the Clerk of Committees. If the Council had known some of the issues it could have been fixed. Please reach out or send it to clerk. Give us the chance to work on it. We were all shocked at some of the letters that came out. The communication just isn't there. We thought when something was sent to the city it was being forwarded to all. Councilor Carr stated that Mass. General Law dictates that all minutes go to the Clerk

so she is supposed to have the minutes of all meetings. Send minutes to the City Clerk, Clerk of Committees and cc the Mayor. In the past John gets called to the city to explain and it's a negative push and pull. John made habit of not talking about certain things because it causes a census drop. We have issues we need to work on and need to communicate.

The Council is meeting tomorrow with the Ordinance Committee to change the definition of the Board. The Council has asked for anyone interested to contact them. There is a meeting of the Council as a whole tomorrow night.

Dyan Lehoullier, Activities Director sent an email to the Council with names of three candidates that the residents have selected as the family member for the Board. Mary Gauthier, daughter of Mary Medeiros; Ed Boiros, son of Ed and Colette Boiros and Janice Marvel, daughter of Alice Ramalho. Also Wayne Fernandes is very involved and all the ladies love him.

Is there any information on the job posting for the Administrators position? The Mayor sent Theresa and Joe Martin a job description, terminology needs to be updated a bit. The posting was kind of general. Councilor Borges stated that when posting and interviewing the Administrators job may not be a Union position any longer; it will need to be worked out with the union.

The Board of Directors interviews and hires the administrator. We need a quorum so the hiring of an administrator can begin. If John leaves we have to pay to have an interim administrator. You have to have an administrator with a license on the wall.

Councilor Carr asked Mr. Brennan if he would be willing to stay until a replacement is found. Mr. Brennan stated that he has been honored to serve at the pleasure of the board and more than happy to stay on. The selection of next Administrator is important.

Mayor Hoye has asked about the future of the nursing home and some comments were made about whether the city should own the nursing home. If a management company came in to help there would be communication and someone to go to. They would be connected to MSCA. With a management company you can choose what is needed.

You can do a mock survey every six months to be prepared for the state. Theresa Swartz presented two organizations for the Mayors review. A management company does not take over; they will help in certain areas. Contract just enough services to stay under the bid law that way we could get someone on the Board immediately. You need to see issues in a mock survey so that things can be worked on. No nursing home ever has a completely clean survey. They just weren't hit on it.

It's good to have state surveys; there is a purpose to them. If it can be explained in layman's terms it will help. One thing the Council recommended is that someone from the Council be a liaison to the nursing home, so the Council will know what is going on.

Theresa Swartz made a motion to change the Board meetings to the last Monday of the month, Joe Martin seconded. Approved.

Next meeting will be held on Monday, February 29, 2016.

Thanks to John and the Board for everything they have done. It's a thankless job, but one they enjoy.

Joe Martin made a motion to approve the minutes of the December Board meeting. Joe Martin seconded. Approved.

A generalized agenda will be posted monthly at City Hall.

Joe Martin moved to adjourn, seconded by Theresa. Approved.

Meeting adjourned at 9:00pm.

Respectfully submitted,

Kelley A. McGovern

Recording Secretary