HUMAN SERVICES COMMITTEE
October 14, 2019
Minutes

Members Present: Tennis, Trubac, Morgan, Naeyaert, Sebolk, Slaughter, and Stivers

Members Absent: None

Others Present: Jared Cypher, Tim Morgan, Anne Scott, Linda Vail, Michelle Wright, and others

The meeting was called to order by Chairperson Tennis at 6:30 p.m. in Personnel Conference Room “D & E” of the Human Services Building, 5303 S. Cedar Street, Lansing, Michigan.

Approval of the September 30, 2019 Minutes

CHAIRPERSON TENNIS STATED THAT, WITHOUT OBJECTION, THE MINUTES OF THE SEPTEMBER 30, 2019 HUMAN SERVICES COMMITTEE MEETING WERE APPROVED AS WRITTEN.

Additions to the Agenda

Additional Information –

2. Health Department
   b. Resolution to Convert Charge Nurse Position

Limited Public Comment

None.

MOVED BY COMM. NAEYAERT, SUPPORTED BY COMM. SLAUGHTER, TO APPROVE A CONSENT AGENDA CONSISTING OF THE FOLLOWING ACTION ITEMS:

1. Parks Department – Resolution Approving the Scoring Criteria for the Trails and Parks Millage Grants

2. Health Department
   a. Resolution to Authorize an Agreement with Larder Data Consulting, LLC
   b. Resolution to Convert Charge Nurse Position

3. Controller’s Office – Resolution to Authorize Positions, Contracts and Other Expenses to Increase Treatment Programming as Authorized by the Justice Millage
4.  Michigan Department of Health and Human Services – Resolution to Authorize a Cooperative Cash Match Agreement with Michigan Rehabilitation Services

THE MOTION CARRIED UNANIMOUSLY.

THE MOTION TO APPROVE THE ITEMS ON THE CONSENT AGENDA CARRIED UNANIMOUSLY.

2.  Health Department
   c.  Resolution to Authorize an Agreement with Michigan State University Department of Psychiatry to Provide Psychiatric Services for Inmates at the Ingham County Jail

MOVED BY COMM. SLAUGHTER, SUPPORTED BY COMM. NAeyaERT, TO APPROVE THE RESOLUTION.

Commissioner Sebolt stated he had been confused how a vendor had still been paid with no contract or Board resolution.

Chairperson Tennis asked if Commissioner Sebolt had seen the email sent to all of the Commissioners’ County email addresses that had explained for the error happened.

Commissioner Sebolt said the emailed explanation had not been satisfactory to him. He further stated there had been people that were let into a County facility when there was no contract that allowed them in.

Commissioner Sebolt stated that he had not understood how MSU had been able to come to the facility without a contract in place and how they had been let into the facility.

Commissioner Sebolt stated that just because MUNIS had not been utilized that the situation might have been remedied. He further stated that anything paid without MUNIS checked first had been very concerning.

Commissioner Sebolt stated that the email explained what happened but not why it had happened and how to prevent it. He further stated another issue was that someone had been let into the County facility without a contract and performed services.

Anne Scott, Ingham Community Health Centers Executive Director and Deputy Health Officer, stated that the contract initially had been held in the Sheriff’s Office for the first year and was supposed to have been renewed November 1, 2018. She further stated that it had not been renewed at that time.

Ms. Scott stated that at that same time the conversation had started about Jail Medical reorganization and psychiatric services had been a part of that package. She further stated that
she thought that Major Darin Southworth and Undersheriff Andy Bouck stated it had gotten lost on their radar and had not followed up on it.

Ms. Scott stated that she had come into the picture in April after the Jail Medical reorganization had been approved by Resolution #19-090. She further stated that the budget for psychiatric services was supposed to have gone over to the Health Department.

Linda Vail, Health Officer, stated that they had thought that the contract at that time had been with the Sheriff’s Office.

Ms. Scott further stated that they had a meeting with the Sheriff’s Office and the MSU Department of Psychology and had talked through the scope of services and what had happened with the understanding that the Health Department would have been overseeing Jail Medical including the psychiatric services. She further stated that they had walked away from that meeting with the understanding of what needed to happen.

Ms. Scott stated that she had thought they needed to do a resolution because they planned on transferring the agreement to the Health Department. She further stated that the response from the Chief Financial Officer was that it was already General Fund money and that there was already a contract, so no new resolution was needed and that they had just needed to pay the costs that were already there.

Ms. Scott stated that she has had bi-monthly meetings with MSU regarding all of their contracts. She further stated that to MSU’s knowledge they had thought they had a contract in process.

Ms. Scott stated that after she had heard for a couple of months that the contract had still been in process she had asked them to send her what they had. She further stated that at the same time she had been looking for the resolution that would have authorized for 2018 to create the contract for 2019, so terms would be the same.

Ms. Scott stated that while she had been searching the database for the resolution, she had found the resolution authorizing the contract for 2017 but not 2018. She further stated that what MSU had sent her had been a draft contract which they had signed but it had not been an approved contract.

Ms. Scott stated that MSU thought the entire time that they had an agreement. She further stated that normally if someone was providing a service and there was no contract, they would have been banging on the door, which would have been the first trigger.

Ms. Scott stated that the second trigger would have been non-payment. She further stated that she had made an assumption that the Sheriff’s Office had done a resolution and had a contract for services at the time they had stepped in to have taken over the psychiatric services agreement.

Ms. Scott stated that a multitude of things had fallen through the cracks and that she thought that the payments that had occurred through the Sheriff’s Office but stated that she could not speak to
that. She further stated that she had thought it had been a fall down on multiple fronts and that there had been no good explanation.

Ms. Scott stated that once she became aware there was no resolution, she had reached out to Jared Cypher, Deputy Controller. She further stated that she had told him that they had needed to do something in order to have MSU paid legitimately since they had rendered services in good faith.

Ms. Scott stated that MSU needed compensation for those services provided. She further stated that certainly they had needed to address the situation moving forward with a new year of contracting with them.

Commissioner Sebolt stated that he appreciated the explanation.

Ms. Scott stated that she had not known if she had left anything out that she had previously mentioned at the Law and Courts Committee meeting.

Chairperson Tennis asked if the contract had been approved in the past for the services.

Ms. Scott stated there had been a contract approved from 2017 to 2018.

Chairperson Tennis asked if there had been any problems with the previous resolution.

Ms. Vail stated that there were no problems with the previous resolution, but that the contract had been between the Sheriff’s Office and MSU.

Chairperson Tennis asked if the oversight of the services had been transferred from one department to another was also when the contract had been up for renewal.

Ms. Scott stated that the contract had expired October 31, 2018 and that the reorganization of the resolution had not been approved until March 2019.

Ms. Vail stated that they had been under the impression that the Sheriff’s Office had sent a resolution and contract through to have been signed. She further stated that they had operated under the assumption that there had been a contract.

Ms. Vail stated that after the reorganization had been processed, and Ms. Scott was trying to figure out how to incorporate psychiatric services into the Health Department’s budget and pay for the services, she had thought a resolution would fix that. She further stated that Ms. Scott had been told that they had not needed a resolution because it was all in the General Fund and a transfer could be made to reimburse the Sheriff’s Office for the services.

Ms. Vail stated that it had been at that time where it had been discovered that there had been no resolution or officially completely signed contract.
Commissioner Naeyaert asked if in MUNIS when requests were filled for payment, a person could see the active contract for the year they were making payment for as an image.

Mr. Cypher stated that MUNIS had a contract module that was only as good as it was used. He further stated that it was on every department to have uploaded their contracts into the MUNIS system.

Mr. Cypher stated that there had been instances in the County where contracts had not been updated in MUNIS. He further stated that if contracts had not been entered into the MUNIS system, that the system had no way to catch errors.

Mr. Cypher stated that a contract updated in MUNIS would flag the system if there had been an approval for more than the allowed payment. He further stated that he had been glad the error happened with a trusted vendor that had provided a legitimate service.

Mr. Cypher regretted if his email had left the impression that he had not taken the issue seriously. He further stated that the issue was very serious but that he thought that the people who had been involved had been well intentioned and had not intentionally made any kind of effort to personally benefit.

Commissioner Sebolt apologized if it had seemed that he had not thought Mr. Cypher was serious. He further stated that he had thought that the level of detail they had gotten at the meeting was more helpful.

Commissioner Sebolt asked if nobody had checked to see if there was a resolution and had just kept paying.

Mr. Cypher stated that nobody had checked and they had kept paying because there had been an assumption made on the part of the person that had signed the invoices that there had been a contract in place even though there had been no new resolution.

Commissioner Sebolt asked if it had been checked in MUNIS with nothing there, it would have been a flag.

A discussion ensued regarding the MUNIS system.

Commissioner Sebolt stated that he had wished someone from the Sheriff’s Office was at the meeting. He further asked if anyone had known the thought process of the Sheriff’s Office.

Commissioner Sebolt asked if the Sheriff’s Office might have thought that they could have retroactively had the contract restart pending the Board of Commissioners’ approval at a later time. He further asked if the Sheriff’s Office had thought that the contract for 2018 should have been renewed by October 31, 2018 but the Board of Commissioners had gotten to the Jail Medical privatization discussion in November, so they had thought the Board of Commissioners could retroactively approve the contract, if they had just not planned to provide that service or had not known what would have happened, or had just forgotten not to do it.
Ms. Vail stated that the Sheriff's Office had sent a draft of the 2018 contract to MSU with the understanding that it would have just gone through. She further stated that the contract had not gotten proper Board of Commissioners authorization or proper signatures.

Commissioner Sebolt asked if the Sheriff's Office had forgotten to go back and do it or check on it.

Ms. Scott and Ms. Vail stated that they could not speak to that, and Commissioner Sebolt would need to talk to the Sheriff's Office.

THE MOTION CARRIED UNANIMOUSLY.

5. **Discussion** – Tobacco and Smoke Free Campus

Ms. Vail provided a history and background of the Tobacco and Smoke Free Campus initial thoughts and facts. She further went over data provided by the Tobacco-Free Campus Survey Summary and Implementation Timeline.

Ms. Vail stated that the implementation would make all County Campuses smoke free. She further stated that there would be a comprehensive program to help people that smoked to adjust their habits or stop smoking.

Ms. Vail stated the implementation was planned to start at the beginning of the year but it was being pushed back as it was complicated. She further stated that she had called every one of the County-wide elected officials and both Chief Judges, and she did get a resounding resistance from Chief Judge Richard Garcia.

Ms. Vail stated that Prosecuting Attorney Carol Siemon had thought that the initial draft of the policy was a little heavy-handed, but otherwise the elected officials had been supportive. She further stated that the enforcement section of the policy would be removed, and she believed if she had another conversation with Prosecutor Siemon, she would not think it was as heavy-handed.

A discussion ensued regarding the Tobacco-Free Campus Survey Summary.

Commissioner Stivers stated that she was a huge fan of the policy and that it would protect her and her children.

Commissioner Naeyaert stated that she had been a fan of the policy as well. She also stated that although she was not a smoker, she had been brought up in a heavily smoked-in house and stated that smoke was allergy inducing.

Commissioner Naeyaert admitted that when she had gone into smoke free places and had to walk through smoke outside that it was pointless.
Chairperson Tennis asked if the policy would be enforced at the Community Mental Health (CMH) Facility as well.

Ms. Vail stated that the policy would include the CMH Facility.

Chairperson Tennis asked how they planned on dealing with persons in the facility that had been dealing with substance use issues or mental health issues who smoked.

Ms. Vail stated that the facility was working on that. She further stated that CMH staff had approached her about the policy, and it was not being imposed on them.

Ms. Vail stated that the CMH Facility had been aware that issues could arise in regards to their patients. She further stated that the facility had been fortunate to have been in close proximity to the sidewalk.

Chairperson Tennis stated that he had concerns due to when he had been early in his sobriety he had been a smoker. He further stated that he had gotten advice and had been told not to quit smoking until he had years of sobriety under his belt.

Chairperson Tennis stated that he feared that the smoke-free policy would be contraindicative of some medical advice.

Ms. Vail stated that they would have worked with nicotine replacement therapy so patients would not have had to go through that.

Chairperson Tennis stated that the nicotine replacement therapy was not the same when someone’s head was in confusing place. He further stated that he was concerned if the enforcement would be on a case-by-case basis which might have brought resentment.

Chairperson Tennis stated that even if that had not been someone patrolling, people would feel that they were tattled on or smokers who did follow the policy might get mad if some did not get caught. He further stated that he did not think soft enforcement was the way to go.

Ms. Vail stated that she had not mean to indicate enforcement would have been spotty but hard to carry through. She further stated that they had used the Los Angeles County Health Department’s policies and tool kit to develop the County policy.

Ms. Vail stated that the LA County policy put the enforcement upon the employees to report to supervisors but had not wanted employees in that spot. She further stated that it would be incumbent upon supervisors to know that they had to enforce the policy fairly and uniformly throughout the County.

Commissioner Stivers stated that CMH had always put patient needs above all other priorities. She further stated that most of the problems had been with employees, where employees in scrubs were standing out there too close to the building.
Commissioner Stivers stated that at the very least the policy would have been an improvement for them even if they had not been able to crack down hard on patients due to those kinds of mental health issues.

Chairperson Tennis asked about the timeframe for implementation of the policy.

Ms. Vail stated that the updated timeline had them implementing a policy in April. She further stated that no policy had been provided yet, but it was a discussion item at the moment.

Ms. Vail stated that she would provide the Commissioners with a policy. She further stated that the Health Department had been looking at November or December for starting to announce plans County wide and to staff. She further stated that they would then work with cessation programs, quit lines, and how to get nicotine replacement therapy.

Ms. Vail stated when the policy did go into effect, they would then work with employees if they needed to be referred to the Employee Assistance Program. She further stated that they had been looking towards the end of the year to get plans out to employees and clients.

Ms. Vail stated that they would start to post the policy and would get to a launch date of April.

Commissioner Slaughter asked if the communication of the policy to the employees would have separate communications to managers or supervisors in terms of their roles in enforcement or their supervisory role.

Ms. Vail stated that she would imagine there be a communication widely to employees. She further stated that employees already knew the Health Department was looking into a policy but will have to work with leadership to work with the policy.

Commissioner Slaughter stated that he thought Ms. Vail might need buy-in from leadership.

Chairperson Tennis stated that Ms. Vail would need buy in from the collective bargaining’s leadership as well.

Tim Morgan, Parks Director, stated that he talked to his supervisors and they had a possible concern regarding people smoking in their cars in the parking lot and if that would be allowed with the new incoming policy. He further stated that if individuals at parks could not smoke in their cars but had to be so far away from the area it could have made it tougher to manage without policing it.

Ms. Vail stated that she had known some areas of the County might be more difficult, like the 911 Center, where workers had long shifts and could not just get in cars and leave to go smoke. She further stated that they did put in the policy the ability for any department head to seek some type of a deviation to be approved by the Controller.

Commissioner Sebolt stated that he would rather have the policy uniform with no deviation. He asked if, to get around some of the situations, it should become an ordinance instead of just a
policy with some type of enforcement where the Board of Commissioners could choose to have tickets issued, even as a possible threat, as MSU did on campus.

Chairperson Tennis stated that it sounded as though Ms. Vail already had a written policy.

Ms. Vail stated that there was a draft of the policy. She further stated she could come back to the next Committee meeting and could bring the draft policy to discuss the exception clause or she could mail or email out the policy.

**Chairperson Tennis stated that he would like to see the draft policy before the next meeting.**

Mr. Cypher stated that the next Human Services meeting was the Community Agency night. He further stated that Chairperson Tennis might be looking at the November 18, 2019 meeting to discuss the draft policy.

Chairperson Tennis stated he would not be in attendance for the November 18, 2019 meeting.

Ms. Vail asked if she should stop or keep moving with the policy.

Chairperson Tennis stated that he did not support the policy but it had sounded as though the Committee was supportive of the general support of concept. He further stated that they could at least discuss it.

**Chairperson Tennis stated that the Committee would like to see the policy draft first and then try to put it on the agenda for discussion.**

Commissioner Slaughter asked Ms. Vail if there had been an update on the Eastern Equine Encephalitis (EEE) outbreak.

Ms. Vail stated that Commissioner Slaughter had asked for an update previously. She further stated that there had been an outbreak across the state.

Ms. Vail stated that numbers of those affected by EEE are above normal. She further stated that there had been no cases in Ingham County.

Ms. Vail stated that the vast majority of those affected by EEE had no symptoms or had mild flu like illness. She further stated that in her opinion, with no cases and frost coming soon, it would be too expensive and not work to do an aerial spraying.

Ms. Vail stated that a spraying could potentially trigger health problems, like asthma, and hurt the bee population. She further stated that there had been no community spraying programs created in Ingham County and stated that they would watch for EEE next year.

A discussion ensued regarding EEE.
Commissioner Trubac stated that he was somewhat sympathetic to some of the concerns expressed by the Parks Director. He further stated that before he became a Commissioner, he had worked at a County facility, and was accustomed to the way things were now 50 feet from the door.

Commissioner Trubac stated that his interpretation from this discussion was that they had wanted to take the 50 feet from the door policy to the next level. He further stated that he could understand the necessity of that, and why it was important to people, but was not sure if he could go all the way to driving away in a car.

Commissioner Trubac stated that he was not sure he could get behind the policy.

6. **Board Referral** – Resolution 2019-08-89 from the Eaton County Board of Commissioners to Request Waiver of Health and Rehabilitation Services Medicaid Audit Takeback

Chairperson Tennis placed the resolution on file.

**Commissioner Announcements**

None.

**Public Comment**

None.

**Adjournment**

The meeting was adjourned at 7:16 p.m.