

Eastern Iowa MH/DS Region
Governing Board of Directors Meeting
Scott County Administrative Center
Electronic-Zoom
May 4, 2020
3:30-4:30PM

The MH/DS Governing Board of Directors Meeting was called to order at 3:36PM by Chair Beck. Beck, Irwin, Smith, Sorensen, Willey, Hilgendorf and Nauman were present. Management Team present: Lori Elam, Becky Eskildsen, Julie Tischuk, Lynn Bopes and Felicia Toppert. Fiscal Agent: David Farmer. Guests: Wade Stierwalt, Representative Monica Kurth, Beth Stoffer, Jen Tamayo, Amy Groth, Richard Whitaker, Representative Phyllis Thede, Kristi Harshbarger, Doug Kern, Angela Ganzer-Bovitz and other public members calling in not identified.

Chair Beck let the Governing Board know that there is only one item on the agenda today and did not feel that a motion to approve the agenda was needed.

CEO Lori Elam presented to the Governing Board the Children's Behavioral Health Services Implementation Plan and the need to make sure that it includes the correct voting language for the new Governing Board Members added from the Children's Advisory Committee starting July 1, 2020. Lori reminded the board that the way it is stated now is that elected officials will vote on fiscal matters and non-elected officials would not vote on any fiscal matters. Chair Beck let the board know that the Region CEOs received a letter from DHS dated 4/28/20 stating that Regions cannot exclude governing board members from voting on specific items, unless they are serving as an ex-officio. It also states that the Governance Structure and 28E agreements must be in compliance with Iowa Code and Iowa Administrative Code. If a Region has put these exclusions into the structure and 28E agreement, the Region must make the changes. Kristi Harshbarger, General Counsel at ISAC, shared that based on Iowa Code and Administrative Code, the board would have two options to address the issue of non-elected officials voting on financial matters if they chose to change what they have written currently. She said that the board could add more Board of Supervisors from each county or they could make the votes weighted. Chair Beck shared with the board that there have been discussions with ISAC regarding this issue and ISAC's Government Relations Manager has been in touch with Legislators to discuss the concern of non-elected officials voting on financial matters. The board asked Kristi if they choose to not allow the non-elected officials to vote, what would happen. Kristi said that most likely there will be an informal review with the Director at DHS to start, if that is appealed, then it would follow Ch. 17 dispute rules and would be a formal process and would work through DHS, if it isn't resolved at that point, it would move to an administrative law judge to hear the appeal and could go to District Court if the hearing wasn't resolved. Areas Discussed: not sure adding additional Board of Supervisors would work especially in counties that only have a three member board, if the non-elected officials are able to vote and then the language is changed and they can no longer vote will that cause problems among the members of the board, would following DHS guidelines stated in the letter and setting ground rules on voting work better, if all the members are able to vote then the non-elected officials would be better advocates and will have better participation, with a weighted vote the non-elected officials will vote but not have as much voice as the elected-officials on the financial matters. Moved by Smith, seconded by

Willey that each County Appointed Official will have two votes and each Committee Appointed Director will have one vote.

Other Items: None

Public Comment: Representative Monica Kurth and Representative Phyllis Thede discussed with the board the voting language and needing to take back talking points to start having conversations with their counterparts regarding this situation.

Meeting Adjourned: 4:28 PM

Dawn Smith, Secretary
Eastern Iowa MH/DS Region