# May 15 2019 Regular Meeting

# May 15 2019 Regular Meeting - May 15 2019 Regular Meeting

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### **AGENDA**

# NORTHERN INYO HEALTHCARE DISTRICT BOARD OF DIRECTORS REGULAR MEETING

# May 15, 2019 at 5:30 p.m. 2957 Birch Street, Bishop, CA

- 1. Call to Order (at 5:30 pm).
- 2. At this time persons in the audience may speak on any items not on the agenda on any matter within the jurisdiction of the District Board (Members of the audience will have an opportunity to address the Board on every item on the agenda. Speakers are limited to a maximum of three minutes each).
- 3. Adjournment to closed session to:
  - A. Conference with Labor Negotiators; Agency Designated Representative: Irma Moisa; Employee Organization: AFSCME Council 57 (*pursuant to Government Code Section* 54957.6).
- 4. Return to open session (at 6:15 pm) and report of any action taken.
- 5. NIHD Auxiliary hours of service report (information item).
- 6. Strategic Plan update, Patient Experience Committee report (information item).
- 7. Chief of Staff Report; Allison Robinson MD:
  - A. Policy and Procedure approvals (action items):
    - 1. Athena Designated Field Documentation
    - 2. Standards of Care in the Perioperative Unit
    - 3. Malignant Hyperthermia
    - 4. Recommendation for Patients Identified at Risk for TACO
    - 5. Opioid Sedation Scale
  - B. Medical Staff Appointments (action items):
    - 1. Monika Mehrens, DO (family medicine/hospitalist) Locums/Temporary Staff
    - 2. Tamara McBride, MD (family medicine/hospitalist) Locums/Temporary staff
    - 3. Earl Landrito, MD (radiology) Provisional Consulting Staff
  - C. Telemedicine Staff Appointments credentialing by proxy (action items)
    - 1. Tanya Scurry, MD (*psychiatry*) Adventist Health (St. Helena)
    - 2. Arrash Fard, MD (*cardiology*) Adventist Health (Simi Valley)
  - D. Additional Privileges (action item):

- 1. Anne Wakamiya, MD (internal medicine) addition of inpatient core privileges
- E. Resignations (action items):
  - 1. Doris Lin, MD (Family Practice/Emergency Medicine) effective March 23, 2019
  - Keith Shonnard, MD (Radiology Tahoe Carson Radiology Group) effective March 28, 2019
  - 3. Navid Ezra, MD (Dermatology) effective March 20, 2019
  - 4. Talha Khawar, MD (*Rheumatology*) effective March 1, 2019
- 8. New Business
  - A. Chief Executive Officer report (information item).
  - B. SHIP Grant renewal (information item).
  - C. Joint Commission Corrective Action Plan submission (information item).
  - D. Chief Operating Officer report (information item).
  - E. Joint Commission Laboratory survey (*information item*).
  - F. Chief Nursing Officer report (information item).
  - G. Chief Financial Officer report (*information item*).
  - H. Financial and Statistical Reports (action item).
  - I. Capital Budget overview, fiscal year 2019/2020 (action item).
  - J. Compliance Officer Quarterly report (action item).
- 9. Old Business
  - A. Determination of date for next Strategic Planning session (discussion item).

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#### Consent Agenda (action items)

- 10. Approval of minutes of the April 17 2019 regular meeting
- 11. Policy and Procedure annual approvals

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- 12. Reports from Board members (*information items*).
- 13. Adjournment to closed session to/for:
  - A. Discuss trade secrets, new programs and services (estimated public session date for discussion yet to be determined) (*Health and Safety Code Section 32106*).
  - B. Conference with Legal Counsel regarding anticipated litigation or significant exposure to litigation (pursuant to Government Code Section 54956.9(b)), 1 potential case.

C.	Conduct Public employee performance evaluation,	Chief Executive Of	fficer (pursuant to
	Government Code Section 54957).		

- 14. Return to open session and report of any action taken in closed session.
- 15. Adjournment.

In compliance with the Americans with Disabilities Act, if you require special accommodations to participate in a District Board meeting, please contact administration at (760) 873-2838 at least 48 hours prior to the meeting.

# NORTHERN INYO HOSPITAL AUXILIARY AWARDS LUNCHEON

May 8, 2019

100 Hours

Darla Cummings 3000 Hours

Pat Flanagan Diane Remick

Vicky Spear 3500 Hours

Vivian Mitchel

1000 Hours Shirley Stone

Betty Buckle 7500 Hours

June Shaw Judy Fratella

1<u>1,500 Ho</u>urs

1500 Hours Nona Jones

Jacque Johnston 16,366 Hours

**Sharon Moore** 

2500 Hours

**Betty Dickey** 

Cheryl Underhill

Total Hours 2019=11,990 Total Hours more than 2018

Total Hours 1982-2019= 215,406 3,937



#### NORTHERN INYO HOSPITAL

Northern Inyo Healthcare District 150 Pioneer Lane, Bishop, California 93514 Medical Staff Office (760) 873-2136 voice (760) 873-2130 fax

TO: NIHD Board of Directors

FROM: Allison Robinson, MD, Chief of Medical Staff

DATE: May 7, 2019

RE: Medical Executive Committee Report

The Medical Executive Committee met on this date. Following careful review and consideration, the Committee agreed to recommend the following to the NIHD Board of Directors:

- A. Policies and Procedures (action items)
  - 1. Athena Designated Field Documentation
  - 2. Standards of Care in the Perioperative Unit
  - 3. Malignant Hyperthermia
  - 4. Recommendation for Patients Identified at Risk for TACO
  - 5. Opioid Sedation Scale.
- B. Medical Staff Appointments (action items)
  - 1. Monika Mehrens, DO (family medicine/hospitalist) Locums/Temporary staff
  - 2. Tamara McBride, MD (family medicine/hospitalist) Locums/Temporary staff
  - 3. Earl Landrito, MD (radiology) Provisional Consulting Staff
- C. Telemedicine Staff Appointments credentialing by proxy (action items)
  - 1. Tanya Scurry, MD (psychiatry) Adventist Health (St. Helena)
  - 2. Arrash Fard, MD (cardiology) Adventist Health (Simi Valley)
- D. Additional Privileges (action item)
  - 1. Anne Wakamiya, MD (*internal medicine*) addition of inpatient core privileges.
- E. Resignations (action items)
  - 1. Doris Lin, MD (Family Practice/Emergency Medicine) effective March 23, 2019
  - 2. Keith Shonnard, MD (*Radiology Tahoe Carson Radiology Group*) effective March 28, 2019
  - 3. Navid Ezra, MD (*Dermatology*) effective March 20, 2019
  - 4. Talha Khawar, MD (*Rheumatology*) effective March 1, 2019

### Northern Inyo Healthcare District Income Statement - Detail As of February 28, 2019

	Month To Date 02/28/2019	Month To Date 01/31/2019	Year To Date 02/28/2019	Year To Date 02/28/2018
	Actual	Actual	Actual	Actual
patient Revenue	2,044,116.57	2,652,242.06	24,282,492.24	29,124,338.38
utpatient Revenue	9,159,140.97	10,520,788.12	73,898,256.97	68,798,607.24
linic Revenue	604,111.75	536,037.81	2,324,468.08	0.00
otal Gross Patient Service Revenue	11,807,369.29	13,709,067.99	100,505,217.29	97,922,945.62
eductions from Revenue	(6,062,764.24)	(7,840,983.86)	(51,657,535.90)	(45,183,736.40)
ther Patient Revenue	(9.00)	(9.59)	(18.59)	0.00
thei Fatterit Nevertue	(9.00)	(9.59)	(10.09)	0.00
otal Net Patient Revenue	5,744,596.05	5,868,074.54	48,847,662.80	52,739,209.22
come/Expense from Cost Reporting				
Medicare Settlement Income/Expense	329,140.00	329,140.00	1,316,560.00	0.00
Disproportionate Share Income/Loss	0.00	0.00	2,471,501.66	2,286,469.57
otal Income/Expense from Cost Reporting	329,140.00	329,140.00	3,788,061.66	2,286,469.57
ther Operating Revenue	968,749.19	992,915.15	6,815,581.39	273,810.35
perating Expenses				
Repairs and Maintenance	15,085.37	13,437.22	325,450.02	1,267,951.96
Leases and Rental Expenses	77,567.05	80,116.79	574,895.30	642,117.98
Salary & Wages	2,362,626.62	2,461,170.67	20,371,638.18	16,898,316.53
Benefits	1,616,718.75	1,927,653.64	13,707,720.82	12,561,392.52
Non-Benefit Expenses	7,189.81	15,162.71	111,681.56	134,710.53
Professional Fees	551,408.22	689,488.98	7,276,942.79	8,180,003.48
Supplies	699,343.19	472,413.76	5,632,459.52	5,732,617.61
Contract Services	601,739.65	508,112.16	3,616,402.78	1,168,230.44
Other Department Expenses	104,005.45	90,572.48	688,342.13	571,108.11
Hospital Insurance Expenses	33,686.99	(24,535.01)	281,805.91	238,155.34
Utilities	116,151.71	122,150.94	1,040,329.45	895,778.78
Depreciation and Amortization	314,692.81	314,697.67	2,681,778.12	3,270,484.01
Other Fees	289,955.27	(61,953.61)	954,013.86	810,554.89
Interest Expense - Operating	231,986.23	231,952.23	1,873,835.85	1,990,891.82
otal Operating Expenses	7,022,157.12	6,840,440.63	59,137,296.29	54,362,314.00
nspecified Department Expenses	0.00	0.00	0.00	(1,218,762.75)
otal Net Operating Profit (Loss)	20,328.12	349,689.06	314,009.56	2,155,937.89
on-Operating Revenue				
Other Income				
Tax Payer General Support	48,743.07	48,743.07	389,944.56	350,678.47
Bond/ Tax Payer Bond Support	137,595.79	137,595.79	991,838.47	1,029,174.00
Investment Income	0.00	0.00	20.28	0.00
Interpreter Services Revenue	0.00	0.00	17,826.52	0.00
Fin Chgs-Pt Ar - Int Incm-Jdgmnt	0.00	0.00	287.31	264.33
Fin Chgs-Pt Ar - Int Incm-Payors	0.00	5,435.16	14,205.89	45,049.74
Interest Income	54,595.50	75,712.39	465,113.64	193,058.30
Total Other Income	240,934.36	267,486.41	1,879,236.67	1,618,224.84
Grant Revenue	0.00	0.00	2,035,715.72	1,529,931.72
Other Non-Operating Income	2,576.00	16,236.00	38,440.00	15,039.61
Net Medical Office Activity	(467,856.37)	(497,895.07)	(4,411,434.83)	(2,892,616.57)
340b Net Activity	40,608.32	38,684.91	195,637.83	(3,250.81)
Donations	3,000.00	0.00	6,300.00	0.00
Rental Income	0.00	0.00	15,994.70	36,961.32
Gain - Investments - Other Income	0.00	0.00	5,080.50	0.00

### Northern Inyo Healthcare District Income Statement - Detail As of February 28, 2019

Month To Date	Month To Date	Year To Date	Year To Date
02/28/2019	01/31/2019	02/28/2019	02/28/2018
Actual	Actual	Actual	Actual
(180,737.69)	(175,487.75)	(235,029.41)	304,290.11
(180,737.69)	(175,487.75)	(235,029.41)	304,290.11
(160,409.57)	174,201.31	78,980.15	2,460,228.00

otal Non-Operating Revenue otal Net Non-Operating Profit otal Net Income

# Northern Inyo Healthcare District Balance Sheet As of February 28, 2019 Month Ending 02/28/2019

	Actual
Assets	,,,,,,
Current Assets	
Cash and Liquid Capital	(818,065.92)
Short Term Investments	14,507,104.93
PMA Partnership	379,758.00
Accounts Receivable, Net of Allowance	19,483,383.03
Other Receivables	6,357,372.63
Short Term Notes Receivable	(131.00)
Inventory	3,781,863.95
Prepaid Expenses	1,957,699.16
Total Current Assets	45,648,984.78
Assets Limited as to Use	70,010,001110
Internally Designated for Capital Acquisitions	1,098,765.26
Short Term - Restricted	1,585,470.45
Limited Use Assets	1,000,110110
DC Pension	2,403,826.63
DB Pension	13,547,735.00
PEPRA	2,967.70
Total Limited Use Assets	15,954,529.33
Revenue Bonds Held by a Trustee	4,061,505.23
Total Assets Limited as to Use	22,700,270.27
Long Term Assets	
Long Term Investment	1,054,166.52
Fixed Assets, Net of Depreciation	77,339,820.15
Total Long Term Assets	78,393,986.67
Total Assets	146,743,241.72
Liabilities	140,740,241.72
Current Liabilities	
Current Maturities of Long-Term Debt	811,088.92
Accounts Payable	1,445,199.84
Accounts Fayable Accrued Payroll and Related	9,839,618.06
Accrued Interest and Sales Tax	529,493.36
Unearned Revenue	264,859.50
Due to 3rd Party Payors	1,239,097.96
Due to Specific Purpose Funds	108,883.52
Other Deferred Credits - Pension	4,059,539.70
Total Current Liabilities	18,297,780.86
	10,297,700.00
Long Term Debt	41 920 047 15
Long Term Debt	41,839,947.15
Bond Premium	499,361.72
Accreted Interest	13,078,069.00
Other Non-Current Liability - Pension	31,778,171.00
Total Long Term Liabilities	87,195,548.87
Suspense Liabilities	2,170,173.16
Total Liabilities	107,663,502.89
Fund Balance	
Fund Balance	37,634,677.95
Temporarily Restricted	1,605,470.45
Net Income	(160,409.57)
Total Fund Balance	39,079,738.83
Liabilities + Fund Balance	146,743,241.72
	,

# Northern Inyo Healthcare District Balance Sheet

# As of January 31, 2019 Month Ending 01/31/2019

	Actual
Assets	
Current Assets	
Cash and Liquid Capital	3,982,339.06
Short Term Investments	10,760,730.00
PMA Partnership	379,758.00
Accounts Receivable, Net of Allowance	19,445,885.50
Other Receivables	6,058,639.08
Short Term Notes Receivable	(21.00)
Inventory	3,761,221.71
Prepaid Expenses	1,909,159.86
Total Current Assets	46,297,712.21
Assets Limited as to Use	10,201,112121
Internally Designated for Capital Acquisitions	1,098,765.26
Short Term - Restricted	1,585,470.45
Limited Use Assets	1,555,115,15
DC Pension	2,290,201.56
DB Pension	13,547,735.00
PEPRA	2,967.70
Total Limited Use Assets	15,840,904.26
Revenue Bonds Held by a Trustee	3,898,772.53
Total Assets Limited as to Use	22,423,912.50
Long Term Assets	<del>2 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - </del>
Long Term Investment	1,054,166.52
Fixed Assets, Net of Depreciation	77,647,787.97
Total Long Term Assets	78,701,954.49
Total Assets	147,423,579.20
Liabilities	
Current Liabilities	
Current Maturities of Long-Term Debt	811,088.92
Accounts Payable	3,745,325.11
Accrued Payroll and Related	9,723,485.72
Accrued Interest and Sales Tax	410,404.03
Unearned Revenue	313,602.57
Due to 3rd Party Payors	1,239,094.96
Due to Specific Purpose Funds	108,883.52
Other Deferred Credits - Pension	4,059,539.70
Total Current Liabilities	20,411,424.53
Long Term Liabilities	<del> </del>
Long Term Debt	41,839,947.15
Bond Premium	503,753.23
Accreted Interest	12,967,520.25
Other Non-Current Liability - Pension	31,778,171.00
Total Long Term Liabilities	87,089,391.63
Suspense Liabilities	682,614.64
Total Liabilities	108,183,430.80
Fund Balance	
Fund Balance	37,460,476.64
Temporarily Restricted	1,605,470.45
Net Income	174,201.31
Total Fund Balance	39,240,148.40
Liabilities + Fund Balance	147,423,579.20

### NORTHERN INYO HEALTHCARE DISTRICT

### Investments as of February 28, 2019

			-		
Purchase Date	Maturity Date	Institution	Broker	Rate	Fair Market Value
27-Feb-19	01-Mar-19	Local Agency Investment Fund	Northern Inyo Hospital	2.39%	11,678,736.43
15-Jun-18		BK Phoenixville - FNC	Financial Northeaster Corp.	2.20%	249,897.50
30-Nov-18	30-May-19	Homestreet BK Seattle Wash CTF	Financial Northeaster Corp.	2.40%	149,923.50
02-Jul-14		Barclays Bank	Financial Northeaster Corp.	2.05%	249,305.00
02-Jul-14	02-Jul-19	Goldman SachsBank USA NY CD	Financial Northeaster Corp.	2.05%	249,242.50
			Short Term Investments		12,577,104.93
20-May-15	20-May-20	American Express Centurion Bank	Financial Northeaster Corp.	2.05%	98,699.00
26-Sep-16	27-Sep-21	Comenity Capital Bank	Multi-Bank Service	1.70%	238,755.00
02-Sep-16	28-Sep-21	Capital One Bank	Multi-Bank Service	1.70%	238,825.00
28-Sep-16	28-Sep-21	Capital One National Assn	Multi-Bank Service	1.70%	238,825.00
28-Sep-16	28-Sep-21	Wells Fargo Bank NA	Multi-Bank Service	1.70%	239,062.50
<del></del>			Long Term Investments		\$ 1,054,166.50
			Total Investments	S	13,631,271.43
28-Feb-19	01-Mar-19	LAIF Defined Cont Plan	Northern Inyo Hospital	2.39%	2,403,826.63



# NORTHERN INYO HOSPITAL

Northern Inyo Healthcare District

150 Pioneer Lane Bishop, California 93514 (760) 873-5811 voice (760) 872-2768 fax

#### **Board of Directors:**

 Mary Mae Kilpatrick, President

Jean Turner, Vice President

- Robert Sharp, Secretary
- Peter Tracy, Treasurer
- M.C. Hubbard, Member at Large
- Kevin S. Flanigan, MD, MBA, CEO

Improving our
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May 7, 2019

To:

Governing Board of Northern Inyo Healthcare District

From:

John Tremble, Chief Financial Officer

Subject:

Recommended 2020 Capital Budget

The departments of the District have submitted nearly 50 Capital items with a cost of more than \$2,350,000 and additional requests pending. The Capital requests are in the process of being vetted for compatibility, resource capacity, OSPD requirements, and Medical Staff agreement with the recommendation.

In addition to the Capital requests, we have a number of requests which are repairs to Capital Assets who continue to have service life. These requests will also be vetted and included in the final 2020 Operational budget. Management may request a smaller than projected net income in order to complete these repairs.

The District is projected to end Fiscal 2019 with \$17,562,000 of cash and investments on hand; 76.3 days. During the next Fiscal year, the growth in net accounts receivable will be reversed and returned to normal levels. The reversal in growth in net accounts receivable will increase cash on hand by \$6,200,000. The cash flow budget for approval includes \$550,000 for other strategic investments along with expected changes in payables, long term debt and pension liability and an income of \$700,000 for the year.

The projected cash flow for 2020 is expected to result in a total days of cash on hand of 102.7 assuming operations consumes \$237,041 per day in expenditures. With the District's goal of maintaining 90 days cash on hand, the projected end of year cash balance of \$24,333,700 means the District could spend \$3,000,000 in Fiscal 2020 on Capital and be at or above our 90 day goal for cash and investments on hand.

The Statement of Cash Flow assumes all the Capital authorized for Fiscal 2019 has been purchased, installed and paid for as of June 30, 2019. The District will most likely have some Capital projects continuing into Fiscal 2020 from Fiscal 2019.

Statement of Cash Flow For Fiscal Year 2018 & 2019 & 2020 Capital Budget Impact Statement

	FY 2017	FY 2018	FY 2019	FY 2020
Cash on Hand	18,616,934	16,058,324	19,488,837	17,562,114
Used for Other District Investments	(248,369)	133,052	(1,515,000)	(550,000)
Change in Net Patient A/R	(2,995,894)	(583,127)	(6,200,000)	6,200,000
Change in Other Receivables	501,536	(3,023,014)	3,000,000	¥.
Change in Inventory	(843,685)	(740,014)	(265,000)	40,000
Change in Prepaid Expenses	(315,821)	(627,014)	60,000	60,000
Change in Special Purpose Assets	(1,157,516)	(4,054)	500	
Change in Revenue Bonds with Trustee	3,395,095	(25,587)	(45,308)	(45,000)
Change in Long Term Investments	(197,857)	202,378	0.75	-
Change in Net Property et al.	3,260,381	2,965,374	3,800,000	2,450,000
Change in current Liabilities	(3,810,215)	1,588,068	720,000	(360,000)
Change in long term debt	(2,048,220)	(807,054)	(2,168,000)	(2,450,000)
Accreted Interest change	1,326,585	1,326,585	1,326,585	1,326,585
Change in Pension liability	190,710	1,290,639	600,000	(600,000)
Change in Temporarily Restricted	1,157,516	30,376	*	J.
Net Income (Loss)	(772,856)	1,703,905	(1,240,000)	700,000
Ending Cash on Hand	16,058,324	19,488,837	17,562,114	24,333,699
Total Operating Expenses plus Principal	74,465,243	78,565,420	84,000,000	86,520,000
Average Cash Used Per Day	204,014	215,248	230,137	237,041
Ending Days Cash on Hand	78.7	90.5	76.3	102.7
Organizational Goal		90.0	90.0	90.0
Minimum Floor			75.0	75.0
Available Additional for Capital with 90 days (	Cash on Hand:	18		\$ 3,000,000



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# Compliance Report May 2019

- 1. Comprehensive Compliance Program review
  - a. As of April 29, 2019, 93.2% District's employee (including temporary, traveler, and contract workers) workforce have reviewed the Compliance Program, most within 90 days of their first day of employment. This number fluctuates due to employee turnover. We have also experienced an issue with Policy Manager, leaving new employees with the program unassigned. We are correcting this issue.

#### 2. Breaches

- a. Calendar Year (CY) 2019 (attachment A)
  - i. 22 alleged breaches of PHI (Protected Health Information) potentially affecting more than 25 patients have been investigated by the Compliance Office
  - ii. 2 of the alleged breaches of PHI have been reported to California Department of Public Health (CDPH) and/or the Office of Civil Rights (OCR)
    - 1. CDPH has completed investigation of 1 cases. One (1) breach was substantiated, but assigned no deficiency.
    - 2. One (1) case is still pending CDPH investigation. Several cases from prior years are still pending letters of findings, indicating that at least several are likely to incur some deficiency and potential penalty.
  - iii. 5 Potential breaches are currently under investigation by the NIHD Compliance Department.

#### 3. Issues and Inquiries

- a. CY 2019 More than 115 requests for research and input on a wide variety of topics have been made to the Compliance Department.
  - i. Compliance and regulation research tops the list.
  - ii. Policy advice and research
  - iii. Potential compliance concerns that do not reach the level of a full investigation. (Usually require training and education)
- b. Compliance currently reviews all new referring physicians to verify they are not on a Federal or State exclusions list. To date in 2019, Compliance has verified several



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hundred providers. It is considered fraud to bill any government payer for diagnostic or treatment claims, if ordered by an excluded provider.

i. Compliance has identified one referring provider on an exclusions list. We notified Administration, and properly addressed the issue.

#### 4. Audits

- a. Employee Access Audits (attachment B) The Compliance Office manually completes audits for access of patient information systems to ensure that employees access records only on a work-related, "need to know," and "minimum necessary" basis.
  - i. The HIPAA and HITECH Acts imply that organizations must perform due diligence by actively auditing and monitoring for appropriate use of PHI. These audits are also required by the Joint Commission and are a component of the "Meaningful Use" requirements.
  - ii. Access audits monitor who is accessing records by audit trails created in the systems. These audits allow us to detect unusual or unauthorized access of patient medical records.
  - iii. Compliance performs between 300-500 audits monthly.
    - 1. Each audit ranges from hundreds of lines of data to hundreds of thousands of lines of data.
  - iv. Protenus has been selected to provide semi-automated auditing software services to NIHD beginning as soon as IT resources are able to be allocated for the project.
- b. Business Associates Agreements (BAA) audit
  - i. Contracts are currently under review to ensure all vendors, individuals, and entities providing services that access, disclose, retain, or transmit PHI for NIHD have an up-to-date Business Associates Agreement.
  - ii. We currently have around 140 Business Associates Agreements.
- c. PACS (Picture Archival and Communication System) User Access Agreements Compliance is now processing access agreements for external entities/providers to gain access to the NIHD PACS Portal (electronic Imaging system).
- d. HIPAA Security Risk Assessment Completed December 2019
  - i. Annual requirement to assess security and privacy risk areas as defined in 45 CFR 164.3. Review of 157 privacy and security elements performed in conjunction with Information Technology Services.



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ii. Will work with ITS (Information Technology Services) to develop and update the Risk Management plan.

#### 5. Conflicts of Interest questionnaires

- a. Compliance has not yet sent the Conflict of Interest questionnaire form to the District workforce this year. We are awaiting full resolution of conflicts identified in 2018 prior to requesting this information.
- b. The Management Plan form has been re-designed to simplify the process for our leadership team. We have management plans in place for 98% of the workforce for whom they are needed. We are working with leadership teams to develop and review the plans for the remaining conflict.
- 6. CPRA (California Public Records Act) Requests
  - a. The Compliance office has responded to 6 CPRA request in CY 2019.
    - i. 2 requests throughout the year for companies that harvest data from healthcare organizations to aid their marketing products.
    - ii. 4 are from District resident, Ms. Freeman. . She has informed us to expect requests.

### 7. Compliance Workplan (attachment C)

- a. The Department of Health and Human Services Office of Inspector General's (OIG) creates an annual workplan for auditing, based on areas of high concern for fraud, waste, and abuse. The Centers for Medicare/Medicaid Services Medicare Administrative contractors (MACs) also create an annual audit workplan.
- b. OIG recommends that annual Compliance Department workplans are created, based on the facility Compliance Program, and the OIG and MAC workplans, along with areas of risk for the organization.
- c. The attached work plan updated in January 2019 for progress and approved by the Compliance and Business Ethics Committee.
- 8. Unusual Occurrence Reports (UOR)
  - a. Transition to Unusual Occurrence reports (UOR) next two quarters
  - b. Trending
  - c. ComplyTrack- tracking software system went live on 4/15/2019.
    - i. Over 50 incident reports within first 2 weeks
- 9. CDPH Licensing Survey Response Monitoring



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- a. Compliance will be working with Department leadership teams to follow corrective actions and monitor for sustained compliance. Those metrics will be reported here, no less than annually.
  - i. Referral arrangements from non-staff ordering providers. Monitoring in progress 04/2019
  - ii. Pediatric Consultations Monitoring in progress 04/2019

iii.

iv. Code Amber drills - Monitoring in progress 04/2019

v.

vi. RN Competency Validations – i Monitoring in progress 04/2019

vii.

- viii. Sterile compounding area ceiling, and refrigerator temperature monitoring Monitoring in progress 04/2019
  - ix. of Malignant Hyperthermia cart Monitoring in progress 04/2019

х.

- xi. Add crash cart medication list to Crash Cart Policy completed. <u>No</u> additional monitoring required.
- xii. Titratable sedatives and sedation scale use Monitoring in progress 04/2019 xiii.
- xiv. Proper storage of clove oil in ED dental box Clove oil removed from supplies and supply list. Monthly monitoring has determined this has been effective. No additional monitoring required as of 1/1/2019.
- xv. Beyond-use-date labeling of medications No additional monitoring required.
- xvi. Expired supply in crash cart Monitoring in progress 04/2019

xvii.

- xviii. TB Surveillance program letter of compliance sent to CDPH. <u>No additional monitoring is required.</u>
  - xix. Infection Prevention Program monitoring Monitoring in progress 04/2019

XX.

xxi. Workforce N95 mask fit testing – Monitoring in progress 04/2019

xxii.

- xxiii. Equipment preventative maintenance stickers Monitoring in progress 04/2019
- 10. The Joint Commission Survey Response



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- a. Submitted
- b. Will provide monitoring in next quarterly report



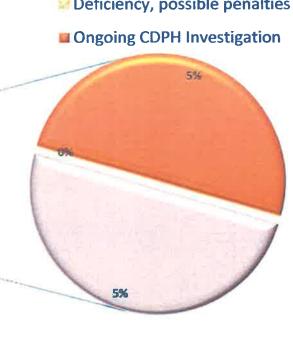








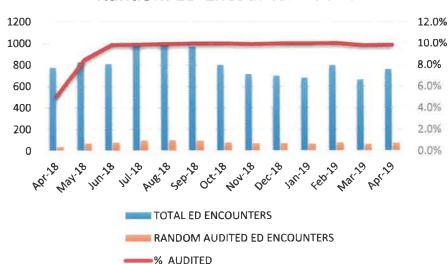




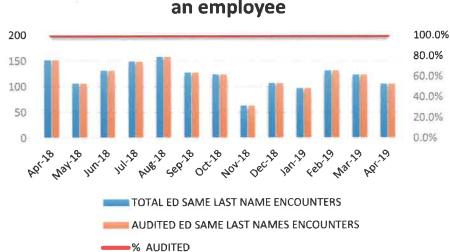
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#### **Emergency Room Encounters**

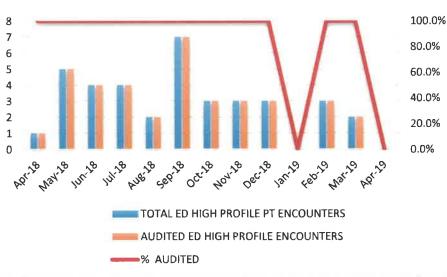
#### **Random ED Encounter Audits**



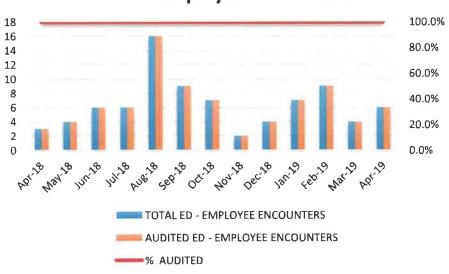
# ED Patient with the same last name as an employee



#### **HPP ED Encounters**



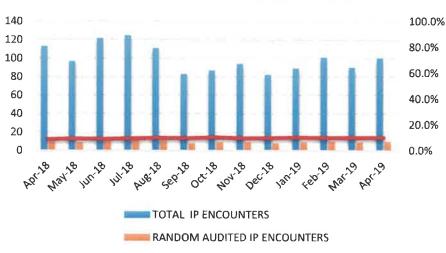
#### **Employee ED Encounters**



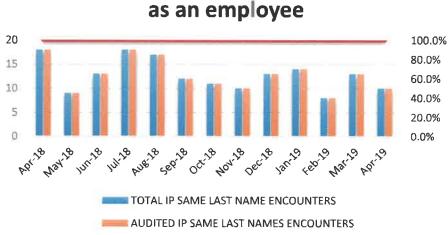
20

### **Inpatient Encounters**



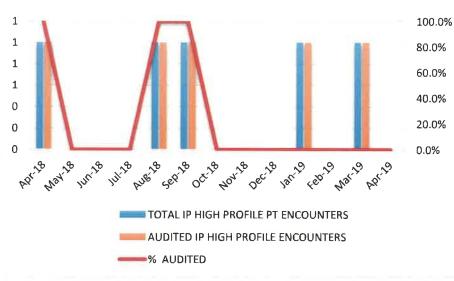


# Inpatient with the same last name as an employee



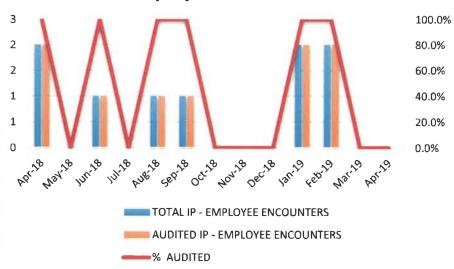
#### **HPP IP Encounters**

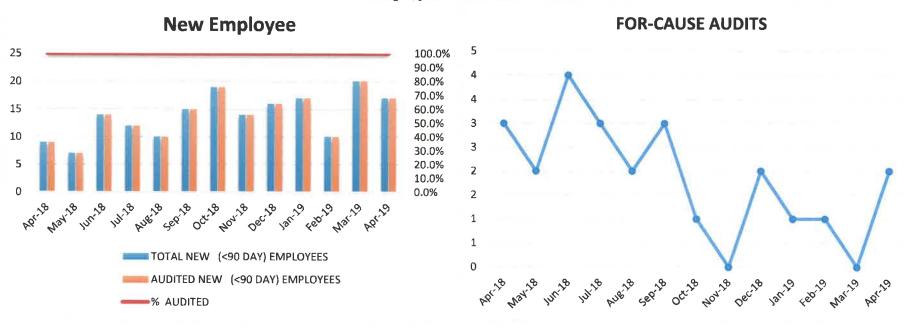
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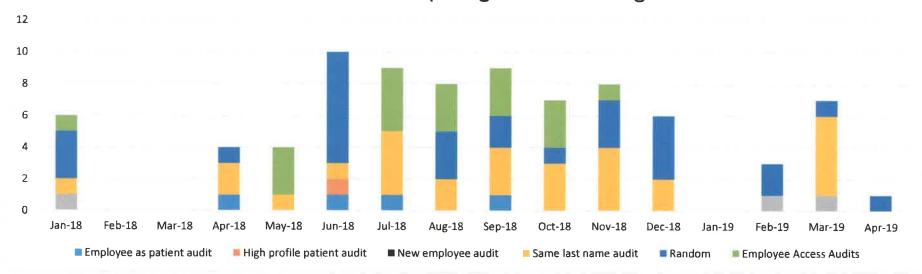
#### **Employee IP Encounters**

% AUDITED

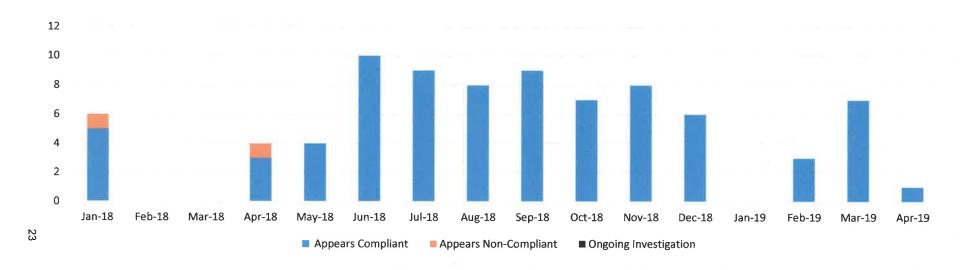








### "FLAGS" Outcomes



No.	Item	Reference	Comments
Com	pliance Oversight and Management		7
1.	Review and update charters and policies related to the duties and responsibilities of the Compliance Committees.	NIHD Compliance Program (p.17)	Completed Jan 2019
2.	Develop and deliver the annual briefing and training for the Board on changes in the regulatory and legal environment, along with their duties and responsibilities in oversight of the Compliance Program.	NIHD Compliance Program (p.17)	Colin Coffey, Jan 2019. Also CO briefing and updates in August 2018. "Takeaways" from monthly HCCA magazine
3.	Develop a Compliance Department budget to ensure sufficient staff and other resources to fully meet obligations and responsibilities.		In progress 04/2019
Wri	tten Compliance Guidance		
4.	Audit of required Compliance related policies.		Annual review conducted on regular monthly schedule Throughout the year
5.	Annual review of Code of Conduct to ensure that it currently meets the needs of the organization and is consistent with current policies. (Note: Less than 12 pages, 10 grade reading level or below)		05/2019
6.	Verify that the Code of Conduct has been disseminated to all new employees and workforce.		In progress
Com	pliance Education and Training		
7.	Verify all workforce receive compliance training and that documentation exists to support results. Report results to Compliance Committee.		January 2019
8.	Ensure all claims processing staff receive specialized training programs on proper documentation and coding.	3	
9.	Review and assess role-based access for EHR and partner programs. Implement/evaluate standardized process to assign role-based access.	R-BAT created 7/2018. Currently working with Athena to update RBA controls.	Stalled due to lack of granularity of Athena access control security
10.	Compliance training programs: fraud and abuse laws, coding requirements, claim development and submission processes, general prohibitions on paying or receiving remuneration to induce referrals and other current legal standards.	Completed at Orientation. Need to send to Med Staff. PPM and Relias for current workforce.	

Con	npliance Communication		
11.	Review investigation log. Prepare summary report for Compliance Committee on types of issues reported and resolution	Update for Complytrack	Quarterly 2019
12.	Develop a report that evidences prompt documenting, processing, and resolution of complaints and allegations received by the Compliance Department.	Update for Complytrack	
13.	Document test and review of Compliance Hotline.		Completed 4/2019
14.	Physically verify Compliance hotline posters appear prominently on employee boards in work areas.		
Con	pliance Enforcement and Sanction Screen	ing	
15.	Verify that sanction screening of all employees/workforce and others engaged by NIHD against OIG List of Excluded Individuals and Entities has been performed in a timely manner, and is documented by a responsible party.	Ongoing – HR performs employees/travelers/temps monthly. Compliance verifies new providers. MSO verifies all medical staff. Accounting verifies all vendors.	Current through 4/2019
16.	Develop a review and prepare a report regarding whether all actions relating to the enforcement of disciplinary standards are properly documented.		
17.	Audits		
	a. Telehealth audits		
	b. EMTALA		
	c. Cost reports	Wipfli	Completed at BOD 1/2019
	d. Payment patterns		
	e. Bad debt/ credit balances	Will work with J. Tremble.	
	f. OPS – Home health and DME	HHS OIG target	Initial meet with P West 1/2019
	Lab services	MAC target	
	Imaging services (high cost/high usuage)	MAC target	
10	Rehab services	HHS OIG workplan	N 1 0040
18.	Ensure that high risks associated with HIPAA and HITECH Privacy and Security requirements for protecting health information undergo a compliance review.		November 2018
	a. Annual Security Risk Assessment		Security Risk Assessment due in Nov 2019
	b. Periodic update to SRA		
	c. Monthly employee access audits		Current through 04/2019

20. 21.	Audit required signage  Audit HIMS scanned document accuracy  Develop metrics to assess the		Proper signage is posted in all areas except the DI waiting area. It is in progress. 4/2019
	effectiveness and progress of the Compliance Program		
22.	Implement automated access monitoring/auditing software (Protenus)		Starts January 2019 when we have allocation of IT resources.
23.	Review CMS CoPs (CAH)		
Res	ponse to Detected Problems and Correctiv	e Action	
24.	Verify that all identified issues related to potential fraud are promptly investigated and documented	In progress. Documented in Case log	4/2019
25.	Review all corrective action measures taken related to compliance to verify they have been completed and validated as being effective. Prepare a summary report for the CBEC	E.	
26.	Conduct a review that ensures all identified overpayments are promptly reported and repaid.	Working with WJ, MET, HIMS dept to review all audits, recoupments	
27.	UOR tracking and trending – UOR/Unusual occurrence reporting is now a function on the Compliance Department.	Complytrack – live 04/2019	New reporting system live
	a. Provide trend feedback to leadership to allow for data driven decision-making		On-going
	I. Overall QRR process		August 2018
	II. Workplace Violence		September 2018
	III. Sharps		October 2018
	IV. Overweight laundry		October 2018
28.	Pioneer Home Health and Hospice of the Owens Valley Compliance Review, ACE agreement		1/2019
29.	Patient complaints	In Progress	Restructure adds these to Compliance Workplan
30.	Breach Investigations	On-going	On-going – see Compliance report

CALL TO ORDER

The meeting was called to order at 5:00 pm by Mary Mae Kilpatrick,

President.

PRESENT

Mary Mae Kilpatrick, President Jean Turner, Vice President Robert Sharp, Secretary Peter Tracy, Treasurer

M.C. Hubbard, Member at Large Allison Robinson MD, Chief of Staff

Kevin S. Flanigan MD, MBA, Chief Executive Officer

John Tremble, Chief Financial Officer

Tracy Aspel RN, BSN Chief Nursing Officer

ABSENT

Kelli Davis MBA, Chief Operating Officer

ADJOURN TO CLOSED SESSION

At 5:01 pm Ms. Kilpatrick announced the meeting would adjourn to Closed Session to allow the Board of Directors to:

- Conference with Labor Negotiators; Agency Designated representative: Irma Moisa; Employee Organization: AFSCME Council 57 (pursuant to Government Code Section 54957.6).

RETURN TO OPEN SESSION AND REPORT OF ACTION TAKEN

At 5:38 pm the meeting returned to Open Session. Ms. Kilpatrick reported that the Board took no reportable action.

OPPORTUNITY FOR PUBLIC COMMENT

Ms. Kilpatrick announced at this time persons in the audience may speak on any items not on the agenda on any matter within the jurisdiction of the District Board. Members of the audience will have an opportunity to address the Board on every item on the agenda, and speakers will be limited to a maximum of three minutes each.

Eastern Sierra Emergency Physicians (ESEP) partner Sierra Bourne MD provided an ESEP status update, noting the group has had recent successes in the area of physician recruitment, and that the Northern Inyo Healthcare District (NIHD) Emergency Department is now fully-staffed with highly qualified local providers. Doctor Bourne will continue to provide ESEP quarterly reports going forward. No other comments were heard.

STRATEGIC PLAN UPDATE The NIHD Workforce Experience Committee provided an update on progress made toward achieving the workforce experience related goals of the District's Strategic Plan. Highlights of the report included the following:

- Overview of employee turnover and churnover statistics, including an assessment of the drivers that affect turnover
- Report on NIHD's Staff Development strategies and accomplishments

- Staff completion rates for required competencies
- District efforts directed toward hiring the right people and improving the employment interview process

#### CHIEF OF STAFF REPORT

Chief of Staff Allison Robinson MD reported following careful review, consideration, and approval by the appropriate Committees the Medical Executive Committee recommends approval of the following District-wide Policies and Procedures:

- 1. Preoperative Monitoring of Storage Devices and Units
- 2. Crash Cart and Defibrillator Check Policy
- 3. Newborn and Pediatric Abduction Prevention Safety and Security
- 4. Responsibilities of Nursing Students and Hospital Staff
- 5. Standardized Procedures for Medical Functions in the Emergency Department
- 6. Diet Texture Ordering Protocol
- 7. Laboratory Home Collections
- 8. Lymphedema Treatment
- 9. Standards of Care for the Swing Bed Resident

It was moved by M.C. Hubbard, seconded by Jean Turner, and unanimously passed to approve all nine Policies and Procedures as presented.

#### **NEW BUSINESS**

MEDICATION ASSISTED TREATMENT PROGRAM REPORT (MAT) Rural Health Clinic Care Coordination Manager Dan David RN reported on the startup of the District's Medication-Assisted Treatment (MAT) program developed to help combat and mitigate harm resulting from substance use disorders. NIHD's program has been made possible by grant funding from the California Bridge Program established for the purpose of helping to address the nationwide opioid epidemic. Anne Goshgarian MD and Thomas Boo MD also participated in discussion on this topic, which included the following:

- An overview of planned local "harm reduction" efforts aimed at addressing substance use disorders
- Review of drug use and overdose death statistics locally and nationwide
- General education regarding ways to intervene with and help prevent substance abuse and addiction disorders
- Behavioral and lifestyle issues that influence addiction
- Overview of Medication-Assisted therapy treatments

The District's Bridge Grant award will provide funding for an 18-month program for members of the local community.

# ROBOTIC EQUIPMENT UPDATE

Chief Executive Officer (CEO) Kevin S. Flanigan MD, MBA reported that Intuitive Surgical no longer manufactures some of the supplies for the District's robotic equipment, therefore it has become necessary to upgrade NIHD's DaVinci robot to a newer model. Doctor Flanigan requested ratification of new five-year lease agreement for the upgraded surgical equipment, which will be budget neutral for the first 12 months. It was

moved by Ms. Hubbard, seconded by Ms. Turner, and unanimously passed to ratify the new lease agreement with Intuitive Surgical as requested.

MEDICAL STAFF SERVICES PILLARS OF EXCELLENCE Medical Staff Support Services Manager Dianne Picken called attention to the Medical Staff Services quarterly report for the first quarter of 2019. The Medical Staff Office experienced a very busy quarter during which a large number of Medical Staff applications were processed.

PHARMACY CONSTRUCTION UPDATE Doctor Flanigan also reported the NIHD Pharmacy construction project is moving forward, however the District will be hard pressed to meet an end of year completion deadline. District Board members Turner and Hubbard recently met with Senator Andreas Borgeas's and Assemblyman Devon Mathis's offices as part of the Association of California Healthcare Districts (ACHD) Legislative Day, and solicited their help in getting the Office of Statewide Healthcare Planning and Development (OSHPD) to cooperate with NIHD on the construction project. NIHD is currently considering a "Plan B" in cooperation with Dwayne's Pharmacy in order to continue providing pharmacy services in the event that the end of year deadline is not met.

#### FINANCIAL REPORT AS OF DECEMBER 31 2018

Chief Financial Officer John Tremble called attention to the financial and statistical reports as of December 31 2018, noting the following:

- Gross inpatient revenues were 11.2 percent lower than the previous year; inpatient surgical cases were 3 percent lower; and ICU days were 18 percent lower
- Outpatient revenues were 8.9 percent higher than the previous year
- Salaries and benefits expense has increased, and the District has seen an increase of 26.4 FTE's over the previous year
- Receipt of Prime Grant funds in December of 2018 turned year-to-date revenue to the positive by \$198,943
- The District has experienced growth in the areas of imaging, Lab, and infusion therapy

POLICY AND PROCEDURE APPROVAL, RQI Chief Nursing Officer Tracy Aspel, RN, BSN called attention to a Policy and Procedure titled *Resuscitation Quality Improvement (RQI)*, intended to ensure that employees in direct patient care areas have the skill and competency to perform Cardiac Pulmonary Resuscitation (CPR), as required for employment. It was moved by Robert Sharp, seconded by Peter Tracy, and unanimously passed to approve the *Resuscitation Quality Improvement (RQI)* Policy and Procedure as presented.

CONSENT AGENDA

Ms. Kilpatrick called attention to the Consent Agenda for this meeting, which contained the following items:

- Approval of minutes of the March 13 2019 special meeting
- Approval of minutes of the March 20 2019 regular meeting
- Policy and Procedure annual approvals
- Approval of a new Chief of Staff job description

April 17, 2019 Page 4 of 4

- Northern Inyo Healthcare District Auxiliary bylaws annual approval

It was moved by Mr. Sharp, seconded by Ms. Hubbard, and unanimously passed to approve all five Consent Agenda items as presented.

#### BOARD MEMBER REPORTS

Ms. Kilpatrick asked if any members of the Board of Directors wished to report on any items of interest. Director Turner reported on the events of ACHD Legislative Day recently held in Sacramento, which was attended by Directors Turner and Hubbard. Director Hubbard expressed interest in NIHD looking into the possibility of a Senior Health Initiative Program similar to one in place in Humboldt County. Director Kilpatrick reported that Pioneer Home Health and the Hospice of the Owens Valley will hold a fundraising event on Saturday, April 27. Doctor Flanigan also reported that Colorectal Cancer Awareness month has extended into the month of April, and he expressed appreciation of Doctors Allison Robinson and Robbin Cromer-Tyler's tireless efforts regarding colorectal cancer awareness and prevention.

# ADJOURNMENT TO CLOSED SESSION

At 7:57 pm Ms. Kilpatrick reported the meeting would adjourn to Closed Session to allow the Board of Directors to:

- A. Discuss trade secrets, new programs and services (estimated public session date for discussion yet to be determined) (*Health and Safety Code Section 32106*).
- B. Conduct a public employee performance evaluation, Chief Executive Officer (*pursuant to Government Code Section 54957*).

RETURN TO OPEN SESSION AND REPORT OF ACTION TAKEN

At 8:44 pm the meeting returned to Open Session. Ms. Kilpatrick reported the Board took no reportable action.

ADJOURNMENT The meeting was adjourned at 8:44 pm.

Mary Mae Kilpatrick, President

Robert Sharp, Secretary

Attest:

# COMPLIANCE DEPARTMENT POLICY AND PROCEDURE ANNUAL APPROVALS May 2019

- 1. Auditing of Workforce Access to Confidential Information
- 2. Business Associate Agreements
- 3. California Public Records Act Information Requests
- 4. Disclosures of PHI over the Telephone
- 5. Employee Access to his/her own PHI
- 6. Minors with Legal Authority to Consent
- 7. NIHD Code of Business Ethics and Conduct
- 8. Non-Retaliation Policy
- 9. Nondiscrimination Policy
- 10. Sanctions for Breach of Patient Privacy Policies

### **Infection Control Policies**

For BOD Review May, 2019

3M Attest 3 Hour Steam-Plus Challenge Pack *	
AIDS/HIV Testing and Orders	
Cleaning & Sterilization of NeuroTherm Probes	
Cleaning the Pharmacy Sterile IV Preparation Area. (Clean Room)	
Diagnostic Imaging - Disposal of radioactive sharps	
HIV Testing Without Consent for Occupational Exposures	
MEDICAL WASTE MANAGEMENT PLAN	
Operating Room Sanitation	
Pathology Specimens In The Operating Room*	
Role of Microbiology in Infectious Disease Control	
Surgical Drains Care of	
Surgical Hand Hygiene and Hand Scrub	
~ · ~ ~	
Prevention of Catheter Associated Urinary Tract Infections (UTI's), G	iuidelines*
AIDS/HIV Testing and Orders	
Care of Handwashing Products	
Cleaning of Patient Care Areas	enterna antana antana enterna e
Cleaning Procedures: Contact and Enteric Isolation Rooms at Discha	arge
Environmental Disinfectant - Cleaning Solution	
Exposure Evaluation*	
Handling of Soiled Linen	
Hepatitis Prophylaxis/Needles Stick Policy	
Hospi-Gard Portable Filtration Unit (H.G.U.)	
Infection Control Exposure Hotline	
Infection Prevention Recommendations for Avian Influenza, Novel In	Nuenza, and Seasonal Flu
Infectious/Non-Infectious Waste Disposal Procedure	
Latex Precautions	
Multidrug Resistant Organism (MDRO) Control Plan	
Patient Exposure	
Respiratory Care Infection Control General Policies	
Severe Acute Respiratory Syndrome (SARS) Infection Control Recor	nmendations Hospitalized Patients
Sharps Injury Protection Plan	
Surveillance for Hospital Acquired Infections (HAI's)	