

ALASKA MENTAL HEALTH TRUST AUTHORITY

FULL BOARD MEETING

January 28, 2015

8:30 a.m.

Taken at:

Permanent Fund Corporation
3745 Community Park Loop, Suite 200
Juneau, Alaska 99801

OFFICIAL MINUTES

Trustees present:

Mike Barton, Chair
Laraine Derr
Larry Norene (via speakerphone)
Paula Easley
John McClellan
Russ Webb

Trust staff present:

Jeff Jessee
Steve Williams
Nancy Burke (via speakerphone)
Miri Smith-Coolidge
Kevin Buckland
Carrie Predeger (via speakerphone)
Carley Lawrence
Valette Keller (via speakerphone)
Amanda Lofgren
Katie Baldwin-Johnson
Mike Baldwin

TLO staff present:

Marcie Menefee
John Morrison
Paul Slenkamp

Others participating:

Kate Burkhart; Patrick Reinhart; Ric Nelson; Rich Sanders; Kathy Craft; Nelson Page, Tawny Buck (via speakerphone); Commissioner Ron Taylor; Monique Martin; Ree Sailors; Pam Watts; Stan Devries; Bruce Van Dusen; Sue Douglas; Kara Nelson.

PROCEEDINGS

CHAIR BARTON calls the meeting to order and states that Paula Easley, John McClellan, Russ Webb, and Laraine Derr are present. He moves on to the agenda and asks for any corrections or modifications.

TRUSTEE DERR makes a motion to approve the agenda.

TRUSTEE McCLELLAN seconds.

There being no objection, the motion is approved.

CHAIR BARTON moves to the minutes of the November 20, 2014, board meeting.

TRUSTEE DERR makes a motion to accept the minutes of the November 20, 2014, board meeting.

TRUSTEE McCLELLAN seconds.

There being no objection, the motion is approved.

CHAIR BARTON asks for any ethics disclosures. There being none, he states that the Guiding Principles are in the packets and are available for review. He recognizes Mr. Jessee for a staff report.

STAFF REPORT

MR. JESSEE states that there was a meeting with the Disability Law Center and others regarding Faith and Dorrance and the grievance procedures, and they are looking into putting something together. He continues that he is working with Kate and the Board to see what can be done to accommodate some of the concerns.

TRUSTEE WEBB states that, in regard to the concerns raised about the grievance procedure, a few things have come up. He gives a few examples about people coming in on a civil commitment or for a competency evaluation being charged with assault at API, and transferred to Corrections. He continues that there was one instance where there was a court order to do a restoration, and someone was left sitting in Corrections for two months. He states that it seems timely to take up the issue of the grievance procedure. He adds that this needs to also be discussed with the Commissioner, because criminalizing people because they go to API for treatment is a major step backwards.

MR. JESSEE states that there have been some other issues at API, as well, and asks Ms. Burkhart to address this.

MS. BURKHART states that the issue raised by Trustee Webb has been a concern for years, and it was hoped that with the change in hospital administrator there would be some changes in policy. She continues that there are larger safety concerns due to lack of staff at API. She thinks that the opportunity to really hammer home that this is less about the possible criminogenics of the patients and more about the resources of the hospital. She adds that this is an opportunity to educate people. She continues that one of the discussions at the Disability Law Center was that they would enter the hospital more aggressively and make sure there is a clear understanding of what is going on in there, and not just from the perspective of the hospital administrator and staff. Because there are two sources of information, the hospital administrator and staff, and Faith and Dorrance, there will be better information available so better policies there can be encouraged.

TRUSTEE WEBB states that there are several issues and is well aware of the safety concerns for staff at API. He continues that if it is a matter of restructuring their treatment processes, training staff, getting more staff, doing some construction inside the hospital, then that conversation needs to be started.

MR. JESSEE states that there are some concerns about the management style not having much direct contact with the people on staff that actually touch the patients; more of a hierarchal administrative structure, which does not make sense for that small hospital. He adds that the Division is aware of this, and that some of the lines of responsibility are blurred.

TRUSTEE WEBB states that when there is an opportunity to talk with Commissioner Davidson, he will bring this up; because, ultimately, the Commissioner is responsible, and if there is a lawsuit, the Commissioner's name will be on it.

MR. JESSEE states that one of the things that Disability Law agreed to was to put more people in the facility for more time, and prioritize getting to the bottom of what is going on in the facility.

CHAIR BARTON moves on to committee reports and begins with the Resource Management Committee.

COMMITTEE REPORTS

RESOURCE MANAGEMENT COMMITTEE REPORT

TRUSTEE McCLELLAN states that there are four consultations that need to be brought before the Trust Board, and Executive Director Marcie Menefee will discuss them.

MS. MENEFEE states that the first item is the 2015 Competitive Land Sale that the TLO holds on an annual basis. She continues that there are 62 subdivision lots up for sale around the state, which are typically small parcels, less than five acres.

TRUSTEE McCLELLAN makes a motion that the Alaska Mental Health Trust Authority Board of Trustees concur with the competitive offering of approximately 62 subdivision lots and small-sized parcels through the TLO's Annual Land Sale Program.

There being no objection, the motion is approved.

MS. MENEFEE states that the next item is related to the Resource Management Strategy, which is the Trust Land Office's guideline and long-term asset management plan for the Trust assets. She continues that they are looking at an addition of the mitigation marketing plan that the Trust Land Office put together to update how the Land Office intends to manage the Trust resources.

TRUSTEE McCLELLAN makes a motion that the Alaska Mental Health Trust Authority Board of Trustees concur with the 2015 update of the adopted Resource Management Strategy, the Long-Term Asset Management Strategy for managing Trust Land Assets consistent with TLO regulations under 11 AAC 99.020 and 11 AAC 99.090(C).

TRUSTEE EASLEY comments on whether it is a law or a policy requirement.

There being no objection, the motion is approved.

MS. MENEFEE states that the next item is the proposed L Street property where the TLO formerly had their headquarters. She continues that there was a lease offer from a very credible company starting out at \$210,000 a year for the original lease terms, with the details of the negotiation yet to come.

TRUSTEE McCLELLAN makes a motion that the Alaska Mental Health Trust Authority Board of Trustees concur with the negotiation and execution by the TLO of a ground lease of parcels S82631 and S1005, or portions thereof, at terms negotiated by TLO staff, and the subsequent execution by TLO of the documents necessary to facilitate the transaction and development.

There being no objection, the motion is approved.

MS. MENEFEE moves on to two requests for the use of principal funds from the TADA for enhancing the value of Trust land. The first item is a request for up to \$900,000 for extending sewer and water utilities to the Yosemite parcel in Eagle River for the long-term intent of developing that land for a residential subdivision.

TRUSTEE DERR states that this motion then comes before the Finance Committee, and the Finance Committee will be asking for approval of the same thing. She continues that the Resource Committee forwarded it to the Finance Committee, and adds that it is just a matter of procedure.

MS. MENEFEE states that she will wait on both of them.

TRUSTEE McCLELLAN concludes the Resource Management Committee report.

CHAIR BARTON thanks Trustee McClellan, and moves on to the Finance Committee.

FINANCE COMMITTEE REPORT

TRUSTEE DERR states that there are several motions to come before the Full Board of Trustees.

TRUSTEE DERR makes a motion that the Finance Committee brings to the Full Board the recommendation to approve the expenditure of principal funds for sewer and water infrastructure improvements to and for a portion of the parcel known as Yosemite in the amount of \$900,000 from the TADA (AKSAS Fund 34045). These funds do not lapse.

There being no objection, the motion is approved.

TRUSTEE DERR makes a motion to approve the Finance Committee recommendation to approve the expenditure of principal funds for sewer and water infrastructure improvements to and for the parcel known as C-2 in the amount of \$600,000 from the TADA (AKSAS fund 34045). These funds do not lapse.

There being no objection, the motion is approved.

TRUSTEE DERR makes a motion to approve the Finance Committee recommendation to authorize the transfer of \$23,212,400 from the Alaska Permanent Fund Budget Resource Account to the Mental Health Settlement Income Account to finance the FY 2015 base disbursement payout calculation and AMPS smoothing phase-in. The CFO may fulfill this motion with one lump sum or multiple transfers.

There being no objection, the motion is approved.

TRUSTEE DERR makes a motion to approve the Finance Committee recommendation to authorize the CFO transfer balances in excess of \$38.92 million from the Department of Revenue Trust Reserve Account (AKSAS Fund 34047), to reserves managed by the Alaska Permanent Fund Corporation. The CFO may fulfill this with one lump sum or multiple transfers. This is the 400 percent move of money.

There being no objection, the motion is approved.

TRUSTEE DERR makes a motion to approve the Finance Committee recommendation to approve up to \$400,000 from FY15 Designated Grants for technical assistance and consultation on Medicaid expansion and reform.

There being no objection, the motion is approved.

TRUSTEE DERR makes a motion to approve the Finance Committee recommendation for a contract not to exceed \$200,000 to develop the 1915(i) Medicaid State Plan Service Implementation Plan. Staff is to maximize a Medicaid Admin Match and report back a budget to Trustees. \$100,000 is from the FY14 General Authority Grant Fund to the advisory boards, and \$100,000 is from FY15 Designated Grants.

There being no objection, the motion is approved.

TRUSTEE DERR makes a motion to approve the Finance Committee recommendation to use unobligated funds to increase the FY15 Designated Authority Grants currently at \$560,000 by \$500,000 to a new total of \$1,060,000. This is AR16872.

There being no objection, the motion is approved.

TRUSTEE DERR makes a motion that the Finance Committee would like approval for a recommendation for a \$75,000 FY15 Partnership Grant to REACH for the Aging-In-Place Renovation of the Mark Alan Home Project.

There being no objection, the motion is approved.

TRUSTEE DERR makes a motion that the Finance Committee would like a recommendation for a \$70,000 FY15 Partnership Grant to the Anchorage Community Mental Health Services for the Alaska Seeds of Change Project.

There being no objection, the motion is approved.

TRUSTEE DERR makes a motion that the Finance Committee would like approval to redesignate \$50,000 of FY15 Housing Focus MHTAAR funds and \$200,000 of FY14 Housing Focus Area MHTAAR funds to Authority Grant Funds to reverse the actions taken November 20, 2014.

TRUSTEE WEBB offers an amendment to the motion based on additional work that staff did, to clarify the actual amounts needed and the potential for Medicaid match.

TRUSTEE WEBB makes a motion that the Board approve the Finance Committee recommendation to redesignate \$50,000 of FY13 Housing Focus Area MHTAAR funds and \$125,000 of FY14 Housing Focus Area MHTAAR funds to Authority Grants to reverse the actions taken November 20, 2014.

TRUSTEE DERR states that she is more than willing to recommend a reduction in funds.

A short discussion ensues.

There being no objection, the motion is approved.

TRUSTEE DERR makes a motion that the Finance Committee would like approval to negotiate a Reimbursable Services Agreement not to exceed \$250,000 (including and maximizing Medicaid admin match) with the Division of Senior and Disability Services for the HCBS Personal Care Assistance and Pilot. The funding is as follows: \$50,000 FY13 Housing (IT applications in homes); \$50,000 FY14 Housing (IT applications in homes); and \$150,000 FY14 Housing (Seniors with ADRD Institution Diversion).

TRUSTEE WEBB offers a similar amendment to this motion and notes for the record to substitute in the first sentence, the amount of \$175,000 for the \$250,000 listed in the original motion, and in the last sentence substitute \$75,000 for the \$150,000 FY14 Housing Seniors with ADRD Institution Diversion, and it is for a similar purpose.

TRUSTEE DERR states that it is essentially a reduction of \$75,000.

There being no objection, the motion is approved.

TRUSTEE DERR states there are no more recommendations that need to be approved, but there were three additional items that the Finance Committee discussed: Two of them were approvals for small amounts, and the third was a reallocation. She concludes the Finance Committee report.

CHAIR BARTON thanks Trustee Derr, and moves to the small projects application spreadsheet.

SMALL PROJECTS APPLICATION SPREADSHEET

TRUSTEE DERR makes a motion for approval of the FY15 small projects from the November application period in the amount of \$83,430.

TRUSTEE EASLEY seconds.

There being no objection, the motion is approved.

CHAIR BARTON states that next is the AMPS discussion. He continues that Nelson Page, the Trust's esteemed attorney, is here to discuss that and his letter regarding the AMPS that is subject to the attorney/client privilege. He asks for a motion to go into executive session.

TRUSTEE DERR makes a motion to go into executive session for discussion.

There being no objection, the motion is approved.

CHAIR BARTON states that the meeting will reconvene at 10:30.

(The Trust Authority Board is in executive session from 8:47 a.m. until 10:10 a.m.)

MR. PAGE begins with the red-line changes with the first in the Trust Authority Guidelines. He states that some of the old language that was originally going to be taken out has been included,

as well as some of the new language. He explains that it is intended to allow the Trustees to use moneys from the TADA account to purchase capital assets that would enhance the program to the Mental Health Beneficiaries. He states that he is trying to make clear in the language that the money in the TADA account, which is defined as principal for operating or program purposes, can be used to purchase assets which will be used for program purposes. He adds that, for example, money cannot be taken from the TADA account to provide grants for Beneficiaries.

MR. JESSEE asks about a low-interest loan.

MR. PAGE states concern about using principal for that purpose, and adds that as long as this is a principal account, the Trust has to be careful about how principal is being spent.

MR. JESSEE states that is kind of a problem.

TRUSTEE EASLEY states that was one of the purposes of doing that.

A discussion ensues.

MR. PAGE states that he will have to look at the matter more thoroughly and apologizes for not knowing it. He agrees with Trustee Webb that there is probably a way to do it, but is not sure using the TADA fund is the way to do that. He continues with the red-lined version, and the proposed changes.

The discussion continues.

CHAIR BARTON asks if this is ready to be adopted with the caveat that Mr. Page will work with us to figure out how to do what we want to do.

TRUSTEE DERR replies that the group met in December and went through the changes. She continues that, with the exception of the ones made today, we were ready to have a document approved previous to this meeting.

TRUSTEE EASLEY makes a motion to approve the AMPS amendment which includes investments made through Program Related-Investments, the Resource Management Strategy or programs approved by Trustees. The Board adopts the updated Asset Management Policy Statement dated January 28, 2015.

MR. BUCKLAND states that he did not update the date and points out that the sentence that makes reference to Program-Related Investments was struck out.

TRUSTEE EASLEY states that it does not address PRI.

MR. JESSEE states that there is a problem with adding back in the PRI part of the sentence. That was stricken with the understanding that it will have to be framed in a way that is allowable.

TRUSTEE DERR states that “This includes investments made through Program Related-Investments, the Resource Management Strategy or programs approved by Trustees.” Needs to be added back in.

TRUSTEE EASLEY adds, as amended, including the PRI, the Board adopts the updated Asset Management Policy Statement dated January 28, 2015, as recommended by the AMPS Ad Hoc Committee.

TRUSTEE DERR seconds.

There being no objection, the motion is approved.

CHAIR BARTON thanks Mr. Page, and welcomes Commissioner Taylor.

COMMISSIONER TAYLOR thanks the Trustees for the opportunity for the Department of Corrections to talk about what is being done in terms of the Prisoner Re-entry Initiative. He states that back in 2006 or so the mission of the Department was real clear: Secure confinement, and the second part of the mission dealt with supervised release. He continues that in terms of how the mission was approached was very clear; locking them up when they came into the facility, and when released we were locking them back up when they got out on the street. He states that when Commissioner Schmidt came in, one of the things he did was looked at the mission of the Department to say what the mission should be. It was found that the mission is actually in the Constitution: To secure confinement, reformatory programming, and a process of supervised reintegration. He continues that one of the first things that normally gets cut is the program piece. He states that has been something that the Department has really heavily focused on in the more recent years and really tried to build a comprehensive set of programs. He continues that Alaska is one of six states in the nation that is a unified system. That means both the misdemeanor and felons are operated together. There is no differentiation between placing them in a community or jail as misdemeanants for their sentence. He continues that there is also a Unified Court System with no distinction between city, state, county; all go through the Department of Corrections. He states that last year there were over 37,000 bookings, and we have started the fourth year of decline in the number of bookings that are coming through the facilities. He continues, that represents about 22,000 unique individuals, and quite a few of them are cycling through two and three times. He states that for probation and parole, there are just over 6,000 persons out in the community with an order given by the Court or the parole board that must be supervised under the jurisdiction of a probation officer. He states that there are 12 statewide facilities, with a 5200-bed capacity; 13 field probation officers; eight contracts with halfway houses throughout the state, for another 839 beds; operate electronic monitoring in six communities with the capacity of about 475; 15 regional and community jails with the capacity of 157 beds, which are holding cells, until they can be transported to one of the larger facilities. He states that, as a Department, they are seeing more nonviolent people coming into the system due mostly to the increase in drugs. He talks about the population in more detail and states surprise at the number of unsentenced people coming through. He explains that hard-bed spaces are being used for people who have been arrested and are awaiting trial or to be sentenced, are serving that time inside the facilities. There has been a dramatic increase of that over the last 12 years. He moves on to the budget, explaining that most of the money goes into secure

confinement, and then talks about recidivism, the majority of which occurs within the first year. He states that the Department has instituted a re-entry process that is focused on three phases: to help people get ready when they come into the institution; to help them go home and transition them out in the right way; and the third is to make sure that once they are out in the community they stay out. He explains this in more detail. He states that they are working to streamline the release process to come up with one consistent release packet that all of the entities can share, without duplication, the amount of work and effort that it takes to process packets to get people released into the community. He states that there are about 13,000 releases done a year, and explains the process. He states that there is a lot of work to do and continue to engage with the stakeholders to look at ways to be more effective inside the institution, out in probation and parole, and make sure all the information on release is shared. He explains the Public Safety Performance Project, which is focused on policy reforms and sentencing in corrections, community corrections, in release and also sustainability. He appreciates the opportunity to present this information, and states that he is available to answer questions and can also make the PowerPoint available.

MS. SMITH-COOLIDGE states that she can put it on the Trust Web site.

A short question-and-answer session ensues.

CHAIR BARTON thanks Commissioner Taylor, and states that the Trust looks forward to working with him. He recognizes Kate Burkhart for the statutory advisory update from Alaska Mental Health Board and Advisory Board on Alcoholism and Drug Abuse.

UPDATE FROM ALASKA MENTAL HEALTH BOARD AND ADVISORY BOARD ON ALCOHOLISM AND DRUG ABUSE

MS. BURKHART states that she is the executive director of the Alaska Mental Health Board and Alaska Advisory Board on Alcoholism and Drug Abuse. She continues that it was placed on the placeholder that was to meet the statutory requirements of the Governor's Office. Since the presentation was presented, there have been some very high-level presentations about Governor Walker's actual amended budget and will be providing some updated information. She explains that this presentation provided a platform for some education that was done with the Statewide Independent Living Council, as well as the boards. She briefly talks about revenue and expenses, and then moves to the placeholder budget as it affects the constituency, the original capital budget, as well as the amended capital budget. She then moves on to the ten-year plan released by the Governor's Office and the Medicaid expansion. She explains as she goes through her presentation.

TRUSTEE WEBB states that there has been a constriction in behavioral health services with the refinancing of Medicaid, not every service is medically necessary, and many of the supports are not going to be Medicaid reimbursable. He asks if anyone, the providers, have done anything that identifies, in a systematic way, the services and supports that have sort of diminished with refinancing and/or those that are at risk with the expansion if their grants go away.

MS. BURKHART replies that the Division and the Behavioral Health Association and the boards did spend a substantial amount of brain power to figure out what needed to be done to do this right. Part of that included the fact of identifying both medical and nonmedical that needs to be protected. Until it is figured out how to make a lot of the rehabilitating services reimbursable, General Funds will be needed to insure that communities have staff available 24/7 for when someone is in crisis and appears at the emergency room. She states that General Funds underpin the system, and if there is a swap, the system will crash. The Commissioner stated that it would have to be a gradual shifting in finance mechanisms based on savings realized and not savings anticipated. She asks for any other questions.

CHAIR BARTON states appreciation for the presentation and thanks Ms. Burkhart. He breaks for lunch.

(Lunch break.)

CHAIR BARTON begins with the statutory advisory update from the Governor's Council on Disabilities and Special Education.

UPDATE GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL EDUCATION

MR. REINHART states that he is the executive director of the Governor's Council on Disabilities and Special Education.

MR. NELSON states that he is the chair.

MR. SANDERS introduces himself.

MR. REINHART begins with some of the issues. The Council will be following the DD grants closely, as well as anything related to the state budget that could impact the Beneficiaries. He explains that the DD grants serve people with significant disabilities that manifested before age 22 resulting in substantial functional limitation in three or more areas of major life activity. He explains that the DD grant services are like gap services. He moves on to the STAR program, Short-Term Assistance and Referral Program, which assists individuals with developmental disabilities in their application and eligibility process into the DD system, and explains it more fully. He states that the Complex Behavior Collaborative has been recently included in the budget. He continues that in FY14, 50 individuals received CBC services; 26 successfully graduated; and 24 are still receiving services. He adds that the CBC has been a valuable service in terms of trying to get people out of institutions or crisis situations where they either get sent out of state or to one of the state institutions. He states that Mr. Nelson will talk about the legislative priorities.

MR. NELSON begins with HB77, the Disability Training and Identification Bill, which will have three components to it. He states that the first component is to train all officers about disability; second, is to have an icon on an I.D. or driver's license that shows you have a disability, which is voluntary; third, would be something in the DMV manual for getting a driver's license. He adds that there would be a test on how to react with an officer. He moves

on to the second priority, which is a capital project support for the Denali Deaf Center. He explains that the legislators have already funded two phases of this project, and this would be the third phase. He adds that this will ensure getting the building and the leases for it. He states that the third priority is changes to Medicaid and home- and community-based services. He continues that there are four different ways proposed to save money, reuse and recycle durable medical equipment; second is the 1915 (i) and (k) state plans.

MR. REINHART states that the third is using more telehealth opportunities within the waiver system, because there are opportunities that are not being utilized there. He continues that the fourth one is the employment of people with disabilities. He adds that another priority is to remove the term “gifted” from the statute. He explains that when the Council was first developed in the ‘80s, it was the Council on Handicap and Gifted. That was all part of the whole special education definition. He continues that their statute says “gifted” throughout, and it does not make sense anymore. He states that HB 76 is just a cleanup bill for the enabling statute.

MR. NELSON states that last week the Council voted on doing an autism work group. He continues that a new five-year plan needs to be created, because the last five-year plan is finished.

MR. REINHART explains that the Council had an autism ad hoc committee going for years and completed everything that was on that work plan. Then the Legislature developed an Autism Task Force that Representative Sadler and Senator Johnny Ellis co-chaired. He states that they just issued a 24-page report, and it has a number of recommendations of what the next phase in terms of help and assistance in programs and services for autism can be considered. He moves on to HB 27 and 28 which will be a Senate bill around how PCA services are now provided to children with complex medical needs. He explains this more fully. He asks Mr. Sanders to talk about an employment update.

MR. SANDERS begins by saying that it is a pleasure to work with Project Officer Amanda Lofgren, adding that he also works on the Integrated Employment Initiative, which is the grant that the Council oversees to increase the employment outcomes for transition-aged youth with intellectual and developmental disabilities. He states that he is working closely with Agnew:Beck to implement the recommendations from the report done by the Institute for Community Inclusion and the stakeholder meetings that were held in May and September of last year. He continues that, under the RBA process, concrete data and outcome measurements are needed. He explains this in greater detail. He adds that the goal is to get some quality indicators on the effectiveness of the employment activities that are being undertaken. He continues, explaining that the outreach to business and industry and policy is also being worked on, and shares more information on what is being done.

MR. REINHART thanks all, and asks for any questions.

TRUSTEE DERR comments that nine years ago at this meeting she had asked for data and got some stares. She states that she was very pleased that the first item on the agenda was data management and adds that we have come a long way. She thanks them.

TRUSTEE EASLEY asks if there is room for expansion at Anchorage Community Mental Health and what their plan for long-term capacity improvement is. Are they going to have room for expansion and hiring new personnel to treat people who are going to be in need of it?

MR. REINHART replies that is an excellent question, and as far as the DD agencies go, there is no talk about adding a number of eligible clients there because it is a different game there altogether.

CHAIR BARTON states appreciation for the update and introduces the next presenter, Margaret Brodie, director of health-care services for the Department.

MS. BRODIE gives an update on where they are with the Enterprise System. She states that they have a corrective action that the State has expanded, and was told it would be on the Web site this afternoon. Right now that corrective action plan only addresses paying claims and paying claims correctly. She continues that at the end of that corrective action period at the end of February they will have everything having to do with getting paid corrected. She continues that after that there will be a closed cap section where all the defects that do not affect payment and the deferred that were to be completed last. She adds that after that system, certification will be looked at. She states that next month there will be the first hearing in front of an administrative law judge having to do with \$46 million in liquidated damages that are being requested from Xerox. She continues that the ALJ is going to determine if we are entitled to liquidated damages, or if that clause is not allowed in the contract. She adds that the next hearing will be in August, and that will get into the meat of a lawsuit. She states that Xerox dumped 6,000 documents last week of all the Medicaid expenditures for every state for the past 15 years. She continues that in response, they were given all of the Medicaid budgets and Medicaid expenditures from 1982 to the present. She adds that they are in the process of writing affidavits to go with the documentation that is being presented. She states that all the expenditures and budgeting has been analyzed, and it clearly shows the damage to the State and to the providers, and these are federally certified documents. She continues that in the meantime the corrective action plan is being worked on, and things are improving on a weekly basis. She adds that core employments are being done every week, and if everything works the way it is supposed to, more claims will be able to be maintained. She states that the longest amount of time is going to be reprocessing the claims that have paid incorrectly, denied incorrectly, or suspended incorrectly. She asks for any questions.

TRUSTEE WEBB asks that amount the damages documented, if an award of those damages are received, will any of that be released to the providers to make them whole for the financial straits that many of them have been placed in.

MS. BRODIE replies that she has been speaking with the Commissioner, Deputy Commissioners, the Assistant Commissioner and staff, and we are exploring a way to see if that can happen legally. She states that because it would have to be set aside in a different way, she cannot say yes or no. She adds that it is the right thing to do.

TRUSTEE WEBB asks if a way to systematically identify the damages caused has been found, or if it is sort of a hit and miss.

MS. BRODIE replies that it is a hit and miss, depending on what the providers have given. She adds that, if successful, she envisions having X amount set aside for that and allowing providers to send in statements, submitting bills for what they incurred. She continues that if it exceeds the amount set aside, then whatever percentage it comes out to would be what the providers get.

CHAIR BARTON asks for any other questions. There being none, he thanks Ms. Brodie and moves to the Statutory Advisory Update. He states that the meeting will stand in recess until Ree arrives.

(Break.)

CHAIR BARTON asks Ms. Burke to go over tomorrow afternoon.

MS. BURKE replies that there is an opportunity to do a site visit in Juneau and to accomplish a few goals around the Housing Focus Area and other grantees of the Trust. She states that the plan is to do a tour of the Juneau safety net and homeless services to accomplish several different goals: first is getting the Trustees familiar with what services are available in Juneau; highlight the distances that are between these services, and the considerable number of miles that people need to travel to access critical services. She states that Scott Ciambor, a planner with the Alaska Mental Health Board and the Advisory Board on Alcohol and Drug Abuse, will do a briefing on the briefing that was given to the Assembly to consider funding for the Housing First project. She goes through the schedule for the afternoon.

CHAIR BARTON thanks Ms. Burke, and welcomes Deputy Commissioner Rea Sailors.

DEPUTY COMMISSIONER SAILORS states that she is Deputy Commissioner in the Department of Health and Social Services and oversees the Office of Children's Services, Juvenile Justice, and Behavioral Health. She states that the Commissioner sends her regrets for not being able to be here. She continues that along with her is Monique Martin, the health policy advisor and one of the key members of the team working on Medicaid expansion. She begins by talking about some of the changes that have happened with the new commissioner coming on, and some changes within the Department in terms of some of the new people that have come on to the team. She states that Jay Butler is the chief medical officer and director of the Division of Public Health, courtesy of ANTHC; Jon Sherwood is a newly appointed Deputy Commissioner at Health Policy and Medicaid; Chris Ashenbrenner is the project director for Medicaid expansion; and then Monique. She continues that they are very key, incredibly talented people, and we are pleased to have them join us. She adds that Tony Newman was appointed as the legislative liaison for the Department, and Ron Praytor, the previous director of Public Assistance, has been asked to help with the public assistance side when talking about Medicaid expansion. She states that the Governor's No. 1 commitment has been to expand the Medicaid project, and it is the Commissioner's job to plan it out and see that it happens. She continues that Medicaid expansion is especially important to about 40,000 people in Alaska who do not have coverage. She explains the misconception that people have of what Medicaid currently does in terms of who it covers, and people think that it covers all the poor people which, in fact, it does not. She talks about the MMIS system and its challenges, and states that ARIES is the other IT

system, which is a full-scale system replacement of the previous system, EIS. She explains that EIS could not handle 89 changes that the Affordable Care Act required in terms of how eligibility gets determined, and it is being modernized with ARIES. She asks Ms. Martin to talk more about Medicaid expansion.

MS. MARTIN states that the Commissioner wanted to pass along her thanks for the approval of the funding for the RFP process, which is huge for us. She goes through the chain reaction of things that they were able to make happen next. She states that it is very import to the Governor and to Commissioner Davidson that people are very clear where this process of fixing the software systems is at, as well as where everything is at making Medicaid expansion happen for 40,000 Alaskans. She continues that one of the next big steps is making a big Medicaid expansion presentation to the Legislature, explaining all that is happening. She adds that there is a lot of education that needs to happen around what it really is. She explains more fully how different questions that are asked are answered in reference to this expansion.

DEPUTY COMMISSIONER SAILORS states that the Commissioner has three major areas of focus for the Department: One is Medicaid expansion; child welfare; and improving partnerships with the tribes, as well as other partnerships. She moves on to the child welfare system, stating that it is not working very well. She states that there are over 2400 kids in foster care, which is historically record-setting. She continues that these children are at stake, their lives are being damaged, due to the trauma and its impact on children. She states that part of this is to forge stronger partnerships with the tribes, the federal government and the State, and to stop pointing fingers and blaming each other for whatever. She continues that the plan is to work very closely, particularly with the tribes, because there is an issue of disproportionality in the child welfare system that is very serious. Native Alaskan kids represent about 20 percent of the population and represent about 62 percent of the kids in foster care. She states that the partnership needs to support the tribes' efforts to become self-determinate and move these cases increasingly into tribal courts and into tribal systems. She adds that, for the first time ever, a partnership agreement was signed with the Tanana Chiefs which allows the passing of federal dollars through us directly to them so they can run the child welfare system with the benefit of federal dollars. She states that keeping children culturally attached gives the children a better shot at success. She continues that a deep problem in this state is that 80 percent of the cases in terms of child abuse and neglect have alcohol or drug involvement. There needs to be good, responsible, timely and effective care for the kids and families. She states appreciation for the assistance that the Trust has given over the years, and looks forward to a continued partnership. She also thanks the Trustees for the most recent contribution.

TRUSTEE EASLEY asks how many foster homes there are.

DEPUTY COMMISSIONER SAILORS replies that she does not know the exact number because there is more than one child in some of the homes. She states that recruiting foster parents is also a piece of that puzzle and also how to get particularly Native Alaskan families to be willing to foster. She continues that there are problems in the system that prevent some of that. She explains that if you are a relative and not a licensed foster home, you cannot receive the foster care stipend that families receive for taking kids in. She continues that they go to the TANF program, Temporary Assistance to Needy Families, where the child becomes eligible and

there is a substantially less financial assistance available. She adds that it is very expensive out in the Bush and places like that to take another person into the household. She states that some of the barriers that are systemic in nature need to be flexible.

TRUSTEE WEBB states congratulations on the agreement with TCC to get federal money. He asks who is responsible for giving direction directly, and for changes to the policies at API.

DEPUTY COMMISSIONER SAILORS replies that it is Al Wall, Melissa Ring, and herself. She states that Al Wall has done a good job of beginning to root out some significant problems at API, understanding what they are, and figuring out what can be started to ameliorate that situation. She continues that there is a staffing issue, safety issues, and a variety of options have been discussed, but at this point not one has been decided upon.

A short discussion ensues.

CHAIR BARTON thanks Deputy Commissioner Sailors and Monique. He states that the meeting will be in recess until 4:45 when public comment will begin.

(Break.)

PUBLIC COMMENT

CHAIR BARTON reconvenes and begins the public comment period. He states that the purpose for having public comment is to allow persons the opportunity to provide information to the Authority and to advise the Authority about problems and issues. He goes through the rules of public comment. He recognizes Sue Brogan.

MS. BROGAN states that she is the vice president of income and health at United Way in Anchorage. She thanks the Trust for the continued support and belief in Alaska 2-1-1. She shares the annual report for 2014, stating that there were 26,000 calls to come through the call center which equated into 39,000 referrals to individuals and families. She states that a couple of things have changed over the past year; hours were expanded, and there was a significant increase with calls. She continues that the average call volume is 175 to 200 calls, and it has been as high as 300 and 325 calls a day. She adds that staff is very busy. She goes through some of the changes with the annual report, and then moves to individual snapshots. She states that 2-1-1 is effective and efficient, and we truly appreciate the Trust support.

CHAIR BARTON thanks Sue, and recognizes Stan Devries.

MR. DEVRIES gives an update of living in one of the caves on the Mental Health Trust land and talks about his dream of buying and owning Mental Health Trust land. He states that it is his 10th year here, and he has a job driving fuel trucks and would like to stay in Juneau. He explains that no land is ever up for public bid here, and it's really expensive to buy land or a house here. He states that he will go on-line and try to negotiate a purchase. He adds that he has saved \$20,000, and would like a chance.

CHAIR BARTON thanks Stan.

TRUSTEE DERR states that he did a good job with the public speaking.

MR. DEVRIES replies that the Trustees make it easy.

CHAIR BARTON recognizes Sue Douglas.

MS. DOUGLAS states that she is the chairperson of a local nonprofit called Senior Citizens Support Services, Inc., and the group is sponsoring a project that was started a year and a half ago by a group of local volunteers in regard to the silver tsunami in Juneau. She explains that there is a serious, desperate situation with absolutely no assisted living in Juneau other than Pioneer Home. She states that there is an active waiting list at the Pioneer Home, which includes probably 85 percent of the residents being served with memory care. She adds that the active waiting list is over 100 at a time, and the inactive waiting list is about 1300. She shares a few of the highlights in the hard copies provided. She talks about taking care of people who deserve to be taken care of and the broad economic impact of doing so. She talks about the Juneau Senior Housing and Services Market Demand Study that was completed in October. The document is at www.jedc.org. She encourages the Trustees to at least read the executive statement. She thanks all.

CHAIR BARTON thanks Ms. Douglas, and asks for anyone on-line.

MS. BUCK states that she is Tawny Buck from the Alaska Brain Injury Network, and thanks the Trustees for their support of the Network and the important work being done for people with brain injuries. She also thanks them for the support of their main partner agencies, explaining that most of the clients are struggling with multiple challenges. She gives a few updates, and again thanks all for the support and for the opportunity to speak.

CHAIR BARTON thanks Ms. Buck, and recognizes Bruce van Dusen.

MR. van DUSEN states that he is executive director of Polaris House in Juneau and is grateful for this opportunity to make comments. He continues that Polaris House serves the Trust Beneficiary population of adults age 18 and older who are living with a severe and persistent mental health diagnosis. He adds that their mission is achieved by focusing on installing self-reliance of their club members. He explains that the mechanisms used are centered in housing, education, employment and accessing community supports and services. By developing partnerships with members in the operation of the clubhouse, self-confidence is inspired. He continues that this self-confidence creates a gateway for member self-improvement and greater success in community life. He goes into more detail. He states that the Mental Health Trust Authority has been vital to their success through funding, technical assistance, and advocacy. He adds that these supports have ensured the successes. He states that he also serves as president on the board of directors of the Alaska Peer Support Consortium, which fully recognizes the Trust support. He explains that the Consortium is in a phase of a major reorganization with an aim to demonstrate measurable outcomes from all functions in operations. He continues that this is to place the Consortium in a position to be the effective statewide peer-run organization that it

needs to be. He states that the Consortium would be grateful for an opportunity to meet with the Trust to lay out plans for determined outcomes, measuring those, and laying the group work for mutual collaboration. Thank you.

CHAIR BARTON thanks Mr. van Dusen, and recognizes Kara Nelson.

MS. NELSON states that she is the director of Haven House Juneau Transitional Living Home for women coming out of prison. She explains that she goes into the prison, hands out applications, and helps them fill them out. She states that she is in long-term recovery, has two felonies on her record, and understands exactly what they are going through. She adds that she is also a Beneficiary and appreciates all that the Trust does. She continues that her everyday passion is to find a solution, especially in the government crisis. She shares her thoughts, stating that she would be happy to speak to anyone on the Trust because there are a lot of amazing ideas and solutions that work and are evidence-based that she would like to share.

TRUSTEE WEBB asks about her method for getting into Lemon Creek.

MS. NELSON replies that she is also on the executive committee for the Juvenile Entry Coalition and also Juneau Recovery Community. She states that they just trained for exactly the reason because it is so difficult to get felons into the jail. It was a certification training for re-entry and recovery coaching. She continues that is not why they are getting in, but that is how they will get the next 50 people in.

TRUSTEE WEBB asks if there was a process or what the process was to go through to get their agreement to allow you in.

MS. NELSON replies that they know these people and she has a lot of compassion and adds that it was an act of God. She states that her dad recently became the chaplain at Lemon Creek, but she was going before he was chaplain. Thank you.

CHAIR BARTON thanks Ms. Nelson, and recognizes Christina Love.

MS. NELSON states that Ms. Love had to leave.

CHAIR BARTON asks if there is anyone else that would like to testify.

MS. WATTS states that she is Pamela Watts, the executive director for Juneau Alliance for Mental Health. She distributes the summary that she prepared and goes over some of the highlights. She explains that they are the State designated community behavioral health center and are in their 30th year of operations. She states that they were just awarded a three-year reaccreditation by CARF, and the continuum of care is psychiatric emergency services for adults, outpatient services for seriously mentally ill adults, and through another plant provide general mental health services. She continues that they provide housing for a total of 53 seriously mentally ill adults in the community, and then talks about some of the services that are provided. She talks about the challenges in funding, and states appreciation for Trust support and their hard work.

CHAIR BARTON thanks Pam.

TRUSTEE WEBB asks how they are funded in their work with Corrections and working with offenders inside the facility.

MS. WATTS replies that is through the APIC grant We are in the seventh year of that grant. She states that they are allocated a certain amount of money that can be billed from, and they have not run out of it yet. She adds that it is a great program and serves a valuable purpose. She states that the grant is year to year.

CHAIR BARTON asks if there is anyone else that wants to testify. Hearing none, he declares that the Public Comment period is closed and the meeting stands in recess until 9:00 a.m. tomorrow at the room for the Senate Finance Committee presentation. He thanks all for their time, patience, and durability.

(Full Board meeting adjourned at 5:15 p.m.)