

# STATE OF CONNECTICUT Consumer Advisory Board

## Meeting Summary Tuesday, January 6, 2015

**Location:** Capitol, 210 Capitol Avenue, Room 310, Hartford

**Members Present:** Patricia Checko (Co-Chair); Arlene Murphy (Co-Chair); Jeffrey G. Beadle; Alice Ferguson; Kevin Galvin; Rev. Bonita Grubbs; Bryte Johnson; Stephen Karp; Robert Krzys; Theanvy Kuoch; Sharon D. Langer; Fernando Morales;

**Members Absent:** Michaela I. Fissel; Cheryl Harris Forbes; Nanfi Lubogo; Richard J. Porth; Alicia Woodsby

**Other Participants:** Ellen Andrews

Meeting was called to order at 1:10 p.m.

### Introductions

Members introduced themselves. Patricia Checko announced that Vicki Veltri lost her father. Specifics will be sent out.

### 1. Public Comment

Ellen Andrews said she was present to urge to vote for ethics provisions that Kevin Galvin proposed. It is important to insure there is not a perception of conflicting interests. The board that represents consumers should have highest standards and be careful of concerns that might challenge credibility. It might be legally public officials for FOI but not public officials for ethics which exempts for accountability. Ms Andrews said she is looking at standards of private nonprofits and often they just require that you recuse yourself. It is not enough and should be a higher standard. She urged members to pass the provision.

### 2. Presentation on Freedom of Information requirements

Dr. Checko said there is a lot of a concern about where they stand as public officials and Freedom of Information. In discussions with Mark Schaefer, she decided to ask Tom Hennick from Connecticut Freedom of Information Commission to talk to Consumer Advisory Board members about how FOI pertains to the proceedings and public communications.

Tom Hennick said because CAB was created by a state entity, it falls under this law. He said to make sure public meetings and public records are open and accessible. FOI is about access to records. When you are doing your work, understand you have gathered and should have a meeting. Make sure it is properly noted, open to the public, and there should be minutes. Mr. Hennick said if it is about items you have control over, it is a meeting and make sure steps are followed. Subcommittees also have to follow FOI. Another issue is lack of quorum. There are opposing decisions about whether having a quorum constitutes a meeting so you should err on side of caution. The law is not in tune with where things are technologically. Business related conversations should happen at meetings. He said there are three types of meetings: regular meetings, special meetings, and emergency meetings. Be as specific as possible on the agenda. Executive session has to be part of a scheduled meeting. There are five reasons allowed for executive session. If the board is drafting a document that could be done in executive session, vote to go in session. They can invite people in to give evidence and then they should leave. There are no votes in executive session. Every vote is to be public and recorded and clear who voted for what and for whom. Mr. Hennick noted there are certain things in FOI that aren't meetings. Talking about agenda items or collective bargaining is not a meeting. Public comment is not required under FOI.

Mr. Hennick noted recording or taping is allowed. Subcommittees can be set up if the committee follows all the rules under FOI. Mr. Hennick said a lot depends on what you talk about. When you cross the line you are vulnerable. He said take no action until someone files a complaint. Every record created in every situation is defined as a public record. He said they have different exemptions that apply every time you create something, think in terms of anyone seeing it. The public can ask for any record you created within conduct

of board. Ms Murphy asked about work group applicants' information that includes health information. Mr. Hennick noted people can request their discussion be public. Ms Murphy said she wants to set up a process that is transparent. Mr. Galvin said he reviewed paperwork behind closed doors. Mr. Hennick said it is allowed to go into executive session for discussions. Paperwork may not be exempt from disclosure. Dr. Checko said she felt it was covered under personal exemption. She noted MAPOC representatives came through agreement.

Mr. Hennick said never hesitate to give a phone call and he will try to help and provide guidance.

Dr. Schaefer gave an update on grant award. He could do a presentation at February meeting regarding requirements of notice of grant award. There will be a kick off call today at 3:00 p.m. and he has a number of questions for them. He said mostly rest of the money is considered contract services. There were ten other states awarded test grants. Dr. Checko said contractual person and listening tours are mid-priority. Dr. Schaefer said Chartis is helping with development of MOAs.

### **3. Discussion of CAB Conflict of Interest Policies/Procedures**

During the previous meeting, Mr. Gavin shared correspondence urging development of interest policies and procedures. Mr. Galvin questioned whether the group could separate selves from gaining from the SIM process and deal selves out of the CAB. He said many of us have been on committees and organizations and get hung up in legalese. He suggested taking the lead and to come up with code of ethics and advisory body of consumers. Ms Murphy asked how members of the group would like to proceed.

Dr. Checko asked whether there was a plan for an overall policy for all of the boards and committees. Dr. Schaefer said he is raising this question with the LG and it is pertinent for all of the groups. He would like for it to be considered by the Steering Committee and would not preclude CAB from developing a different code. CAB could determine whether they would need a different code. He suggested hearing what the Steering Committee's proposed approach might be before finalizing the code and plan to include on their agenda for Thursday. None of advisory bodies have control over funds and not proposing to give CAB access to funds to give to whomever. The state will be handling through procurement guidelines. They are working with the state procurement officer on that. They had adopted reasonable processes for existing procurements but it may be determined that they are or are not sufficient. Mr. Galvin asked would it be helpful if we had a code so that incoming members would know. It would be helpful if Steering Committee had robust code that was similar. Dr. Checko said CAB has a budget line item and would have a role in selecting individual and writing job specification but would not be making final decisions. They would not be in the position to make decision about how money is spent. She noted the flip side is there may be members of organization that when funds are available could apply for those funds. That would be a state procurement issue. This is something that could be put on the agenda for Thursday's meeting. Mr. Galvin said Steering Committee could take a while and would like to move forward. Rev. Grubbs said they have a group that is consumer driven and have had a different kind of conversation that gets to the heart of practice and how people feel about things. The question is how this affects person on the street. There is some real value in looking at specifics of how you create a body that has that kind of power. Rev. Grubbs said there is such a thing as conflict of interest which may mean nothing more than you declare it. There may be a higher standard that we would want. She said declare the conflict so that people know it. Given the nature of the group, don't know that there will be any backroom politicking but it is always a possibility. Rev. Grubbs said she would not want group that was pro-forma. Ms Ferguson questioned whether it is strictly for funds or does it go beyond that. It will set the stage for how this body functions. She said she would be in favor of moving forward if it does. Mr. Beadle said to date, he feels comfortable with processes they have in place. Not about what they have been doing but perhaps codifying how they move forward. He said he would be comfortable letting that process take its place. They can always augment and further implement. He said with full disclosure things get known. It's always best to disclose if anyone believes could be some image or appearance of a conflict. Ms Murphy said she thinks the PMO and Steering Committee have been diligent with procedures that avoided conflicts of interest. Nothing in our discussions that reflects a problem with that. Ms Murphy said from the beginning of CAB they have tried to set themselves apart. All the new work group members had to declare whether they had a potential conflict. It is setting a standard here. If members of CAB are interested, can get group together to set principles and concerns where they need to be met. It would only contribute to the process. Dr. Checko asked would it make sense to make this part of the guidance documents rather than see it as

separate and specific. Mr. Galvin suggested a combination of what Mr. Beadle said and a subcommittee. He said the higher standard to be shown here.

**Motion: to form a subcommittee to establish work group to discuss this – Kevin Galvin; seconded by Bonita Grubbs.**

There was no discussion.

**Vote: all in favor.**

Members: Kevin Galvin, Bryte Johnson. Dr. Checko will call and ask Richard Porth to be a part. They will send out latest guidelines that were adopted.

#### **4. Update on SIM Work Groups and CAB Taskforces**

**Practice Transformation Taskforce:** Nanfi Lubogo will send an email to provide an update.

**Quality Council:** Ms Murphy will email 11 pages of measures with consumer recommendations. Council is in the process of developing quality measures. A lot of measures developed. She said to please look over them and see if there is anything that you find that is of importance. They are trying to gather feedback and active consumer involvement as part of the process. Dr. Checko said everything is on Quality's website. Please take time to look at what they are doing. There are pediatric measures, behavioral health group, attempt to align with Medicare, and potential goal of aligning Medicaid.

**Equity and Access Council:** Dr. Checko said Chartist is working with HIT and Equity and Access. Ms Ferguson attended the first meeting which had a detailed review of charter. It narrows down what is expected of the committee. They established two meetings scheduled through April. Adam Stolz will meet with each team member to identify interest and focus. Dr. Checko said this brings up another issue and would like to discuss under other business. There have been issues with attendance. It is possible that up to three people need to be talked to and determine how they will be replaced. One person reported that she could no longer fill that position. We need to talk about how we are going to do that. She will talk to the other two about whether they can attend these other meetings. The issue should be raised of how they should be replaced. Dr. Checko said they really need to have people who are committed and will show up. Ms Murphy asked based on observations of meeting, do they feel like consumer representative voices were being heard. Ms Ferguson said once she reviewed charter, could see where she could get engaged. Ms Murphy said it can be overwhelming. As we talk about engaging, want to make sure the issue is not something that we can address. Ms Murphy said she will talk with Dr. Checko and Ms Ferguson about ways to engage the group. Dr. Checko said it behooves us to work closely with Equity and Access and try to strategize to move process. Mr. Galvin said people who are facilitating have to allow consumers into the conversation. The facilitator has to achieve the balance.

Theanvy Kuoch said through discussions with Elizabeth Krause, Health Equity Design Group, they need consumer voices and break down data to race and ethnicity. It is very difficult to understand some of the terms. Mr. Galvin said they need to work to create the path to get consumers involved. Ms Ferguson said she is convinced that Mr. Stolz is going to contribute to that process to get things accomplished. Rev. Grubbs said sounds like a lot of heat but not a lot of light and maybe over time that reverse can happen. It could be helpful to hear from Mr. Stolz. Dr. Checko said suggested they sit down with liaisons and discuss strategies for engagement. She noted one group has started meeting for supper. Ms Langer asked should the group have a mini script for when they go to meetings with the questions they want answered. Maybe the group should focus and give its time to what as a consumer representative they want assurance about. Dr. Checko said it makes sense and liaisons need to know what their groups are doing and need direction and strategy from us. Perhaps sit down with liaisons to see what can be done to foster that. Ms Murphy said asking Mr. Stolz to come to the next meeting would be helpful. They will try to get information out a few days ahead. Start with two steps and move forward. Ms Kuoch said all groups work hard but with three questions could have input to improve things.

**Health Information Technology Council:** Dr. Checko said the council has met once and they have an impressive group of people. Fran Turisco is assigned to this council. She said they heard more about Commissioner Bremby's plan. The first goal is to finalize a charter. The second goal is for group to get

together and look at real issues. There are people in the group who have concerns with the path. They need to talk about what the data is going to be and need to talk beyond hardware. Ms Kuoch said some populations don't have data representing them. Dr. Checko said there's also a concern about who has access to data. Rev. Grubbs said one important aspect with Medicaid is whether it allows access to services.

**Workforce Council:** This council is not formed and yet to be determined. Mr. Krzys said there is no workforce right now. Dr. Checko said the only thing funded is CHW component.

**Care Management Committee:** There is a special meeting next Wednesday from 9:00 a.m. to 12:00 noon. Ms Langer said she will keep the group posted.

Dr. Checko said workgroups have not coalesced. They may fall under another area, getting another small group together with how they proceed with ops plan. Ms Langer asked whether they really are a part of other things that are going on and what is it that they want to say about these issues. Ms Murphy suggested using a particular focus and point of connection. She said maybe make sure anyone who wanted to be identified, keep a list and work on communication on this. Good communication is needed. Dr. Checko said it gets back to what are the questions they should be asking. It's part of ops plan and how they fit them in. Ms Kuoch said behavioral health and health equity are similar task and connected.

**Other Business:** Dr. Checko said going back to discussion of plan for how they work with consumer representatives now, they would remove individuals and appoint new ones. Mr. Beadle, Dr. Checko, and Ms Murphy will look at how to move forward.

Dr. Checko asked do they want small work group to look at issue of appointments and attendance. Mr. Galvin asked could they roll that up into code of ethics. Dr. Schaefer said they have a time sensitivity issue. Chartis is meeting individually with members and asked for commitment to attend all or as many meetings as possible. Ms Murphy questioned whether can they set up parameters and take people who wanted to be part of the process. She suggested before they take people off and replace, to be sure they facilitated participation as much as possible. Ms Ferguson said to understand that location and timeliness of meetings are issues. If they want to back out, let them back out. She noted at the first meeting, there were three consumers there. Dr. Checko said it can be imposing for consumers at these meetings. They have to contact these people. For many people the only information we have is work information.

Mr. Galvin said he understand they have to go full throttle but need to strike a balance. The whole issue can be rolled up in ethics document. People coming in would understand what they are getting into. Mr. Galvin asked could they plug in other CAB members to fulfill that two month role. Dr. Schaefer said if he feels it makes sense, in the interest of making sure they don't miss too much. The February meeting would include discussion of restaffing Equity and Access Council.

Dr. Checko said she and Ms Murphy will split up who are going to call. There's a potential to have a designee, if they feel time to move forward and give up seat. They need to decide how they are going to move forward. They have the old list. Ms Langer said maybe someone around the table would step in. Dr. Checko said they have long term and short term issue.

Kevin Galvin is willing to step into Equity and Access Council. Bonita Grubbs will consider stepping up. Dr. Schaefer said part of urgency is lead time to implement these things. The Steering Committee approves certain designees.

**Motion to designate temporary coverage for Equity and Access Council work done with Kevin Galvin and Bonita Grubbs – Kevin Galvin; seconded by Sharon D. Langer.**

There was no discussion.

**Vote: all in favor.**

Dr. Checko said once spoken, if there is a need for replacement, it will be taken up by policy group.

Meeting adjourned at 3:13 p.m.