

COMMONWEALTH OF MASSACHUSETTS

BOARD OF CERTIFICATION OF COMMUNITY HEALTH WORKERS

**THIS AGENDA CONSTITUTES NOTICE OF THE REGULARLY SCHEDULED MEETING OF THE
BOARD OF CERTIFICATION OF COMMUNITY HEALTH WORKERS
IN COMPLIANCE WITH THE OPEN MEETING LAW, M.G.L. c. 30A, § 20**

**Tuesday, September 8, 2015
9:30 a.m.**

**239 Causeway Street ~ 4th Floor ~ Room 417 A&B
Boston, Massachusetts 02114**

Agenda

Time	Item #	Item	Exhibits	Staff Contact
	I.	Call to Order Determination of Quorum (Q = 6 of 8)		
	II.	Approval of Agenda	Draft Agenda	
	III.	Approval of Minutes	Draft Minutes	
	IV.	Update on status of fee proposal and draft regulations	None	
	V.	Update on Board nominations for open positions	None	
	VI.	advisory workgroup	None	
	VII.	Refresher on ethics for new members	Forms and Information from State Ethics Commission website	

	VIII.	Review of Regulations on Tier 2 CHW Certification	Tier 2 Documents	
	IX.	Other Business/Announcements A. Regulatory Review pursuant to Executive Order 562	Executive Order Review Plan	VB
	X.	Adjournment		

COMMONWEALTH OF MASSACHUSETTS
BOARD OF CERTIFICATION OF COMMUNITY HEALTH WORKERS

BOARD MEETING MINUTES

Tuesday, September 8, 2015
9:30 a.m.
239 Causeway Street
Room 417
Boston, MA 02114

Board Members Jean Zotter, DPH, Chair

Present: Patricia Edraos, Massachusetts League of Community Health Centers (MLCHC), Representative
Joanne Calista, Community Health Worker Training Organization, Representative
Sheila Och, Community Health Worker
Henrique O. Schmidt, Community Health Worker, Secretary
Maritza Smidy, Community Health Worker
Denise Lau, Public Member

Board Members

Not Present: Peggy Hogarty, Massachusetts Public Health Association Representative

Staff Present:

Rebecca Ferullo, Office Support Specialist I, DHPL
Vita Berg, Chief Board Counsel, Office of the General Counsel, DPH
Mary Strachan, Board Counsel, Office of the General Counsel, DPH
Gail Hirsch, Director, Office of Community Health Workers, DPH

Visitors:

Members of the Public

I. Call to Order and Determination of Quorum

A quorum of the Board was present. Ms. Zotter, Board Chair, called the meeting to order at 9:32 a.m.

Ms. Zotter invited Board Members, DPH staff, and Public Members in attendance to introduce themselves.

II. Approval of Board Meeting Agenda

The Meeting Agenda was reviewed.

DISCUSSION: After approval of agenda the Board would like to discuss tiers, and add a discussion of the next meeting's date and necessity at the end of the agenda.

ACTION: Ms. Lau made a motion to approve the agenda as amended; Ms. Calista seconded the motion. The motion passed unanimously.

Document: September 8, 2015 Board Meeting Agenda

III. Approval of April 14, 2014 Regularly Scheduled Meeting Minutes

The Minutes of the April 14, 2014 Regularly Scheduled Board Meeting were reviewed.

DISCUSSION: Ms. Edraos noted that on page 3, under item V, her suggestion of not establishing a group should be corrected to not formalizing a workgroup. The spelling of MACHW should be corrected throughout.

ACTION: Ms. Zotter made a motion to approve the minutes with changes; Ms. Edraos seconded the motion. The motion passed unanimously.

Document: April 14, 2014 Regularly Scheduled Board Meeting Minutes

IV. Update on status of fee proposal and draft regulations

DISCUSSION: Mary Phillips had worked with Jim Lavery on the fee proposal before leaving and staff is hoping to submit as soon as next week. Ms. Berg and Ms. Zotter reviewed the process with board members. Ms. Berg discusses Executive Order 562. Before proceeding with regulations, they must be reviewed (how it affects the Commonwealth, small businesses, etc). Could always be sent back with adjustments and then will move on to public hearing. Ms. Hirsch – Does the office need to provide answers as to why the regulations are necessary for public health, safety and welfare? Ms. Berg – There are forms required that have questions about how the regulations came to be. Fees are reviewed and then are part of the packet that goes to the commissioner.

ACTION: None

Document: Executive Order Review Plan

V. Update on Board nominations for open positions

DISCUSSION: Three seats are currently open: one from MAHP (Massachusetts Association of Health Plans); one from a community-based CHW employer, and one from MACHW. The first two have submitted names and MACHW is currently working to fill a seat.

ACTION: None

Document: None

VI. Advisory Workgroup/Tiers

DISCUSSION: Previously the board voted to create an advisory workgroup – should it continue? Will need to follow Open Meeting Law. Is the workgroup still needed to make recommendations about tiers? Ms. Hirsch and Terry worked on this over the summer and believe that the career is so new it is too early to have more than a trainer tier. Audience asks Ms. Zotter to give a summary of previous reviews; she complies. Ms. Berg reminds the Board that tiers are not actually necessary unless they help with career advancement, and reads the related portion of the statute. Ms. Hirsch points out that creating tiers for specific specialties would be complicated; asked some employers and was told it would tie their hands for positions. She also checked with other states and they do not have specialties. Could be very difficult to choose and establish. Board members agree that a trainer tier is needed but any others can be added after becoming comfortable with initial certificates. Ms. Zotter asks if an advisory workgroup is still needed without many tiers. Audience members express concern that cancelling workgroup would take away DMH/MassHealth from being a part of the Board, and request DMH/MassHealth be kept involved either way. Ms. Edraos states that there shouldn't be anything preventing the Office of CHWs (OCHWs) from receiving

information from the public – instead of forming a group there could be an understanding that the CHW Office will continue to accept information and advice from interested parties. Ms. Zotter questions if this could be an issue because a board cannot give instruction to an office. Ms. Edraos asks what can the Board do to continue receiving advice without becoming formal and requiring open meeting law. Ms. Berg states there are still avenues for the public to provide information and suggestions, but for a workgroup it must be formal. They can get the same input from audience members participating in the regular Board meeting, as done today. Ms. Zotter states the Board makes it clear they value others’ opinions by having Ms. Hirsch at the table. If the Board does not convene a workgroup now, does not mean a workgroup could not be created in the future. The Office of CHWscan decide to do work to help the Board, provide information and advice if they are able. Ms. Edraos asks if there is a way to still get the views of other people – a large group of the public, invite stakeholders. Ms. Berg expresses she feels this is already done at the regular meetings, but they can be advertised more openly. Ms. Calista states the advisory group did a lot of great work and she feels it was helpful to have them go through each piece. Ms. Edraos states establishing a formal group works against free and open information and excludes as many as it includes. Audience members advocate for the advisory workgroup. Ms. Berg reminds the Board again about accountability, open meeting law requirements, quorum, recording, minutes, only members allowed to vote, and conflict of interest laws.

ACTION: Ms. Zotter made a motion to table the workgroup.

DISCUSSION: Audience members would like to have tier discussions. They state it is important to get the views of current CHWs, but many will not come to the meeting – would be intimidated by the format. Can the Board have a public hearing in another location? Ms. Berg – yes, can be done if posted to public and location set up. Ms. Och – must all members or a quorum be present or could just a few go? Ms. Berg – Often only the Chair will go. Ms. Strachan tells the Board that public hearings are not for discussion, but only to listen to the public. Ms. Zotter reminds the Board that tiers are currently on hold and will not be included in the packet moving forward next week. Ms. Berg states it was last discussed that the issue was many trainers would not be certified CHWs and is giving trainer certificates to non-certified CHWs going against the statute’s intention of advancing careers of those certified. Ms. Hirsch asks if moving forward will be a problem if the trainer tier is not complete because it is referred to in other sections. Ms. Berg – “certified” was removed previously and the regulations can stand without sections for tiers and reciprocity. An audience member offers that New Mexico is offering tiers in staggered, phased-in regulations. Another audience member feels doing it in pieces will be helpful – community colleges often does the same with programs. It is important to get the initial parts going. Ms. Smidy asks if it can be communicated to the commissioner and public that CHW tiers will be coming over time. Ms. Berg – yes, can communicate this when packet is submitted. Ms. Zotter asks the Board members and audience to communicate this to the workforce. Do we still have a workgroup? Does the Board still meet while waiting on regulations? While waiting, can they invite stakeholders and get information to educate on possible tiers? Ms. Berg – yes, can also work on application forms. Ms. Edraos – While Board waits for regulations and has lots of time, should hold hearing in a different location regarding tiers. Important to have employers there and spend time discussing the benefits of different types of tiers, if specialty tiers are really any different, the financial impact, etc. Holding a hearing outside of Boston may not be necessary. Audience asks if Office of CHWs, MACHW can gather information on CHW opinions on tiers and bring back to the Board? Ms. Zotter – yes.

11:04am Break.

11:22am Return.

Ms. Smidy asks if Board members choose workgroup members. Must it be set up now or call on them as needed? Ms. Zotter – the Board establishes members and decides quorum. Do not form group without topics, thinks Board should discuss topics coming up. There were sub-regulatory guidance points the Board said it would provide. Could ask workgroup to help or do it themselves. Will the public hearings for regulations be held in spring? Ms. Berg – the hold on regulations

should end in spring, so the hearing would be between now and then. Currently working on getting approved, hopefully hearings will be in winter. She will schedule as soon as they are approved. Ms. Zotter – there is a lot of work, an advisory workgroup could help or the Board could do it themselves. Ms. Och feels the workgroup discussed details and vetted information and then made recommendations to the Board, allowing the Board to pick through and discuss topics in less time. Because it is important to get CHW and employer opinions, she thinks it will require an advisory group as well as information submitted or presented to the Board by both groups and individuals at regular meetings. Ms. Edraos – how do we choose who is in the group? Make sure everyone is represented, and who represents them? Feels it is very excluding and creates a lot more work for everyone. If Board seats can't be filled how can we get people to show up for a workgroup? Ms. Berg – an advisory group is very different from a hearing; the Board should decide which it wants. Ms. Calista feels hearings should focus on specific topics. Ms. Smidy feels Board members should be getting information and bringing it back to regular meetings or hold a meeting in a larger setting and invite groups to participate. Ms. Berg tells the Board that if a quorum shows up to a public hearing it will need to be posted as a meeting and then members would be able to listen and discuss. If a few members attend, they could listen only without discussion, or the Board could create a sub-committee with a few members, allowing them to discuss and interact. Ms. Zotter – can the board receive help from MACHW? There are three Board members in MACHW. Ms. Berg – yes, MACHW can hold any forum it would like to and offer information to the Board. Any board members who attend should not discuss until the next Board meeting. Ms. Zotter – if a few members are willing to be part of a subcommittee, time could be set aside to meet. Ms. Zotter, Ms. Och, Ms. Smidy and Mr. Schmidt volunteer to be part of a subcommittee with a quorum of two. The Board can decide on what topics the subcommittee will discuss during the October meeting. Part of the application was previously tested and considered confusing. Can it be sent out for field testing and find out what is confusing and then adjustments made? Ms. Berg – yes, if no changes have been made without the Board voting. The audience asks that field tested applications be as final as possible.

ACTION: Ms. Zotter made a motion to table the advisory workgroup and create a subcommittee to work on applications and work with the CHW office to prioritize the sub-regulatory guidance needed; Ms. Calista seconded the motion. The motion passed unanimously.

ACTION: Ms. Zotter made a motion to have the subcommittee made up of herself, Mr. Schmidt, Ms. Och and Ms. Smidy, with a quorum of two; Ms. Calista seconded the motion. The motion passed unanimously.

DISCUSSION: Subcommittee members will brainstorm dates for their separate meeting and discuss at the regular October meeting.

Document: None

VII. Refresher on ethics for new members

DISCUSSION: Ms. Berg reviewed the Conflict of Interest laws with Board members.

12:30pm Ms. Zotter leaves.

12:35pm Ms. Zotter returns.

ACTION: None

Document: Forms and Information from State Ethics Commission website

VIII. Adjourn

There being no other business before the Board, Ms. Smidy made a motion to adjourn the meeting. Ms. Lau seconded the motion. The motion passed unanimously. The meeting adjourned at 12:50 pm.

Comment [1]: This was mildly inaccurate and confusing.

The next meeting of the Board of Certification of Community Health Workers is scheduled for Tuesday, October 13, 2015, at 9:30 a.m. at 239 Causeway Street, Boston, Massachusetts.

Respectfully submitted:

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