

**Soldiers' Home in Holyoke
Bylaw Committee Board of Trustees Meeting Minutes**

A meeting of the Bylaw Committee Board of Trustees of the Soldiers' Home in Holyoke (HLY) was held telephonically on Tuesday, April 19, 2022. The meeting began at 5:33 PM.

Bylaw Committee Members Present:

Cindy Lacoste, Bylaw Committee Chairman; Isaac Mass.

Bylaw Committee Member Not Present:

Gary Keefe

Also Present: Matthew Deacon, Legal Counsel (DVS); Glen Hevy, Deputy Superintendent (HLY); and Kathleen Denner, Recording Secretary.

Roll Call is as follows: Trustee Mass (Yes), Trustee Lacoste (Yes).

Pledge of Allegiance: All present recited the Pledge of Allegiance

Review of draft Admission, transfer and Discharge Policy:

Mr. Deacon stated that committee has received back some edits from EHS regarding the regulation that was sent up. He continued that regulations are different than policies, the are more rigid they have to be promulgated a certain way, are subject to public comment period. Mr. Deacon shared that we were getting some back and forth from EHS some of the lawyers that were giving some comments and I said I don't want to ping pong this between the committee and EHS, I want the final version from EHS to present back to the committee and then if everything looks good then it goes to administration and finance which will give it a cursory review and then we can go to public comment. He shared that when this came up several years ago and this was discussed in public there was a case that one of the defenses to a pending discharge was that there was an absence of a regulation. The board has a statutory ability to propagate regulations that is why it is making its way through.

Trustee Lacoste stated that the committee did make comments to this in the last bylaw meeting and there were a few minor tweaks of a couple of words and that is what we have in front of us tonight.

Trustee Mass asked is the regulation, as drafted, Holyoke Solders' Home Admission Transfer and Discharge process cross references the Bed Hold policy and Readmission we struck a paragraph that still talks about a Bed Hold policy and it has an Admissions Policy and in the appeals procedure it references the Bed Hold policy too. Trustee Mass wants to make sure that we have a Bed Hold and an Admissions Policy and make sure we see them and that they do not conflict with

the other parts of the regulations. Mr. Deacon replied that this was one of the back and forth that he had with EHS with the regulations references, the bed hold policy and his point when he drafted this years ago was to as accurately as possible reflect the CFR regulation and not try to reinvent the wheel and he CFR regulation from the VA references that the facilities must have a bed hold policy as well. Trustee Mass does not want to be in the position of passing a regulation that requires us to have a policy that we do not have. He is not looking to pick apart the Bed Hold Policy or the Admission Policy but maybe forward this for a full board motion and in the meantime ask Mr. Lazo for the Bed Hold Policy and the Admission Policy. If they do not exist, then the board can state. Trustee Lacoste stated that the Appeals Policy is also mentioned, and it refers back to the CMR. Mr. Deacon replied that in Holyoke the board wanted to retain the appeal of authority. Trustee Mass agreed that we should find out what those policies and procedures are and we can ask Mr. Lazo for that one too. Trustee Mass believes that the terms are exchangeable but important to be clear if it is a regulation of policy or procedure, because they all have slightly different meanings.

Trustee Mass made a motion to forward a positive recommendation for the adoption of the regulation to the full board, Trustee Lacoste seconded the motion. The Admission, Transfer and Discharge Policy will be pushed up to the board at the next meeting. Motion passes.

Mr. Deacon spoke to Mr. Engell and his position as Assistant Secretaries to the Homes, he has been working with both Homes on various joint initiatives and it has come up to look at policies between the two homes and see where there are some opportunities for uniformity. He continued that on the HR side there was a discussion on telework. He continued that there were some positions where telework might be available and this policy is being looked at. Mr. Deacon reported that Mr. Lazo said there was a meeting regarding the admission policy too. He continued that there are a lot of policies to compare. Trustee Lacoste asked if Mr. Deacon thinks that they might work off of our policy since we will have it in place first. Mr. Deacon stated that Chelsea does not want to do a regulation, but for admissions policy and there are some things that are applicable for both where some requirements are the same.

Approval of Minutes:

Motion to approve the March 15, 2022, minutes was made by Trustee Mass and seconded by Trustee Lacoste. All in favor, unanimous. Motion passes to approve the minutes.

New Business

Trustee Mass suggested waiting to schedule a meeting for next month until we learn if there an admission policy or bed policy or appeals procedures. Ms. Denner will email Mr. Lazo for the committee.

Trustee Mass made a motion to adjourn, and Trustee Lacoste seconded. Roll call vote: Trustee Mass (Yes) and Trustee Lacoste (Yes). It was unanimously VOTED to adjourn the meeting at 5:49pm.

Respectfully submitted,

Kathleen Denner
Acting Secretary for the Board of Trustees

Attachment(s):

119 CMR XX.00: Admission, Transfer and Discharge Process (with comments)

119 CMR XX.00: Admission, Transfer and Discharge Process (with comments accepted)