

## **Soldiers' Home in Holyoke Board of Trustees Meeting**

A meeting of the Board of Trustees of the Soldiers' Home in Holyoke (HLY) was held telephonically on Tuesday, February 9, 2021. The meeting began at 5:35 PM.

- **Members Present:**  
Gary Keefe, Chairman; Mark Bigda; Sean Collins; Kevin Jourdain; Cindy Lacoste, Isaac Mass; Carmen Ostrander
- **Also Present:**  
Michael Lazo, Chief Operating Officer; Aimee Desmarais, Chief Nursing Officer; Glen Hevy, Deputy Superintendent, Cheryl Poppe, Secretary, DVS; Stephen Giordano, Interim Chief Financial Officer, Mark Yankopoulos, Legal Counsel; Alda Rego, Assistant Secretary for Administration and Finance, EOHHS; Matt Deacon, Legal Counsel, DVS; Eric Sheehan, Assistant Secretary, DVS; Ganesh Ramachandra, DCAMM, and Nancy Shimel, Recording Secretary
- **Pledge of Allegiance** - All present recited the Pledge of Allegiance.
- **Public Comment:**  
Cory Bombredi, union representative SIEU local 888, requested to make public comment. Mr. Bombredi stated his opinion on the Pearlstein report, which he believes was heavily edited. Mr. Bombredi stated that he offered complete cooperation during the investigation, and gathered contact information for 70 of their members who wished to tell their story. He believes that one item was left out of the report, specifically, abuse of members. Members informed him that they were forced to work when they had tested positive for COVID-19. Members were told to leave their ID at the door, and that there was no sick time. Mr. Bombredi feels that the Pearlstein report was edited to minimize litigation to the state for the catastrophic event that was caused by management, noting the ill effects felt by members as a result. Why important details were left out of the report came to Mr. Bombredi in September 2020 while looking into the process to increase the pay of members, as it has been difficult to hire people on. He believes that his members should be hired at a starting step pay grade 8. Our veterans deserve honor and dignity, and we need to fulfill our commitment to staff. Mr. Bombredi recognized the work that Val Liptak did while she was at the Home, but he feels that the Home has taken a depressing turn again since she has left, being ruled by fear. Robert Engell has the credentials to move us in the right direction. Mr. Bombredi stated that SEIU local 888 fully supports keeping the maximum bed capacity at the home. We are not interested in a reduction of beds at the Home and support the Board of Trustees in that commitment.

Isaac Mass thanked Cory for his feedback and requested that he provide any information relative to the Pearlstein report to the Board of Trustees in writing, as there are still ongoing investigations. Cory to provide this report to the Board of Trustees.

John Paradis requested to make public comment. Mr. Paradis is a member of the Soldiers' Home in Holyoke Coalition. He reported that earlier today he sent a letter to the Board of Trustees from 25 citizens expressing concern on the state's plan for the future Soldiers' Home in Holyoke. Mr. Paradis appreciates the responses received back from the Trustees. He wished to speak today to express the support of the coalition for a 280 bed facility with an Adult Day Health Program. In addition, 14 veteran service organizations have also provided written support of a 280 bed facility, in addition to a letter of support from 82 legislators. Our coalition supports a more deliberate planning process, noting that public hearings and forums should be held to allow for additional input on the design of the Home. In our view, it's unacceptable for any of us to not have an opportunity to comment on what the state is going to build for a Soldiers' Home. If we have to wait another year to get this right, then we believe that should happen. Mr. Paradis noted that the coalition is pleased that the formation of an Advisory Board is on the agenda to be discussed.

**Public Comment (cont.):**

Stephen James Connor requested to make public comment. Mr. Connor represents the Central Hampshire County Veterans Services. Mr. Connor was asked by the membership of veteran service organizations to speak on our support of a 280-bed facility. He noted that he handles 11 communities, all of which have contacted him at some point for assistance on Soldiers' Home in Holyoke admission. He noted the difficulty for veterans waiting to get into the Home when the census was decreased to 235, noting the long wait list to gain admission. He expressed that veterans want to be with veterans, and the isolation the veterans have been going through is difficult. He stated that he does not believe the admissions demand is going to dwindle that much, noting that many veterans do not attempt admission due to the awareness of the lengthy wait list. On behalf of the membership, we hope you will push for 280 beds so our most vulnerable can get in.

John Hurley requested to make public Comment. Mr. Hurley is a member of the coalition and resides in Chicopee, MA. He is a Vietnam veteran who was wounded in action in combat in Vietnam with the 1<sup>st</sup> marine division, receiving a Purple Heart. Mr. Hurley stated that according to statistics, Massachusetts has over 383,000 veterans, and over 185,000 of those veterans are over the age of 65. A great number of those veterans over 65 are Vietnam veterans. There will also be veterans from the Gulf War, Afghanistan and Iraq who will need specialized care in the upcoming years. He believes that we have let this great facility slip, and we need to do things better. It's now time to think about the future and not just today. With a new state-of-the-art facility, who would not want to be there. There is a need for a 280 bed facility and Adult Day Health Program. Don't fall short – we have served our great country and I'm now asking each of you to make our veterans' final beds be as good as possible.

Charlie Payne requested to make public comment. He is in support of the 280-bed option for the new facility. We don't want to see any veteran on a waiting list or not have an option. I feel with the recent wars we've had, that time will tell. I sent a letter to the Board stating my feelings. I don't want to have a situation where we have to turn away any veterans. We've just gone through a series of wars – they are just winding down now. As we know, as time passes, that's when PTSD sets in. He noted that his father was a resident at the Soldiers' Home and had wonderful care. He was allowed to end his life with dignity. I appreciate all that was done for him there. We need these beds, and it is important that we invest in our veterans.

- **Approval of Minutes**

Upon motion by Isaac Mass and seconded by Cindy Lacoste, it was unanimously VOTED to accept the unamended minutes of the Special Meeting held on January 27, 2021 and the minutes of the Regular meeting held on January 12, 2021 with the following changes:

1. On Page 1, under Members present, add "Kevin Jourdain".
2. On Page 1, under section "Recognition of Kevin Jourdain's Service as Board of Trustees Chairman" – change #4 – replace the word "engage" with "engaged". In the paragraph below, change the following statement, "He stated that the Board needs to ensure they preserve their lawful authority under the statutes of state legislator and provide proper oversight" to "He stated that the Board needs to ensure they preserve their lawful statutory authority under the statutes of state legislature and provide proper fiduciary oversight". Change the last sentence in this section from "Mr. Jourdain relayed that his term on the Board will run until July 22, 2025, and during that time, he looks forward to working to achieve the above noted objectives" to "Mr. Jourdain pointed out that his term on the Board will run until July 22, 2025, and during that time, he looks forward to working to achieve the above noted objectives".
3. On Page 3, under "CFO Update", change the following sentence from "Mr. Jourdain stated for the record that the Board Chairman signs all check and that any check issued over \$2,000 requires a Board vote" to "Mr. Jourdain stated for the record that the Board Chairman signs all checks and that any check issued over \$2,000 requires a Board vote".

**Approval of Minutes (cont.):**

Kevin Jourdain requested follow-up on an item from the January 12, 2021 minutes regarding the receipt of contact information for Payette representatives, which was documented in the minutes to be provided by Secretary Alda Rego.

Gary Keefe conducted a Roll Call vote on the approval of the amended minutes of the Board of Trustees meeting on January 12, 2021 and the unamended minutes of the Board of Trustees meeting on January 27, 2021. The Roll Call vote is as follows: Mark Bigda (Yes), Sean Collins (Yes), Kevin Jourdain (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), Gary Keefe (Yes). The vote was unanimous.

- **CFO/Treasurer Report:**

Steve Giordano reviewed the "Trustee Fund-Summary of Receipts and Disbursement Report for FY21 for the period ending January 31, 2021, as well as the current month's activity detail. He provided information on the operating budget using the standard reporting format. The UBS and Westfield Bank statements were also provided. Mr. Giordano reported that once again there were a large number of donations during the month of January, which is reflected in the summary report. We also had a sizable increase within our investment accounts, which is also reflected on the summary report.

Disbursements included payments for a new bingo system through a specified donation from Marvin Fuller through the Elks National Vets Service Committee. Other expenses were incurred by the recreation department through petty cash.

The next series of reports show the fiscal year's expenditures and revenue of the Home's appropriations to include the main appropriation along with the 12-bed, antenna, pharmacy, telephone/television, and license plate retained revenue accounts incurred as of January 31, 2021. The telephone and television appropriation, as you can see, has not generated any revenue due to the suspension on the collection of these charges from our Veterans due to our current COVID situation. The date we will begin to once again bill Veterans for these services has yet to be determined.

Mr. Giordano made a suggestion regarding the format and data provided on all of our state appropriation reports. The current report shows current expenditures, as well as expenditures at the same time period for the previous fiscal year. In my opinion, if we are at any given time period during the fiscal year, and in this case midyear and we are at, near, or off a percentage point or two of 50% we are on target with our projections. We can't change last year's spending, so does not seem that it is necessary to present this information.

Kevin Jourdain stated that the reason behind providing prior data is to have a benchmark with which to compare. Mr. Jourdain inquired on the license plate account, in that it appears that year-to-date we are way behind on the license plate retained revenue account. Secretary Rego stated that those retained revenues are generated by the Registry of Motor Vehicles (RMV) coming from individuals who purchase veteran vanity plates. If the plates are not purchased, there will be no retained revenue. Eric Sheehan added that the revenue from this account is split between Chelsea and Holyoke, with Chelsea receiving 60% and Holyoke with 40%. Trustee Jourdain inquired if anyone has contacted the RMV to discuss the reason for the decline in revenue, noting that it is best practice when something precipitous happens with the budget to ask questions. Eric Sheehan stated that there is regular communication that occurs with the RMV. Both Homes do have a point of contact at the RMV where we get updated data on those license plates that are renewed and then there is a payment forthcoming via retained revenue. He stated that meetings do happen with the RMV to track and look at the revenue that's coming in from these license plates. He added that we do not have control over whether a veteran renews their vanity plate. Chairman Gary Keefe noted that the RMV has been closed secondary to the COVID pandemic, so there may be many factors contributing to this loss, and it may not be fair to use this year to measure against the benchmark. Eric Sheehan stated that he feels that we are meeting our fiduciary responsibility, noting that the veteran

**CFO/Treasurer's Report:**

population is decreasing and there is a decrease in vehicle registration and veteran license plates. He stated that his understanding is that no other retained revenue allows funds to be rolled over into the next year, as these funds can. This allows these funds to be available in future years if they are not expended during a fiscal year. Trustee Jourdain noted that this loss is as much as a 50% loss in retained revenue, adding that the Board of Trustees traditionally has no say in the budget, but that may change in the future. As it relates to this current budget, I think it would be in the best interest of the residents to call the RMV and find out the reason for this dramatic impact. Mr. Jourdain added that the Board of Trustees has a fiduciary responsibility to make sure every dollar is accounted for. Secretary Rego provided the example regarding the head injury trust fund through the RMV. There is a surcharge when speeding tickets are incurred that goes to the head injury trust fund, which supports individuals across the Commonwealth of MA, receiving. Matt Deacon stated that he has been in contact with the RMV on constituent complaints as they relate to the RMV and he can follow-up on the license plate funds matter with the RMV.

Carmen Ostrander provided the price information on vanity plate – stating that a regular plate registration is \$60.00 every 2 years vs. \$100.00 every 2 years for a vanity plate.

Isaac Mass added that every other license plate in the Commonwealth can be purchased by any individual. It may be worth DVS working with Trustees at both Homes to create a non-veteran plate in support of our veterans, where the funds would go to both Holyoke and Chelsea. This would be a great opportunity to increase revenue in the future.

Cindy Lacoste made a motion, seconded by Mark Bigda to accept the CFO/Treasurer's report. The Roll Call vote is as follows: Mark Bigda (Yes), Sean Collins (Yes), Kevin Jourdain (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), Gary Keefe (Yes). The vote was unanimous to accept the CFO/Treasurer's report.

- **DVS Staff Report:**

Secretary Cheryl Poppe announced that effective tomorrow, 2-10-21, we will be resuming visitation at both Soldiers' Homes based on Department of Public Health (DPH) guidance. We have binax testing available for visitors. They are highly encouraged to test. A high percentage of our veterans have received the COVID-19 vaccine. The final vaccine clinic was held today.

Isaac Mass inquired if the new policy is that if a staff member tests positive for COVID-19, visitation will not be suspended? Secretary Poppe stated that it will be based on the unit, rather than the whole facility when that happens. Eric Sheehan noted that we need to be mindful of protecting the residents and to take into consideration the guidance from DPH and CMS. If there is outbreak status with a resident or staff, it will not end all visitation. There are multiple layers to this decision – the location of the resident and/or where the staff member worked, as well as the what the community outbreak status is. One important piece is that DPH and CMS guidance says this is a resident right, not a family right. This is a complex requirement, but flexible to allow visitation moving forward. He stated that even in outbreak status, we do a lot of compassionate care visits, and they are allowed based on clinical assessment. Trustee Mass asked for clarification regarding resident rights vs. family rights? Eric Sheehan stated that the Home is a long-term care facility, and the rights reside with the resident, not the family member, meaning that the resident gets to decide whether or not he wants his/her family to visit them. A clinical assessment is done to make a determination on whether or not it is safe to allow visitation to happen, which is called compassionate care. We follow regulatory requirements by DPH and DMS.

Isaac Mass stated that we have a proposed motion on our agenda on this item. He inquired if there is a closure of visitation, would family members who can provide proof of vaccination be included in this? Eric Sheehan stated that is not the only determination that has to be made. Trustee Mass stated that would mean the issue is still not being eliminated around visitation getting cancelled. Eric Sheehan stated that we need to follow regulatory requirements around this.

- **Soldiers' Home in Holyoke Administrator/Staff Report:**

Michael Lazo presented the Soldiers' Home in Holyoke Board of Trustees Update (See Attachment), which gives an overview of the following items:

1. COVID
2. Refresh Project
3. Personnel
4. Visitation
5. Electronic Medical Record

Isaac Mass inquired on the current waiting list at the Home, and if we can track how it fluctuates over time?

Michael Lazo reported that there are currently 37 Veterans on the waiting list from the beginning of the COVID-19 outbreak, and this can be added to the report going forward.

Cindy Lacoste inquired on the vendor name that has been selected for the electronic medical record project?

Michael Lazo stated that this information cannot yet be released as we are still under contract negotiations. We will have this information for the March 9, 2021 Board of Trustees meeting.

Sean Collins inquired if we have received any feedback from the Department of Public Health (DPH) relative to their last inspection? Michael Lazo stated that we received a report on 1/25/21. It is currently being reviewed to develop a corrective action plan. Trustee Collins requested that this report be provided to the Board of Trustees for review as well. Trustee Jourdain requested that both the report from DPH and the report which includes the corrective action plan be provided to the Board. Michael Lazo to provide this information to the Board.

- **Soldiers' Home in Holyoke General Counsel Report:**

Mark Yankopoulos informed the Board members that the Department of Justice has formally begun its investigation of the Soldiers' Home and have begun submitting document production requests.

## **OLD BUSINESS:**

State Proposal and Most Recent Update from Payette/A&F/DCAMM as it is related to request of Board of Trustees for possible additional floor to design in an effort to create more bed space:

Secretary Alda Rego stated that after reviewing existing plans and working closely with Payette and DCAMM, they have added an additional floor to the original plan, with the building plan now having a total of 8 floors. This will bring the proposed bed range to 223-234, with an additional 40 residents being served on a daily basis in the Adult Day Health program. The Adult Day Health beds are important as we are seeing many indicators pointing towards individuals wanting to remain in their homes as long as possible.

Chairman Keefe expressed his appreciation for the hard work and responsiveness to this. Thank you to the team for the hard work they put in. Isaac Mass concurred, noting that the feedback from the Board of Trustees and community was listened to, and a response accomplished within a tight timeline to ensure we have an adequate facility for the veterans. This is a plan to service our veterans both short-term and long-term. Trustee Mass noted the rapid pace to tackle this project from the moment the Board of Trustees had toured the Home and raised this issue, that immediately EOHHS started immediate work on the project, engaging the community in the process, and incorporating their feedback. We now are hopeful that those in the community will now fully embrace this plan and assist with lobbying federal and state legislature for the funding of this project. We will need much support to make this happen. The current facility is inadequate, even with the new upgrades. The quality and quantity of care are important, and we urge our partners to embrace the acceptance of this plan to help us move forward. Trustee Mass stated that the Board of Trustees has voted already to accept this plan, so no vote is needed today.

**OLD BUSINESS (cont.):**

Sean Collins voiced his appreciation to the administration for taking the feedback and making this happen. Trustee Collins stated that as a combat veteran and combat medic, being a part of the Soldiers' Home in Holyoke is important to him. He wants to emphasize that the Board of Trustees is listening, and we want the Home to carry us into the future. This will provide us a great starting point and we'll have time to strategize on how to make it even better.

Kevin Jourdain expressed his compliments to Secretary Rego and the rest of the leadership for taking the feedback. The community voice was heard and is valued. This change reflects the sensitivity on the issue, noting that he considers himself a voice of the community. Mr. Jourdain stated that he believes the way we ultimately configured the building can allow us some additional potential to add further beds. He thanked the state legislature for their feedback and ongoing support. The leadership from the Representatives and Senators was outstanding on both the Ombudsman and the budget, noting that 82 of them signed the letter regarding the facility and gave great support to preserve the beds for the veterans.

Cindy Lacoste expressed her thanks for all the hard work and man hours that went into this, noting the dedication shown by Secretary Poppe and Secretary Rego. We appreciate your work and look forward to working on this and making this a reality. The Board is available to support you.

Carmen Ostrander thanked everyone who has assisted with adding the additional floor to the plan, and accommodating our soon to be Veterans of the Soldiers' Home in Holyoke. Many things were taken into consideration to not go too high up with the facility and keeping the veterans close to the ground. Thank you for your hard work.

Gary Keefe requested clarification on the range for the Veterans Administration (VA). Secretary Rego stated that we now have a solid range. We are trying to be true to what we heard from the community regarding wanting more single rooms, and not a lot of double rooms. This is in response to what we've heard from the community and for infection control reasons as well. We will have the ability to flex up or down.

Gary Keefe asked about other communities that might be in the list that are building facilities that would mirror the size that we are looking. Secretary Poppe stated that she is not aware of any this year, but from last year the largest facilities were in California and Illinois – they were around the 240-bed range. There were not matching funds, so these have not moved forward.

Isaac Mass stated that it would be helpful for Congressman Neal and Governor Baker to have personal conversations on the funding for this project because it may require some funding outside of the program, and it would be helpful to have that conversation starting now. Trustee Mass requested if, to the extent that can be done, that this message be carried up as I think it would be helpful. Secretary Poppe stated that the important piece in this comes out of federal appropriation. We had 650 million dollars appropriated so if this remains robust, it will help to secure funding. Federal government is a big piece of this.

Gary Keefe asked if Secretary Poppe could provide an explanation of the 2-hour rule? Secretary Poppe stated that when the application is submitted, that the Homes should be more than a 2-hour distance apart from one another. She noted that in addition to the 2 Soldiers' Homes we'll have, we need to have conversations around assisted living so that we have other affordable options for the veterans as well.

Gary Keefe expressed his thanks to Payette, DCAMM, EOHHS, and Administration for all their hard work on this project, noting that it would not have happened without the grass roots effort. He noted that we need to start looking at other other areas to ensure we are taking care of them.

Kevin Jourdain inquired on the frequency with which the Board will be provided with updates. Gary Keefe stated that we will work with DVS and Secretary Rego to ensure we get regular updates. Secretary Rego stated that the next big step will be when Governor Baker files the bond bill. We need to get the community and the Board of Trustees behind us to move this quickly and efficiently through the legislature.

**OLD BUSINESS (cont.):**Status of the Soldiers' Home in Holyoke Ombudsman added to Elder Services Program as a paid position – Attorney Matt Deacon:

Attorney Deacon stated that he spoke with Mr. Joe Delaney to check in on how the Ombudsman program is going. Mr. Delaney reported that he is actively engaged and the program is going well. He is receiving phone calls from residents, staff and families. He stated that he has been able to resolve several issues for the residents. He is looking to extend his contract. Attorney Deacon stated that he has reached out to Elder Affairs to discuss the status of the proposal. They expressed that they have experienced some delays relative to COVID and are still working on the proposal. Attorney Deacon reported that the funding has been secured for the program, and he has informed Elder Affairs that we are ready as soon as the contract is provided to us.

Gary Keefe asked if there is anything the Board of Trustees can do to help with the process? Attorney Deacon stated that he has been working with EHS and they are assisting with this. He noted that they work with Elder Affairs at the Soldiers' Home in Chelsea and they are the gold standard with a wealth of resources. He will continue to push along and work with EHS to get a response as soon as possible. Isaac Mass inquired if it is possible to have a representative from Elder Affairs at the next Board of Trustees meeting? Attorney Deacon will relay the invitation to the Elder Affairs office to see if they can attend and talk about the Ombudsman program and the services they provide. Secretary Poppe added that Elder Affairs is coordinating as well as they can and they are working out those logistics, noting that it is good news, thanks to Senator Velis, that it is funded.

Kevin Jourdain stated that we want to ensure that whoever is fielding the complaints has no upward pressure on the treatment of them. We want to make sure that if issues are not addressed within the process, especially those related to patient safety, people feel comfortable to come to the Board of Trustees so action can be taken to ensure patient safety is handled. We need good follow through, which is why this should be a paid position, so that concerns from staff, residents and families feel that they have a process for this without fear of retaliation. If the Ombudsman is unable to solve, they can then be brought to the Board of Trustees, DVS and EOHHS, following the chain of command. This was an important recommendation from the Pearlstein report. We are fortunate that the state legislature has funded this program. Matt Deacon added that when they VA comes in to do a survey of the facility, they look for an Ombudsman program that is outside the agency and not subject to pressures. We want to make sure they have an outside person they can reach out to.

Kevin Jourdain stated that in addition to the Ombudsman program we should also have a Compliance program. This program should allow for anonymous reporting for anything inappropriate that an individual wants to report. He added that this item is on the agenda for discussion under New Business.

Status of hospitalization, treatment and discharge regulation development for the Soldiers' Home in Holyoke – Attorney Matt Deacon:

Attorney Deacon reported that he, Trustee Jourdain and Trustee Mass have developed a draft of this regulation, which has been distributed to the Board members. Attorney Deacon sent this draft to EHS for review. He has received recommended edits from them which he will incorporate and forward to the Board for their input. He wants to ensure the Board is involved in every step of the way prior to resubmitting for approval.

Isaac Mass stated that he is concerned about the length of the process, as well as the amount of work that will need to be done. There are many policies and procedures that need to be updated. He inquired if we can work with our partners at DVS who need to approve these policies and procedures, to streamline the process as we go forward. He inquired if this can be looked and recommendations brought back on how this can be streamlined? Attorney Deacon stated that this is the first time we are dealing with regulations, and we will be working to find the best practice on this.

**OLD BUSINESS (cont):**That the By-Law of the Board be amended as stated on the meeting agenda – Isaac Mass:

Isaac Mass proposed that we move to adopt this as written on the agenda. Trustee Mass stated that it seems 100% safe for the family members who have been vaccinated to have contact with the Veterans at the Home, given that staff and residents have had the opportunity to be vaccinated. Now that we do rapid testing and vaccination, it seems appropriate to allow visitation for those family members who have had their vaccination. Eric Sheehan stated that one aspect to be mindful of is that the Soldier' Home is following Centers for Medicare and Medicaid Services (CMS) and Department of Public Health (DPH) guidance – we are covered under regulatory oversight. Trustee Mass inquired how it is safer for non-vaccinated staff to have contact with veterans than family members who have been vaccinated? Eric Sheehan stated that health care personnel have the responsibility to deliver care, noting that there are many infection control protocols put in place, PPE, and hand hygiene to ensure that the residents are being protected. Surveillance testing is also performed to ensure there are no COVID positive staff that are working. Vaccinations themselves are not enough, and there is not enough data on how much vaccinations can keep you safe – it is only one piece of the puzzle that regulatory bodies require us to follow.

Gary Keefe asked if families also have to go through all the other processes in addition to the proof of vaccination? Eric Sheehan stated that there are core principles of COVID protection that include screening, hand hygiene protocols, PPE protocols, social distancing, and instructional signs to help educate. Infection control measures and frequent cleaning is done. Trustee Keefe inquired if when families come in they will wear PPE? Eric Sheehan stated that they will wear PPE. The proposed rule by the Board of Trustees does not meet regulatory requirements. If this rule is passed, we would be in violation of CMS and DPH protocols.

Isaac Mass stated that it was reported at the last Board meeting that we were at approximately 40% of the staff having received the COVID vaccination. He stated that at least once per month a staff member tests positive, resulting in family visitations to be suspended. This affects the mental health of our residents. He stated that unvaccinated employees should be in no contact positions. He stated that the number one complaint we see from families is to take some kind of action around visitation. I hope you push back on the regulations and consider modifying. I ask that you advocate on behalf of the Veterans and the Board.

Eric Sheehan noted that compassionate care visits are included within visitation and those are clearly defined in CMS and DPH. The Home has never denied a compassionate care case. Both Homes worked on a plan to submit and it was accepted by DPH, and to do anything beyond this would violate these regulations. He noted that there is currently no approved vaccine with 100% efficacy, and this is an important aspect to consider. We understand the feeling and logic, but right now these are the regulations and we cannot change them, but we can discuss and bring forth the issues.

Isaac Mass withdrew the motion, asking that the proposal be brought forward to the unions. He noted that OSHA rules do not allow us to compel staff to be vaccinated. He stated that he is eager to hear feedback on the appropriate steps to get the critical mass of staff vaccinated.

Kevin Jourdain concurred that this item should be tabled. He stated that he would like a copy of the proposal that was sent to DPH, noting that a number of legal constructs/citations were referenced. He requested that the Board be provided with this. Eric Sheehan noted that this is all publicly provided on website, but he will send this information to the Board, along with any citations. Trustee Jourdain inquired if DPH approved a specific proposal from us? Eric Sheehan stated that our responsibility is to keep up to date on regulatory changes so when updated guidance is sent out, it is our responsibility to understand it and implement. He stated that DPH does weekly updates and CMS does monthly updates, but our responsibility as leaders of a long-term care facility is to keep up-to-date on those changes. Trustee Mass reminded that the Board had a conversation with Attorney Deacon around regulations, noting that the Board's responsibility is to give feedback if the regulations are not working. He stated that if we don't provide appropriate feedback to CMS and DPH, there will be no changes. He requested that Secretary Poppe provide this feedback to the regulators.



**OLD BUSINESS (cont.):**

Gary Keefe inquired if families are informed on the process for visitation? Michael Lazo stated that the process is communicated to families, which includes temperature screening, travel questions, symptom questions and hand hygiene. If they wish to do a rapid COVID test, it is done, or they would have had to be COVID tested within 72 hours. A face mask is required for visitation.

Gary Keefe inquired if as we are looking at family visitations, can a family member have a visitation that is separate from compassionate care visit? Eric Sheehan stated that during COVID outbreak, a compassionate care visit can be for a litany of reasons - grieving a loss of a family member, encouragement of a resident to eat or drink, someone active who is now not vocalizing – there is a distinction of a broad category to occur in outbreak status. Looking at specifically mental health or deterioration – documentation needs to be done and care planning so if a regulator comes in, we can show we are in compliance with guidelines.

To approve proposed committees (Operations, Finance, Policy) and have designated Committee begin working with HSH staff, as well as DVS on Board of Trustees' Committees charge – Motion to Adopt – Chairman Gary Keefe:  
This item was completed last month. Committees will be starting to meet.

The Soldiers' Home in Holyoke Board of Trustees will meet as a Board for all meetings in person beginning 3/1/21 – Trustee Isaac Mass:

Board members will follow the same protocols to enter the building. Board members and Soldiers' Home leadership will be present at facility, with public participation allowed telephonically.

**NEW BUSINESS:**

Proposed Funds Use Policy for Soldiers' Home in Holyoke are drafted by Attorney Matt Deacon be adopted for use by the Board of Trustees:

A draft was submitted to the Board members for consideration. The policy was adopted from what is in place at the Soldiers' Home in Chelsea. The Funds Use policy is a good way to show what donation funds are being used for. This item will be turned over to the Finance Committee.

The By-Laws of the Board be amended as follows: Pursuant to Article 7 of our By-Laws that the following amendment be approved by the Board, "Robert's Rules of Order shall be the authority adopted by the Board of Trustees on all points of parliamentary practice not specifically covered by any statute of the Commonwealth": Trustee Kevin Jourdain:

Kevin Jourdain stated that the Board of Trustees should be following the Robert's Rules of Order. He is proposing that the Bylaws be amended to do this. Isaac Mass noted that not every Board operates in exactly the same way. We need discussion on whether we want staff involvement during deliberations. We need to have conversations, as if we adopt Robert's Rules, only the body can deliberate. We need to make sure our partners at DVS understand if we strictly follow these rules, their opportunity to weight in needs to be in advance. Cindy Lacoste recommended this item be moved to the Bylaws Committee. A motion was made by Cindy Lacoste, seconded by Kevin Jourdain, that this item be moved to the Bylaws Committee. All were in favor.

The By-Laws of the Board be amended as stated on the agenda – Trustee Kevin Jourdain:

Kevin Jourdain would like to adopt a formal advisory board to provide representatives from the community the opportunity to speak. The intent is to make ourselves stronger as a body and to improve communications from the community, the coalition, and the legislature to advise us on important items she should here about.

A motion was made by Kevin Jourdain, seconded by Carmen Ostrander, to move this item to the By-Laws Committee. All were in favor.

**NEW BUSINESS (cont.):**

That Mark Yankopoulos please acquire and circulate to the Board members a copy of the Chelsea Board of Trustees' By-Laws – Trustee Kevin Jourdain:

Matt Deacon to provide a copy of the Soldiers' Home in Chelsea By-Laws to the Board of Trustees. We will look to adopt and refer to Mark Yankopoulos for execution.

That the Board of Trustees adopt a policy regarding an Ombudsman Program and that the Soldiers' Home in Holyoke retain an Ombudsman – Trustee Kevin Jourdain:

A motion was made by Kevin Jourdain, seconded by Isaac Mass that this item be referred to the Operations Committee. All were in favor.

That the Board of Trustees adopt a policy that the Soldiers' Home in Holyoke retain and include in its budget an independent compliance service with an anonymous reporting hotline for the reporting of compliance complaints and concerns relative to patient safety violations, misconduct, financial issues, ethics and compliance matters, human resource matters and related – Trustee Kevin Jourdain:

Kevin Jourdain stated that we would like to have a compliance program put in place, independent of the facility. We want to ensure individuals can feel free to report in a retaliation-free environment. He asked how this is currently integrated at the facility. Gary Keefe inquired if there is information posted regarding the Attorney General hotline, the EOHHS hotline. Eric Sheehan stated that both CMS and DPH require that there be openness to staff, residents, health care proxies and family members to articulate any concerns. This is a federal requirement for running a long-term care facility. He is in agreement that this is the goal on any type of complaint, but that there are also many regulatory requirements on reporting negligence and neglect. This is a robust requirement through the VA, DPH and CMS. Posters are required to be posted, as well as point of contacts. Mr. Sheehan noted that in his experience, anonymous complaints are tricky, as their can be no follow-up for further information on the vast majority of them. It makes it difficult to do a full investigation. Michael Lazo added that there are posters on each unit with the phone numbers to call. As far as an independent compliance program, we will follow-up on this and report back.

Kevin Jourdain asked if the Board could be provided with the statistics over the last few years on the hotline and the outcome of items brought forth. He stated that management should be reviewing the compliance reporting process.

Gary Keefe recommended that a motion be made to move this to the Operations Committee to work with the Superintendent to ensure the program is working as it should, with no retribution to complaints. A motion was made by Carmen Ostrander, and seconded by Cindy Lacoste, that this item be moved to the Operations Committee. All were in favor. This item will be added to the agenda of the next Operations Committee.

That the Board of Trustees invite and require B.E. Smith to be present for all meetings and discussion of the vacant Superintendent position – Trustee Kevin Jourdain:

Kevin Jourdain stated that he would like a B.E. Smith representative to be present at all meetings that relate to the filling of the Superintendent position. B.E. Smith is a paid vendor who is leading the search for the Superintendent. Matt Deacon stated that he has reviewed the B.E. Smith contract and noted that it is standard for them to be present at all related discussions. A motion was made by Kevin Jourdain, and seconded by Isaac Mass to require B.E. Smith to be present for all meetings and discussion of the vacant Superintendent position. Roll Call Vote was as follows: Mark Bigda (Yes); Sean Collins (Yes); Kevin Jourdain (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), Gary Keefe (Yes). The VOTE was unanimous to pass.

**NEW BUSINESS (cont.):**Approval of Medical Staff Appointments:

- Michelle Camano, Clinical Staff Nurse Practitioner - New
- Dr. Diane Dietzen, Palliative Care Consultant – New
- Colleen Slyz – Physician Assistant, Consultant, HealthDrive Psychology Services – New

Mark Yankopoulos sought approval for the new appointments of the practitioners listed. Information on these appointments was provided to the Board members. Isaac Mass inquired on what Health Drive Psychology Services is? Michael Lazo stated that Colleen Slyz is a consultant for Health Drive, a third party agency used to work with the psychological and mental health needs of the residents. Trustee Mass inquired as to how this was handled prior? Michael Lazo stated that we have had an ongoing contract with Health drive for a period of time. Colleen Slyz is a new practitioner.

Sean Collins stated that he has some questions on DEA numbers, but he will address this at the Operations Committee. He stated that all these appointments look good.

A motion was made by Isaac Mass, and seconded by Sean Collins, to approve the appointments of Michelle Camano, NP, Diane Dietzen, MD, and Colleen Slyz, NP. Roll Call Vote was as follows: Mark Bigda (Yes); Sean Collins (Yes); Kevin Jourdain (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), Gary Keefe (Yes). The VOTE was unanimous to approve appointments.

**Adjourn:**

Isaac Mass made a motion, seconded by Cindy Lacoste, to conclude the Public Session and move into Executive Session, for the purpose stated on the agenda. Chairman Keefe noted for the public's awareness that the Board of Trustees will not be returning from Executive Session to Public Session. The Board of Trustees will adjourn after the Executive Session has ended.

Roll Call Vote is as follows: Mark Bigda (Yes); Sean Collins (Yes); Kevin Jourdain (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), Gary Keefe (Yes). It was unanimously VOTED to conclude Public Session and move into Executive Session at 8:20 pm.

Respectfully submitted,

Nancy Shimel  
Acting Secretary for the Board of Trustees