

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

A meeting of the Board of Trustees of the Soldiers' Home Holyoke (HLY) was held telephonically on Tuesday, May 11, 2021. The meeting began at 5:03 PM.

### **Members Present:**

Keefe, Chairman; Mark Bigda; Sean Collins; Kevin Jourdain, Cindy Lacoste, Isaac Mass and Carmen Ostrander

### **Also Present:**

Michael Lazo, Chief Operating Glen Hevy, Deputy Superintendent; Debra Foley, Communications; Cheryl Poppe, Secretary, Department of Veterans Services (DVS); Michael Lynch, Chief Financial Officer, Stephen Giordano, Interim Chief Financial Officer; Mark Yankopoulos, Legal Counsel; Alda Rego, Assistant Secretary for Administration and Finance, EOHHS; Matt Deacon, Legal Counsel, DVS; Caitlin Menard, Director of Social Services; Jeff. O'Connor, Morris and Mahoney Attorney; Jamie Gaitan, Tech Support; and Kathleen Denner, Recording Secretary.

**Roll Call:** Chairman Keefe conducted a Roll Call as follows: Mark Bigda (Yes), Sean Collins (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), Gary Keefe (Yes) and Kevin Jourdain (Yes).

**Pledge of Allegiance** - All present recited the Pledge of Allegiance.

### **Public Comment:**

No one requested to make public comment.

### **Approval of Minutes:**

Upon motion by Trustee Lacoste and seconded by Trustee Collins, it was unanimously VOTED to accept the minutes of the Regular Meeting held on April 13, 2021.

Chairman Keefe conducted a Roll Call vote on the approval of the minutes of the Board of Trustees meetings on April 13, 2021. The Roll Call vote is as follows: Mark Bigda (Yes), Sean Collins (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), Gary Keefe (Yes). It was unanimously VOTED to approve the minutes.

### **CFO/Treasurer Report**

Mr. Lynch gave a summary of receipts for April for the Trustees Fund. He reported that donations were the third lowest this year and the EMR project a proposed budget of \$200,000 will be sufficient. Mr. Lynch is still reviewing all donations at this time and will share at next Finance Committee meeting.

Mr. Lynch reviewed the state appropriations accounts as of April 30. He reported the telephone and television account is still on hold and the license plate revenue is expected to be higher. Trustee Jourdain asked to see the metrics reported. Trustee Mass asked what can we do to expand the license plate revenue by a source of non-veterans. He feels we need to do research into our statutes to see if it is a good revenue resource. Mr. Lynch replied he will research. Trustee Jourdain asked for an update on the \$100,000 for EMR money being returned from the State. Mr. Lynch said he has had conversations with the State last week but has not been

confirmed yet. Mr. Deacon said he is working with EHS and getting close to a solution, so it is on his radar also.

### **DVS Staff Report**

Secretary Poppe asked about the DPH survey report, she spoke about the corrections that need to take place and the proposal has been accepted. She reported on the Infection control survey will be sometime in the future. Trustee Mass asked do we have a CMS working group to see if we can be certified and start planning process? Secretary Poppe answered this will be happening in conjunction with the new EMR and the new facility. Trustee Mass said the new facility is still 5 years away. Secretary Poppe said the CMS takes approximately 3 years and hope to incorporate into the move into the new building.

### **Holyoke Soldiers' Home Administrator/Staff Report**

Mr. Lazo reported that veterans have tested negative. He explained we are following DPH for testing guidance; which states all non-vaccinated staff are tested one time a week and fully vaccinated staff are no longer required to be tested. Mr. Lazo said the staff can still test if they want to. He reported Hampden county positive rate is 3.6% and we are following all DPH, CDC and CMS guidelines. Mr. Lazo reported the Home on May 6 had 1 positive test result and all staff are being tested one time per week.

He welcomed the new CMO Dr. Diane Dietzen and shared a thank you to Dr. Higgins for your service during the search for an organic CMO.

Mr. Lazo updated the board on the VA survey that took place in March and the corrective action plan was reported on May 6. He stated in the summary of findings there were 2 physical, 2 quality of life and quality of risk and are being addressed.

Mr. Lazo stated the Safety Fair was completed by 292 employees which is a rate of 95%; the 5% are getting educated/training/ of topics from Safety Fair.

Mr. Lazo informed the board that the facilities state home grant for VA was submitted on April 12. He reported the 4<sup>th</sup> floor refresh should be completed in June. Mr. Lazo shared that the domiciliary veterans are able to have meals in the Home starting May 5 and we are working on expanded dining while moving forward in a very deliberate manor. Mr. Lazo reported on Sunday May 9 for Mother's Day the Veterans had 18 visitors. He explained the activities that will be happening during Nursing Home week and shout outs to departments.

Mr. Lazo shared that the Western Massachusetts Peer group have begun individual sessions back on site. He also shared that the DPH notes for corrective action plans suggestions for future surveys will be incorporated into the VA survey. Chairmen Keefe asked about admissions where are we in the process? Mr. Hevy and admission group are working on the policy with DVS while following VA regulations and once refresh is complete, we will have 5-10 beds available. Mr. Hevy and the admissions team are working on guidelines and the domiciliary veterans will be included and it has been discussed with the ethics committee.

Trustee Mass asked if the board members have to be tested if fully vaccinated? Mr. Lazo replied that he will find the answer for the board. Trustee Mass also requested information, from the CFO, on behalf of the Finance Committee to see a ratio of CMO to Administrators salaries in comparison with other institutions, he is looking for percentages.

Trustee Collins asked if the EMR vendor has been named yet and the medical staff minutes can be discussed at the Operations Committee meeting. Mr. Lazo replied the EMR contract is still not executed so he is not able to name the vendor. Trustee Mass asked is it likely it is going out to bid again, Mr. Lazo replied not sure. Trustee Mass asked if we will know by next month, Mr. Lazo is hopefully. Ms. Rego added that the EMR is still in negotiations. Trustee Collins asked is that normal for an EMR or should we be asking the other vendors? Ms. Rego stated that the protest on procurement law have not notified any vendors that have bid and cannot notify till contract is executed.

Trustee Lacoste asked if the infection control rate coming down so the volunteers can come back to the home? Mr. Lazo reported a policy is being worked on and the program is being rebuilt. He also shared Trustee Mass asked if there are groups who want to volunteer, donate and if there is a wish list of items the Home needs? Mr. Lazo replied that Ms. Foley is working with community. Ms. Foley stated we do have a wish list and she will post on website and will send to the trustees.

### **Holyoke Soldiers' Home General Counsel Report**

Mr. Yankopoulos reported there are no significant legal developments. Trustee Mass inquired if there is a timeline for the outstanding investigations to wrap up or have findings. Mr. Yankopoulos no idea how long that will take.

### **Trustees' Finance Committee Report (Trustee Jourdain)**

Trustee Jourdain reported the Finance Committee met and reviewed the adoption of Trustee Account Use Policy and we have received great feedback for this policy. He stated we received Input from the Chelsea policy and the Finance Committee members listened to all the good advice we received.

Trustee Jourdain explained the articles are as follows: Policy, Scope, Definitions, Purpose, Restrictions, General Procedures, Signature Authority, Suspension of Rules, and Amendments. Chairmen Keefe asked does Mr. O'Connor want to speak now or during motion? Trustee Jourdain replied that Mr. O'Connor is available if there are any questions on policy.

Chairman Keefe made a motion to adopt in the new business section of the agenda. Trustee Jourdain made a motion to suspend the rules and to adopt the policy at this time. No discussion. Trustee Lacoste seconded. The Roll Call vote is as follows: Mark Bigda (Yes), Sean Collins (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), Gary Keefe (Yes). It was unanimously VOTED to adopt the Trustee Account Use Policy.

### **Trustees' Operations Committee Report (Trustee Collins)**

Trustee Collins reported that the Operations Committee has not formally met yet and will be meeting on the 4<sup>th</sup> Tuesday of every month.

**Trustees' Bylaws Committee Report (Trustee Lacoste)**

Trustee Lacoste reported the Bylaws Committee will be meeting the third Tuesday of every month.

**Status on suggested and submitted Advisory Board Submission**

Trustee Lacoste explained the suggestion to the Board of Trustees to create an advisory board that would protect the Board of Trustees and the Home. The Bylaws Committee have forwarded a negative vote to the Board of Trustees.

Advocacy group for further briefing similar bylaws and who runs. Later in meeting will be

**Status of Bylaws update (August Meeting)**

Trustee Lacoste reported the Bylaws Committee met on April 27 and reviewed the Admission, Transfer, and Discharge Process. She shared the process has been approved by the Bylaws Committee and the Board will be voting during new business.

Trustee Lacoste informed the board that a vote to use Robert's Rules of Order will occur during new business.

Trustee Lacoste reported that the Bylaws Committee has been updating the bylaws and will be sending to the full board for review.

**OLD BUSINESS:****Update Holyoke Soldiers' Home Ombudsman Program (Trustee Collins Operations Committee)**

Trustee Collins informed the board that he was not able to attend the last ombudsman meeting. Mr. Deacon reported the team is working on a rollout date. He shared that the program is in the information gathering stage. Trustee Mass asked if there is a job description and if the position has been posted? Mr. Deacon replied that the Massachusetts Elder Services will be posting the position. Trustee Mass asked if we know when the position will be posted. Mr. Deacon will reach out to Massachusetts Elder Services and will send to full board. Trustee Jourdain asked if we contract, they may not necessary post they could use existing staffing? Mr. Deacon replied that most positions are funded with federal funds not state funds.

**Joint Board Meeting of Chelsea and Holyoke Soldiers' Homes Board of Trustees (Sec Poppe)**

Secretary Poppe reported that the location of the joint meeting will be at the Armory in Worcester on June 29. Chairman Keefe asked how the agenda is established for the meeting? Secretary Poppe replied the two chairmen create. She said there are topics of interests to be discussed and she will help develop the agenda. Trustee Collins will not be available. Trustee Ostrander will not be available. Chairmen Keefe will email board for topics to be addressed.

**Update on Feedback/Report from DPH to Staff and Trustees (Sec Poppe)**

**Tele-med vs In Person Statistics of Outpatient Services during COVID 19 (Mr. Mr. Lazo)**

Mr. Lazo looked at numbers with finance of the tele-med vs in person outpatient services. He shared the rough numbers for 2019 was 248 general medical and 169 specialty; for 2020 there were 240 general medical and no specialty visits. Mr. Lazo shared that all our veterans were contacted to be made aware of the availability. Trustee Mass asked if specialty visit were given referrals or coming in for specialty visit. Mr. Lazo replied a little of both. Trustee Mass asked if we are reaching out to people, generally how are they aware of specialty medicine? Dr Dietzen replied specialty tele-visit is not the best option. Trustee Lacoste inquired about a veteran in the Legions had been coming once a year for a physical and has not been contacted. She will give information to Mr. Lazo and he will follow up.

**Update on Complaint/Whistleblower process information posters (Mr. Lazo)**

Chairmen Keefe asked about the out of date posters and where are the new ones. Mr. Lazo replied the posters are the newest ones available and they are posted next to the time clock near main lobby, near time clocks and break rooms. Mr. Lazo shared there is a letter with various options for employees and he will be posting the letter near posters with additional numbers. Chairmen Keefe asked if the phone numbers are listed on website. Mr. Lazo replied they are listed on mass.gov not Homes website. Trustee Mass asked if they are not in resident care how do they know the process? Mr. Lazo replied the resident's rights are posted. Trustee Mass asked what if a visitor sees a safety violation? Mr. Lazo replied that he would hope they would tell an employee. Trustee Mass remarked when you list phone numbers with paragraphs of information it may be hard to decipher, possibly one number "see something, say something". Chairmen Keefe asked Trustee Collins to make it an agenda item for Operations Committee meeting. Trustee Jourdain is concerned about patient safety they need a number they can call, and we need to be as transparent as possible. He questioned that we had no staff calls reported during the last year with all the difficulties of the COVID times. Trustee Jourdain asked how did our compliance reporting break down? He wants to make sure there is a complete review of calls and what statistic are being reported. Trustee Mass asked if there were calls to the OIG and if they did not take action, who reviews the OIG to make sure they are in compliance? Mr. Yankopoulos replied as a statutory all materials are confidential unless OIG decides to make a request. Trustee Jourdain is looking for what agency should call if the OIG is not going to be able to release information. Chairmen Keefe asked Secretary Poppe the agencies that get these complaints do they look into the complaints, to protect the person making the complaint. Chairmen Keefe asked besides the two soldiers' home what other state-run facilities do it. Secretary Poppe shared that DPH, Center of Medicare, Public Health, VA, OIG, and Elder Services are available. Trustee Mass asked if we track the investigations and we are keeping the data maybe we would know which agencies are contacting us. Chairmen Keefe stated there seems to be a wide variety of agencies you can complain to, with no standardized process. Chairmen Keefe Asked Trustee Collins and the Operations Committee to develop a best practice and standardized process that allows statistics within the home to be tracked. Trustee Jourdain added the point is not just the collection of statistics but it is related to the response. He does not see swarms of DPH or elder services coming in and the point is if they were getting complaints, we would have seen a reaction. Secretary Poppe explained they did have a command team prior to National Guard coming on site. Eric Sheehan stated we are compliant on regulatory and there is an average of 20,000 complaints per year and a vast majority without enough information for regulatory to react. Regulatory will not release any information until the complaint is completed. Chairmen Keefe asked if we have a compliance officer? Mr. Yankopoulos

replied he is our compliance officer. Chairmen Keefe asked Operations Committee and Leadership to move forward on this topic. Trustee Mass asked if we should schedule another meeting for executive session? Chairmen Keefe replied that no information has been received regarding a notice of declination and until that happens, we will continue to move forward

### **Status of Data on Anonymous Complaint System used by HHS for Soldiers Homes (Sec Poppe/Mr. Lazo)**

#### **Update on Superintendent**

Chairmen Keefe reported that he had a discussion with Mr. Holloway and awaiting answers from DVA.

### **NEW BUSINESS:**

#### **Briefing on Home's Family Advocate Committee and Veterans Advocate Committee (Ms. Foley)**

Ms. Foley introduced Ms. Menard, Director of Social Services. Ms. Menard shared with the board that the Family Advocacy and Veteran group meetings are held every month virtually; and the veterans in the domiciliary are included. She reported the attendance for the Family meetings average 8-10 participants and the Veteran group schedule is posted on the recreation calendar. Ms. Menard informed the board at the meetings they will give updates on COVID, visits, opening of home, policies and if they have a specific question, she will reach out directly to veteran or family member. She shared the plans for domiciliary veterans have been topics for both meetings and there are quarterly family meetings to any discuss concerns. Trustee Mass asked if the Family Advocacy Council meetings will be open to all family members., she replied yes. Trustee Mass asked if the community veterans attend the veteran meetings, she replied they do not. Trustee Mass asked if it is possible to see minutes from the meetings? Ms. Menard said yes. Chairmen Keefe asked if veteran organizations in the area want to be involved with residents and could committee look at and expand charter to include to outreach to veteran service organizations to establish relationships with residents? Ms. Menard replied that the domiciliary has pulled in outside agencies to join monthly meetings.

#### **Review credentials for possible Board appointment of new Chief Medical Officer (Mr. Lazo)**

Mr. Lazo had sent Dr. Diane Dietzen's resume to the board, she is a long-time physician, 10 years at Baystate and Board Certified. Trustee Mass made a motion to approve appointment of Dr. Dian Dietzen as Chief Medical Officer. Trustee Lacoste seconded. No discussion. 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). It was unanimously VOTED to appoint Dr. Diane Dietzen as Chief Medical Officer.

#### **Board Vote: Trustee Funds use Policy as forwarded by Finance Committee**

See above

**Board Vote: Admissions/Discharge vote as forwarded by By-Laws Committee**

Trustee Lacoste reviewed the policy and incorporated all redline edits. Trustee Mass made a motion to adopt the Admissions/Discharge Process motion. Trustee Jourdain seconded it. No discussion. 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). It was unanimously VOTED to adopt the admissions/Discharge Process.

**Board Vote: Roberts Rules of Order Use at meetings as forwarded by By-Laws Committee**

Trustee Lacoste reported the Roberts Rules of Order were discussed at the last Bylaw Committee meeting and the committee advises to vote and adopt. A motion was made by Trustee Lacoste to adopt Roberts Rules of Order for use. Seconded by Trustee Mass. 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 (No). The Vote passes 6 to 1 to adopt Roberts Rules of Order.

Trustee Lacoste reported that she received a donation at an event from the Moose Association. She shared that the Governor of the Massachusetts/Rhode Island Moose Association is Trustee Mass. She reported the donation was for \$4335 and she gave the check to Mr. Lynch. Chairmen Keefe asked for a list of recent donations to send a letter of appreciation to? Mr. Lynch will email to him.

Trustee Mass would like to reintroduce the Annual Trustee BBQ for staff and residents this can be on agenda for July or August. Mr. Lazo said he will research and coordinate a date.

**Executive Session:** No Executive Session scheduled at this meeting.






**Adjourn:**

Trustee Mass made a motion to adjourn and it was seconded by Trustee Bigda to conclude the meeting. 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). It was unanimously VOTED to conclude the meeting at 6:38 p.m.

Next meeting is joint meeting, July no meeting.

Respectfully submitted,

Kathleen Denner  
Acting Secretary for the Board of Trustees

-  Attachment 1 - Board of Trustee Finance Report May 2021
-  Attachment 2 - HLY Draft Admission Discharge Policy v4 KB 1.25.21 (003)
-  Attachment 3 - HLYAdmission Discharge Policy v4 KB 1.25.21
-  Attachment 4 - MS Meeting 4-8-21-rl-signed
-  Attachment 5 - TRUSTEE ACCOUNT USE POLICY KJ MM PS FC