

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

A meeting of the Board of Trustees of the Veterans' Home Holyoke (HLY) was held virtually and telephonically on Thursday May 23, 2024. The meeting began at 6:03 PM.

**Board Members via Webex:** Chairman Collins, Trustee Kevin Trustee Jourdain, and Trustee Isaac Trustee Mass and Trustee Carmen Ostrander. Trustee Bigda joined after Approval of Minutes Vote.

**Present via Webex:** Melanie (Acobe) Gentile, Budget Director (HLY); Kathleen Denner, Recording Secretary (HLY); Robert Engell, Executive Director (VET); Debra Foley, Communications (HLY); Glen Hevy, Deputy Superintendent (HLY); Kelly Jones, Director of Nursing (HLY); Linda Lariviere, Quality Manager (HLY); Michael Lazo, Superintendent (HLY); Jeff Lenahan, Quality Manger (HLY); Caitlin Menard, Director of Social Work (HLY); Kate Sawyer, HR Liaison (HLY); Brett Walker, General Counsel (HLY); Will Schuster, Commadore Walsh; Thomas Vaughn, Amy Nable and Michael Ravosa, UBS.

**Roll Call:** Chairman Collins conducted the Roll Call as follows: Trustee Bigda, Trustee Mass, Ostrander, Trustee Jourdain waiting on him.

Trustee Jourdain (Yes), Trustee Mass (Yes), and Trustee Ostrander (Yes). Trustee Bigda joined after Approval of Minutes Vote.

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

**Public Comment:** No public comment for this month.

**Approval of February 13, 2024 minutes:** A motion was made by Trustee Bigda to approve the February 13, 2024 Board Meeting minutes as amended and it was seconded Trustee Ostrander. No Discussion.

Roll Call Vote: Trustee Bigda (Yes), Trustee Mass (Yes), Trustee Ostrander (Yes) and Chairman Collins (Yes). It was unanimously voted to approve the minutes of the February 13 2024 Board Meeting as amended.

### **Follow up on "Funds transition"**

#### **MA -Office of Comptroller (Thomas Smith Vaughan and Amy Nable):**

Mr. Vaugh shared a PowerPoint presentation and reported to the team.

Trustee Mass asked what is the source of those restrictions that the State Treasurer has. Mr. Vaughan said that they are statutory in nature, it is chapter 29, section 38 has a list of different types of investments that are appropriate.

Trustee Mass asked if anyone has sought approval from treasure to have the funds invested as they are rather than making a decision to go. It seems to be that the treasurer has the discretion to allow a different mechanism. Mr. Vaugh that he cannot speak to that. Chairman Collins shared that the board has not taken any action on that. Trustee Mass asked if anyone on the management team has. Ms. Gentile stated that to

her awareness no, but she will look into it. Ms. Nable shared that based on what was just presented, there were two statutes. The first says to hold an account at a financial institution other than the state treasurer you need the treasurer's approval. She continued that whether once it is at another bank you can invest it in certain things, I am not sure. Unless you have an explicit statute that gives you investment authority, I am not sure if that is something that the treasurer can authorize and that is her understanding of their limitations.

Chairman Collins referred back to the letter dated March 5, 2024 by attorney Shapiro from the OIG office. The letter says the OIG recommended that the Home and the board comply with all state laws, regulations and policy state finance law and apply to receiving holding, spending and investing public funds. However, the OIC did not specify how the Home and the board should come to compliance. Chairman Collins continued that the Home has statutory authorization to hold and spend the dated funds EOVS. This is why we had Mr. Clay on from the state treasury at our last meeting who we posed some questions to and he said that we many need more legal advice on what that actually means. Chairman Collins shared that there is a list of financial institutions that are approved already, and he has not seen the list yet. Chairman Collins would like to know if we can apply for a waiver as Trustee Mass had stated if we are not in compliance with the law today or in the past. Also, what is Chelsea's status and how are they handling it and asking the same questions is something that would be of interest to the board. Trustee Bigda asked if we have compared how the investments have done compared to what the State is offering. Chairman Collins is not sure if Trustee Jourdain has done this in the past.

Trustee Mass asked if can get the enabling statute for the state treasurer for how he invests. Ms. Nable stated that it is chapter 29 section 38.

Chairman Collins stated that coming into compliance with the law if there is other relief measure, we can seek along with the treasurer's office as well as the comptroller. We want to comply with all laws and regulations as the OIG has pointed out we want to make sure that we are exhausting every opportunity to maintain as much control as we can maintain, we still need more information on that.

Chairman Collins asked Mr. Engell if Chelsea is having the same issues. Mr. Engell shared that they are satisfied that their questions have been answered. Chairman Collins stated that we may need to have a special meeting to have further discussion on next steps.

Trustee Mass took a quick look at chapter 29 section 38 and it says in section H allows for a little more aggressive investment in keeping with our investment goals then was represented that were the policies of the treasurer prior. Maybe it would be helpful to also get some clarification if those policies are just the treasurer's policies for compliance with the statute if they would be willing to allow us to invest these funds which we have a growth goal pursuant the section H which may not be the policy for everything. This may be helpful for investments and is there some room within the statute if we could have a memorandum of understanding. Then a conversation with the treasury office might be very helpful. Chairman Collins added that if there is an opportunity to explore and get more clarification.

Mr. Vaughn shared that seeking arrangements with the treasures' office is not something they can put forth, but you are open to pursuing whatever is available to you. Establishing these funds and recording them in the accounting system is clear in this regard. They are open to assisting in arranging that.

Chairman Collins asked Trustee Mass to repeat the request. Trustee Mass said he was able to review the statutory limitations regarding investments and review. In section H allows a slightly more aggressive investment than my understanding was of the treasurer's current policies are for investment and has the right to establish policies more conservative than what are allowed by the statute. The question is whether or not we could reach out to the treasurer's office and talk about the possibility of making an exception for this fund where the trustees have a long-established growth policy for the future of the Home, in a way that it still is in compliant with statute, so how to invest with mutual goals.

Trustee Jourdain said we worked really hard to make sure we are properly investing these funds and that we are being good stewards. We need to be able to invest a portion of our portfolio in long term investment and we had concerns that the treasury office only had bonds available. Trustee Jourdain would like the funds to be invested similar to the retirement board. The issue here is not the holding company, the issue is not forgoing investment gains for the veterans over the long term and if the state wants control, they have to ensure they will be good fiscal steward and invest them properly.

Mr. Vaughn explained that their role in state government is to ensure the appropriate accounting of activity that is coming in and donations made to the Home.

Trustee Mass referred to a previous discussion where the interest would be swept into the general fund and would like to understand if that is a policy or a statutory obligation and how it works. Mr. Vaughn stated that it depends on the construction of the account and that would be determined if interest is eligible to be swept.

Chairman Collins stated that we need go back to treasury and get more clarification. Trustee Mass asked because we are not meeting as often due to the new structure if we can get a policy decision maker from the treasury office, other than someone that explains this is how it runs. Possibly the Chairman or the Superintendent have a conversation with treasury office policy maker. Trustee Jourdain wondering if it is time that the board consider that the state is going to provide legal counsel or the attorney of the Home or retain an expert to advise the board to handle this transfer project. Chairman Collins will work with Mr. Engell offline regarding board retaining council.

Trustee Jourdain asked if there should be a motion we could make? Chairman Collins has the authority to retain and to explore the retaining for legal counsel on this topic. Trustee Mass seconded the motion. The vote is to empower the Chairman to work with Mr. Engel on options to include retaining counsel for the best advisement for the trustee funds.

**Roll Call:** Chairman Collins conducted the Roll Call as follows: Trustee Bigda (Yes) , Trustee Mass(Yes) , Trustee Ostrander(Yes), Trustee Jourdain(Yes) and Chairman Collins (Yes) . The vote passes unanimously.

Trustee Mass stated that he had heard about a trust document but had never seen one. If there is one, he would like to see a copy of it, it would be very helpful in understanding what his obligations are. Chairman Collins believes it is worth the ask to see if there is anything in an archive. Trustee Jourdain would like to add a couple of points. The statutory authority you are going to find was under the board had extremely powers to the Soldiers Home to relative to the management of the Home, believes it would be under that statutory authority and would like legal to review those. Chairman Collins stated to make sure we are in compliance with all laws and regulations.

### **DCAMM New Home Quarterly Update (Mr. Lazo): Construction update**

Mr. Schuster gave a PowerPoint on the construction updates.

Trustee Mass asked where we are in the design process for the memorial are. Mr. Schuster replied that Joe would have to answer that. Trustee Mass also asked if there is a person who represents the Home on a day-to-day basis. Mr. Schuster replied that there are two people from DCAMM Mark Johnson is the project engineer and Mike Kinney a clerk of the works. Trustee Mass asked if there are any concerns. Chairman Collins suggested asking Mr. Lazo if he has any interactions with them on a regular basis. Mr. Lazo replied that we have the Director of Facilities Rich Polwrek and DCAMM Coordinator Owen Kelly that work very closely to Joe Fazio and the DCAMM Team. Mr. Lazo will touch base to see if there are any concerns about the project.

### **CFO/Treasurer Update (Ms. Gentile):**

Ms. Gentile shared Trustee Fund Spending Plan, Donations Comparison, see attached documents.

Trustee Mass asked what the reason that the license plate funding was put back because they don't anticipate the passage of the reform to make license plates free for veterans. Ms. Gentile replied that we do not get that level of information, but you are correct the Hope Act did include the waiving of the license plate fee. Trustee Mass asked Chairman Collins if he knows that status of that legislation. Chairman Collins replied that it was going back and forth with the legislature but he does not know the current status.

Trustee Jourdain asked how we are progressing with some of the other smaller accounts: i.e. canteen accounts and family accounts with following the new procedures. Ms. Gentile replied that in regards to the OIG report we did have a citation in the canteen and lottery accounts, these accounts private accounts where they should have been transferred to a state account and that has been completed. She continued that personal accounts QuickBooks or accounting mechanism to ensure that transactions are going through.

Trustee Jourdan asked if there are any votes before board that you will need. Ms. Gentile did ask internally to see if we hand any but she will continue make sure.

Trustee Mass asked if the creation of a development proposal for the board to hire someone to assist in fundraising because employees cannot, and we are all volunteers. Ms. Gentile asked for confirmation that the board is looking for somebody who would be

assisting with fundraising efforts. Trustee Mass confirmed. Ms. Gentile will look into that for the next meeting.

### **Holyoke Veterans' Home Superintendent/Administrator Update (Mr. Lazo):**

#### **Census report**

Mr. Lazo reported that the Homes census is currently at 111 veterans with 1 bed available. The wait list is 100 veterans, and we will be increasing capacity shortly. Mr. Lazo continued from an IP standpoint we are in great shape with 0 COVID, 0 RSV, and 0 Flu.

Mr. Lazo stated that the CDC is offering a 2nd COVID vaccine for anyone over 65 or have comorbidities. He continued approximately 76% have taken the COVID and we are working with the remaining veterans to advocate for the vaccine. He reported that the state respiratory rate has come down so that masking is no longer required.

Mr. Lazo shared that the Recreation team has been doing a great job starting back on April 8 with the eclipse, Juan from the recreation team came up with an idea and created a carnival and built approximately 10 games on April 30 with staff helping. Juan is the first recipient of the Holyoke Veterans Home Challenge coin.

Mr. Lazo reported that in the last week in January the VA did come through and 5 deficiencies were noted and none of them were clinical. We have submitted a corrective plan to the VA, whose has accepted the plan providing us with provisional accreditation. He continued that it may take 6-9 months to implement a corrective action plan and get full accreditation. Out of the 5 items that were identified two have been closed. Mr. Lazo said the DPH licensure is ongoing the issued in the building we need to find a mitigation for we have brought in a 3<sup>rd</sup> party who developed the plan. He continued that the Pinnacle report for May is 100% favorability rating with a 4.92 out of 5 recommend to others and a 4.89 of 5 for overall satisfaction.

Mr. Lazo stated that for staffing the HPPD for April was 6.59 which is well above the CMS gold standard. We have had good orientation cycles adding 12 clinical staff and 3 nonclinical staff members including a recruiting and retention coordinator, a procurement and analyst, and a technology systems project manager. The recruiting and retention coordinator will be a vital position as we begin to staff the new building. The technology and systems' main focus in the near term will be the implementation of EMR, which is expected to go live September 9. Mr. Lazo continued the superuser training in July with full staff training in August. Staffing agencies staff usage 10.5% which is low, there was a bump in April due to sickness and we expect a better number for May. We have 89% organic staff.

Mr. Lazo reported that the question from the capital improvement earlier regarding the memorial garden they are working on designing with a design complete by the end of the year. Payette will be overseeing the integration.

Trustee Mass asked Mr. Lazo if there is community input on that. Mr. Lazo replied not that he is aware of. He will ask DCAMM when they have a check in.

Mr. Lazo shared that the current Home we are having façade repairs, we do get some water through the brick, so we have a vendor working on worst areas and roof repairs for later in the summer. We are currently evaluating staffing levels to open 1N, 2<sup>nd</sup> shift is in need of staff. Mr. Lazo continued that we have 7 veterans that are appropriate for a secure unit, so once the staffing issue is figured out we will get the veterans on 2 North and move some of them to 1 North to balance acuity and when 1 North is open fully that will expand our capacity to 124 veteran beds.

Chairman Collins asked about the labs and the veterans that were billed. Mr. Lazo answered that the veteran's insurance is billed and he thinks that some of the older contracts were written to say the Home will bear no costs to tests that will be billed to insurance. He continued that veterans who are 70% or greater service connected through the VA we receive a prevailing rate for those veterans and through that rate the veteran is not charged for anything.

Chairman Collins asked about the flu outbreak and what measures were taken to address that. Mr. Lenahan shared his screen and reviewed the infection control we had a spike with a veteran coming into the building with the flu and it spread to other units and contained it quickly.

Chairman Collins read the ombudsperson report and addressing issues that are open and how to reach out to them.

Chairman Collins asked about CMS. Mr. Lazo replied that the CMS consult comes into the building, but the holdup right now is the DPH, and they have to accept the mitigation and then we get our full certification.

Trustee Mass asked how much was billed to veterans and was that reimbursed. Ms. Gentile will send it over. Trustee Mass asked with the new construction, CMS, DPH certification and the EMR rollout, but as we look to the future what is the timeline for adult day health and will it open when the new building opens. Mr. Lazo replied that the timeline he has that adult day health would open approximately 6 months after the new building with a separate certification/survey, still researching the process. Trustee Mass asked when the application will be developed. Mr. Lazo replied that the discussion has not happened yet, it is on the list of items.

Chairman Collins asked about the summer picnic. Mr. Lazo replied that the picnic is usually scheduled for September but the next board meeting is scheduled for August 13 so we can have it then. Trustee Mass made a motion to approve \$3500 for the picnic with a second by Trustee Jourdain.

Roll Call Vote: Trustee Bigda (Yes), Trustee Mass (Yes), Trustee Ostrander (Yes) and Chairman Collins (Yes). It was unanimously voted to approve the \$3500 for the board of trustees picnic.

Mr. Lazo introduced the new ombudsperson, JM Sorrell. JM Sorrell discussed the work in the Home that the ombudsperson does and gave contact information. Trustee Jourdain asked about the culture in the Home and if we foster a see something say something culture. JM Sorrell replied that she is impressed with the staffing ratios, that problems are not swept under the rug. The activities people are very dedicated. Working with staff on culture change.

**Holyoke Veterans' Home General Counsel Update (Atty Walker):**

Mr. Walker reported that all cases have been filed. Making progress with the audit advancing to step 2.

**Quality / KPI update**

Mr. Lenahan reviewed attached reports. Mr. Lenahan discussed the flu breakout in further detail and the process of giving all veterans a dose of Tamiflu to stop it from spreading further.

Chairman Collins asked how the policy review with Chelsea was going. Mr. Lenahan replied that local we work on with them and the EOVS policies that we work with on as a team.

**No Executive Session Scheduled for this meeting.**

June 25 is the next statewide council meeting.  
August 13 is the next Board of Trustees meeting.

**Adjourn:**

Trustees Ostrander made a motion to adjourn the meeting and it was seconded by Trustee Mass.

Roll Call Vote: Trustee Bigda (Yes), Trustee Mass (Yes), Trustee Ostrander (Yes), and Trustee Jourdan (Yes) and Chairman Collins (Yes).

It was unanimously VOTED to conclude the meeting at 8:17 PM.

Respectfully submitted, Kathleen Denner, Acting Secretary for the Board of Trustees

Attachments: