

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 Tuesday November 14, 2023. The meeting began at 5:32 PM.

Board Members via Webex: Chairman Collins, Trustee Mark Bigda (joined the meeting at approximately 5:45 pm), Trustee Kevin Jourdain, and Trustee Isaac Mass.

Present via Webex: Melanie Acobe, Budget Director (HLY); Michael Lynch, Chief Financial Officer (HLY); Matthew Deacon, Legal Counsel (DVS); Jeff Lenahan, Quality Manager (HLY); Linda Lariviere, Quality Manager (HLY); Michael Lazo, Superintendent (HLY); Debra Foley, Communications (HLY); Kelly Jones, Director of Nursing (HLY); Brett Walker, General Counsel (HLY); Glen Hevy, Deputy Superintendent (HLY); Robert Engell, Joe Fazio (DCAMM); Kathleen Denner, Recording Secretary (HLY); Mike McNulty DCAMM and there was an RG signed on.

Roll Call: Chairman Collins conducted a Roll Call as follows: Trustee Bigda (Yes), Trustee Jourdain (Yes), and Trustee Mass (Yes).

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

Public Comment: No public comment for this month.

Approval of Minutes: See below.

New Board Structure

By-law Discussion and Approval

Chairman Collins shared that the by-laws were shared with the board and asked if there were any questions. Trustee Mass had two concerns. One is that the board has the power to recommend the termination of the superintendent, we can recommend anything so why is this specific. Trustee Mass continued that through the document the quorums and how many board members and that this presumes a full board. We should be specifying the majority of members who are sitting. Trustee Jourdain asked if it is always going to be 3 for a quorum. Mr. Walker said you cannot have a quorum that is less than 3. Trustee Mass stated that there are sometimes that it requires more trustees to act so if you only have 3 trustees it would be impossible. Chairman Collins removal of the chair over a quorum to do that. Chairman Collins shared that the wording is similar to recommend removal of the superintendent.

Chairman Collins asked if we should wait for Trustee Mass edits. Trustee Mass will share his edits with the group. Trustee Jourdain added that the Open Meeting Law was 48 hours not 72 hours for a meeting notification. He also asked about the remote participation and would like to make sure that it is noted in person is waived and virtual participation for everyone is acceptable. Mr. Walker shared that we do have an executive order and various bills are being reviewed.

Chairman Collins stated that we will review and vote in January. Trustee Jourdain made a motion to table the by-laws until the next meeting. Trustee Mass seconded the motion.

Roll call vote: Trustee Bigda (Yes), Trustee Jourdain (Yes), Trustee Mass (Yes), and Chairman Collins (Yes). Passes unanimously.

Auditor of Commonwealth of Trustee Massachusetts Performance Audit/Update

Mr. Lazo updated the board that the audit is going well, we have had great support from staff for documents or meeting requests. Mr. Walker added that we are still in the early stages, this first stage of information collection could take up to 8 months.

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

Mr. Fazio from DCAMM gave an update on the construction of the new building using the power point attached.

Question from Chairman Collins he asked if the DPH certification/requirements standards analysis is an actual certifications process. Mr. Engell replied that the process starts with the plans review by DPH for healthcare facilities, the architect is preparing the materials then to DPH certification and licensure; then to review with questions and then to the approval phase. He continued that before we move into the building a life safety survey will be completed by the DPH and then we would get the authorization to work with them to start moving residents into the new Home. Trustee Jourdain asked if the federal government gets involved with their team for inspections. Mr. Fazio replied that they have not been visiting yet, there are some reporting at the end of the project to confirm that the project constructed as intended to be construction. Mr. Engell described the process and that at the end of the process the VA will come in and do an initial state home recognition survey.

Approval of October 10, 2023 minutes: A motion was made by Trustee Mass to approve the October 10, 2023 board meeting minutes and it was seconded Trustee Jourdain, no discussion.

Roll Call Vote: Trustee Bigda (Yes), Trustee Jourdain (Yes), Trustee Mass (Yes), and Chairman Collins (Yes). It was unanimously voted to approve the minutes of the October 10, 2023 board meeting.

CFO/Treasurer Update (Mr. Lynch)

Mr. Lynch reported that the expenses for the month included: entertainment, bingo, and the Veterans Day gift. He continued that he has not received any responses for either the audit or advertising so now can request a waiver to reach out to other companies. Mr. Lynch shared that we have submitted our FY25 maintenance exercise where we are requesting \$34 million, for increase in staffing and utility increases. The bank balance is \$184,846.90.

Mr. Lazo would like to discuss the OIG recommendation for trustee funds and how they will be managed moving forward. Mr. Lazo continued that the OIG recommendations from their report prior to COVID was that the funds managed by the board should be considered public funds and need to be turned to the state. He shared that this has been discussed at both the board and the veteran council level. Mr. Engell shared

documents with the OIG recommendations and reviewed it with the board. He continued that the funds to be considered to be public and will be moved to the MMARS based account. Trustee Mass stated that this is the first time he is seeing this document and he would like some time to review. Trustee Mass continued that the board had asked someone from OIG to come in and discuss and also asked for an independent legal opinion.

Mr. Engell will email the document to the group. Mr. Engell continued reviewing the document. He shared that when the meeting with the state treasurer investment office is set up and invitation will go out to the board of trustees, including EOVS and CFO's.

Trustee Mass stated that the only thing we have left of this board is the ability to manage those funds. Mr. Engell said it was the recommendation of the OIG and the Secretary. He shared that the Board of Trustees of each Home shall hold and administer in trust the property included in the legacy funds and affects accounts which has been interpreted to mean that you provide guidance and direction, but you don't maintain them. Trustee Mass asked if there is a legal opinion that interprets it that way so we can review. Mr. Engell will ask but this is more of a management decision as it is related to our interpretation. Trustee Mass replied that it is not a management decision it is a decision on the board of trustees, it is the only decision that the board of trustees have everything else we have is advisory, except for the management of the legacy fund.

Chairman Collins this is one thing that since the board has been restructured and we needed more clarity on it and if someone has the executive authority that may be their opinion and we have asked for the opinion.

Trustee Jourdain asked if this was an item on the agenda as a point of order as a discussion as a violation of the open meeting law. Mr. Engell replied that it is part of the treasurer's report. Trustee Jourdain believes something this major should make it on the agenda, this should not be sprung on us.

Chairman Collins stated that there is not a need to continue talking about it , if you are informing us of something. Mr. Engell will forward the information to the board. Mr. Engell stated that the agency is heading in a direction to be compliant with the recommendations of the OIG, to treat the funds as public funds and to manage them in the accounts as identified to transfer the funds to those accounts to provide for the board in Holyoke the management of the funds through the establishment of budgets and budget oversight and the spend plan oversight with reports regularly to the board to demonstrate compliance with the boards direction and guidance and providing the oversight of those funds so while the location of the funds will be different the fact that it is a different but that is in compliance with state rules and regulations to our understanding and knowledge as it relates to these funds. Trustee Jourdain asked if these are these two accounts, they want to put them into a state account but how they are spent and what we do the rest will remain the same. Mr. Engell you will still have authorization to provide the oversight, create the budget, to approve, they are just moving to the MMRA and into the treasurer oversight management of the investment process. Trustee Mass would like to see this as an agenda item.

Holyoke Veterans' Home Superintendent/Administrator Update (Mr. Mr. Lazo)
Census report

Mr. Lazo reported that the Home has 0 positive COVID veterans, 2 positive staff, 13 veterans exposed and are part of outbreak testing.

We have the new COVID vaccine available and as of today we have 88 veterans have received the vaccine, 16 declining, and 5 waiting on consent. We have been working with families and health care proxies of the 16 veterans, who have declined, to get vaccine. Mr. Lazo reported that we have the Flu vaccine available and have 100 veterans who have received the flu vaccine, 9 have declined and we are working with their families to get flu vaccine. He continued that these two vaccines are available for staff. We have 31 staff who have received the COVID vaccine and 87 staff who have received the flu vaccine and we are , campaign to increase the numbers. Mr. Lazo shared that there is a new RSV vaccine available and we are working with Big Y to administer the vaccine, Big y will send a team in to work with our staff. He continued that our recreational activities included a Halloween Trunk or Treat run by the staff for veterans and veterans families, staff and staff families with a 20 cars participation. We had our annual Halloween parade on October 31. Mr. Lazo sated that our Veterans Day activity was held on Thursday with a day of Heroes Thanking Heroes, veterans filled out cards to deployed service members and created care packages to deployed national guard soldiers. Approximately 30 individual boxes were created and 5 shared boxes. Mr. Lazo updated the board regarding the grant for virtual reality headsets are ready to be shipped. Thank you, the board, for the gifts for care package items. Mr. Lazo reported that it was carried on CH22. Mr. Lazo stated that the VA will visit in January, CMS certification and DPH licensure the current Home has issued with the distance to the bathrooms and we are continuing to work with EOVS and DH to come to an agreements on a waiver process. Mr. Lazo added that the Pinnacle report for November were very strong 100% favorability rating, 4.93 overall satisfaction, 4.90 recommend to others and out of 16 measures we are best in class in 12.

Mr. Lazo reported that out of 321 organic employees we have 302 active which is 94.1% reporting to work and the HPPD for October was 6.56 which is above the gold standard for CMS. He continued that the new HR Liaison will join in December and we have an opening for chaplain, and 2 Recreational Therapist, and various nursing and facility staff. Our hiring events have generated 15-20 names at each event of people that are interested in working a the Home.

Mr. Lazo shared that the Home visited the CNA classes at Holyoke Community college and STCC to introduce the Home. In the CNA classes 15-20 expressed interest in working in the Home. We will have to wait to be DPH certified wo we can run our own classes and help them with certification.

Mr. Lazo stated that our las few orientation classes have been strong the November 6 class had 7people and the December 4 class will have 6 people. We have seen a reduction in agency staff. We are currently at 12.1% for agency staff and in May we were at 20%, with our organic staff at 86.6%.

Mr. Lazo reviewed the capital improvement that Mr. Fazio discussed earlier that we are getting the property ready for major construction.

Mr. Lazo discussed that in October himself with Dr. Dietzen and Kelly Jones visited the adult day health program on Long Island program and shared suggestions with Payette.

He added that we are working with DCAMM and Payette plans review of the new building to assure that the DPH guidelines are met.

Mr. Lazo shared that the Veteran community meeting yesterday was not well attended.

Trustee Mass asked if we need a motion for the Christmas gift. Mr. Lynch stated it was approved last meeting.

Trustee Mass asked Mr. Lazo if he has reached out to Greenfield Nursing Program to do recruiting there, Mr. Lazo replied that we have not yet.

Trustee Mass asked what do we do for voter participation for the veterans, i.e. absentee ballots, or from their home address. Mr. Lazo replied that we do help with registration and absentee ballots if needed.

Mr. Lazo added that the Department of Justice has been investigating the Home since 2021 and the Secretary and Governor received a letter to close the investigation. He added that another letter coming that items the Home can work on.

Chairman Collins went back to the Mr. Engell discussion The board discussed the treasury department meeting decision making.

Holyoke Veterans' Home General Counsel Update (Atty Walker)

Mr. Walker gave updates on cases. He continued that the Home would like to offer legal workshop at the Home for veterans. Some topics would be probate, wills, estate planning and he is looking for volunteers but may ask the board for some financial assistance for this workshop. Trustee Mass stated that the bar associations has funding and grants for elder services.

Quality / KPI update

Mr. Lenahan shared the October 2023 attached KPI update.

Chairman Collins stated we will have a schedule for January regular meeting and we will discuss the meeting schedule for the upcoming year.

Trustee Mass added if any of the veterans need help with copays for vaccines to let the board know.

Adjourn:

Trustee Jourdain made a motion to adjourn the meeting and it was seconded by Trustee Bigda .

Roll Call Vote: Trustee Bigda (Yes), Trustee Jourdain (Yes), Trustee Mass (Yes), and Chairman Collins (Yes). It was unanimously VOTED to conclude the meeting at 7:28 pm.

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