

# BOARD OF GOVERNORS

## Compliance & Quality Committee Meeting

### Meeting Minutes – April 19, 2022



L.A. Care Health Plan CR 100, 1055 W. Seventh Street, Los Angeles, CA 90017

#### Members

Stephanie Booth, MD, *Chairperson*  
 Al Ballesteros, MBA  
 Hilda Perez  
 John Raffoul  
 G. Michael Roybal, MD  
 Nina Vaccaro

#### Senior Management

Augustavia J. Haydel, *General Counsel*  
 Thomas Mapp, *Chief Compliance Officer*  
 Richard Seidman, MD, MPH, *Chief Medical Officer*  
 Katrina Miller Parrish, MD, FAAFP, *Chief Quality and Information Executive*  
 Elysse Tarabola, *Senior Director, Regulatory Compliance, Compliance*  
 Michael Devine, *Director, Special Investigations Unit, Payment Integrity*

\* *Absent*

State and local officials continue to impose or recommend measures to promote social distancing to reduce transmission of the COVID 19 virus. It is prudent to use caution in protecting the health of the public, L.A. Care Health Plan’s employees and its members where adequate virtual means exist to permit the meeting to occur by teleconference/videoconference with the public being afforded the ability to comment in real time. The Board of Governors and all legislative bodies of the L.A. Care Health Plan will continue to meet virtually and the Board will review that decision as provided in the Brown Act.

AGENDA ITEM/ PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
<b>CALL TO ORDER</b>	Chairperson Stephanie Booth called the meeting to order for the L.A. Care Compliance & Quality Committee and the L.A. Care Health Plan Joint Powers Authority Compliance & Quality Committee at 2:03 p.m. She announced a new member, John Raffoul, has joined the Committee.  She announced that members of the public may address the Committee on each matter listed on the agenda before the Committee’s consideration of the item by submitting their comments via text, voicemail, or email. She reviewed the process for submitting public comment.	
<b>APPROVAL OF MEETING AGENDA</b>	The Meeting Agenda was approved as submitted.	<b>Approved                      unanimously by                      roll call.                      4 AYES                      (Ballesteros,                      Booth, Raffoul,</b>

**APPROVED**

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		Roybal and Vaccaro)
<b>PUBLIC COMMENT</b>	There was no public comment.	
<b>APPROVAL OF MEETING MINUTES</b>	<p><i>(Member Hilda Perez joined the meeting.)</i></p> <p>The March 17, 2022 meeting minutes were approved as submitted.</p>	<b>Approved unanimously by roll call. 6 AYES (Ballesteros, Booth, Perez, Raffoul, Roybal, and Vaccaro)</b>
<b>CHAIRPERSON REPORT</b>	<p>Chairperson Booth stated that she has been reading about Compliance online and found that Board level Compliance in health care is often referred to as Board ethics. Most of the articles she found were 20 years old or older. One group project that she found interesting was published in 2015, and provides practical guidance for health care governing boards on compliance oversight. Today the committee will discuss the charter. The group project was a collaboration between the Association of Healthcare Internal Auditors, American Health Lawyers Association, Healthcare Compliance Association, and the Office of the Inspector General. She offered to send the article to Board Services for distribution to Committee members.</p>	
<b>REVIEW COMPLIANCE &amp; QUALITY (C&amp;Q) COMMITTEE CHARTER (EXHIBIT)</b>	<p>The committee reviewed and discussed potential changes to the committee charter <i>(A copy of the document can be obtained from Board Services.)</i></p> <p>Thomas Mapp, <i>Chief Compliance Officer</i>, stated that once they have finished their discussion about their roles and responsibilities, he will take that information and incorporate it in the Compliance Program document.</p> <p>Board Member Nina Vaccaro pointed out during a previous Compliance and Quality Committee meeting that the Compliance Program document could include a clear description of the committee's roles and responsibilities.</p> <p>Based on the Committee's discussion, Mr. Mapp will add language to the program document to better define the committee's roles and responsibilities.</p> <p>Chairperson Booth asked the committee if they would like to review the Charter item by item.</p>	

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	<p>John Baackes, <i>Chief Executive Officer</i>, stated that it could be more fruitful if committee members share what they feel should be updated in the charter. He asked the committee what changes in the charter would respond to their needs.</p> <p>Chairperson Booth stated that she is a member of the Executive Committee and she believes that everyone was surprised by the enforcement actions against L.A. Care.</p> <p>Augustavia J. Haydel, <i>General Counsel, Legal Services</i>, responded that the details of the ongoing negotiations should be held in closed session. This portion of the conversation should be about structure of the committee. A part of the conversation should be if the charter is headed in the right direction, and is broad enough to cover what the committee is exploring about their role in Compliance process.</p> <p>Chairperson Booth asked the committee if they would like to share their thoughts.</p> <p>Chairperson Booth stated that the committee goals make sense. There is an internal compliance committee (ICC). The Compliance and Quality Committee receives their reports from ICC. She suggested discussing the committee's role and to understand about the process for the enforcement actions.</p> <p>Ms. Haydel responded that staff had reported the issues and concerns to the Board and the regulatory agencies beginning early last year. L.A. Care has been working on corrective action plans (CAPs) and has implemented activities through the remainder of 2021. As 2022 began, L.A. Care was advised of the potential enforcement actions. Those potential actions were discussed with the Board and it was delegated to the Executive Committee to assist and oversee staff in negotiating the potential actions. Those activities were occurring in a very short timeline, and staff was moving quickly to respond. L.A. Care is focused on moving forward at the direction of the Board to continue implementation of CAPs.</p> <p>Board Member G. Michael Roybal, <i>MD</i>, stated that there are sections in the Charter, such as Section 3:1, which outline the responsibilities that the Compliance &amp; Quality Committee has in terms of monitoring and making sure L.A. Care is in compliance with regulations and contracts with regulatory agencies. The enforcement actions include statements which concern repeat findings. The language in the Charter includes the Committee responsibilities. He noted that the Charter also mentions solvency standards. The committee has not recently received information about solvency standards. He suggested a need to determine what information will be needed that will help address concerns that they may have about monitoring. He noted that nothing can be done now about the findings that have been repeated, but they can make sure they are not repeated again.</p> <p>Chairperson Booth asked about Peer Review and the Sanctions Committee. Board Member Roybal stated that he understood that the committee can act on issues which are brought forth to adjudicate. Richard</p>	

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	<p>Seidman, MD, <i>Chief Medical Officer</i>, responded that is correct. Dr. Seidman added that Peer Review and sanctions are separate functions. The Compliance &amp; Quality Committee has a role in peer review work. L.A. Care has an internal peer review committee that works with the Credentialing Committee, to review potential quality issues. The Peer Review Committee has authority to issue corrective action plans and sanctions. There is a fair hearing process. The sanctions function is completely separate.</p> <p>Ms. Haydel stated that section six and seven includes sanctions. Mr. Mapp stated that L.A. Care has a Sanctions Committee which receives recommendations from staff regarding non compliance with audits and plan partners with performance standards issues.</p> <p>Chairperson Booth asked if the Committee will be imposing sanctions. Ms. Haydel responded that the process was for individual providers. Plan partners can still bring sanctions issues under the current policy. Chairperson Booth asked if it was worded properly. Ms. Haydel responded that it can be revised.</p> <p>Board Member Raffoul stated that the Charter is fine as is. He would like to know if there is a crosswalk for all the Committee duties. This will help ensure the Committee meets all the responsibilities. Board Member Ballesteros agreed with Board Member Raffoul, and added that they will all have benefit from having the same definitions.</p> <p>Board Member Roybal stated that in addition to frequency of reporting, knowing which reports that satisfy everything in the Charter would help. He noted the Committee is responsible for reviewing solvency claims, there have not been recent reports provided to the Committee. Mr. Mapp responded that the Committee may like to consider whether financial solvency is a function for this committee. Chairperson Booth responded that quality is affected when an entity becomes insolvent.</p> <p>Chairperson Booth asked if the charter has been updated with changes in regulations or laws.</p> <p>Board Member Nina Vacarro stated that it is helpful to see this document and she agrees with Board Members Raffoul and Ballesteros. She thinks it may also be helpful to review a crosswalk of the Committee's roles and responsibilities to make sure they are meeting their goals.</p> <p>Board Member Hilda Perez asked if to the Committee will now meet every month, as this is related to the frequency of the reports. She suggested inviting Mr. Baackes and the Board Chair Hector De La Torre.</p> <p>Chairperson Booth agreed with Board Member Perez and she noted that this committee seems to get more information than any other. She would like to hear more about quality. She also believes they should meet more frequently. Linda Merkens, <i>Senior Manager, Board Services</i>, responded that the Board approved monthly meetings for the Committee at the April 9 Board meeting.</p>	

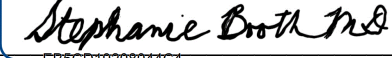
AGENDA ITEM/ PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
	<p>Board Member Ballesteros likes the idea of meeting more frequently. He suggested it would be helpful to note on reports what area of the charter it responds to. Mr. Baackes stated that it might be helpful to have an operational matrix, which is currently being developed by staff. He has reviewed it and asked staff to produce a dashboard on a monthly basis of the operational areas that are regulated by Medicaid, Medicare, or Covered California and report them to this committee.</p> <p>Board Member Roybal asked if there is any way to separate that report by what is generally required by the rules, regulations, and laws, and the items that have had findings issued from regulatory audits. Mr. Baackes responded that Staff can highlight findings and make a note of the findings from previous audits.</p> <p>Board Member Ballesteros stated that it would be helpful to know who monitors regulatory areas. Mr. Baackes responded that he is not opposed to having staff monitoring those reports attend committee meetings and give a report.</p> <p>Board Member Perez asked if the Compliance Department has any suggestions on how the Committee can do better. She would like staff's point of view. Mr. Mapp responded that they are constantly looking at the Committee's perspective and questions to find areas for improvement.</p> <p>Board Member Vaccaro stated that she appreciates the opportunity to discuss these topics. She noted that Board members come from different industries and experience, and not everyone has experience in compliance and quality areas. She suggested that it would be helpful for incoming committee members to review the charter, and an explanation of what the committee is responsible for. An onboarding process could be very helpful for people joining the committee.</p> <p>Chairperson Booth asked for a crosswalk of responsibilities in the Charter and the information that the committee needs to receive to meet their goals. Ms. Haydel responded that she will work with the Compliance team to create this for the Committee. Chairperson Booth has been on the Committee for six years, and she still has issues putting all the information together. She noted that compliance encompasses a broad spectrum of elements and can be difficult to categorize. Having descriptions of what staff's responsibilities are can make it easier. She suggested creating a folder library with resources for onboarding new members.</p> <p>Mr. Mapp stated that he described the Compliance Department operations to assist the Committee members. Chairperson Booth noted that his annual reports do a good job of describing the department functions.</p> <p>Board Member Perez asked if the Compliance team gets training or tutorials to stay up to date with Compliance changes. She asked if L.A. Care is looking at other organization's compliance programs. Mr.</p>	

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	<p>Mapp responded that he will look into that for her. He believes there is information out there to support compliance committee members.</p> <p>Board Member Ballesteros asked whether Compliance has the resources they need to respond to the Board and items in the charter. Chairperson Booth responded that it is imperative to develop processes. Board Member Ballesteros said it would be good to know if they have the necessary staff resources.</p> <p>Mr. Baackes stated that this stakeholder Board is a more knowledgeable Board than any other Board he has worked for. The more reporting the Board requests the more helpful they are to L.A. Care.</p>	
<b>CONSIDERATION OF COMMITTEE'S DUTIES AND RESPONSIBILITIES FOR COMPLIANCE MATTERS</b>	<p>This agenda item was discussed during the previous agenda item.</p>	
<b>INCREASE MEETING FREQUENCY</b>	<p>The agenda item was not discussed.</p>	
<b>ADJOURN TO CLOSED SESSION</b>	<p>The Joint Powers Authority Board of Directors meeting was adjourned at 2:26 pm.</p> <p>Ms. Haydel announced the following items to be discussed in closed session. The L.A. Care Board of Governors adjourned to closed session at 2:27 pm.</p> <p>PEER REVIEW Welfare &amp; Institutions Code Section 14087.38(o)</p> <p>CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Section 54956.9(d) (2) of the Ralph M. Brown Act Two Potential Cases</p>	
<b>RECONVENE IN OPEN SESSION</b>	<p>The Committee reconvened in open session at 2:54 p.m.</p> <p>There was no report from closed session.</p>	

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ADJOURNMENT	The meeting was adjourned at 2:55 p.m.	

Respectfully submitted by:  
 Victor Rodriguez, *Board Specialist II, Board Services*  
 Malou Balones, *Board Specialist III, Board Services*  
 Linda Merkens, *Senior Manager, Board Services*

APPROVED BY:

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 Stephanie Booth, MD, *Chairperson*  
 Date Signed: 5/22/2022 | 9:08 AM PDT

In Process

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