

BOARD OF GOVERNORS
Executive Committee
Meeting Minutes – November 15, 2021
 1055 West 7th Street, Los Angeles, CA 90017



Members

Hector De La Torre, *Chairperson*
 Al Ballesteros, *Vice Chairperson*
 Ilan Shapiro MD, MBA, FAAP, FACHE, *Treasurer*
 Stephanie Booth, MD, *Secretary*
 Hilda Perez

Management/Staff

Terry Brown, *Chief Human Resources Officer*
 Linda Greenfeld, *Chief Product Officer*
 Augustavia J. Haydel, Esq., *General Counsel*
 Tom MacDougall, *Chief Information & Technology Officer*
 Marie Montgomery, *Chief Financial Officer*
 Francisco Oaxaca, *Chief of Communications & Community Relations*
 Noah Paley, *Chief of Staff*
 Acacia Reed, *Chief Operating Officer*
 Richard Seidman, MD, MPH, *Chief Medical Officer*

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’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, and the Board of Directors and all legislative bodies of the Joint Powers Authority will continue to meet virtually and the Boards will review that decision on an on-going basis as provided in the Brown Act. Members of the public had the opportunity to listen to the meeting via teleconference, and share their comments via voicemail, email, or text.

AGENDA ITEM/PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
CALL TO ORDER	Hector De La Torre, <i>Chairperson</i> , called to order the L.A. Care Executive Committee and the L.A. Care Joint Powers Authority Executive Committee meetings at 2:10 p.m. The meetings were held simultaneously. He welcomed everyone to the meetings. <ul style="list-style-type: none"> • For those who provided public comment for this meeting by voice message or in writing, we are really glad that you provided input today. The Committee will hear your comments and we also have to finish the business on our Agenda today. • If you have access to the internet, the materials for today’s meeting are available at the lacare.org website. If you need information about how to locate the meeting materials, please let us know. • Information for public comment is on the Agenda available on the web site. Staff will read the comment from each person for up to three minutes. 	

APPROVED

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	<ul style="list-style-type: none"> The Chairperson will invite public comment before the Committee starts to discuss the item. If the comment is not on a specific agenda item, it will be read at the general Public Comment item 2 on today's agenda. 	
APPROVE MEETING AGENDA	The Agenda for today's meeting was approved.	Approved unanimously by roll call. 4 AYES (Ballesteros, Booth, De La Torre and Shapiro).
PUBLIC COMMENTS	There were no public comments.	
APPROVE MEETING MINUTES	<p><i>Member Perez joined the meeting.</i></p> <p>The minutes of the October 25, 2021 meeting were approved as submitted.</p>	Approved unanimously by roll call. 5 AYES (Ballesteros, Booth, De La Torre, Perez, and Shapiro).
CHAIRPERSON'S REPORT	<p><u>Public Comment</u> <i>(This comment was submitted for the CEO Report but was read at the Chairperson's report, and staff apologizes for the inadvertent mistake.)</i></p> <p>Received via text Nov 15, 8:46 am, from Carolyn Rogers Navarro</p> <p><i>For years LA Care enabled house of horrors doctors and medical centers and retaliated against and intimidated enrollees who reported abusive "medical providers"! They still do so! It is impossible that LA Care had no idea people were being harmed by Synermed blocking access to doctors and denying due process and that people were butchered or died. LA Care is aware of other "managed service organizations "who do not do their jobs, wasting state and federal funds, LA Care doesn't give a [expletive] about the "comprehensive care" they claim to provide, they just want to solicit more members, brag about the number of members, when they are failing existing ones. Some of these fake, [expletive] people on LA Care's board don't represent enrollees best interest, they are just going through motions and just care about their own fake entitled lives, they don't care about special needs and vulnerable people, they need to leave, just like LA Care gets rid of any honest decent employees or board members or they leave on disgust. Stop wasting taxpayer money and retaliating against enrollees, stop lying to enrollees!</i></p>	

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	<p>Chairperson De La Torre noted that the vaccination rate is not where it needs to be in terms of vaccinated individuals. He spoke with a doctor who told him there were 100 COVID-19 patients at his hospital, and all of the 100 patients were unvaccinated. It is incredibly clear that the risk is tremendous for those who are unvaccinated, compared to those who are vaccinated. Some breakthrough cases have been reported in the media. Those are infrequent when compared to the vast majority of cases among the unvaccinated. A lot of people use the excuse that they want to do their own research. Vaccines were available at the end of December 2020 for seniors and high risk patients, but now it is generally available. He thinks there is one important data point that is really compelling: a survey of practicing doctors was conducted nationwide by the American Medical Association in June, 2021, and the result was that 96% of those doctors are vaccinated. That rate is probably higher now, more than four months later. The doctors are telling you by their own actions with their own body, what they think of the medical consensus around vaccination. He feels we need to very respectfully keep pushing on that information, which is the clearest data point. This is not a social media video, or a celebrity, or your neighbor, this survey shows that doctors are voting with their own bodies by taking the vaccine themselves. The rate of vaccination reported in this survey, 96%, is probably higher than any other subgroup in the United States. He feels frustrated, in his capacity here and also as a resident of this planet, that people are not getting vaccinated, and that the reasons they are giving for not getting vaccinated are specious. If the healthcare professionals, the physicians, are getting the vaccine, it is pretty clear where we should be going. And there are 14 other vaccinations that are commonly given, that most of us have received in our lifetimes. There are projections for another spike in COVID 19 cases this winter. He commented that as much as we all want to be done with these virtual meetings and get back to seeing each other in person, the only way society gets there is to beat back COVID, and that means vaccinations across the board.</p>	
<p>CHIEF EXECUTIVE OFFICER REPORT</p>	<p>Richard Seidman, MD, MPH, <i>Chief Medical Officer</i>, reported on behalf of John Baackes, <i>Chief Executive Officer</i>. Dr. Seidman thanked Mr. De La Torre for his report, and added that the increased risk of hospitalization and death amongst the unvaccinated due to COVID-19 and its variants is more than ten times higher for those who are unvaccinated than for those who are vaccinated.</p> <p>Dr. Seidman noted that L.A. Care is preparing for the start of California Advancing and Innovating Medi-Cal (CalAIM) in January of 2022, with services under the Enhanced</p>	

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	<p>Care Management (ECM) and Community Supports (CS, formerly known as In Lieu of Services) programs. L.A. Care selected four services in the CS program to offer in January of 2022, with more to come in July 2022, and even more to come in January of 2023.</p> <ul style="list-style-type: none"> • He reminded Committee Members that in January 2022 health plans will also be responsible for major organ transplantation. In the past, L.A. Care has been responsible for kidney and corneal transplants, and other health plans in California have been responsible for all the other major organ transplants. L.A. Care’s work to prepare the provider network for this new service is going smoothly and no interruption of care is expected for patients requiring major organ transplants. • Also in January 2022, pharmacy benefits will be “carved out” of health plan coverage for Medi-Cal beneficiaries. L.A. Care has done all it can to persuade state officials not to move forward with this, but it is still scheduled to happen on January 1, 2022. • L.A. Care has completed ten flu clinics, immunizing more than 2300 people against influenza. Dr. Seidman looks to the recent experience in the Southern Hemisphere as a predictor of the influenza activity in the Northern Hemisphere. This year, the activity in the Southern Hemisphere looked quite low. This is not a guarantee, but helps predict how our flu season will be. Before the COVID pandemic Dr. Seidman reported regularly during flu season about the influenza activity in Los Angeles County during the flu season. There is a concern about the effect of both flu and COVID 19 cases. Last year we saw a nearly disastrous spike in COVID cases during flu season. This year there is concern about a fifth wave and increased demand on the hospital systems. So far the levels are low, although we have a long way to go. It is hoped that the numbers of susceptible people are such that if there is a spike, it won’t be as high as last year. <p>Member Booth asked about the rate of influenza vaccination in the Southern Hemisphere. Dr. Seidman did not know the exact rates of flu vaccination, and he noted that the flu vaccine rate in the United States is low and the vaccines are not as effective as the COVID vaccine. He has read that the level of cases in the Southern Hemisphere is low and the hypothesis is that the mask and social distancing recommendations for COVID also help to prevent influenza.</p>	
<p>Government Affairs Update</p>	<p>Cherie Compartore, <i>Senior Director, Government Affairs</i>, reported:</p> <p>In accordance with the process approved by the L.A. Care Governing Board, below is L.A. Care’s proposed 2022 State and Federal Policy Agenda for consideration.</p>	

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	<p>This Policy Agenda contains principles and policies that serve as the framework for the development and advocacy of positions on federal and state legislative, administrative, and budget issues. This Policy Agenda provides guidance for L.A. Care’s Government Affairs Department to respond effectively to proposals that could significantly impact L.A. Care’s strategic and operational interests. Ms. Compartore noted that L.A. Care staff works with representatives for the Board of Supervisors on the legislative positions. During the legislative session, Government Affairs staff provides a regular report on any specific positions taken. Any topics or issues that may be controversial are brought for consideration by the Board of Governors. Last year new policy issues related to COVID -19 were added. She noted that not every COVID proposal is presented here because many of the existing principles can be applied to COVID issues. She noted that there is a principle opposing social injustice and specific support for behavioral health access, data collection and sharing of health information.</p> <p>Member Booth noted there may be a proposal to overturn the Medical Injury Compensation Reform Act. Ms. Compartore noted that that proposal has been delayed to the 2022 election ballot due to COVID. Ms. Compartore recommended that if L.A. Care’s Board chooses to take a position on this measure, it should be outside of this Policy Agenda document because it is related to a specific initiative.</p> <p><u>Motion EXE 100.1221</u> To approve L.A. Care’s 2022 State and Federal Policy Agenda, as submitted.</p>	<p>Approved unanimously by roll call. 5 AYES (Ballesteros, Booth, De La Torre, Perez, and Shapiro).</p>
<p>Revised 2022 Board & Committee Meeting Schedule</p>	<p>The schedule is revised only by moving the meeting day of the Finance & Budget and Executive Committee meetings to fourth Tuesday of the month (instead of Monday).</p> <p><u>Motion EXE 101.1221</u> To approve the revised 2022 Board of Governors and Committees meeting schedule as submitted.</p>	<p>Approved unanimously by roll call. 5 AYES (Ballesteros, Booth, De La Torre, Perez, and Shapiro).</p>
<p>Approve Human Resources Policies</p> <ul style="list-style-type: none"> • HR-606 Shift Policy Reactivation • HR-632 After Hours Program-Medical Management 	<p>Terry Brown, <i>Chief Human Resources Officer</i>, presented motions to approve revisions to two Human Resources policies.</p> <p>L.A. Care wants to ensure consistency within its competitive markets, and may pay a premium to employees if they meet all the eligibility requirements as indicated. Shift premium pay is to provide fair and equitable premium pay for staff regularly assigned to work alternate shifts to perform services after standard operating hours</p>	

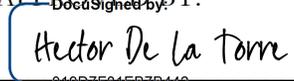
APPROVED

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<ul style="list-style-type: none"> HR-710 Reimbursement for Educational Expenses 	<p>Staff is proposing revisions to HR-606 (Shift Premium), as noted in the attached document.</p> <p>Member Booth asked what replaced the process that made the afterhours policy no longer necessary. Mr. Brown responded that the afterhours policy is now included in the Shift Premium policy.</p> <p><u>Motion EXE A.1121</u> To approve the Human Resources Policy & Procedure HR-606 Shift Premium, as presented.</p> <p>To ensure compliance with the appropriate regulatory requirements specific to providing After Hours Utilization Management (UM) access, post stabilization and repatriation determinations within thirty minutes of the request. With the reactivating of HR-606 Shift Premium, we would like to retire current Policy HR-632 After Hours Program-Medical Management.</p> <p><u>Motion EXE B.1121</u> To approve the retirement of Human Resources Policy & Procedure HR-632 (After Hours Program-Medical Management).</p> <p>L.A. Care Health Plan encourages its employees to further their education and improve their professional skills by providing financial support to eligible employees who complete educational courses or certificate programs that contribute to the improvement of the employees' current job performance, duties, L.A. Care's Mission and/or potential job advancement at L.A. Care.</p> <p>The following changes were made to this policy:</p> <ul style="list-style-type: none"> HR-710 Reimbursement for Educational Expenses moved from Center for Organizational Excellence to Talent Strategy & HR Technology, Learning Experience. Process to submit pre-approval moved from Footprint ticketing system into Employee Central. Course Complete request in Employee Central. <p><u>Motion EXE C.1121</u> To approve the Human Resources Policy & Procedure HR-710 Reimbursement for Educational Expenses as presented.</p>	<p>Motions EXE A, EXE B and EXE C were simultaneously approved unanimously by roll call. 4 AYES (Ballesteros, Booth, De La Torre and Shapiro).</p> <p><i>Member Perez experienced technical difficulty and was unable to vote on this item.</i></p>
Approve Consent Agenda	Approve the list of items that will be considered on a Consent Agenda for December 2, 2021 Board of Governors Meeting.	

AGENDA ITEM/PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
	<ul style="list-style-type: none"> • November 4, 2021 Board of Governors Meeting Minutes • Revised 2022 Board and Committee Meeting Schedule • Quarterly Investment Report 	<p>Approved unanimously by roll call. 5 AYES (Ballesteros, Booth, De La Torre, Perez, and Shapiro).</p>
PUBLIC COMMENTS	There were no public comments for the closed session items.	
ADJOURN TO CLOSED SESSION	<p>The Joint Powers Authority Executive Committee meeting was adjourned at 2:43 p.m.</p> <p>Augustavia J. Haydel, <i>General Counsel</i>, announced the items to be discussed in closed session. She announced there is no report anticipated from the closed session. The meeting adjourned to closed session at 2:44 p.m.</p> <p>CONTRACT RATES Pursuant to Welfare and Institutions Code Section 14087.38(m)</p> <ul style="list-style-type: none"> • Plan Partner Rates • Provider Rates • DHCS Rates <p><i>The following bulleted item was not discussed.</i></p> <ul style="list-style-type: none"> • Medi-Cal Managed Care Supplemental Payment <p>REPORT INVOLVING TRADE SECRET Pursuant to Welfare and Institutions Code Section 14087.38(n) Discussion Concerning New Service, Program, Business Plan Estimated date of public disclosure: <i>November 2023</i></p> <p>CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Section 54957.6 of the Ralph M. Brown Act Agency Designated Representative: Terry Brown (<i>Designee for John Baackes</i>) Unrepresented Employee: All L.A. Care Employees</p> <p><i>The following item was not discussed.</i></p> <p>CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Section 54956.9(d)(2) of Ralph M. Brown Act: Four Potential Cases</p>	
RECONVENE IN OPEN SESSION	The meeting reconvened in open session at 3:01 p.m. No reportable actions were taken during the closed session.	

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Approve Employee Annual Incentive Program	<p>Mr. Brown presented the motion for authorization to payout for the Annual Incentives Program, not to exceed \$8.8 million.</p> <p><u>Motion EXE 102.1221</u> To authorize the disbursement of funds not to exceed \$8.8 million for the Individual Annual Incentive Program, based on the completion of pre-determined individual goals and targets in support of L.A. Care’s FY 2020-2021 Organizational Goals. Distribution of the annual incentive payout shall be guided by Human Resource Policy No. 602, Annual Organizational Incentive Program.</p>	<p>Approved unanimously by roll call. 5 AYES (Ballesteros, Booth, De La Torre, Perez, and Shapiro).</p>
ADJOURNMENT	The meeting adjourned at 3:03 p.m.	

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

APPROVED BY:
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Hector De La Torre, *Chair*
Date: 1/25/2022 | 11:06 PM PST

APPROVED