

BOARD OF GOVERNORS
Executive Committee
Meeting Minutes – January 25, 2022
 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

John Baackes, *Chief Executive Officer*
 Terry Brown, *Chief of Human Resources*
 Linda Greenfeld, *Chief Product Officer*
 Augustavia Haydel, *General Counsel*
 James Kyle, MD, *Chief of Equity & Quality Medical Director*
 Tom MacDougall, *Chief Technology & Information Officer*
 Thomas Mapp, *Chief Compliance Officer*
 Marie Montgomery, *Chief Financial Officer*
 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 2:06 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

AGENDA ITEM/PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
	<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. 5 AYES (Ballesteros, Booth, De La Torre, Perez and Shapiro).
APPROVAL of FINDINGS under the RALPH M. BROWN ACT	<p><u>Motion EXE A.0122</u></p> <ol style="list-style-type: none"> Authorize remote teleconferencing consistent with the Ralph M. Brown Act; Adopt findings as set forth in this Motion Summary and, For all L.A. Care meetings subject to the Ralph M. Brown Act that are not held within 30 days, delegate authority to the Executive Committee to authorize findings to continue remote teleconferencing consistent with the Ralph M. Brown Act. 	Approved unanimously by roll call. 5 AYES (Ballesteros, Booth, De La Torre, Perez and Shapiro).
ADJOURN TO CLOSED SESSION	<p>The Joint Powers Authority Executive Committee meeting recessed for the closed session of the L.A. Care Executive Committee.</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 2:17 p.m.</p> <p>CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION Pursuant to Section 54956.9(d)(1) of the Ralph M. Brown Act L.A. Care v. Purdue Pharma L.P. et al.; Case No: 1:19-op-45212-DAP (N.D. Ohio)</p>	
RECONVENE IN OPEN SESSION	The meeting reconvened in open session at 2:30 p.m. No reportable actions were taken during the closed session.	
PUBLIC COMMENTS	There were no public comments.	
APPROVE MEETING MINUTES	The minutes of the November 15, 2021 meeting were approved with a correction on page 2 to replace an expletive with the word, <expletive>.	Approved unanimously by roll call. 5 AYES

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CHAIRPERSON'S REPORT	Chairperson De La Torre reported that based on the responses received from board members about committee assignments, there are no changes to the current committee assignments. He invited Board Members to reach out to him with any questions.	
CHIEF EXECUTIVE OFFICER REPORT	<p>John Baackes, <i>Chief Executive Officer</i>, reported that L.A. Care began 2022 by successfully meeting two significant challenges: the Medi-Cal pharmacy benefit carve out and the implementation of the new California Advancing and Innovating Medi-Cal (CalAIM) program. L.A. Care is in an excellent position due to the experience and effective management of the transition by L.A. Care's Pharmacy Department, led by Yana Paulson, Pharm.D., <i>Chief Pharmacy Officer</i>. Dr. Paulson and her team worked directly with members and pharmacists to resolve issues with Magellan. Some other plans in California have had greater issues. It is early to determine if the carve out was a success, but L.A. Care's members are not being harmed, which was the main concern. The CalAIM program came with a host of new programs, including implementation of Enhanced Care Management (ECM) benefits. There were similar existing benefits in the Health Homes and Whole Person care programs. ECM expands those programs. L.A. Care increased the number of vendors to serve members from 34 to 56. Mr. Baackes commended staff across L.A. Care for their work in this plan-wide effort which included new contracts for services and assigning members to receive those services. CalAIM implementation also required a new program, Community Supports. L.A. Care has developed contracts with 50 new vendors to provide those services which will be implemented over the next two years. At the upcoming Board Meeting, Mr. Baackes will provide a more complete report on the number of people who were transitioned from the previous programs on January 1 and the number of members who are being evaluated for a future transition. He is very proud that L.A. Care launched CalAIM with no major issues and has met the regulatory requirements to date.</p> <p>The new year also started with a surge in COVID-19. L.A. Care members are probably the most infected, most hospitalized and suffering the most deaths. This is due in large part to the low vaccine rate among Medi-Cal members. A vaccine incentive program was launched in September 2021. L.A. Care is using those funds to encourage more Medi-Cal members who are hesitant, to get the vaccine. It can be seen from the data that the unvaccinated people are the sickest, have the highest infection and hospitalization rates, are more likely to be in the intensive care units and most likely to die.</p> <p>Mr. Baackes noted that L.A. Care's enrollment surpassed 2.5 million on January 1, 2022, with a large increase in Medi-Cal enrollment. This is due, in part, to enrollment of some</p>	

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	<p>Medi-Cal members that had been previously excluded from managed care. L.A. Care’s Covered California enrollment is very robust; about 10,000 new members were added in January and more new members are expected in February and March.</p> <p>Mr. Baackes invited Richard Seidman, MD MPH, <i>Chief Medical Officer</i>, to comment about the state of the COVID-19 pandemic.</p> <p>Dr. Seidman noted he was just on a call with public health officials. He noted that the year started in a pretty rough manner regarding the COVID-19 pandemic. There is some positive news, with the understanding that we are still at high rates of community transmission, even while the case rates are coming down. The test positivity rate is coming down from a very high rate of 22%, down to 14%, which is moving in the right direction. Between the surges the positivity rate was lower than 1%. He noted that the health care system has been significantly impacted. There are challenges among health care providers as staff has become sick. It is a mixed picture; we are in a better position today than we were two weeks ago. There is a long way to go. He also noted a federal mandate was implemented for commercial plans to provide over-the-counter COVID-19 test kits to their beneficiaries. One of the many benefits to having a pharmacy benefit manager is that Dr. Paulson and her team were able to get L.A. Care’s pharmacy benefit management firm to assume the cost for those over-the-counter tests for L.A. Care’s commercial line beneficiaries in the very short timeline that was allowed.</p> <p>Dr. Seidman reported that California Department of Health Care Services announced it will be instructing the new state pharmacy benefit manager, Magellan, to reimburse pharmacies for the same number of test kits for Medi-Cal beneficiaries as the commercial health plans must provide.</p> <p>Dr. Seidman also reported that more than 60,000 L.A. Care members have been vaccinated since November 1, 2021, when L.A. Care launched the program. He was informed that more than half of them have received their incentive gift card. The program continues and L.A. Care is advocating that the end date for the program be extended beyond February, and include children ages 5-11.</p> <p>Board Member Perez noted that at the Compliance & Quality Committee and at the Executive Community Advisory Committee meetings she asked for information about how members would receive the vaccine incentive. She appreciated that Dr. Seidman explained the process and she commended the social media programs underway to encourage vaccinations. She thanked L.A. Care for the effort to increase vaccinations.</p>	

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	<p>She commended Board Member Shapiro for his work on social media to encourage vaccination. She hopes to see more L.A. Care social media messages in Spanish. She is happy to see these efforts on behalf of L.A. Care members. She included appreciation for the information about COVID-19 testing sites.</p>	
<p>Government Affairs Update</p>	<p>Cherie Compartore, <i>Senior Director, Government Affairs</i>, reported that a memo about the California Governor’s Budget Proposal is included in the meeting materials (<i>a copy can be obtained by contacting Board Services</i>):</p> <ul style="list-style-type: none"> • The Governor intends to expand Medi-Cal to undocumented residents aged 26-50 on January 1, 2024. • The sources of funding for Proposition 56 are diminishing and the proposal includes supplemental funding for provider payments. • It is proposed to eliminate premiums for about 500,000 Medi-Cal beneficiaries beginning July 2022. • In Covered California, there is a \$1 premium for abortion services that cannot be waived. California proposes to fund this premium payment. • Medi-Cal redeterminations will resume at the end of the public health emergency. There is \$73 million in funds to assist Counties with this process in the next two years. • The Budget includes funding that would allow undocumented people 55 years and older to access state only funds for California State Assistance programs, such as CalFresh. This may begin in 2025. 	
<p>Approve Consent Agenda</p>	<p>Approve the list of items that will be considered on a Consent Agenda for February 3, 2022 Board of Governors Meeting.</p> <ul style="list-style-type: none"> • December 2, 2021 Board of Governors Meeting Minutes • Quarterly Investment Report • Finance & Accounting Services Policy AFS 006 (Authorizations and Approvals) • Verizon Business Contract Amendment for Session Initiating Protocol (SIP) Trunking Service • PayScan Contract Amendment • Toney Healthcare Consulting Contract Amendment for Scope of Work 3 • Language Line Contract Amendment • Compliance Work Plan CY 2022 • Risk Assessment Plan CY 2022 	<p>Approved unanimously by roll call. 5 AYES</p>

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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>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>January 2024</i></p> <p>CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION Pursuant to Section 54956.9(d)(1) of the Ralph M. Brown Act PIH Downey & PIH Whittier v. L.A. Care. Case No. 19STCV18084 PIH Downey & PIH Whittier v. L.A. Care. Case No. 20STCV08190 PIH Downey & PIH Whittier v. L.A. Care. Case No. 21NWCV00052</p> <p>CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION Pursuant to Section 54956.9(d)(1) of the Ralph M. Brown Act L.A. Care v. Purdue Pharma L.P. et al.; Case No: 1:19-op-45212-DAP (N.D. Ohio)</p> <p>CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Section 54956.9(d)(2) of Ralph M. Brown Act: Five Potential Cases</p> <p>CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION Pursuant to Section 54956.9(d)(1) of the Ralph M. Brown Act Butler v. L.A. Care, Case No. 18STCV08155</p> <p>PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Section 54957 of the Ralph M. Brown Act Title: Chief Executive Officer</p>	

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	CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Section 54957.6 of the Ralph M. Brown Act Agency Designated Representative: Hector De La Torre Unrepresented Employee: John Baackes	
RECONVENE IN OPEN SESSION	The meeting reconvened in open session at 4:35 p.m. No reportable actions were taken during the closed session.	
ADJOURNMENT	The meeting adjourned at 4:37 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:

 Hector De La Torre, *Chair*
 Date: _____

APPROVED

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~~APPROVED BY:~~

Hector De La Torre

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Hector De La Torre, *Chair*

Date: 2/23/2022 | 5:03 PM PST