

BOARD OF GOVERNORS
Executive Committee
Meeting Minutes – February 22, 2022
 1055 West 7th Street, Los Angeles, CA 90017



L.A. Care
 HEALTH PLAN

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*
 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 2:16 p.m. The meetings were held simultaneously. He welcomed everyone to the meetings. Chairperson De La Torre acknowledged that February is Black History Month. He noted that it is very important to think about the impacts on our African American population including L.A. Care members, staff, stakeholders, provider network, and the great contributions that have been made and the work that still needs to be done going forward. <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. 	

APPROVED

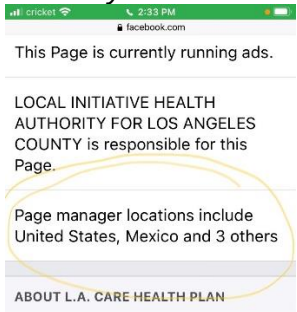
AGENDA ITEM/PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
	<ul style="list-style-type: none"> If you have access to the internet, the materials for today’s meeting are available at the lacare.org website. If you need information about how to locate the meeting materials, please let us know. Information 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. The Chairperson will invite public comment before the Committee starts to discuss an 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. <p>He provided information on how to comment live and direct using the “chat” feature.</p>	
APPROVE MEETING AGENDA	<p>The Agenda for today’s meeting was approved.</p> <p><i>(Member Perez joined the meeting.)</i></p>	<p>Approved unanimously by roll call. 4 AYES (Ballesteros, Booth, De La Torre and Shapiro).</p>
PUBLIC COMMENT	<p>There were no public comments.</p>	
APPROVE MEETING MINUTES	<p>The minutes of the January 25, February 11, and February 15, 2022 meetings were approved as submitted.</p>	<p>Approved unanimously by roll call. 5 AYES (Ballesteros, Booth, De La Torre, Perez and Shapiro).</p>
CHAIRPERSON’S REPORT	<p>Chairperson De La Torre announced that the Los Angeles County Board of Supervisors has appointed a new Board Member for the seat representing disproportionate share hospitals, John Raffoul. Mr. Raffoul is President of Adventist White Memorial, and his first board meeting will be March 3, 2022.</p>	
CHIEF EXECUTIVE OFFICER REPORT	<p>John Baackes, <i>Chief Executive Officer</i>, reported</p> <ul style="list-style-type: none"> L.A. Care continues its efforts to increase the COVID 19 vaccination rate among enrollees. As of this date, 67.5% of L.A. Care members 12 years and older have received a vaccine. This is still 20 percentage points behind the rate for all residents in Los Angeles County. California uses the 12+ age metric for the state-wide incentive program, which has provided resources that L.A. Care has used to increase the vaccination rate. The state-wide incentive program began on September 1, 2021 and will end on March 2, 2022. L.A. Care will continue to offer an incentive program 	

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	<p>after March 2. L.A. Care’s latest addition to efforts to increase the vaccination rate involves primary care providers, as a trusted source of information, reaching out to unvaccinated L.A. Care members to listen to the members and encourage them to get a vaccine. L.A. Care offers a financial incentive to the primary care provider for each person that is vaccinated. Mr. Baackes, and everyone at L.A. Care, believes that it is really important to keep up the effort to increase the vaccination rate among members. Members who are not vaccinated may be subject to continued variations of the COVID 19 virus, and may also be putting themselves at risk for other things that could develop. It is probably the most important thing we can do to improve the health status for L.A. Care members.</p> <ul style="list-style-type: none"> • L.A. Care’s enrollment continues to increase, and is over 2.5 million in January 2022, and is even higher in February, 2022. There are several sources of the increase: <ul style="list-style-type: none"> ○ 19,000 additional members in L.A. Care Covered, ○ Implementation of the new California Advancing and Innovating Medi-Cal (CalAIM) program has increased Medi-Cal enrollment by moving categories of members from fee for service to managed care, ○ Re-determination of eligibility for Medi-Cal has not resumed, which has allowed Medi-Cal members to continue to receive benefits. It is expected the redetermination will resume in April, 2022, although there is an effort across California to have the date extended to avoid a large backlog. Counties will have to process all Medi-Cal members within one year, and ○ In May, 2022, another large influx of members is expected as eligible undocumented residents ages 50 years and older will be able to enroll in Medi-Cal. The Governor’s proposed budget includes a provision to allow eligible undocumented residents ages 27-49 years old to enroll in Medi-Cal beginning in 2023. 	
Government Affairs Update	<p><u>Public Comment</u> Received via text February 22, 2022, at 9:25 am, from Carolyn Rogers Navarro <i>Public comment 2-22-2022 executive meeting Government Affairs Update LA Care gaslights enrollees, they even go as far as to censor online comments and reviews, on Yelp where multiple reviews I’ve written have been flagged by I know who and removed, only to add credence and standing to my current review (thank you)! LA Care lists on Yelp they pay people in foreign countries to censor reviews, they list John Baackes, an insurance salesman owns LA</i></p>	

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	<p><i>Care! Why is LA Care so defensive? LA Care hugs enrollees while their contractors are stabbing them in the back, LA Care knows perfectly well their contractors don't do their jobs, LA Care is too stingy and corrupt to get rid of these contractors who live in lavish homes, living off the disabled and getting a free lunch because these contractors save them money while enrollees, especially special needs people are being exploited and abused.</i></p> <p><i>Mr. Baackes stop publically listing on Yelp online that you are the owner of LA Care, you just a guy being used to make LA Care look like a decent company when it's not!</i></p> <p>Mr. Baackes stated, for the benefit of the public as well as the person submitting the comment, L.A. Care's Facebook account is managed internally by one staff member who is a Los Angeles County resident. Facebook automatically hides comments if foul language is used, and deletes comments flagged by users as vaccination disinformation for example, and after a review. He noted that he was not aware that Yelp lists him as the owner of L.A. Care. We will ask Yelp to change that. He stated that L.A. Care has no means to delete reviews on Yelp. The platform itself does delete reviews if guidelines are not met. He reassured those listening that L.A. Care cannot delete Yelp reviews, Yelp operates on its own. L.A. Care will ask Yelp to change the ownership listing, as L.A. Care is a public entity, so there would be no single owner. He emphasized that L.A. Care manages the Facebook account and does not have employees or contractors in other countries managing the Facebook account.</p> <p>Cherie Compartore, <i>Senior Director, Government Affairs</i>, reported that:</p> <ul style="list-style-type: none"> • California Legislative session is on the second year, and the deadline to introduce bills was February 18. • Many of the bills are repeat bills from last year, while other bills are taking on new issues. There are some themes for 2022 such as, healthcare access and affordability, reproductive health, behavioral health continues to be a very strong subject, prescription drug coverage, and the usual mandate bills. • Staff is reviewing all the bills related to health care of significance to L.A. Care, and there will be a new matrix of proposed legislation in the packet for next week's Board Meeting. The list will be lengthy, as it is very early in the legislative process and includes bills for which there is not yet a great deal of information. As has been done in prior years, staff will highlight the most relevant legislation at the meetings. 	

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	<ul style="list-style-type: none"> California Budget subcommittee hearings have started and will continue for the next several weeks and then will taper off as policy bills start being heard. The real work will begin on the budget when the Governor releases his revisions in May. June 15 is the deadline for the legislature to approve a budget to be sent to the Governor for his consideration. The former federal administration issued a rule that severely harmed many Medicaid beneficiaries through public charge requirements. The Department of Homeland Security announced on February 17 a draft rule that will return to the previous rules. This is good news as beneficiaries can be reassured that accepting enrollment will not be counted as a “public charge” in immigration proceedings, and it will encourage more eligible people to enroll. Staff is reviewing the 300-page draft rule and will draft public comment in support of removing the imposition of public charge and any concerns that may be in the rule. California Department of Health Care Services (DHCS) announced that the Cal Medi-Connect program scheduled to be implemented on January 1, 2022, was delayed to July 1, 2022, and is now scheduled to be implemented on January 1, 2023. L.A. Care is engaged with Los Angeles County and other stakeholders in continuing conversations in preparation for the benefit. <p>Chairperson De La Torre noted that as described by the Legislative Counsel, a “spot bill”, upon introduction, is merely a placeholder for future language, with a title or description of the intended legislation. Some of these bills are amended with substantive language and some just expire. Early in the legislative term the legislator proposing the bill may have an idea that is not fully developed, so it is proposed as a placeholder.</p>	
Approve Consent Agenda	<p>Approve the list of items that will be considered on a Consent Agenda for March 3, 2022 Board of Governors Meeting.</p> <ul style="list-style-type: none"> February 3, 2022 Board of Governors Meeting Minutes Contract Amendment with Infosys, Cognizant, HCL, and Solugenix for Information Technology Staff Augmentation 	Approved unanimously by roll call. 5 AYES
PUBLIC COMMENTS	<p>Public Comment Received via text February 22, 2022, at 2:32 pm, from sender not self-identified Via text received 2:32 pm, sender not self-identified <i>General comment, why does LA Care list foreign countries on Facebook as moderating pg, people’s comments are deleted?</i></p>	

APPROVED

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	<p>Via text received 2:35 pm <i>See screenshot I took just now showing foreign countries, I've saw someone complain her comments were being deleted. You stopped letting people review you.</i></p>  <p>Via text received 2:36 pm <i>It says Mexico and "3 others" why is that Screenshot is from your Facebook pg!</i></p> <p>Via text received 2:38 pm <i>^add to general comment. I observed you may actually be breaking the law as a public entity censoring public comments. Who removes them, I've seen them removed?!</i></p> <p>Chairperson De La Torre referred to Mr. Baackes' previous comments. In terms of government censorship, he noted that Facebook and Yelp are private companies that provide a service. Those companies are not run by L.A. Care, but are websites run by private companies that have their own set of rules and protocols for how they conduct their business. If it was the L.A. Care website, one could think there was something unusual going on. L.A. Care has no control over Facebook, Instagram, Twitter, Yelp or any other apps. L.A. Care participates in those services as a means of communicating with the general public. Mr. Baackes clarified that L.A. Care has only one employee who runs the social media pages and that employee is here in Los Angeles County and not in other countries. Chairperson De La Torre noted that further public comments received</p>	

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	after the public comment period ended can be submitted for the Board Meeting on March 3, 2022.	
ADJOURN TO CLOSED SESSION	<p>The Joint Powers Authority Executive Committee meeting was adjourned at 2:42 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 2:42 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>February 2024</i></p> <p>CONFERENCE WITH REAL PROPERTY NEGOTIATORS Section 54956.8 of the Ralph M. Brown Act Property address: 2426 N. Broadway, Los Angeles, CA. 90031 Agency Negotiator: John Baackes, Chief Executive Officer Negotiating Parties: Daniel Roberts Landlord: 2426 N. Broadway, Inc. Under Negotiation: Price and Terms of Payment</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: Four Potential Cases</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

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Hector De La Torre, *Chair*

Date: 3/24/2022 | 2:10 PM PDT

Below are public comment that were received after public comment period ended.

Via text received 2:40 pm

General comment, why does it say Mexico on your pg

Via text received 2:41 pm

^why is Baackes listed as owner of LA Care