



BOARD OF DIRECTOR'S MEETING

Minutes

February 15, 2022

Call Meeting to Order

President Jane Shank called the meeting to order at 10:03 am.

Attendance

Present via phone/virtual: Melody Arabo, Brian Calley, Hansen Clarke, Tom Landry, Malkia Newman, Selena Schmidt, Jane Shank, Mark Stephenson, Mark Wiedelman

Absent: Jill Busha, Davin Hemmila, John McCulloch, Paul Palmer

Staff present: Michelle Roberts, Michele Brand, Mark McWilliams, Kyle Williams, Elham Jahshan, Kris Keranen, Theresa Diebolt, Sara Koroniotis, Rebecca Kasen

Guests: Christin Nohner

Approval of Agenda

President Shank asked for a motion to approve the agenda.

Tom Landry MOVED to approve the agenda and Mark Wiedelman seconded.

Michelle Roberts asked that there be some flexibility in time for some staff to report to the board in case they join after the time allotted on the agenda.

AYES: Arabo, Calley, Clarke, Landry, Newman, Shank, Stephenson, Wiedelman

NAYS: none

Motion carried.

Approval of Minutes

President Shank asked for a motion to approve the minutes from the December 14, 2021, board meeting.

Brian Calley MOVED to approve the minutes and Mark Wiedelman seconded.

AYES: Arabo, Calley, Clarke, Landry, Newman, Shank, Stephenson, Wiedelman

NAYS: none

Motion carried.

President's Report

President Shank began by stating she wants to look at the public comment protocol that was recently adopted by the PAIMI Advisory Council and would like to vote on it at the next meeting. She would also like to have an executive committee meeting soon. All annual forms have been completed and sent to Theresa, so thank you all. The board retreat is coming up and some of the topics to be discussed as a board including mentorship, the board portal and member responsibilities. Jane then asked Tom Landry to announce the winners of this year's Ernie Reynolds essay contest.

Tom Landry first thanked the board members who were part of the committee along with him, Mark Wiedelman, Mark Stephenson, and Selena Schmidt. The committee reviewed the essays and met to select the top three stories for this year's contest. On behalf of the board and the committee, Landry thanked and announced the winners, third place goes to Craig Marglous, second place goes to Joseph Menter, and the first place winner is Tina Bertram. Tina introduced herself and thanked the committee for choosing her story. Joseph introduced himself as well.

Executive Director and Staff Reports

Executive Director, Michelle Roberts, began with congratulating and thanking the essay contest winners, and the committee for taking time to review and select the winners.

Roberts went on to state that DRM is receiving more money as part of the American Rescue Act plan that is tied to COVID relief efforts. We will be getting at least \$112,000 around the first of March and will need to spend that money by September 2024. This is geared towards increasing the health workforce, and there are other organizations receiving similar funds throughout the state. We are looking at using these funds to support transportation and peer support efforts. Roberts also explained the process of obtaining the COVID grant funds.

The salary research project has been completed and decisions have been made regarding increases in staff salaries. As a reminder, this project was initiated to ensure that DRM is competitive with the non-profit sector in order to recruit and retain talented and highly qualified staff.

The new DRM policy manual is near completion and will be rolled out to staff in the near future. The updated manual will be more user friendly and will include DEI language.

Roberts stated that Curt Decker, executive director of the National Disability Rights Network (NDRN), has announced his retirement which he plans to do in August. This will be a very significant loss and a big change for the P&As.

There will be two annual conferences this year. There will be a one-week virtual conference April 25-29 and that will be available to all staff, PAIMI Advisory Council as well as the board. In June, there will be an in-person conference in Virginia which will be mainly focused on development of P&A staff. Roberts along with a few other staff have been asked to present at the conference. Roberts will also be attending the spring CEO meeting and an NDRN board meeting that will be held in DC and has been asked to present at that as well.

Roberts, along with Christin Nohner and Kris Keranen, met with Senator Irwin and his staff to have conversations as a result of the Oxford school shooting and the need for an increase of social workers and counselors in schools. Roberts and Nohner also met with Senator Irwin regarding the Open Meetings Act (OMA) and the epidemic order that had allowed virtual attendance at of board meetings which ended at the end of December. Senator Irwin is interested in making amendments to the OMA to allow anyone to attend meetings virtually.

Elham Jahshan reported on the employment team and referred to her written report where she highlighted two social security overpayment cases. Her team has been getting a lot of calls lately regarding overpayments and they have been able to get a lot of them reduced, if not waived entirely. Her team has been working with NDRN on systemic changes on this Social Security Administration. They want people to feel confident in working and not having to worry about losing their social security benefit.

Rachel Huddleston reported on the communications team sharing they have been busy updating the website, working with the vaccine advocacy team on flyers and brochures, the quarterly newsletter, social media posts, voting efforts, trainings, podcasts and webinars.

Sara Koroniotis reported on the Rep Payee Team, and they are a little more than halfway through their fiscal year and about 58% finished with their reviews of the 120 cases targeted. She reported on a couple of the reviews and the issues they came across and how they reported those issues.

Kris Keranen reported on the education team and mentioned they have petitioned the Supreme Court for a hearing regarding a decision from the 6th Circuit and are waiting to hear whether a hearing will be held. Another case involving the Michigan Department of Education regarding their failure to ensure when they identify noncompliance by a school district, they make sure it is corrected. The department has made significant changes to their complaint investigation and decision-making process, but they have not been good at following up to ensure

districts are fixing the identified problems. Other matters the education team has been focusing on are numerous calls from parents relating to the Oxford shooting. There have been a number of kids charged with felonies and some have been put into juvenile detention centers. School authorities are telling parents their child cannot return to school until their children are evaluated, and some of those kids end up in emergency rooms because parents are panicking and don't know where else to take them.

Rebecca Kasen gave an update on the CAIR (Community and Institutional Rights) team stating they are continuing to virtually monitor and have visited a couple places in person. They have been working on a discharge project involving clients who are eligible for community placement but for some reason have not been discharged from a state hospital. Her team has been attending hearings, appointments, and meetings to assist in getting individuals discharged and have been making progress on this project.

Mark McWilliams gave an update on the vaccination advocacy team and shared that his team has been working very hard at trying to get shots in arms to those who have been unable to get to a clinic or didn't have the resources to get the vaccine. He gave an example of a client and her son who were able to get vaccinated as a result of our efforts. He also shared results of a survey his team distributed as to why people were not vaccinated. The team is scheduling and partnering with other agencies to set up clinics around the state.

Michele Brand gave an update on IT/admin/HR/finance and said her team has been busy hiring and dealing with teleworking issues. There are new software packages being installed.

Kyle Williams gave an update on the litigation team and began with emphasizing the importance of the work the education team is doing and the large impacts that will be made on students and schools.

On the KB case, Children's Mental/Behavioral Health Lawsuit, Williams filed a First Amended Complaint on February 13, 2022 and retained 6 additional class representatives. DRM is actively representing the individual Plaintiffs to assist them in obtaining services and support while the lawsuit is pending. A motion for class certification was filed on April 11, 2022 seeking certification of the proposed class. At the time of this report, MDHHS has not yet responded to the motion. While the motion is pending with the court, DRM and co-counsel continue to engage in negotiations towards a final settlement. MDHHS underwent a substantial reorganization in Q2 which created a department solely focused on mental and behavioral health for children. This new department will house the MI Kids Now program which will be the program used to implement the final settlement and implementation plan.

On the NGRI lawsuit, we knew there were going to be problems with the courts and CMHs to cooperate. Williams has been working with the CAIR team on the discharge issues that individuals found NGRI have. He also stated he and Rebecca will be doing a presentation to the Probate Judge Association to ensure judges are informed as to the settlement of the NGRI lawsuit as well as discharge issues that individuals face.

We have made tremendous progress on the Waskul case. Discovery is well under way and over 2,087,000 pages of documents have been received, reviewed, and annotated. This translates to over 577,000 documents and 245 Gigabytes of data reviewed. Plaintiff's attorneys have also collected, reviewed and produced over ten years' worth of information requested in discovery. We continue to work on obtaining additional information through discovery and are preparing to take depositions in 2022. Depositions of Jeff Wieferich, Director of the Bureau of Community-Based Services, and James Colaianne, CEO of Regional PIHP CMHPSM, and multiple Washtenaw CMH employees have been deposed in February, March, and April. Depositions will continue to be scheduled throughout 2022 until the close of discovery.

The legal team continues to make progress in the other lawsuits as well as the ones mentioned in the written report.

Public Comment

There was no public comment.

Audit Committee

Mark Wiedelman reported the committee met a couple weeks ago with Michele Brand and auditors from the Manor Firm and reviewed the draft of the audit ending 9/30/20. The audit committee approves the report and recommends the report be received and filed by the board.

Brian Calley MOVED to receive and file the audit report based on the committee's recommendations and Tom Landry seconded.

AYES: Arabo, Calley, Landry, Newman, Schmidt, Shank, Stephenson, Wiedelman

NAYS: none

Motion carried.

PAIMI Advisory Council Report

PAIMI Advisory Council Chair, Malkia Newman, thanked DRM staff for all the work they continue to do and appreciated working with DRM and the board. Michelle Roberts thanked Malkia for all that she has done for DRM, the council and the board. Board members as well thanked Malkia for all she has done.

Chair Newman referred to the minutes from the PAIMI Advisory Council meeting held on November 16, 2021, that were emailed to the board.

Tom Landry MOVED to approve the November 16, 2021, meeting minutes and Selena Schmidt seconded.

AYES: Arabo, Calley, Landry, Newman, Schmidt, Shank, Stephenson, Wiedelman

NAYS: none

Motion carried.

Committee Reports

1. Budget & Finance Committee – Brian Calley/ Michele Brand

Brian Calley stated the balance sheet is pretty straight forward and you will see the vaccine grants on page 6 and also a reminder that it is first quarter. He also reminded members that DRM does not bank up dollars and use the money for the people.

Mark Wiedelman MOVED to accept and approve the Budget & Finance Committee report and Selena Schmidt seconded.

AYES: Arabo, Calley, Landry, Newman, Schmidt, Shank, Stephenson, Wiedelman

NAYS: none

Motion carried.

2. Public Policy/legislature report – Christin Nohner

There will be a lot of activity until spring break and won't see much policy change until November election, and then we get into the lame duck session. The legislation we have been following is scrutiny around nursing homes. Gun safety and mental health in schools will continue to be issues for the legislature and the Governor. Voting rights is another issue we are following. Behavioral health reform is another huge issue and proposals have been introduced in the Senate and the House.

On the budget, the Governor released her budget which is a \$74 billion budget, the biggest budget proposal Michigan has ever seen, and it is being stressed that these are "one time" funding proposals.

One of the supplement requests issued alongside the Governor's budget is bonuses for direct care workers which would be one-time bonuses. Unfortunately, not a wage increase, but we will be watching and advocating on that as well.

There are a number of appropriation items related to in-patient psychiatric hospitals with a new one built due to existing ones deteriorating. The new one would replace Walter Reuther and Hawthorn and open as early as 2027. It would also allow for additional community-based mental health services.

The Governor also included \$361 million in the budget for school programs to include safety and mental health services. Christin will continue watching budget issues which should wrap up in late May, early June.

Tom Landry MOVED to accept the Public Policy report and Malkia Newman seconded.

AYES: Arabo, Landry, Newman, Shank, Stephenson, Wiedelman

NAYS: none

Motion carried.

Old Business

President Shank referred to testimony of Paul Palmer regarding bills 597 and 598 which was included in the board materials.

New Business

President Shank mentioned the upcoming retreat and will keep members updated as plans progress.

Adjourn

President Shank adjourned the meeting at 12:35.

Minutes prepared by:

Theresa Diebolt, Executive Assistant

Minutes approved by:

Mark Wiedelman, Secretary

Meeting dates for 2022
Tuesday, September 20, 2022
Tuesday, December 13, 2022