

The regular meeting of the Wyoming County Community Health System (WCCHS) Board of Managers, Wyoming County, New York was held on Tuesday, January 26, 2021

#### BOARD OF MANAGERS PRESENT/ABSENT

|   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Salman Abbasey, MD      | <input checked="" type="checkbox"/> Rich Kosmerl   | <input checked="" type="checkbox"/> J. Thomas Reagan, MD |
| <input checked="" type="checkbox"/> Doug Berwanger          | <input checked="" type="checkbox"/> Mark Merrill   | <input checked="" type="checkbox"/> Frank Vitagliano     |
| <input checked="" type="checkbox"/> Cynthia Elbow           | <input checked="" type="checkbox"/> Laura Paolucci | <input checked="" type="checkbox"/> James Wawrzyniak, DC |
| <input checked="" type="checkbox"/> Bryan Kehl (BOS member) | <input checked="" type="checkbox"/> Steve Perkins  |  |

#### STAFF PRESENT/ABSENT

|   |  |
|---|--|
| <input checked="" type="checkbox"/> Connie Almeter (Chief Nursing Officer)                                      | <input checked="" type="checkbox"/> Bridget Givens (Director of Mental Health)     |
| <input checked="" type="checkbox"/> Ahmed Bayoumi, MD (Medical Staff President)                                 | <input type="checkbox"/> Dawn James (NF Administrator)                             |
| <input checked="" type="checkbox"/> Amy Chase (Chief Financial Officer)   | <input checked="" type="checkbox"/> Paul Mason, MD (Chief Medical Officer)         |
| <input checked="" type="checkbox"/> Greg Collins, DO (Credentials Committee Chair)                              | <input checked="" type="checkbox"/> Joe McTernan (Chief Executive Officer)         |
| <input checked="" type="checkbox"/> Mike Corcimiglia (Chief Operating Officer)                                  | <input checked="" type="checkbox"/> Mandip Panesar, MD (Hospital Medical Director) |
| <input checked="" type="checkbox"/> Peggy Cunningham (Director of WPHS, Clinic Quality, & Corporate Compliance) | <input checked="" type="checkbox"/> Pam Pettnot (Executive Assistant)              |
| <input checked="" type="checkbox"/> Dan Farberman (WC Human Resource Director)                                  | <input type="checkbox"/> Denise Prusak (NF Director of Nursing)                    |
|   | <input checked="" type="checkbox"/> Craig Woodworth (Director of Plant Operations) |

OTHERS PRESENT: Becky Ryan (Chairwoman, Wyoming County Board of Supervisors and Supervisor, Town of Warsaw), Jerry Davis (Vice Chairman, Wyoming County Board of Supervisors and Supervisor, Town of Covington), Michael Roche (Supervisor, Town of Eagle), and Don Eichenauer (Consultant), Celeste Bzduch (CSEA Unit President), and LuAnne Roberts (Supervisor, Town of Genesee Falls)

#### CALL MEETING TO ORDER

President Kosmerl called the meeting to order at 4:58pm.

***This meeting was held via ZOOM, in accordance with the NYS Governor's Executive Order #202.1, suspension of law allowing the attendance of meetings telephonically or other similar service. Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.***

#### EXCUSE MEMBERS NOT PRESENT / QUORUM?

President Kosmerl declared that a quorum was present.

#### WCCHS-21-001 CONSENT AGENDA

Motion by Manager Elbow and seconded by Manager Merrill, the following items were listed for consideration on the consent agenda and are hereby approved as presented and on file in Administration:

- Approve BOM minutes ..... December 22, 2020

The motion was passed upon the following vote:

| VOTE                 |           |             |  |    |  |             |  |        |
|----------------------|-----------|-------------|--|----|--|-------------|--|--------|
| Salman Abbasey, MD   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Doug Berwanger       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Cynthia Elbow        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Bryan Kehl           | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Rich Kosmerl         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Mark Merrill         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Laura Paolucci       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Steve Perkins        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| J. Thomas Reagan, MD | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Frank Vitagliano     | X         | Yes         |  | No |  | Abstain     |  | Absent |
| James Wawrzyniak, DC | X         | Yes         |  | No |  | Abstain     |  | Absent |
|                      |           |             |  |    |  |             |  |        |
| <b>VOTE TOTAL:</b>   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| <b>RESULTS</b>       | <b>11</b> | <b>PASS</b> |  |    |  | <b>FAIL</b> |  |        |

**NF ADMINISTRATOR REPORT**

Dawn James submitted the following report:

- COVID-19 returned to the nursing facility on 12/28/2020. To date we have experienced 37 positive residents and 15 positive staff with multiple other staff exposed. The community numbers are very high and exposures are occurring by our staff in the community. We are required to test our residents every week and our staff are now tested twice a week.
- We have completed our second round of vaccinations. Seventeen (13%) residents have received their first dose, 106 (80%) residents have received 2 doses and we have 10 (7%) who have declined vaccination. On February 1, 2021, we will have our final clinic that is federally provided through Walgreen's pharmacy. I believe our ability to get in on vaccinations early has helped us with the current COVID outbreak in the building. Our staff vaccination numbers are 61 (24%) received 1st dose, 81 (31%) have received 2 doses, and at this time 116 (45%) have declined.
- Staffing remains a serious challenge for the nursing facility and we do not have applications to fill our positions. Agencies do not have staff to provide us. We continue to strive to maintain our high quality of care and recently received \$50,000 related to our performance in comparison to all homes.
- We continue to remain fairly strong in our census despite the current environment. Many nursing homes are not able to keep their census up and this is contributing to significant losses in many organizations.
- It has been 23 months since our last NYSDOH survey. Recently it was stated they may use the infection control surveys that have been completed on all homes this past year as one of the surveys they count. We do; however, know that infection control will remain a main focus for full surveys in the future.

**CHIEF NURSING OFFICER REPORT**

Connie Almeter submitted the following report:

1. High Reliability – No update at this time.
2. LEAN Training – With the ongoing pandemic, the participant's time has been redirected. In discussions with the instructor, the participants will look to regroup in March 2021. In addition, The Center for Industrial Effectiveness, University of Buffalo is offering a one-time-only exception from their rule of "one certification per project". Participants may buddy up and work together with one or two colleagues on one project. The group will be pulled together to discuss these changes in the next week.
3. Stroke Certification – Stroke Certification postponed until 2022, will remove from reporting at this time.
4. Age Friendly Health System – No update. Deb Snow, Director of Medical/Surgical and Intensive Care and Erica Kilian, Director of Utilization Review, continue to monitor documentation compliance and for opportunities of improvement.
5. Organizational Daily Huddle – No update. Huddle continues. These quick 10 minute or less gathering of several managers occur daily to communicate any departmental issues or other concerns such as a means of increasing communication.
6. Transfer Management – No update. Transfers continue to be monitored and reviewed frequently. Discussion occurs at the senior management level on a weekly basis and questionable transfers are often discussed directly with the transferring Emergency Department or on call hospitalist.
7. EMS Partnerships – No update. No significant issues in the past month.
8. Joint Commission – We continue with the waiver for the door handles in Mental Health and monthly updates are submitted on the progress of completion of the project. The anticipated date of completion is set for February 1, 2021.

**Coronavirus Update:**

- We continue with no visitation with few exceptions based on NYSDOH regulations
- Multiple NYSDOH surveys continue on a daily basis
- Daily employee and visitor/outpatient screenings continue

- Frequent assessments of personal protective equipment (PPE) being done
- We continue with "COVID wings" on the Med/Surg unit
- Inpatient statistics:

| <b>Date Range</b>       | <b>Positive Inpatients</b> | <b>Ventilators</b> | <b>Transfers</b> | <b>Deaths</b> |
|-------------------------|----------------------------|--------------------|------------------|---------------|
| 03/14/2020 – 4/22/2020  | 7                          | 0                  | 0                | 2             |
| 10/05/2020 – 12/31/2020 | 114                        | 6                  | 4                | 15            |
| 01/01/2021 – present    | 32                         | 0                  | 0                | 1             |

- Positive nursing staff – 17 (15 have returned to work)
- Staffing continues to be a struggle from time to time and varies with quarantines, positive employees, or employees out with medical related reasons.

Annual Sportsman Gun/Cash Raffle, January 30, 2021 starting at noon, virtual raffle via Facebook live, tickets are still available, \$20.00 each.

### **CORPORATE COMPLIANCE REPORT**

Peggy Cunningham reported on Merit-based Incentive Payment Systems (MIPS) reporting - successfully upload our preliminary files from Medent, it went very well, pleased with our numbers, believe we should have final reports in a month or two once the cost factor has been added in.

### **DIRECTOR OF MENTAL HEALTH REPORT**

Bridget Givens submitted the following report:

- The unit has been consistently busy and full most every day.
- In December 2020, the unit admitted 34 patients with 349 patient days. Top three counties for admission in this month were Wyoming, Livingston and Genesee County.
- Total of 59 psychiatric evaluations through the Emergency Department and an additional 25 through ICU.
- The Crisis Outreach Program served 160 individuals with 206 contacts.
- Our Jail Program Coordinator served 51 inmates with 114 contacts and 24 with medication monitoring.
- The collaborative care program is underway with the offer accepted by the care manager and scheduled to start mid-February 2021.

### **CHIEF FINANCIAL OFFICER (CFO) REPORT**

No report.

### **COUNTY HUMAN RESOURCE DIRECTOR REPORT**

No report.

### **DIRECTOR OF PLANT OPERATIONS**

Craig Woodworth submitted the following report:

#### **Construction Projects**

- WCFM - O'Dell – The final NYS DOH punchlist was completed January 22, 2021. The document will be issued to the contractor to ensure all open issues are resolved prior to the NYSDOH final inspection.
- Transfer Switch – The non-critical electrical panels are currently being tied into the transfer switch. The remaining panels will be coordinated with specific departments to complete work. The project is scheduled to be complete by the end of February 2021.
- Oxygen Tank Replacement – The portable oxygen (O2) tanks arrived January 24, 2021 and were activated on January 25, 2021. The existing O2 tanks will be bled down in preparation for removal. Between January 26 and January 28, 2021, the new tanks, evaporator, and controls will be installed and tanks refilled. The scope of work was reviewed with Respiratory Therapy who accepted the volume of portable O2 tanks available during this project.
- Lab/Medical Records Project – The utilities are disconnected, demolition has started, and the Phase 1 abatement project has started. The administration corridor floor will be abated over the Presidents' Day weekend to minimize impact on staff.

- Rooftop Unit Replacement – The engineering design for two new roof top units was completed. The bid drawings and specifications will be placed on the Wyoming County website for prospective bidders. The project will be advertised the week of January 25, 2021, with a pre-bid walk thru is scheduled for February 9, 2021 and bid openings is scheduled for February 16, 2021. The two rooftop units are for the Behavioral Health Unit and Skilled Nursing Facility.
- Four of the emergency department patient exam rooms received new glass break away entry doors. The upgrade provides privacy and assists emergency department staff with isolating patients, as needed.
- The WCFM - Arcade clinic waiting area received new LVT flooring and cove base. The existing carpet and cove base was removed, floors prepped, and new flooring installed.
- Dr. Joseph Gomez's cardiology clinic received new countertops at the reception area and several exam rooms. The clinic received a fresh coat of paint in preparation for the reopening.
- In coordination with the Wyoming County Highway Department, several obtrusive trees will be removed due to close proximity to hospital utilities.
- Installation of new Behavioral Health Unit ligature free door handles are scheduled to be completed by February 1, 2021.
- Initial design has started for replacing two electrical panels in the boiler room. Both panels have positive infrared signatures each year when inspected.
- Maintenance staff continue installing negative pressure machines throughout the facility, as needed. Plastic walls are installed in SNF and 3rd floor of the hospital to isolate COVID patients. The air handling unit to SNF Peach and Aqua units was manipulated to create a negative pressure for each location considering negative pressure machines are not an option.
- An additional 10 negative pressure machines were acquisitioned and are utilized, as needed. An additional 10 patient beds were received and are in storage to address any patient influx.
- New telephone vendor was acquired to maintain and provide telephone services for the facility instead of Frontier Communications. The telephone cutover is expected to occur by early spring.
- Maintenance staff completed 815 work orders over the last 30 days at a completion rate of 27 work orders per day. A total of 954 man-hours were logged for the specified time.

#### **INFORMATION TECHNOLOGY DIRECTOR REPORT**

Joe McTernan reported that Dan Flint, Director of Healthcare Information Systems, is acting in the Information Technology Director role at WCCHS. Dan Farberman reported that Joe Santullo, System Administrator, is acting in this position for the County of Wyoming while the recruiting process is underway.

#### **MEDICAL DIRECTOR REPORT**

Mandip Panesar, MD reported on the following items:

- 9 COVID-19 patients are currently in the facility and numbers are lower than in prior weeks.
- Even when COVID-19 patients in the facility was at its peak of 23 patients, the medical staff contingency plan did not have to be activated. The Hospitalist Group did a great job.
- Dr. Edwin Anand, MD, Nephrologist, has taken over Dr. Mandip Panesar's Nephrology outpatient clinic and is doing inpatients consultations.

#### **MEDICAL STAFF PRESIDENT REPORT**

No report.

#### **CHIEF MEDICAL OFFICER REPORT**

No report.

#### **CHIEF OPERATING OFFICER (COO) REPORT**

Mike Corcimiglia reported on the following items:

#### **Outpatient Clinical Services Division**

##### General

Requested COVID-19 vaccine for Wyoming County Internal Medicine – Warsaw and Wyoming County Family Medicine – Arcade clinics. Both clinics have waiting lists of patients that are requesting to get vaccinated.

Overall clinic volume remains steady across all clinics despite the rise in community COVID cases, patients and staff safety remains a priority.

Endocrinology clinic volume is increasing due to referrals from WCCHS practices.

Welcome Dr. Edwin Anand, Nephrologist who will be taking over Dr. Mandip Panesar's Nephrology clinic and doing inpatient consults.

Due to the increase of COVID-19 in Wyoming County, all clinics are experiencing a higher than normal amount of cancellations. We have experienced multiple staffing issues due to staff or family members testing positive for COVID-19, it has been difficult at times but staff have persevered.

#### Rural Health Center Designation

Minor construction has been completed. Required policies are finalized. Pre-survey preparation and meetings are occurring.

Working with assigned consultant on completing all necessary documentation for an official survey.

#### O'Dell Clinic Office

Administrative certificate of need (CON) has been approved by the NYSDOH pending contingencies, all contingencies have been met. All required supporting documents are in process for completion. Final inspection with the NYSDOH has not yet been scheduled, requested inspection prior to March 1, 2021.

#### Dialysis Center

Administrative certificate of need submitted to the NYSDOH. The NYSDOH Bureau of Architecture and Engineering have requested additional documents and drawings, completed. The Bureau of Nursing Home Licensure and Certification are requesting additional safety information, completed. The Center will require some construction alterations which NYSDOH is requesting. Working with Architects and Livingston County Nursing Home reviewing requirements and developing anticipated cost.

The Dialysis RN staff have completed dialysis competency training at ECMC.

#### Laboratory Renovation-Transformation Grant \$3.1Million

Limited certificate of need submitted to the NYSDOH for approval. The NYSDOH have submitted requests for additional information, completed. CON status is under review.

Demolition of space for Phase 1 has been completed. Asbestos abatement is currently taking place.

Project is on schedule, completion date is January 2022.

#### Workplace Health

Workplace Health Services has been absorbed in a response to COVID-19 since March 2020. Current volumes are heavy as the number of COVID-19 cases have surged in Wyoming County and surrounding Counties. Activities have evolved over time with our current focus on testing related to influenza-like illness, returns from quarantine and isolation, staff travel, and counseling worried staff.

Department has held four first dose vaccination clinics for Hospital Staff, Medical Staff and local medical practice personnel. Department has also held two second dose vaccination clinics. There are four more second dose vaccination clinics planned over the next two weeks at the Wyoming County Highway Department and the Hospital. Once all is completed over 900 people will have been vaccinated. Note that these clinics have been staffed with personnel from Workplace Health, Outpatient Clinics, Nursing, Registration and Administration.

#### Pharmacy

Pharmacist's have been working at vaccination clinics drawing up doses of the vaccine and have played an integral part in vaccine handling, storage and inventory.

340B drug savings plan has started effective January 1, 2021. Continue to work with major retail pharmacies finalizing required paperwork. We will receive the benefits from the first quarter of the program in April 2021.

#### Laboratory

Laboratory continues to process all rapid COVID-19 tests for the Health System. This processing includes patients from the Emergency Room, surgical patients, medical surgical patients, Nursing Home staff and residents, and testing of people from Workplace Health. This equates to over 600 tests per week, we have 24 test readers. Note each test is \$95.

**WCCHS-21-002 PREAUTHORIZED ACCOUNTS AND ACCOUNTS PAYABLE**

Motion by President Kosmerl and seconded by Manager Vitagliano, the preauthorized accounts and accounts payable processed totaling \$5,020,037.14 be hereby approved as presented.

The motion was passed upon the following vote:

| <b>VOTE</b>          |           |             |  |    |  |             |  |        |
|----------------------|-----------|-------------|--|----|--|-------------|--|--------|
| Salman Abbasey, MD   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Doug Berwanger       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Cynthia Elbow        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Bryan Kehl           | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Rich Kosmerl         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Mark Merrill         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Laura Paolucci       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Steve Perkins        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| J. Thomas Reagan, MD | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Frank Vitagliano     | X         | Yes         |  | No |  | Abstain     |  | Absent |
| James Wawrzyniak, DC | X         | Yes         |  | No |  | Abstain     |  | Absent |
| <b>VOTE TOTAL:</b>   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| <b>RESULTS</b>       | <b>11</b> | <b>PASS</b> |  |    |  | <b>FAIL</b> |  |        |

**WCCHS-21-003 APPROVE WRITE-OFFS, DENIED CLAIMS, AND BAD DEBT**

Motion by President Kosmerl and seconded Manager Wawrzyniak, the write-offs/denied claims/bad debt totaling \$77,288.31 be hereby approved as presented.

The motion was passed upon the following vote:

| <b>VOTE</b>          |           |             |  |    |  |             |  |        |
|----------------------|-----------|-------------|--|----|--|-------------|--|--------|
| Salman Abbasey, MD   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Doug Berwanger       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Cynthia Elbow        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Bryan Kehl           | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Rich Kosmerl         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Mark Merrill         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Laura Paolucci       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Steve Perkins        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| J. Thomas Reagan, MD | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Frank Vitagliano     | X         | Yes         |  | No |  | Abstain     |  | Absent |
| James Wawrzyniak, DC | X         | Yes         |  | No |  | Abstain     |  | Absent |
| <b>VOTE TOTAL:</b>   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| <b>RESULTS</b>       | <b>11</b> | <b>PASS</b> |  |    |  | <b>FAIL</b> |  |        |

**WCCHS-21-004 APPROVE PERSONNEL REQUISITIONS IN PROCESS AND PROPOSED PERSONNEL CHANGES/FINANCIAL IMPACT**

Motion by Manager Paolucci and seconded by Manager Elbow, the personnel requisitions in process and the proposed personnel changes/financial impact be hereby approved as presented and as follows:

| PERSONNEL REQUISITIONS IN PROCESS - (RECOMMENDED) |  |      |                             |             |               |          |                 |                 |          |
|---|--|------|-----------------------------|-------------|---------------|----------|-----------------|-----------------|----------|
| January 25, 2021                                  |  |      |                             |             |               |          |                 |                 |          |
| Proposed Positions for Approval                   |  |      |                             |             |               |          |                 |                 |          |
| Senior Manager                                    | Title/Department                               | FTE  | Vacating Employee           | Hourly Rate | Annual Salary | Benefits | Proposed Hourly | Proposed Annual | Benefits |
| James:  | LPN/04.107                                     | 1.00 | Mary Pim 01/29/2021         | \$22.95     | \$44,753      | \$21,401 | \$18.22         | \$35,529        | \$16,990 |
|   | Nursing Assistant/05.178                       | 1.00 | Kerri Bates 12/08/2020      | \$15.75     | \$30,713      | \$14,687 | \$15.41         | \$30,050        | \$14,370 |
|   | Nursing Assistant/05.687                       | 1.00 | Kinzang Dorji 01/21/2021    | \$16.49     | \$32,156      | \$15,377 | \$15.41         | \$30,050        | \$14,370 |
|   | Medical Receptionist Per Diem/12.139           | 0.00 | Randi Schell 01/19/2021     | \$16.73     | \$3,262       | \$250    | \$16.36         | \$3,190         | \$244    |
| Chase:  | Patient Information Specialist Per Diem/12.251 | 1.00 | Suzanne Rogacki 01/14/2021  | \$15.56     | \$30,342      | \$14,510 | \$14.87         | \$28,997        | \$13,866 |
|   | Patient Information Specialist Per Diem/12.716 | 0.00 | Moriah Wilcox 01/27/2021    | \$16.73     | \$3,262       | \$250    | \$16.36         | \$3,190         | \$244    |
| Corcimiglia:                                      | LPN (Clinic)/04.164                            | 0.90 | Marian Scott 05/16/2020     | \$18.50     | \$34,632      | \$14,906 | \$18.00         | \$33,696        | \$14,503 |
|   | Phlebotomist Per Diem/05.724                   | 0.00 | Renee Hewitt 01/09/2021     | \$18.14     | \$3,537       | \$271    | \$16.95         | \$3,305         | \$253    |
|   | Food Service Helper/08.313                     | 0.40 | Ashley Jones 12/22/2020     | \$13.46     | \$10,499      | \$803    | \$13.46         | \$10,499        | \$803    |
|   | Food Service Helper/08.314                     | 0.40 | Darlene Miller 01/11/2021   | \$13.46     | \$10,499      | \$803    | \$13.46         | \$10,499        | \$803    |
|   | Food Service Helper/08.357                     | 0.50 | Lindsey Cork 01/07/2021     | \$13.46     | \$13,124      | \$1,004  | \$13.46         | \$13,124        | \$1,004  |
| Almeter:  | RPN Per Diem/03.865                            | 0.00 | Amy Kenyon 08/12/2020       | \$30.90     | \$6,026       | \$461    | \$25.87         | \$5,045         | \$386    |
|   | RPN/03.889                                     | 1.00 | Carrie Biehl 01/20/2021     | \$33.05     | \$64,448      | \$30,819 | \$23.52         | \$45,864        | \$21,932 |
|   | RPN/03.110                                     | 1.00 | Laurie Wolfanger 02/06/2021 | \$30.04     | \$58,578      | \$28,012 | \$23.52         | \$45,864        | \$21,932 |
|   | ER Patient Care Technician/05.499              | 1.00 | Taylor Guizzotti TBD        | \$15.09     | \$29,426      | \$14,071 | \$14.13         | \$27,554        | \$13,176 |

| PROPOSED PERSONNEL CHANGES/FINANCIAL IMPACT  |                        |                 |                 |                   |
|--|------------------------|-----------------|-----------------|-------------------|
| January 26, 2021   |                        |                 |                 |                   |
| POSITION   | ANNUAL SALARY PROPOSED | BENEFIT PACKAGE | BUDGETED SALARY | BUDGETED BENEFITS |
| <b>Sr. Manager - A. Chase</b>  |                        |                 |                 |                   |
| <b>Create 1</b> - 0.00 FTE Telephone Operator Per Diem<br>Schedule WCCH Grade 6<br>\$16.95 - \$18.93/Hr.<br>Available date: January 20, 2021         | \$3,305                | \$253           | \$0             | \$0               |
| <b>Sr. Manager - B. Givens</b>   |                        |                 |                 |                   |
| <b>Delete 1</b> - 0.00 FTE Mental Health Therapy Aide Per Diem/05.770<br>Schedule WCCH Grade 11<br>\$23.95/hr.<br>Effective date: January 24, 2021   | \$0                    | \$0             | \$4,670         | \$357             |
| <b>Delete 1</b> - 0.00 FTE RPN Per Diem/03.849<br>Schedule WCCH Grade 15A<br>\$31.43/hr.<br>Effective date: May 2, 2020                              | \$0                    | \$0             | \$6,129         | \$469             |
| <b>Sr. Manager - C. Almeter</b>  |                        |                 |                 |                   |
| <b>Create 1</b> - 0.00 FTE RPN Per Diem<br>Schedule WCCH Grade 15A<br>\$25.87 - \$34.19/Hr.<br>Available date: January 24, 2021                      | \$6,667                | \$510           | \$0             | \$0               |
| <b>Create 1</b> - 0.00 FTE ED Patient Care Technician Per Diem<br>Schedule WCCH Grade 3<br>\$15.54 - \$17.66/Hr.<br>Available date: January 24, 2021 | \$3,030                | \$232           | \$0             | \$0               |
| <b>Sr. Manager - D. James</b>  |                        |                 |                 |                   |
| <b>Delete 1</b> - 1.00 FTE Activity Leader Temporary/05.727<br>Schedule WCCH Grade 3<br>\$14.13/hr.<br>Effective date: December 27, 2020             | \$0                    | \$0             | \$27,554        | \$2,108           |
| <b>Sr. Manager - M. Corcimiglia</b>  |                        |                 |                 |                   |
| <b>Delete 1</b> - 0.80 FTE Medical Office Assistant/12.183<br>Schedule X<br>\$14.35/hr.<br>Effective date: January 10, 2021                          | \$0                    | \$0             | \$23,878        | \$9,136           |
| <b>TOTALS</b>  | <b>\$13,003</b>        | <b>\$995</b>    | <b>\$62,231</b> | <b>\$12,070</b>   |
| <b>TOTAL ANNUAL INCREASE:</b>  |                        |                 |                 | <b>-\$60,304</b>  |

The motion was passed upon the following vote:

| <b>VOTE</b>          |           |             |  |    |  |             |  |        |
|----------------------|-----------|-------------|--|----|--|-------------|--|--------|
| Salman Abbasey, MD   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Doug Berwanger       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Cynthia Elbow        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Bryan Kehl           | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Rich Kosmerl         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Mark Merrill         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Laura Paolucci       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Steve Perkins        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| J. Thomas Reagan, MD | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Frank Vitagliano     | X         | Yes         |  | No |  | Abstain     |  | Absent |
| James Wawrzyniak, DC | X         | Yes         |  | No |  | Abstain     |  | Absent |
|                      |           |             |  |    |  |             |  |        |
| <b>VOTE TOTAL:</b>   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| <b>RESULTS</b>       | <b>11</b> | <b>PASS</b> |  |    |  | <b>FAIL</b> |  |        |

### **WCCHS-21-005 APPROVE CONTRACTS AND/OR GRANTS**

Motion by Manager Perkins and seconded by Manager Vitagliano, the CEO and President of the Board of Managers, with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC or Garfunkel Wild, PC, be hereby authorized and directed to sign contracts and/or grants on behalf of the Wyoming County Community Health System as presented and as follows:

- Amend Resolution #WCCHS-18-127, approved on 11/27/2018 with **OPTUM 360 SOLUTION, LLC**, 15 Campus Boulevard, Newton Square, PA 19073 related to the standard CNYHA member services agreement as follows:
  - Extend term from 10/13/2018 – 11/15/2020 through **11/15/2020 – 05/15/2022**.
  - Cost reduction from an amount not to exceed \$125,000 per year to an amount **not to exceed \$35,376 per year**.
  - Pending approval by the Wyoming County Board of Supervisors [Resolution #18-576 approved on 12/11/2018].
- EMPIRE ACCESS**, 34 Main Street, Prattsburgh, NY 14873, a service contract to provide and maintain unlimited calling voice mail, PRI unlimited calling, and DID block for WCCHS phone lines, \$42,732.00 for 36-month period [previous contract \$40,017.85 per year with Frontier Communications], effective 02/01/2021 – 01/31/2024.
- FISHER HEALTHCARE, a division of Thermo Fisher Scientific**, 11450 Compaq Center Drive West, Suite 570, Houston, TX 77070, Thermo-Fisher Scientific/Abbott Diagnostics master agreement to replace existing chemistry contract to allow more testing in house, reducing the cost of reference laboratory costs and improving patient care, proposed contract also save money after initial six year agreement, WCCHS owns the leased equipment and can operate without lease payment for years, current agreement does not allow this, \$2,147,664 [previous agreement \$2,219,586], effective 02/01/2020 – 01/31/2026, pending approval by the Wyoming County Board of Supervisors.
- MILLIGRAY AND ASSOCIATES**, 2141 Willison Heights, Marilla, NY 14102, medical physics services agreement to provide QA testing and reporting required for CT, mammography, nuclear medicine, and diagnostic radiology per NYSDOH, American College of Radiology, and Joint Commission requirements, \$14,065 per year [previous agreement \$13,245 per year], effective 01/01/2021 – 12/31/2021.
- JOHNSON CONTROLS FIRE PROTECTION LP**, 90 Goodway Drive, Rochester, NY 14623, a fire alarm monitoring contract for WCFM – Perry Clinic, \$400 per year, effective 11/01/2020 – 10/31/2021.
- SUNY BROCKPORT**, 350 New Campus Drive, Brockport, NY 14420, a clinical training affiliation agreement for nurse practitioner students, \$0.00 cost to WCCHS, effective 02/01/2021 01/31/2023.
- D'YOUVILLE COLLEGE**, 320 Porter Avenue, Buffalo, NY 14201, a memorandum of agreement of cooperative association, clinical education site for purpose of conducting clinical experiences for nurse practitioner and physician assistant students, \$0.00 cost to WCCHS, effective 02/01/2021 – 01/31/2023.



8. **WYOMING COUNTY OFFICE FOR THE AGING**, 8 Perry Avenue, Warsaw, NY 14569, a 1-year renewal agreement for respite services, \$0.00 cost to WCCHS - revenue agreement, effective 01/01/2021 – 12/31/2021.
9. **KIDENEY ARCHITECTS, PC**, 143 Genesee Street, Buffalo, NY 14203, professional design services for Attica clinic new build conceptual study, not to exceed \$5,000, effective 11/19/2020 – 11/18/2021.
10. **CARDINAL HEALTH**, 7000 Cardinal Place, Dublin, OH 43017, addition of new facility location to participating member letter of participation to become a participating member in Cardinal Health's 340B program and 340B contract pharmacy set-up fee policy, \$0.00, effective 01/01/2021 – 01/01/2024.
11. **VATICA HEALTH, INC.**, 301 Plus Park Boulevard, Suite 215, Nashville, TN 37217, a services agreement for data collection from Vatica Health during annual visit, practice is compensated for using Vatica tool, agreement for WCFM – Attica and Castile, \$0.00 cost to WCCHS, effective 02/01/2021 – 01/31/2023.
12. **VATICA HEALTH, INC.**, 301 Plus Park Boulevard, Suite 215, Nashville, TN 37217, a services agreement for data collection from Vatica Health during annual visit, practice is compensated for using Vatica tool, agreement for Wyoming County Internal Medicine, \$0.00 cost to WCCHS, effective 02/01/2021 – 01/31/2023.
13. **TSI, INCORPORATED**, 500 Cardigan Road, Shoreview, MN 55126, an agreement to clean and calibrate Porta Count Pro Plus Model 8038 equipment used to do respiratory fit testing, \$2,795 for 3-year contract [previous agreement \$1,175 per year], effective 12/01/2020 – 12/01/2023.
14. **CHANGE HEALTHCARE TECHNOLOGIES LLC**, 5995 Windward Parkway, Alpharetta, GA 30005, an add-on order for InterQual license fee, \$4,314 per year [previous agreement \$4,800 per year], effective 01/01/2021 – 12/31/2025.
15. **ALFRED STATE COLLEGE**, 10 Upper College Drive, Alfred, NY 14802, a clinical training affiliation agreement for Health

The motion was passed upon the following vote:

| <b>VOTE</b>          |           |             |  |    |  |             |  |        |
|----------------------|-----------|-------------|--|----|--|-------------|--|--------|
| Salman Abbasey, MD   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Doug Berwanger       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Cynthia Elbow        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Bryan Kehl           | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Rich Kosmerl         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Mark Merrill         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Laura Paolucci       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Steve Perkins        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| J. Thomas Reagan, MD | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Frank Vitagliano     | X         | Yes         |  | No |  | Abstain     |  | Absent |
| James Wawrzyniak, DC | X         | Yes         |  | No |  | Abstain     |  | Absent |
|                      |           |             |  |    |  |             |  |        |
| <b>VOTE TOTAL:</b>   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| <b>RESULTS</b>       | <b>11</b> | <b>PASS</b> |  |    |  | <b>FAIL</b> |  |        |

**WCCHS-21-006 APPROVE MEMORANDUM OF UNDERSTANDINGS (MOUs) WITH CSEA SIGNED BETWEEN 12/31/2020 AND 01/27/2021**

Motion by President Kosmerl and seconded by Manager Kehl, the memorandums of understanding between the County of Wyoming and the Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO signed between 12/31/2020 and 01/27/2021 related to shift bonus – respiratory technicians and critical staffing in skilled nursing facility due to COVID-19 be hereby approved as presented and attached, pending approval by the Wyoming County Board of Supervisors.

The motion was passed upon the following vote:

| <b>VOTE</b>          |           |             |  |    |  |             |  |        |
|----------------------|-----------|-------------|--|----|--|-------------|--|--------|
| Salman Abbasey, MD   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Doug Berwanger       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Cynthia Elbow        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Bryan Kehl           | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Rich Kosmerl         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Mark Merrill         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Laura Paolucci       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Steve Perkins        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| J. Thomas Reagan, MD | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Frank Vitagliano     | X         | Yes         |  | No |  | Abstain     |  | Absent |
| James Wawrzyniak, DC | X         | Yes         |  | No |  | Abstain     |  | Absent |
|                      |           |             |  |    |  |             |  |        |
| <b>VOTE TOTAL:</b>   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| <b>RESULTS</b>       | <b>11</b> | <b>PASS</b> |  |    |  | <b>FAIL</b> |  |        |

**BOARD ASSIGNED PROJECTS REPORT**

Don Eichenauer briefly reviewed his project report for 2020 marketing as included on Page 49 in the agenda packet.

**BOARD PRESIDENT REPORT**

President Kosmerl reported on the following items:

- Discussed the status of all board members on concluding and returning their self-evaluation (7 out of 11 returned) and review and signature on the annual regulatory documents (8 out of 11 returned).
- Discussed the status all board members on concluding and returning the CEO and BOM President evaluations (8 out of 11 returned).
- Discussed and agreed that the Corporate Compliance Committee should report to the BOM Acute Quality Committee moving forward instead of the BOM Governance Committee. The BOM By-Laws will need to be revised to reflect this change.
- Discussed notice of meetings – according to the Open Meetings Law, a notice of the time and place of all meetings be given prior to every meeting (§104). If a meeting is scheduled at least a week in advance, notice must be given to the public and the news media not less than 72 hours prior to the meeting. Notice to the public must be accomplished by posting in one or more designated public locations and, when possible, online. When a meeting is scheduled less than a week in advance, notice must be given to the public and the news media “to the extent practicable” at a reasonable time prior to the meeting. Again, notice to the public must be given by means of posting in designated locations and online. It was agreed upon to publish meeting notices on the WCCHS website and give notice to The Daily News and Perry Herald (consistent with County of Wyoming Resolution No. 20-551 Official Newspapers Designated). Any special meeting notices will also be physically posted at the Wyoming County Government Center, 143 N. Main Street, Warsaw.
- Correspondence received: second legal opinion from Attorney Stacey Gulick from Garfunkel Wild, P.C. and Attorney Jim Wujcik, County Attorney, regarding whether a physician employed by WCCHS is permitted to be on the governing board of the Hospital. In this opinion, similar to their first opinion, they don't see any reason why Salman Abbasey, MD cannot sit on the BOM as long as he abstains from votes on any contract involving himself or any physician.
  - Manager Wawrzyniak commented that the BOM By-Laws says no BOM can profit and suggested taking a vote on the issue.
  - President Kosmerl commented that the BOM By-Laws don't say profit, they say negotiate and approve.
  - Manager Vitagliano agreed to take a vote on the matter. He doesn't feel that counsel interpreted the situation at hand (a board member is negotiating their practice buyout and a 5-year work contract with compensation involved in the 5-year work contract) when they sent the no conflict letter back.

- Manager Paolucci commented we've had an opinion from counsel twice indicating this is not a conflict of interest and taking a vote at this point would ill conceived. I would hesitate to take a vote that is different from counsel's opinion.
- Manager Berwanger commented he feels it is a conflict, it's wrong, and gives a bad smell to the whole process and agreed to take a vote on the issue.
- Chairwoman Ryan reminded Manager Berwanger that he served one year on the board and received a stipend for doing hospital work.
- Manager Berwanger commented he was paid by the BOS and the deal was proposed by the Chair of the Finance Committee of the BOS at the time.
- President Kosmerl commented that the CEO has negotiated this contract on behalf of the hospital not Salman Abbasey, MD.
- Manager Abbasey commented that WCCHS hired an outside agency to assess his practice, no negotiations, and they came up with this plan.
- Manager Vitagliano commented that we should discuss the actual valuation.
- Manager Paolucci added that the Health System and the Health Department enter into a number of agreements and necessary to maintain the integrity of that process is recusing yourself from the vote.

### **BOARD COMMITTEE CHAIR REPORTS**

#### **Acute Quality Committee**

No report. The next meeting is scheduled for February 17, 2021.

#### **SNF Quality Committee**

No report. The next meeting is scheduled for February 17, 2021.

#### **Finance/Personnel Committee**

No report.

#### **Plant and Equipment Committee**

Bryan Kehl reported that the Plant and Equipment Committee met on January 12, 2021 and referred to the draft minutes. The next meeting is scheduled for February 9, 2021.

#### **Communications Committee**

No report.

#### **Information Technology**

No report.

#### **Governance Committee**

No report.

#### **Compensation Committee**

No report.

#### **Credentials Committee**

No report.

### **CHIEF EXECUTIVE OFFICER (CEO) REPORT**

Joe McTernan reported on the following items:

#### **COVID-19**

- Continue to see a high case rate with reductions since peak cases of COVID-19 in the community.
- WCCHS continues to see an increase in both volume and severity of COVID-19 Admissions.
- There continues to be a significant strain on the frontline staff.
- Currently 40% of inpatients are COVID positive (01/22/2020)
- Currently 20 staff members are in isolation or quarantine (12/22/2020)
- If continued growth of cases, may need to adjust inpatient surgeries.

**2021 Executive NYS Budget**

- The NYS budget was developed using a cautious estimate of \$6 billion in federal aid from \$350 billion state and local relief proposal.
- Governor Cuomo is calling on Congress to provide the full \$15 billion in relief to close the current two-year budget gap.
- If the governor's full \$15 billion aid request is approved, the state would be able to reverse or modify spending reductions.
- The executive budget also includes a provision that would trigger automatic across-the-board reductions if unrestricted aid is not approved by August 31, 2021 or if the approved amount is less than the amount budgeted in the state's financial plan.
- The SFY 2020-2021 enacted budget provides the executive with extensive authority to modify the current budget as a result of the extraordinary fiscal pressures and economic uncertainties associated with the state's response to COVID-19.
- This includes authority to make across-the-board reductions with limited exceptions at different points throughout the year to ensure the budget remains in balance if the state's economic situation declines.
- Based on a significant decline in utilization of health services in NYS 2020, the state announced it is reassessing the premium rate for Medicaid managed care and managed long-term care plans, which will draw down state savings to help close the current gap.
- Telehealth: The budget includes a comprehensive package of telehealth reforms aimed at increasing access to telehealth services.
- 340B drug discount program: The budget moves forward with transitioning the Medicaid retail pharmacy benefit from the managed care benefit to fee-for-service, which will have a significant negative fiscal impact on many hospitals that participate in the 340B drug discount program. WCCHS has sent letters to our representatives in the State Senate and State Assembly about these cuts.
- 1% across-the-board Medicaid reduction: The budget proposes a new 1% across-the-board reduction for fee-for-service Medicaid rates.
- Distressed hospital funding: The budget proposes to reduce support for the Vital Access Provider Assurance Program (VAPAP) by \$99 million.
- Indigent Care Pool for public hospitals: The budget proposes to eliminate the ICP pool for public hospitals, saving \$70 million in state funding.
- Physician excess medical malpractice: Funds for this program are expected to be decreased by 50% for the program year beginning in July 2021.
- Nursing Home Quality Pool: The budget expands the Nursing Home Quality Pool and places an emphasis on rewarding quality based on staffing practice.
- Nursing home staffing: DOH will advance regulations related to contracted staffing arrangements between nursing homes and staffing agencies. Additionally, the budget authorizes Medicaid reimbursement rates only for staffing costs related to staffing contract arrangements that comply with regulatory requirements and are consistent with current market rates, as determined by DOH.
- Adult use cannabis: The budget proposes to legalize adult use cannabis. The HANYS board issued a resolution last year remaining neutral on this topic but among other things, requesting special consideration be given to payment rates and access to behavioral health services, as well as public safety and education.

**Financials**

- No distribution plan for relief package from Washington, potential of \$35 billion for healthcare including \$7 billion in Rural Hospital Relief.
- WCCHS continues to work with State, Federal, and Industry Groups on advocacy.
- Budget challenges continue with lost revenue and increased COVID-19 expenses.

**Non-COVID related information**

- Dialysis – remains awaiting state approve. Dialysis nurses completed training at ECMC and Dr. Edwin Anand has started with positive feedback.
- Continued work with the senior team on succession planning
- Four steering committees have been formed to identify and improve care and operations:
  - Primary Care Steering Committee
    - Executive Sponsor: Mike Corcimiglia, Physician Champion: Mandip Panesar, MD, Committee Chair: Kevin Kreutzer
    - Goal: streamline operations consistently among sites, strengthen understanding and knowledge of the resources that each group has.

- OR Steering Committee
  - Executive Sponsor: Connie Almeter, Physician Champion: Ronald Weissenberg, DO, Committee Chair: Michelle Grohs
  - Goal: clinical quality, efficiency and cost savings, ensure we are staffing correctly and we have strong negotiating and bargaining power.
- IT Steering Committee
  - Executive Sponsor: Amy Chase, Physician Champion: Edwin Anand, MD, Committee Chair: Dan Flint
  - Goal: we have multiple platforms and multiple systems across the health system, some speak to each other and some don't, CPSI has significant issues that we've reviewed of the past 12 months, can systems integrate together, CPSI conducted a SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis, identified several functions that are not being optimizing in the system, how to maximize and improve the efficiency of CPSI and continue to look at other systems for potential replacement.
- Value Analysis Steering Committee
  - Executive Sponsor: Amy Chase, Physician Champion: David Privitera, MD, Committee Chair: Jen Asquith
  - Goal: multi-discipline, each of the groups will look at costs and utilization of products, establish a process for new equipment and review of existing equipment and supplies, ensuring the right product at the right place and the right price.
- Meetings will begin in February 2021.
- 401 North Main Street property in the process of being vacated and site prep to be complete by mid to late February 2021.

### **ANY OTHER BUSINESS BROUGHT BEFORE THE BOARD**

Celeste Bzduch (CSEA Unit President) introduced herself to attendees. She has been the CSEA Unit President for the past three years (a relatively new officer) and has been a WCCHS employee for many years, starting in 1976. Throughout the years, she has seen administration come and go. She feels that Joe is very open with the staff and willing to discuss issues that come up. On behalf of the unit, she feels that Joe handled the layoffs in early-2020 and the COVID-19 pandemic very well. At times of uncertainty, communication is a big factor, exchanging information and news and Joe has been very good at communicating to staff.

She also stated that the Union has encouraged employees to get the COVID-19 vaccine and reported that CSEA developed an informative webinar regarding the new COVID-19 vaccines to help members make informed decisions.

For months now, we've been hearing about the financial issues. She reminded attendees that most WCCHS employees are County residents, they are part of our community, and they have worked extremely hard this year caring for the community during COVID-19 pandemic. They are the people working extra shifts and getting themselves sick while caring for others. They are the people who got a property tax increase but no raise. They are the same people who inquired about hazard pay – seeing other places offering it to employees – not understanding that WCCHS didn't receive any Federal funding. Celeste commented that the collective bargaining agreement expired 12/31/2020 and contract negotiations are uncertain. Celeste acknowledged WCCHS's bleak financial position and urged board members to think hard and consider these facts before approving any reduction in workforce.

President Kosmerl thanked Celeste and the staff for working through this high stressed time and thanked the CSEA for encouraging employees to get vaccinated.

### **EXECUTIVE SESSION**

Motion President Kosmerl and seconded by Manager Paolucci, for the Board to enter into executive session to discuss the following topic(s) at 6:00pm. Joe McTernan, Pam Pettnot, Amy Chase, Dan Farberman, Paul Mason MD, Ahmed Bayoumi MD, Greg Collins DO, Mandip Panesar MD, Becky Ryan, and Jerry Davis remained. All other attendees ended their Zoom session or were placed in a Zoom Breakout Room #2.

- Contract negotiations:
  - Salman Abbasey, MD Employment Agreement
  - Abbasey Medical, PLLC Asset Purchase Agreement
- Employment status of particular positions/employees/contracts related to the budget reduction plan
- Employment history and performance of three (3) particular Salary Schedule P employees
- An issue involving an investigation containing medically privileged information, Event #4957
- A letter of complaint received by the BOM against a particular Salary Schedule C employee

The motion was passed upon the following vote:

| <b>VOTE</b>          |           |             |  |    |  |             |  |        |
|----------------------|-----------|-------------|--|----|--|-------------|--|--------|
| Salman Abbasey, MD   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Doug Berwanger       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Cynthia Elbow        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Bryan Kehl           | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Rich Kosmerl         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Mark Merrill         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Laura Paolucci       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Steve Perkins        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| J. Thomas Reagan, MD | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Frank Vitagliano     | X         | Yes         |  | No |  | Abstain     |  | Absent |
| James Wawrzyniak, DC | X         | Yes         |  | No |  | Abstain     |  | Absent |
|                      |           |             |  |    |  |             |  |        |
| <b>VOTE TOTAL:</b>   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| <b>RESULTS</b>       | <b>11</b> | <b>PASS</b> |  |    |  | <b>FAIL</b> |  |        |

**Manager Abbasey exited Executive Session at 6:13pm prior to discussions about his proposed employment agreement and asset purchase agreement. Greg Collins DO, Ahmed Bayoumi MD, and Mandip Panesar MD were placed into a Zoom Breakout Room #2 and Paul Mason, MD was asked to leave the conference room he shared with Manager Berwanger and exited Executive Session at 6:13pm.**

**Amy Chase was excused from Executive Session at 8:07pm.**

**Manager Abbasey, Greg Collins DO, Ahmed Bayoumi MD, Mandip Panesar MD and Paul Mason MD rejoined Executive Session at 8:07pm.**

**Greg Collins DO, Ahmed Bayoumi MD, and Mandip Panesar MD were excused from Executive Session at 9:03pm.**

**Joe McTernan was asked to leave the conference room he shared with Pam Pettnot and exited Executive Session at 9:03pm.**

**Paul Mason MD was excused from Executive Session at 9:18pm.**

**Joe McTernan rejoined Executive Session at 9:18pm.**

**Manager Abbasey exited Executive Session at 9:27pm.**

Motion by President Kosmerl and seconded by Manager Wawrzyniak, the Board exit executive session at 9:53pm.

The motion was passed upon the following vote:

| <b>VOTE</b>          |           |             |  |    |  |             |  |        |
|----------------------|-----------|-------------|--|----|--|-------------|--|--------|
| Salman Abbasey, MD   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Doug Berwanger       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Cynthia Elbow        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Bryan Kehl           | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Rich Kosmerl         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Mark Merrill         | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Laura Paolucci       | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Steve Perkins        | X         | Yes         |  | No |  | Abstain     |  | Absent |
| J. Thomas Reagan, MD | X         | Yes         |  | No |  | Abstain     |  | Absent |
| Frank Vitagliano     | X         | Yes         |  | No |  | Abstain     |  | Absent |
| James Wawrzyniak, DC | X         | Yes         |  | No |  | Abstain     |  | Absent |
|                      |           |             |  |    |  |             |  |        |
| <b>VOTE TOTAL:</b>   | X         | Yes         |  | No |  | Abstain     |  | Absent |
| <b>RESULTS</b>       | <b>11</b> | <b>PASS</b> |  |    |  | <b>FAIL</b> |  |        |

**Manager Abbasey rejoined Executive Session at 9:54pm.**

**SPECIAL BOM MEETING SCHEDULED**

WCCHS President of the BOM scheduled a special BOM meeting for Monday, February 8, 2021 at 4:30pm via ZOOM in accordance with the NYS Governor's Executive Order #202.1, suspension of law allowing the attendance of meetings telephonically or other similar service. Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.

The purpose of this meeting is to discuss the employment status of particular positions/employees/contracts related to the budget reduction plan and contract negotiations related to the potential acquisition of a medical practice, and any other business brought before the Board.

**WCCHS-21-007 CONFLICT OF INTEREST**

Motion by Manager Wawrzyniak and seconded by Manager Elbow, I believe there is a conflict of interest with Salman Abbasey, MD being on the BOM while the BOM is negotiating a contract with Dr. Abbasey.

*President Kosmerl commented prior to the vote and asked that it be noted that a legal opinion has been obtained twice on this subject both times by Attorney Stacey Gulick (Partner with Garfunkel Wild PC) and Attorney Jim Wujcik (County Attorney). They find, it is not a conflict of interest.*

*President Kosmerl asked for a roll-call vote, starting with himself, followed by Manager Merrill and Manager Vitagliano.*

The motion failed upon the following vote:

| <b>VOTE</b>          |   |             |   |    |          |             |  |        |
|----------------------|---|-------------|---|----|----------|-------------|--|--------|
| Salman Abbasey, MD   |   | Yes         |   | No | X        | Abstain     |  | Absent |
| Doug Berwanger       | X | Yes         |   | No |          | Abstain     |  | Absent |
| Cynthia Elbow        | X | Yes         |   | No |          | Abstain     |  | Absent |
| Bryan Kehl           |   | Yes         | X | No |          | Abstain     |  | Absent |
| Rich Kosmerl         |   | Yes         | X | No |          | Abstain     |  | Absent |
| Mark Merrill         |   | Yes         | X | No |          | Abstain     |  | Absent |
| Laura Paolucci       |   | Yes         | X | No |          | Abstain     |  | Absent |
| Steve Perkins        |   | Yes         | X | No |          | Abstain     |  | Absent |
| J. Thomas Reagan, MD | X | Yes         |   | No |          | Abstain     |  | Absent |
| Frank Vitagliano     | X | Yes         |   | No |          | Abstain     |  | Absent |
| James Wawrzyniak, DC | X | Yes         |   | No |          | Abstain     |  | Absent |
|                      |   |             |   |    |          |             |  |        |
| <b>VOTE TOTAL:</b>   | 5 | Yes         | 5 | No | 1        | Abstain     |  | Absent |
| <b>RESULTS</b>       |   | <b>PASS</b> |   |    | <b>X</b> | <b>FAIL</b> |  |        |

**NEXT REGULAR MEETING**

The next regular meeting is scheduled for Tuesday, February 23, 2021 immediately following the BOM Finance/Personnel Committee meeting, approximately 5:00pm.

**ADJOURN**

There being no further business to come before the Board, the meeting duly adjourned at 9:59pm upon motion by Manager Wawrzyniak.

\_\_\_\_\_  
Frank Vitagliano, BOM Secretary                      Date

\_\_\_\_\_  
Pam Pettnot, Recording Secretary                      Date

**MEMORANDUM OF UNDERSTANDING**  
**between**  
**THE COUNTY OF WYOMING**  
**and the**  
**CIVIL SERVICE EMPLOYEES ASSOCIATION ("Union"), LOCAL 1000, AFSCME, AFL-CIO**  
**WYOMING COUNTY LOCAL 861-9250**

**SHIFT BONUS – Respiratory Technicians**

WHEREAS, the Wyoming County Community Health System ("System") has great difficulty staffing qualified individuals in certain clinical job titles during certain periods of the year; and

WHEREAS, the System and the Union have an interest in ensuring the safety, well-being, and high quality care of all patients in the System facilities through appropriate staffing levels;

NOW, THEREFORE, the parties agree to the following terms:

1. Respiratory Technicians (RT's) employed in the System covered under the provisions of the Collective Bargaining Agreement (excluding the SNF) will be eligible to receive extra shift incentives for each hour worked above their regularly scheduled hours from the period beginning with the signing of this agreement through December 31, 2021 in the amount of \$12.50/hour worked for shifts selected by Management in order to maintain appropriate staffing levels.
2. The designation of shifts where Respiratory Technicians (RT's) System covered under the provisions of the Collective Bargaining Agreement will be eligible for this bonus payment shall be at the sole and independent discretion of Management.
3. In order to be eligible for the above bonus, employees System covered under the provisions of the Collective Bargaining Agreement must sign up for and work a minimum of half of the available extra shift. Employees who commit to working at least half of the offered bonus shift shall be entitled to a full shift bonus payment, including in the event the Hospital determines they are not needed to provide appropriate staffing levels and are sent home involuntarily. In the event an employee covered by the provisions of this memorandum is determined by Management to no longer needed to provide additional hours of coverage and leaves work voluntarily they shall be paid bonus for all actual hours worked.
4. A maximum of twelve (12) hours of shift bonus per week will be paid for employees in a full time status (1.0 FTE).
5. This bonus is paid for shifts that are scheduled in addition to the employee's regularly scheduled shifts.



6. Shifts will be offered on a first-come first-served basis following notice to impacted departments and shifts by Management using the same methods of communication to employees utilized for solicitation of overtime within the facility.
7. Eligible shifts must be offered by Management to bargaining unit Respiratory Technicians (RT's) before offering to Respiratory Technicians (RT's) not covered by the provisions of the Collective Bargaining Unit in all cases.
8. If an employee signs up for an extra shift covered under this MOU and cannot work that shift, the employee is responsible for finding a replacement to work the shift. If the employee finds someone to work the shift in their place, there will be no occurrence under the time and attendance policy. If the employee does not find someone to cover the shift, then the time and attendance policy shall apply as in the normal course of events.
9. Either party to this Agreement may, with 60 calendar day written notice to the other seek to end this agreement and return to the provisions of the Collective Bargaining Agreement.

FOR CSEA:

Celeste Bydack 12/31/20

FOR WYOMING COUNTY:

Nant Salmon 12-31-20

**MEMORANDUM OF UNDERSTANDING****Between the****COUNTY OF WYOMING****And the****CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000, AFSCME, AFL-CIO  
WYOMING COUNTY LOCAL 861-9250****Critical Staffing in Skilled Nursing Facility Due to COVID 19  
(AMMENDED 01/25/21)**

WHEREAS, there is critical staffing shortfall within the Skilled Nursing Facility (SNF) of qualified Certified Nursing Assistants (CNA's), Licensed Practical Nurses (LPN's) and Registered Nurses (RN's) due to absences and quarantine orders of staff due to the COVID 19 pandemic,

WHEREAS, Wyoming County and CSEA have reached this agreement to ensure the safety, well-being and high quality of care to all patients in the Nursing Facility,

THEREFORE, the parties agree to the following terms and modifications of the provisions of the Collective Bargaining Agreement and prior Memorandums of Understanding between the parties in accordance with the provisions herein;

1. Any Full or Part Time Certified Nursing Assistants, Licensed Practical Nurses and Registered Nurses who is a current employee of Wyoming County working in any County Department who works additional shifts beyond their respective normal work schedule within the Nursing Facility will receive extra shift incentives for each scheduled consecutive four (4) hours worked from the period beginning 7 a.m. January 23, 2021 for a period not to exceed 30 calendar days, unless extended by mutual written agreement between the parties.

Qualifying employees shall be paid as follows:

- Seventy dollars (\$70.00) for four (4) hours per pay period
- One hundred and forty dollars (\$140.00) for eight (8) hours per pay period
- Two hundred and ten dollars (\$210.00) for twelve (12) hours per pay period.

2. Employees will be limited to a maximum of twelve (12) hours per week of these additional incentive shifts and will only be paid for shifts that are scheduled in addition to the employee's regularly scheduled shifts.

3. These incentive shifts will be offered on a first-come first-served basis to bargaining unit employees. If in the event an employee commits to working an additional shift through the signs up procedure and fails to work the committed shift for whatever reason, this employee will be responsible for finding someone to work the shift. If he/she DOES find someone to cover the shift, there is NO occurrence on the attendance record. If she/he does not find someone to cover the shift, then the attendance policy will apply.

4. This Memorandum of Understanding shall not create a precedent or waiver for any other matter and can only be modified or extended by written mutual agreement.

5. Unless modified by written mutual agreement this Memorandum of Understanding shall expire on February 24, 2021 at 7:00am.

6. Either party to this agreement shall have the right to exit from this agreement for any reason with 24 hour prior written notice to the other party.

7. Upon expiration the parties agree that the incentive paid to employees work additional shifts in the Skilled Nursing Facility shall return to the provisions of the Collective Bargaining Agreement.

  
For the CSEA

  
For Wyoming County

Date 01/25/21