

The regular meeting of the Wyoming County Community Health System (WCCHS) Board of Managers, Wyoming County, New York was held on Tuesday, January 24, 2023.

#### BOARD OF MANAGERS PRESENT/ABSENT

##### ★ participated remotely

☒ Salman Abbasey, MD

☒ Bryan Kehl (BOS member)

☒ Rich Kosmerl

☒ Steve Perkins

☒ J. Thomas Reagan, MD

☒ Larry Rogers

☒ Janice Shirley

☒ James Wawrzyniak, DC ★

#### STAFF PRESENT/ABSENT

☒ Justin Bayliss (NF Administrator)

☐ Ahmed Bayoumi, MD (Medical Staff President)

☒ Dan Farberman (WC Human Resource Director)

☒ Dawn James (Chief Operating Officer)

☒ Dave Kobis (Chief Executive Officer)

☒ Mandip Panesar, MD (Hospital Medical Director)

☒ Pam Pettnot (Executive Assistant)

☒ Mark Wright (Chief Financial Officer)

OTHERS PRESENT: Becky Ryan (Chairwoman, Wyoming County Board of Supervisors and Supervisor, Town of Warsaw), Celeste Bzduch (President, CSEA Local Unit) and Lynn Kilner (President, CSEA Hospital Supervisor Unit)

OTHERS PRESENT PARTICIPATED REMOTELY: None.

#### CALL MEETING TO ORDER

President Kosmerl called the meeting to order at 4:33pm.

**Members of the WCCHS governing body that participate remotely will not count toward a quorum and are not permitted to vote.**

#### EXCUSE MEMBERS NOT PRESENT / QUORUM?

Motion by President Kosmerl and seconded by Manager Perkins, the following member(s) are hereby excused:

- Manager Wawrzyniak

President Kosmerl declared that a quorum was present.

The motion was passed upon the following vote:

VOTE								
Salman Abbasey, MD	X	Yes		No		Abstain		Absent
Bryan Kehl	X	Yes		No		Abstain		Absent
Rich Kosmerl	X	Yes		No		Abstain		Absent
Steve Perkins	X	Yes		No		Abstain		Absent
J. Thomas Reagan, MD	X	Yes		No		Abstain		Absent
Larry Rogers	X	Yes		No		Abstain		Absent
Janice Shirley	X	Yes		No		Abstain		Absent
James Wawrzyniak, DC		Yes		No		Abstain	X	Absent
<b>VOTE TOTAL:</b>	7	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

#### MOMENT OF SILENCE

President Kosmerl called for a moment of silence in memory of the former Chief Executive Officer, Joseph McTernan, who passed away one year ago on January 24, 2022, suddenly after a brief illness.

**WCCHS-23-001 CONSENT AGENDA**

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

- Approve BOM meeting minutes ..... December 20, 2022

**Plant and Equipment Committee (January, 2023)**

- Approve replacing the four (4) critical alert terminals for the nurse call stations for OB, Endo, ED, and ICU in the amount of \$19,557.

**Information Technology Committee (January 13, 2023)**

- Approve purchase of controller upgrade and storage expansion for CPSI in an amount not to exceed \$60,000.

**Credentials Committee (January 16, 2023)**

- Approve Medical Staff Appointments

The motion was passed upon the following vote:

<b>VOTE</b>								
Salman Abbasey, MD	X	Yes		No		Abstain		Absent
Bryan Kehl	X	Yes		No		Abstain		Absent
Rich Kosmerl	X	Yes		No		Abstain		Absent
Steve Perkins	X	Yes		No		Abstain		Absent
J. Thomas Reagan, MD	X	Yes		No		Abstain		Absent
Larry Rogers	X	Yes		No		Abstain		Absent
Janice Shirley	X	Yes		No		Abstain		Absent
James Wawrzyniak, DC		Yes		No		Abstain	X	Absent
<b>VOTE TOTAL:</b>	7	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**WCCHS-23-002 APPROVE MEDICAL STAFF BY-LAWS, RULES AND REGULATIONS**

Motion by President Kosmerl and seconded by Manager Reagan, the medical staff by-laws, rules and regulations be hereby approved as presented and on file in Administration.

The motion was passed upon the following vote:

<b>VOTE</b>								
Salman Abbasey, MD	X	Yes		No		Abstain		Absent
Bryan Kehl	X	Yes		No		Abstain		Absent
Rich Kosmerl	X	Yes		No		Abstain		Absent
Steve Perkins	X	Yes		No		Abstain		Absent
J. Thomas Reagan, MD	X	Yes		No		Abstain		Absent
Larry Rogers	X	Yes		No		Abstain		Absent
Janice Shirley	X	Yes		No		Abstain		Absent
James Wawrzyniak, DC		Yes		No		Abstain	X	Absent
<b>VOTE TOTAL:</b>	7	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**CYBERSECURITY RISK ASSESSMENT RESULTS**

Dan Flint made a presentation (copy on file in Administration) to review the results of a recent cybersecurity risk assessment.

**CEO REPORT**

Dave Kobis submitted the following report:

**FINANCIALS**

- Health system operating loss for December 2022 was \$1.3 million, which is higher than November 2022 and similar to the operating loss in October 2022. Year to date December 2022, the total loss was \$9.0M. The year-end loss for 2022, excluding the additional funding from the County, is \$16M. Significant progress has been achieved in lowering monthly operating expenses; however, the operating revenue continues to remain down, particularly related to surgical and ancillary testing volumes.
- Staffing agency cost in December 2022 increased to \$271,953, mainly due to increased agency hours used to support both the acute services and the nursing facility during the holiday season. Hiring and recruiting plans in place, but area and regional hospitals are all facing same staffing pressures. Progress remains slow.
- Hospital volume results continue to be mixed YTD. Acute inpatient, mental health, GI procedures and emergency department volumes up YTD compared to 2021. Surgery, clinic, imaging volumes and ancillary testing continue to experience a significant drop YTD compared to 2021.

**VITAL ACCESS PROVIDER ASSURANCE PROGRAM (HOSPITAL VAPAP)**

WCCHS submitted an emergent request for \$20M with the NYSDOH for VAPAP funding in December 2022. NYSDOH responded with a follow-up request for more information and the hospital is in process of responding. As you may be aware, the VAPAP funding is made available to hospitals and health systems in severe financial distress to enable continuous operations and provision of vital services while longer-term solutions are implemented to achieve sustainable health care service delivery. The DOH determines need for VAPAP funds based on provider submission of financial documentation, plans for improving financial sustainability, and the assessment of the risk of loss of vital services in the absence of this assistance. WCCHS requested funding support over 5 years.

**REGULATORY**

The Joint Commission (TJC) made an unannounced site survey on November 3 and 4, 2022 related to an anonymous complaint for clinical staffing. The survey results indicated three condition level findings. A plan of correction (POC) was developed, submitted, and accepted by TJC, which formally satisfies the complaint.

**OUTPATIENT CLINICS**

The clinic improvement plans continue. Updates on key initiatives include:

- A primary care physician meeting was held on 01/11/2023 with WCCHS physicians to share integration and consolidation strategies for 2023.
- Finalizing the lease terms and construction costs relative to the expansion of Attica practice to accommodate two providers and obtain Article 28 certification.
- Billing and credentialing were consolidated to one new third party partner on 01/01/2023.
- Ongoing efforts continue regarding space consolidation, centralized scheduling and new telecom processes.
- Electronic record interface setup continues. Goal is completion by end of first quarter 2023.
- Physical and Occupation Therapies will soon be offered at the Perry and Arcade locations. Goal is to start February 2023 in Perry and early summer in Arcade.
- New WCCHS Cardiology service line will begin on 02/01/2023 with Dr. Joseph Gomez joining the group and leading that department.
- Continuing efforts with physician recruitment focusing on primary care, orthopedics and general surgery.
- Analyzing and renegotiating specialty provider contracts to better align financial outcomes for WCCHS. Currently the hospital loses almost \$600k annually on three specialty contracts.

**INFORMATION SYSTEMS**

- The Centers for Medicare/Medicaid Services require all hospitals to perform an annual security vulnerability assessment test. WCCHS engaged an outside vendor, GreyCastle Security, to perform these assessments. Access to hospital IT systems via internal and external means was assessed. A report of vulnerabilities and recommendations was received and will be reviewed with the BOM in January 2023.
- The Radiology Department PACS (Picture Archival Computer System) will be upgraded with new hardware and software over the next few months. The hardware has been installed and the installation of the new software systems have begun. This upgrade will greatly enhance the performance and resolution of diagnostic imaging at WCCHS. Total cost is approximately \$200k.
- The software interfaces for the new radiologist group is in the final stages of testing and will be completed for the February 1, 2023 go live.

**LEGIONELLA CASE**

- As previously reported, the hospital was made aware of a case of Legionella in December 2022. The hospital worked with NYSDOH on a testing and remediation plan. Initial water testing resulted in more instances of higher levels of Legionella than allowed by state regulations. Further water testing will be required and will likely result in a longer testing duration before DOH will clear the hospital.

**PHYSICIAN RECRUITING**

- Dr. Anthony DiBenedetto, MD, general and bariatric surgeon, has verbally agreed to join WCCHS in March 2023. This will provide the hospital with two experienced and accomplished general surgeons.
- Interventional pain physician, Dr. Hemant Kalia, MD, has also verbally agreed to join WCCHS to provide pain management services beginning in April 2023.
- The hospital continues recruiting for a full time general orthopedic surgeon to perform total joints, as well as more primary care providers.

**MARKETING**

- The hospital's marketing vendor, Brentwood Communications (BCI), is finalizing its update of the WCCHS website. The new version will go live in the near future and was reviewed with the BOM at this meeting.
- The hospital's aggressive marketing campaign throughout the Wyoming County service area continues. Promotion of physicians and hospital programs and services will continue each month. Emphasis of Dr. Joseph Gomez and cardiology services, Dr. Andrea Zucchiatti and general surgery, primary care physicians and clinics, Dr. Jack Sproul and the orthopedic program, Dr. Zerah Ali and the podiatry service, and general promotion of specialty clinics across the health system will continue through the end of 2023.
- The contracts for radio advertising and billboard promotions has been renewed for 2023.

**OTHER**

- Distributed a copy of a letter signed by members of Congress to Governor Kathy Hochul urging her to rescind the COVID-19 vaccine mandate for healthcare workers in New York due to the ongoing concern about disastrous staffing shortages that are hampering healthcare and impeding New Yorkers from accessing quality care.

**BEHAVIORAL HEALTH**

- Inpatient remains strong for the month of December 2022 with a slight decrease which is common this time of year.
- A total of 78 psychiatric evaluations were completed by the psychiatric assessment officers within the month of December 2022.
- Outpatient Forensic services - 59 inmates served and 44 of those had medication changes.
- As mentioned in December, an annual risk assessment / walk through in behavioral health was completed. To date, flooring in the patient lounge room was replaced and upgraded. Curtain rails were reinstalled with appropriate screws and heating unit grates and hardware has been altered to reduce ligature risks.
- Director of Behavioral Health completed the 7-hour threat assessment training and is now a member of the Wyoming County Threat Assessment Committee, coordinated by Brian Meyers.

**CHIEF OPERATING OFFICER**

- Staffing adjustments and a search for LPN's is underway to expand the Dialysis services to six days/week.
- The new 3D mammography unit arrived on January 18, 2023 and is being installed and tested. We will be unable to use the 3D portion until the upgrade with the PACS system is complete; however, it will have 2D functionality. Our previous mammogram equipment required significant repairs.
- Our new Laboratory Services Director, Jennifer Burke, is off to a great start reorganizing the lab and reaching out to physicians in the clinics to provide more services.
- Nursing students from Alfred State College and Genesee Community College were onsite recently for orientation prior to their clinical rotations.

**DIRECTOR OF NURSING**

- Team Nursing remains a challenge with the barrier of documentation identified. We will be working with the WCCHS IT team and CPSI to determine alternative documentation processes to assist staff in providing more hands on care.
- ER staff completed Pulsara training. Pulsara is a web-based application used in the Emergency Room for Catholic Health Systems neurology consults and is expected to improve patient care and reduce patient transfers.

**DIRECTOR OF PLANT OPERATIONS**Construction Projects

- Hospital Fire Panel Upgrade – The hospital fire panel upgrade started January 9, 2023. A Risk Assessment was completed with all contractors. Daily progress and scheduled work for specific departments will be shared with staff as it occurs. The work will start in the penthouse (5th floor) and work their way down each floor. Highlights of this work include future device testing without setting the panel off. Also, each point will be addressable enabling maintenance staff to identify the exact location of problematic devices. Plans to incorporate the panic buttons into the fire panel upgrade will also be discussed once Johnson Controls provides a quote for this work. The project is anticipated to take 3-4 months to complete.
- Energy Management System Upgrade – The energy management system graphic integration meeting is scheduled for January 11, 2023. Listing the necessary graphics for maintenance staff to quickly evaluate a mechanical unit's status without having to open multiple windows will be addressed. Additional points related to DOH and Joint Commission surveys will also be discussed. The project is expected to take 3 months to complete.
- Electric Panel Replacement – DJ Beardsley & Sons has the majority of material for the scope of work. Once the final components arrive work will start on replacing these three breaker panels.
- Air Handler Unit Replacement – The equipment submittal was rejected by M/E Engineering. Director of Plant Operations reached out to the contractor on resubmitting the equipment submittal per the notes listed by the engineers.

Maintenance Projects

- The fan coil replacement for the 3rd floor rooms is ongoing. A total of 10 of 25 rooms are completed at this time. The original pneumatic controls are being replaced with electronic thermostats. The dual temp lines are now equipped with shutoffs at each unit to address future maintenance. The project should be completed in 2023.
- A contract to de-energize and provide preventive maintenance services to the facilities distribution panels is scheduled. This service will provide insight into the integrity of the equipment. The report details will be used to support proposed upgrades.
- The water main breaks within the Village of Warsaw on January 4, 2023 required WCCHS to make accommodations for staff/patients/facility water needs. Water fountains and ice machines were immediately shut down upon notification from the Village of Warsaw. Staff was kept informed of water main repairs. Once the Village of Warsaw's domestic water line repairs were completed (January 8, 2023), the facilities domestic water lines were super-chlorinated per NYSDOH guidelines. In cooperation with Barclay Environmental, the water treatment equipment was modified to accommodate the super-chlorination. Every fixture in the facility was flushed and tested to ensure that elevated chlorine levels were present. After 24 hours, the water treatment equipment was returned to normal status. NYSDOH was notified of the events completion. Legionella testing will take place and test results will take 2 weeks to return from the lab.
- The iChlor potable water and boiler water treatment system were inspected this month. The boiler treatment test results were found to be within range. The iChlor system is working perfectly with water quality readings all within range. Potable water sources at random rooms throughout the hospital were tested ensuring acceptable chlorine levels were present.
- Maintenance staff completed 497 work orders since the last BOM meeting at a completion rate of 22.59 work orders per day. A total of 303 man-hours were logged for the specified time period.

**MEDICAL DIRECTOR**

- The following amendments to the Medical Staff By-Law were proposed to the Medical Staff at a special meeting held on January 18, 2023:
  - Changed elected department chairs to an appointed position.
  - Allow Physician Assistants to write admission orders.
  - Board certification will be a requirement for medical staff membership.

**SKILLED NURSING FACILITY**

- Nursing Home Quality Initiative (NHQI): All skilled nursing facilities in New York State are measured on Quality of Care and Compliance and compared against their peers with a 1 out of 5 rating system.
  - Wyoming County Skilled Nursing Facility scored 72.9 points; placing the facility in the 1st Quintile for the second consecutive year.
  - Staffing challenges, an industry wide concern, continued in December due to the holidays and very limited agency staff. We have received very few employment applications and will focus on long-term solutions.

- Financial: WCCHS is participating in a monthly council meeting through Leading Age urging Governor Hochul to include a 20% increase in the nursing home Medicaid rate for the state fiscal year 2023-2024 executive budget proposal.

### **MEDICAL DIRECTOR REPORT**

Report included in CEO report. No further report.

### **MEDICAL STAFF PRESIDENT REPORT**

No report.

### **WCCHS-23-003 PREAUTHORIZED ACCOUNTS AND ACCOUNTS PAYABLE**

Motion by President Kosmerl and seconded by Manager Perkins, the preauthorized accounts and accounts payable processed totaling \$4,724,425.90 be hereby approved as presented.

The motion was passed upon the following vote:

<b>VOTE</b>								
Salman Abbasey, MD	X	Yes		No		Abstain		Absent
Bryan Kehl	X	Yes		No		Abstain		Absent
Rich Kosmerl	X	Yes		No		Abstain		Absent
Steve Perkins	X	Yes		No		Abstain		Absent
J. Thomas Reagan, MD	X	Yes		No		Abstain		Absent
Larry Rogers	X	Yes		No		Abstain		Absent
Janice Shirley	X	Yes		No		Abstain		Absent
James Wawrzyniak, DC		Yes		No		Abstain	X	Absent
<b>VOTE TOTAL:</b>								
	7	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

### **WCCHS-23-004 APPROVE WRITE-OFFS, DENIED CLAIMS, AND BAD DEBT**

Motion by Manager Perkins and seconded by Manager Kehl, the write-offs/denied claims/bad debt totaling \$326,619.34 be hereby approved as presented.

The motion was passed upon the following vote:

<b>VOTE</b>								
Salman Abbasey, MD	X	Yes		No		Abstain		Absent
Bryan Kehl	X	Yes		No		Abstain		Absent
Rich Kosmerl	X	Yes		No		Abstain		Absent
Steve Perkins	X	Yes		No		Abstain		Absent
J. Thomas Reagan, MD	X	Yes		No		Abstain		Absent
Larry Rogers	X	Yes		No		Abstain		Absent
Janice Shirley	X	Yes		No		Abstain		Absent
James Wawrzyniak, DC		Yes		No		Abstain	X	Absent
<b>VOTE TOTAL:</b>								
	7	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

### **PRESENTATION 2023 OPERATING BUDGET**

Mark Wright made a presentation (copy on file in Administration) to review the 2023 proposed operating budget that outlined:

- Net Patient Service Revenue
- Clinic Revenue and Other Operating
- Salaries and Wages
- Professional Fees
- Purchased Services
- Supplies and Other Expense
- Opportunities and Risks
- 2023 Budgeted Cash Flow

**WCCHS-23-005 ADOPT 2023 OPERATING BUDGET**

Motion by Manager Perkins and seconded by Manager Shirley, the 2023 operating budget be hereby approved as presented and on file in Administration.

The motion was passed upon the following vote:

<b>VOTE</b>								
Salman Abbasey, MD	X	Yes		No		Abstain		Absent
Bryan Kehl	X	Yes		No		Abstain		Absent
Rich Kosmerl	X	Yes		No		Abstain		Absent
Steve Perkins	X	Yes		No		Abstain		Absent
J. Thomas Reagan, MD	X	Yes		No		Abstain		Absent
Larry Rogers	X	Yes		No		Abstain		Absent
Janice Shirley	X	Yes		No		Abstain		Absent
James Wawrzyniak, DC		Yes		No		Abstain	X	Absent
<b>VOTE TOTAL:</b>	7	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**APPROVE 2023 CAPITAL BUDGET**

This item was withdrawn from the agenda and will added to the February 28, 2023 regular BOM meeting agenda.

**PERSONNEL REQUISITIONS IN PROCESS**

The personnel requisitions in process were presented for information only.

PERSONNEL REQUISITIONS IN PROCESS - (RECOMMENDED)										
January 24, 2023										
Proposed Positions for Approval										
Senior Manager	Title/Department	FTE	Schedule	Vacating Employee	Hourly Rate	Annual Salary	Benefits	Proposed Hourly	Proposed Annual	Benefits
James:	Food Service Helper/08.313	0.40	WCCH	Selena Leonard 12/31/2022	\$16.76	\$13,073	\$1,000	\$17.18	\$13,400	\$1,025
	Medical Technologist/06.314	1.00	WCCH	Arthur Romkowski 01/02/2023	\$31.79	\$61,991	\$29,067	\$28.03	\$54,659	\$25,629
	Laundry Worker/08.400	1.00	WCCH	Charmaine McPherson 01/07/2023	\$17.42	\$33,969	\$15,928	\$15.62	\$30,459	\$14,282
	Building Maintenance Worker/08.102	1.00	WCCH	Martin Naschke 01/27/2023	\$26.08	\$50,856	\$23,846	\$22.58	\$44,031	\$20,646
Wright:	Medical Records Clerk/12.465	1.00	WCCH	Brenda Nicolasso 01/21/2023	\$20.87	\$40,697	\$19,083	\$18.52	\$36,114	\$16,934
	Telephone Operator Per Diem/12.724	0.00	WCCH	Melissa Krotje 12/25/2022	\$17.75	\$3,461	\$265	\$17.81	\$3,473	\$266
Gibson:	RPN Per Diem/03.893	0.00	WCCH	Connie Almeter 01/13/2023	\$49.86	\$9,723	\$744	\$36.70	\$7,157	\$547
	Safety Emergency Preparedness Coordinator/02.126.611	1.00	C	Kelly Smith 02/10/2023	\$57,784.00	\$57,784	\$27,095	\$60,000.00	\$60,000	\$28,134
	Dialysis RN/03.891	1.00	WCCH	Rebecca Mullen 12/24/2022	\$48.05	\$93,698	\$43,935	\$47.15	\$91,943	\$43,112
	RPN Per Diem/03.831	0.00	WCCH	Michelle Zeches-Oneil 03/08/2022	\$48.65	\$9,487	\$726	\$36.70	\$7,157	\$547
	Nursing Supervisor Per Diem/02.148	0.00	C	Cayla (Lathrop) Jones 10/15/2022			\$240 / 4 hour shift			
	RPN/03.208	1.00	WCCH	Courtney Kohlhausen 01/21/2023	\$46.93	\$91,514	\$42,911	\$48.01	\$93,620	\$43,898
	OR Technician II Per Diem/06.735	0.00	WCCH	Wayne Hurlburt 12/20/2022	\$23.51	\$4,584	\$351	\$21.05	\$4,105	\$314
	Mental Health Therapy Aide Per Diem/05.775	0.00	WCCH	Sheri Crossett 01/01/2023	\$25.75	\$5,021	\$384	\$22.84	\$4,454	\$341
Bayliss:	Activity Leader Per Diem/05.352	0.00	WCCH	Chloe Stevens 01/06/2023	\$17.44	\$3,401	\$260	\$16.34	\$3,186	\$244
	Certified Occupational Therapy Assistant/06.407	1.00	WCCH	Barry Genaway 01/16/2023	\$23.41	\$45,650	\$21,405	\$23.41	\$45,650	\$21,405
	LPN/04.132	1.00	WCCH	Jeffrey Dumbleton 01/03/2023	\$24.89	\$48,536	\$22,758	\$22.25	\$43,388	\$20,344
	LPN Per Diem/04.570	0.00	WCCH	Jeffrey Dumbleton 12/24/2022	\$28.44	\$5,546	\$424	\$24.84	\$4,844	\$371
	Nursing Assistant/05.179	1.00	WCCH	Ellen Jett 12/19/2022	\$18.68	\$36,426	\$17,080	\$19.14	\$37,323	\$17,501

**WCCHS-23-006 APPROVE PROPOSED PERSONNEL CHANGES/FINANCIAL IMPACT**

Motion by Manager Rogers and seconded by Manager Perkins, the proposed personnel changes/financial impact be hereby approved as presented and as follows:

PROPOSED PERSONNEL CHANGES/FINANCIAL IMPACT				
January 24, 2023				
POSITION	ANNUAL SALARY PROPOSED	BENEFIT PACKAGE	BUDGETED SALARY	BUDGETED BENEFITS
<b>Sr. Manager - D. James</b>				
<b>Create 1</b> - 1.00 FTE Director of Diagnostic Imaging Services (Cost Center 032) Schedule C \$100,000 - 125,000/Yr. Available date: January 25, 2023	\$100,000	\$46,890	\$0	\$0
<b>Create 1</b> - 0.00 FTE Director of Outpatient Services Per Diem (Cost Center 032) Schedule C \$51.49/Hr. Available date: February 19, 2023	\$10,041	\$768	\$0	\$0
<b>Amend Salary Schedule</b> - 1.00 FTE Safety Emergency Preparedness Coordinator (Cost Center 740)/02.126.611 Schedule C From \$57,784/Yr. To \$60,000 - \$75,000/Yr. Effective date: February 15, 2023	\$60,000	\$27,678	\$57,784	\$26,656
<b>Delete 1</b> - 1.00 FTE Director of Outpatient Services (Cost Center 032)/01.602.100 Schedule C \$99,810.00/Yr. Effective date: 02/05/2023	\$0	\$0	\$99,810	\$46,801

POSITION	ANNUAL SALARY PROPOSED	BENEFIT PACKAGE	BUDGETED SALARY	BUDGETED BENEFITS
<b>Sr. Manager - B. Givens</b>				
<b>Delete 1</b> - 0.00 FTE Mental Health Therapy Aide Per Diem (Cost Center 373)/05.675 Schedule WCCH, Grade 11 \$23.42/Hr. Effective date: TBD	\$0	\$0	\$4,567	\$349
<b>Create 1</b> - 0.60 FTE Mental Health Therapy Aide (Cost Center 373) Schedule WCCH, Grade 11 \$20.76 - 23.41/Hr. Available date: January 08, 2023	\$27,390	\$7,705	\$0	\$0
<b>Sr. Manager - D. Gibson</b>				
<b>Create 2</b> - 1.00 FTE Charge Nurse (Cost Center 302) Schedule WCCH, Grade 20B \$38.27 - 44.85/Hr. Available date: February 15, 2023	\$174,915	\$82,018	\$0	\$0
<b>Create 2</b> - 1.00 FTE Dialysis LPN (Cost Center 691) Schedule WCCH, Grade 15B \$25.04 - 28.80/Hr. Available date: January 22, 2023	\$112,320	\$52,667	\$0	\$0
<b>Create 2</b> - 0.00 FTE Dialysis Registered Nurse Per Diem (Cost Center 691) Schedule WCCH, Grade 20C \$51.87 - 54.18/Hr. Available date: January 22, 2023	\$20,229	\$1,548	\$0	\$0
<b>Create 1</b> - 0.00 FTE Dialysis LPN Per Diem (Cost Center 691) Schedule WCCH, Grade 15B \$27.54 - 31.68/Hr. Available date: January 22, 2023	\$6,178	\$473	\$0	\$0
<b>Create 1</b> - 1.00 FTE RPN (Cost Center 404) Schedule WCCH, Grade 20 - 20F \$33.36 - 47.15/Hr. Available date: February 13, 2023	\$65,052	\$30,503	\$0	\$0
<b>Create 1</b> - 0.60 FTE RPN (Cost Center 302) Schedule WCCH, Grade 20 - 20F \$33.36 - 47.15/Hr. Available date: January 25, 2023	\$39,031	\$10,979	\$0	\$0
<b>Create 1</b> - 1.00 FTE RPN (Cost Center 302) Schedule WCCH, Grade 20 - 20F \$33.36 - 47.15/Hr. Available date: January 25, 2023	\$65,052	\$30,503	\$0	\$0
<b>Delete 1</b> - 1.00 FTE Dialysis RN (Cost Center 691)/03.911 Schedule WCCH, Grade 20C \$46.00/Hr. Effective date: 01/25/2023	\$0	\$0	\$89,700	\$42,060
<b>Sr. Manager - B. Coffa</b>				
<b>Delete 1</b> - 1.00 FTE OB/GYN Physician (Cost Center 664)/10.117.657 Schedule P \$630,000.00/Yr. Effective date: 01/01/2023	\$0	\$0	\$630,000	\$295,407
<b>Sr. Manager - J. Bayliss</b>				
<b>Create 1</b> - 0.00 FTE Certified Occupational Therapy Assistant Per Diem (Cost Center 057) Schedule WCCH, Grade 11 \$22.84 - 25.75/Hr. Available date: January 25, 2023	\$4,454	\$341	\$0	\$0
<b>Create 1</b> - 1.00 FTE Occupational Therapist (Cost Center 057 & 053) Schedule WCCH, Grade 18C \$32.52 - 43.99/Hr. Available date: January 25, 2023	\$63,414	\$29,735	\$0	\$0
<b>Delete 1</b> - 0.80 FTE Certified Occupational Therapy Assistant (Cost Center 057)/06.816 Schedule WCCH, Grade 11 \$23.41/Hr. Effective date: TBD	\$0	\$0	\$36,520	\$13,699
<b>TOTALS</b>	<b>\$748,075</b>	<b>\$321,806</b>	<b>\$918,381</b>	<b>\$424,972</b>
<b>TOTAL ANNUAL INCREASE:</b>				<b>-\$273,471</b>

The motion was passed upon the following vote:

VOTE								
Salman Abbasey, MD	X	Yes		No		Abstain		Absent
Bryan Kehl	X	Yes		No		Abstain		Absent
Rich Kosmerl	X	Yes		No		Abstain		Absent
Steve Perkins	X	Yes		No		Abstain		Absent
J. Thomas Reagan, MD	X	Yes		No		Abstain		Absent
Larry Rogers	X	Yes		No		Abstain		Absent
Janice Shirley	X	Yes		No		Abstain		Absent
James Wawrzyniak, DC		Yes		No		Abstain	X	Absent
<b>VOTE TOTAL:</b>	<b>7</b>	<b>Yes</b>	<b>0</b>	<b>No</b>	<b>0</b>	<b>Abstain</b>	<b>1</b>	<b>Absent</b>
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		



### **WCCHS-23-007 APPROVE MEMORANDUM OF UNDERSTANDING (MOU) WITH CSEA FOR HOSPITAL ACUTE STAFFING, SIGNED 01/20/2023**

Motion by President Kosmerl and seconded by Manager Kehl, the memorandum of understanding between the County of Wyoming and the Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO General Unit related to hospital acute staffing (certified nurse assistants, licensed practical nurses, patient care techs, and registered nurses) be hereby approved as presented and attached, effective 01/19/2023 – 02/28/2023, 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
Bryan Kehl	X	Yes		No		Abstain		Absent
Rich Kosmerl	X	Yes		No		Abstain		Absent
Steve Perkins	X	Yes		No		Abstain		Absent
J. Thomas Reagan, MD	X	Yes		No		Abstain		Absent
Larry Rogers	X	Yes		No		Abstain		Absent
Janice Shirley	X	Yes		No		Abstain		Absent
James Wawrzyniak, DC		Yes		No		Abstain	X	Absent
<b>VOTE TOTAL:</b>								
	7	Yes	0	No	0	Abstain	1	Absent
<b>RESULTS</b>								
	X	<b>PASS</b>				<b>FAIL</b>		

### **HEALTHCARE WORKER BONUS**

Dan Farberman reported that the County received the second payment from NYS for eligible workers covered by the healthcare worker bonus program and that said funds are being paid to eligible WCCHS employees on January 27, 2023.

### **WCCHS-23-008 APPROVE CONTRACTS AND/OR GRANTS**

Motion by Manager Rogers and seconded by Manager Perkins, the CEO (or designee) with the approval of the County Attorney or Costello, Cooney and Fearon, PLLC, 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:

*All of the following contracts require approval by the Wyoming County Board of Supervisors*

1. Amend Resolution #WCCHS-19-007 approved 01/22/2019 [BOS Resolution #19-082 approved on 02/12/2019] with **COSTELLO, COONEY, FEARON, PLLC**, 500 Plum Street, Suite 300, Syracuse, NY 13204-1401 related to legal representation, not to exceed \$100,000 per year, effective 01/01/2019 – 12/31/2022, as follows:
  - Update the contracting party address to **211 W. Jefferson Street, Syracuse, NY 13202**.
  - Extend the term of the agreement from 01/01/2019 – 12/31/2022 through **01/01/2023 - 12/31/2023**.
2. ~~**MITI PROPERTIES**, 20 North View Park, Attica, NY 14011, a 10-year commercial rental agreement for approximately 2,800 sq. ft. of space at 35 Main Street, Attica, NY 14011, in an amount not to exceed \$63,000 per year, effective 06/01/2023 – 05/31/2033. [This item was withdrawn from the contract list before any action was taken.]~~
3. **ANTHONY DIBENEDETTO, MD**, 1101 Telephone Road, Rush, NY 14543, an employment agreement – Schedule P to provide professional general surgery services and departmental leadership to surgical service line, not to exceed \$550,000 per year, effective 03/05/2023 – 03/04/2025.
4. **PRIME TIME HEALTHCARE LLC**, 15380 Weir Street, Omaha, NE 68137, a client services agreement to provide supplemental or temporary healthcare personnel, not to exceed \$150,000 per year, effective 03/01/2023 – 02/28/2025.
5. **MEGAN MASE, NP**, 8838 Keeney Road, LeRoy, NY 14482, an employment agreement – Schedule P to provide professional medical services in the Skilled Nursing Facility, in an amount of \$124,800.00 per year, effective 03/01/2023.

6. **RENEE GROH, NP**, 3255 Sodom Road, Gainesville, NY 14066, an employment agreement – Schedule P to provide professional medical services in the Skilled Nursing Facility, in an amount of \$130,000.00 per year, effective 03/01/2023.
7. Amend Resolution #WCCHS-22-043 approved on 04/26/2022 [BOS Resolution #22-302 approved on 05/10/2022] with **FARKAD BALAYA, MD**, 38 Park Street, Warsaw, NY 14569 related to an employment agreement – Salary Schedule P to provide OBGYN Physician services in an amount not to exceed \$630,000.00 per year, effective April 19, 2022, as follows:
  - Terminate employment agreement effective 12/31/2022 as a new agreement was approved with **FARKAD BALAYA, MD PC** by resolution #WCCHS-22-107 on 11/29/2022 [BOS Resolution #22-706 approved on 12/13/2022].
8. **CHRISTINA NEWTON, NP**, 11 Beachwood Avenue, Castile, NY 14427, an employment agreement – Schedule P to provide professional cardiology services, in an amount of \$120,000.00 per year, effective 02/06/2023.
9. Amend Resolution #WCCHS-22-007 approved on 01/25/2022, Resolution #WCCHS-20-019 approved on 02/25/2020, Resolution #WCCHS-19-067 approved on 06/25/2019; Resolution #WCCHS-18-045 approved on 05/22/2018; Resolution #WCCHS-18-026 approved on 03/27/2018; and Resolution #WCCHS-17-025 approved on 02/28/2017 [BOS Resolution #17-166 approved on 03/14/2017; Resolution #18-206 approved on 04/10/2018; Resolution #18-281 approved on 06/12/2018; Resolution #20-140 approved on 03/10/2020; Resolution #22-101 approved on 02/08/2022] with **ERIE COUNTY MEDICAL CENTER CORPORATION (ECMCC)** related to the Administrative Services Agreement as follows:
  - Extend the term of the agreement from 06/02/2020 – 12/31/2022 through **01/01/2023 - 02/28/2026** for the Medical Director position.
  - Add services of the **Vice President of Pharmacy Services** (Exhibit A-5) in an amount not to exceed \$100 per hour for a total amount not to exceed \$20,000 per year; effective February 1, 2023 – February 28, 2024.
10. Amend Resolution #WCCHS-21-091 approved on 12/28/2021, Resolution #WCCHS-20-035 approved on 04/28/2020, Resolution #WCCHS-19-111 approved on 09/24/2019, and Resolution #WCCHS-19-007 approved on 01/22/2019 with **ARAMARK HEALTHCARE SUPPORT SERVICES, LLC**, 2400 Market Street, Philadelphia, PA 19103 related to a management services agreement as follows:
  - To provide facility operation management services in an amount not to exceed \$150,000 per year, effective 02/01/2023 – 12/31/2025. [Replaces Resolution #WCCHS-22-117 approved on 12/20/2022].

The motion was passed upon the following vote:

VOTE								
Salman Abbasey, MD	X	Yes		No	**	Abstain		Absent
Bryan Kehl	X	Yes		No		Abstain		Absent
Rich Kosmerl	X	Yes		No		Abstain		Absent
Steve Perkins	X	Yes		No		Abstain		Absent
J. Thomas Reagan, MD	X	Yes		No		Abstain		Absent
Larry Rogers	X	Yes		No		Abstain		Absent
Janice Shirley	X	Yes		No		Abstain		Absent
James Wawrzyniak, DC		Yes		No		Abstain	X	Absent
VOTE TOTAL:								
	7	Yes	0	No	0	Abstain	1	Absent
RESULTS								
	X	PASS				FAIL		

**\*\* Manager Abbasey abstained from provider related Contracts #3, #5, #6, #7 and #8.**

**WCCHS-23-009 AMEND SALARY SCHEDULE P**

Motion by Manager Perkins and seconded by Manager Kehl, Salary Schedule P be hereby amended as follows, pending approval by the Wyoming County Board of Supervisors:

- Include a ***Stipend for the General Surgeon*** position (Position Code #10.121.681) under GENERAL SURGERY CLINIC for wRVUs in excess of 5,800 for each year (January 1 to December 31) in an amount of \$69.44 per wRVU, payable in February of each year, effective 03/05/2023.
- Include a ***Stipend for the General Surgeon*** position (Position Code #10.121.681) under GENERAL SURGERY CLINIC if net surgery revenue growth exceeds \$2,000,000.00 per calendar year (January 1 to December 31) in the amount of \$25,000.00, payable in February of each year, effective 03/05/2023.
- Include a ***Stipend for the General Surgeon*** position (Position Code #10.121.681) under GENERAL SURGERY CLINIC if net surgery revenue growth exceeds \$4,000,000.00 per calendar year (January 1 to December 31) in an additional amount of \$25,000.00, payable in February of each year, effective 03/05/2023.

The motion was passed upon the following vote:

<b>VOTE</b>								
Salman Abbasey, MD		Yes		No	X	Abstain		Absent
Bryan Kehl	X	Yes		No		Abstain		Absent
Rich Kosmerl	X	Yes		No		Abstain		Absent
Steve Perkins	X	Yes		No		Abstain		Absent
J. Thomas Reagan, MD	X	Yes		No		Abstain		Absent
Larry Rogers	X	Yes		No		Abstain		Absent
Janice Shirley	X	Yes		No		Abstain		Absent
James Wawrzyniak, DC		Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>								
	6	Yes	0	No	1	Abstain	1	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**BOARD PRESIDENT REPORT**

President Kosmerl reported that a memento plaque is due to Laura Paolucci in recognition for her long standing membership on the Hospital BOM. Pam Pettnot was directed to work with President Kosmerl on the plaque.

**BOARD COMMITTEE CHAIR REPORTS****Acute Quality Committee**

Manager Wawrzyniak reported that there was no Acute Quality Committee meeting in January 2023. The next meeting is scheduled for February 22, 2023.

**SNF Quality Committee**

Manager Rogers reported that there was no SNF Quality Committee meeting in January 2023. The next meeting is scheduled for February 22, 2023.

**Finance/Personnel Committee**

No report.

**Plant and Equipment Committee**

Manager Kehl reported that the Plant and Equipment Committee met on January 10, 2023 and referred to the draft minutes. The next meeting is scheduled for February 14, 2023.

**Communications Committee**

No report.

**Compensation Committee**

No report.

**Governance Committee**

Manager Wawrzyniak called a Governance Committee meeting for February 21, 2023 at 3:00pm to review the BOM By-Laws and review results of the annual BOM self-evaluations and President of the BOM evaluation.

**EXECUTIVE SESSION**

Motion by President Kosmerl and seconded by Manager Perkins, for the Board to enter into executive session to discuss the following topic(s) at 6:30pm. Dave Kobis, Pam Pettnot, Dan Farberman, and Becky Ryan remained. All other attendees left the meeting room or ended their Zoom session.

- Results of the operational and strategic assessment of the obstetrical program.

The motion was passed upon the following vote:

<b>VOTE</b>								
Salman Abbasey, MD	X	Yes		No	**	Abstain		Absent
Bryan Kehl	X	Yes		No		Abstain		Absent
Rich Kosmerl	X	Yes		No		Abstain		Absent
Steve Perkins	X	Yes		No		Abstain		Absent
J. Thomas Reagan, MD	X	Yes		No		Abstain		Absent
Larry Rogers	X	Yes		No		Abstain		Absent
Janice Shirley	X	Yes		No		Abstain		Absent
James Wawrzyniak, DC	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	8	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

Motion by Manager Kehl and seconded by Manager Rogers, the Board exit Executive Session at 7:12pm.

The motion was passed upon the following vote:

<b>VOTE</b>								
Salman Abbasey, MD	X	Yes		No	**	Abstain		Absent
Bryan Kehl	X	Yes		No		Abstain		Absent
Rich Kosmerl	X	Yes		No		Abstain		Absent
Steve Perkins	X	Yes		No		Abstain		Absent
J. Thomas Reagan, MD	X	Yes		No		Abstain		Absent
Larry Rogers	X	Yes		No		Abstain		Absent
Janice Shirley	X	Yes		No		Abstain		Absent
James Wawrzyniak, DC	X	Yes		No		Abstain		Absent
<b>VOTE TOTAL:</b>	8	Yes	0	No	0	Abstain	0	Absent
<b>RESULTS</b>	<b>X</b>	<b>PASS</b>				<b>FAIL</b>		

**EXECUTIVE SESSION DISCUSSIONS**

President Kosmerl reported that the following item was not identified prior to entering executive session but was discussed during executive session:

- Update on proposed, pending or current litigation – Notice of Claim received 06/09/2022

He further reminded attendees that all information discussed in executive session shall remain confidential and declared that no motions or votes were enacted on during the executive session.

**NEXT REGULAR MEETING**

The next regular meeting is scheduled for Tuesday, February 28, 2023 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 7:12pm upon motion by Manager Rogers.

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James Wawrzyniak, DC, BOM Secretary      Date

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Pam Pettnot, Recording Secretary      Date

DRAFT

**MEMORANDUM OF UNDERSTANDING****Between the****COUNTY OF WYOMING****And the****CIVIL SERVICE EMPLOYEES' ASSOCIATION, LOCAL 1000, AFSCME, AFL-CIO  
WYOMING COUNTY LOCAL 861-9250****Hospital Acute Staffing****Certified Nurse Assistants, Licensed Practical Nurses, Patient Care Techs and Registered Nurses  
(January / February 2023)**

WHEREAS, there is critical staffing shortfall within the Nursing Staff of the Wyoming County Community Health System of Certified Nurse Assistants (CNA's), Licensed Practical Nurses (LPN's), Patient Care Techs and Registered Nurses (RN's),

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 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 Nurse Assistants, Licensed Practical Nurses, Patient Care Techs and Registered Nurses who are current employees of the Wyoming County Community Health System or other Wyoming County Department who work additional shifts beyond their respective normal work schedule within the hospital for weekend shifts ONLY will receive extra shift incentives for each scheduled consecutive four (4) hours worked from the period beginning January 19, 2023 through and including February 28, 2023.
2. The provisions of this memorandum can only be extended or modified in writing by both parties, and will expire at midnight on February 28, 2023.

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.
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. In the event an employee works additional work hours pursuant to the provisions of this memorandum and fails to work their normal scheduled work shifts they will not be eligible for the additional compensation provided herein. For Example: If an employee is schedule to work their regular shift and works a different shift, at the request of management, this schedule change would not qualify of the additional payment pursuant to this memorandum as it would not constitute addition work beyond normal schedules.
5. 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.
6. The administration of this Memorandum of understanding the term weekend shifts shall be defined as any shifts that starts on or after 12:00 midnight on Friday and or ends a 7:00 AM Monday.
7. Either party to this agreement shall have the right to exit from this agreement prior to its expiration for any reason with 24-hour prior written notice to the other party.
8. Upon expiration the parties agree that the incentive paid to employees who work additional shifts shall return to the provisions of the Collective Bargaining Agreement.

  
For the CSEA

  
For Wyoming County

Date 1/20/2023