

**OKLAHOMA VETERANS COMMISSION
MEETING NOTICE AND MINUTES**

**January 25th, 2019
Vezey Veterans Complex
2132 NE 36th Street
Oklahoma City, OK 73111**

NOTICE OF REGULAR MEETING:

The Oklahoma Veterans Commission will hold a regular meeting on **Friday, January 25, 2019, at 10:00 AM** at the Vezey Veterans Complex, 2132 NE 36th Street, Oklahoma City, OK 73111. A Notice of this meeting was filed with the Secretary of State's Office on December 7, 2018.

AGENDA:

FRIDAY, JANUARY 25th, 2019 10:00 AM

I. CALL TO ORDER

The Chairman called the meeting to order at 10:00 AM

II. DETETERMINATION OF QUORUM

a. ROLL CALL AND INTRODUCTION OF COMMISSIONERS

The clerk called the roll, and the roll is as follows:

Arthur: Present

Ball: Present

Costilow: Present

Fite: Present

Secor: Present

Smithson: Present

Van Schuyver: Absent (Will be late)

Richey: Present

b. DECLARATION OF QUORUM

The clerk notified the Chairman that the Commission had a quorum. The Chairman declared a quorum.

III. INVOCATION

The Chairman led the invocation

IV. PLEDGE OF ALLEGIANCE

Commissioner Smithson led the Pledge of Allegiance

V. INTRODUCTION AND WELCOME TO VISITORS AND GUESTS

The Chairman welcomed the visitors and requested that all non ODVA staff introduce themselves to the Commission. Members of the gallery introduced themselves off microphone. The Chairman requested that anyone wishing to address the Commission in public comment sign in on the sheet provided.

VI. OKLAHOMA VETERANS COMMISSION

a. DISCUSSION OF AND POSSIBLE ACTION REGARDING APPROVAL OF MEETING MINUTES OF THE NOVEMBER 16, 2018 OKLAHOMA VETERANS COMMISSION MEETING.

i. Action

Commissioner Costilow moved to approve the November 16th minutes

Commissioner Secor gave the second

The clerk called the vote and the vote is as follows:

Arthur: Abstain

Ball: Abstain

Costilow: Aye

Fite: Aye

Secor: Aye

Smithson: Aye

Van Schuyver: Absent

Richey: Aye

The clerk counted the votes and notified the Chairman that the Motion was approved.

b. DISCUSSION AND POSSIBLE ACTION REGARDING TRAVEL OF COMMISSIONERS SINCE PRIOR REGULAR MEETING ON NOVEMBER 16th, 2018

i. Written Travel Reports Filed by Commissioners

ii. Presentation of Summary Travel Reports by Commissioners in Lieu of Written Reports

Arthur: Reported a visit to the Claremore Veterans Center

Ball: Reported a visit to the Norman Veterans Center

Costilow: Had nothing to report

Fite: Reported a visit to the Clinton and Lawton Veterans Centers

Secor: Reported a visit to the Lawton and Sulphur Veterans Centers

Smithson: Had nothing to report

Van Schuyver: Absent

Richey: Reported a visit to the Clinton Veterans Center

iii. Proposals for Review and Approval for Future Travel Requests and Travel Reimbursements

A. Action

The Commission moved that they take no action at this time

c. DISCUSSION OF ONLINE HOSTING AND AVAILABILITY OF MEETING PACKETS

The Commission was informed of the online hosting and availability of meeting packets via Share Point. The next scheduled meeting at the Ardmore facility will be presented via electronic tablet.

d. DISCUSSION AND POSSIBLE ACTION REGARDING WRITTEN DOCUMENTATION OF ALL COMMISSIONER TRAVEL REGARDLESS OF WHETHER REIMBURSEMENT WILL BE REQUESTED.

i. **Action**

The Commission decided to take no action at this time

VII. GUEST PRESENTATION

a. **DONALD NICHOLS, PRESENTATION WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

i. **Veterans Memorial and Record Repository**

The Commission was informed that the guest presenter was not able to make the scheduled meeting. Sarah Lane briefly presented the materials for the Veterans Memorial and Record Repository, and noted that the presentation was included in their meeting packet, and if there were any questions, contact information for Mr. Nichols would be provided.

VIII. OKLAHOMA DEPARTMENT OF VETERANS AFFAIRS

a. **DOUG ELLIOTT, EXECUTIVE DIRECTOR'S REPORT WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

The Director informed the Commission that the Deputy Director was not present due to a military duty assignment.

i. **Introduction of New Human Resources Director**

The Director informed the Commission that Tracy Spencer had been named the new Director of Human Resources, and gave a brief introduction and background.

ii. **Cabinet Secretary Update**

The Director updated the Commission on the status of the Cabinet Secretary Appointment. As of the date of this meeting, a Cabinet Secretary of Veterans Affairs had not yet been appointed.

iii. **Meeting with State Auditor**

The Director stated that he had reached out to Cindy Byrd on January 17th requesting her presence at the Commission meeting today. She stated that she had a conflict, and would not be able to attend. She stated that she was willing to discuss the audit with those interested at a convenient time.

iv. **Status of SAA**

The Director stated that the SAA was scheduled to sunset in July of this year. Legislation has been introduced by Senator Adam Pugh (SB90) and Tom Gann (HB1448) from the House to extend the sunset. Should the SAA lapse, the Governor according to federal statute can determine where the SAA should be housed. The Director further stated that in this case there would be a brief time where funds would need to be reprogrammed to that parent agency, but that the Veterans would not lose their benefits. The Director stated that if there is no re-designation, the federal government will assume responsibilities for the SAA.

v. **Budget Submission**

The Director stated that he briefed the budget committee January 24th. He stated that he had requested an additional 2 million in appropriations be added to the budget for FY20. He further stated that funding had fallen over previous years roughly 30%. The Director spoke to the 12 million dollar surplus in funds as well as the 35 million dollar bond fund. He stated that the funds were available to make a dual request on Ardmore and Sallisaw to have the bond split between the two facilities. He stated that it is roughly \$300,000 per bed to construct a new facility in neighboring states.

vi. **Statutory Filings of Interest to Commission**

The Director spoke briefly about Bills to monitor. In addition to the two previously mentioned, the Director provided the Commission with a summary of six additional bills. SB 456, SB 457, SB 458, SB 459, and SB 460 Greg Treat, (R), and HB 1149 Jim Grego (R)

vii. **Status of Programs**

The Director stated that the Director of Homes, Shawn Kirkland, had paneled the facility Administrators about the concerns related to the contracted physicians and the increase in mid-level providers. He stated that the programs is liked by administration, and the increased presence of the mid-level providers is working well. He stated that the Residents are being seem more frequently, and there is more involvement.

The Director stated that the rumors of the Contract X-Ray vendor being bought out were false, and that they reported being well received in the facilities.

The Director stated that the agency is still trying to unlock third party billing for the lab. He further went on to say that for Medicare to pay for any of the laboratory work, an advance beneficiary notice is causing confusion. The agency is paying those deductibles and will continue to do so, but the concern is that Residents and families will interpret the ABN notice as being their requirement, and therefore refuse the suggested lab.

Commissioner Smithson requested the number of lab requests from each facility by the next Commission meeting.

The Director stated that as an agency, ODVA is getting involved in assisting previously excluded Veterans due to criminal past that are unable to commit future acts. He stated that three Veterans thus far had been assisted in obtaining residency in light of this change.

The Director stated that Ventilators, CPAPs and BiPAPs can now be accepted in all seven facilities.

The Director stated that as of this date the agency is still looking for a driver for transportation grant program.

The Director stated to the Commission that the seat previously held by Commissioner Thomas was now vacant. He stated that Mr. Thomas had accepted a role within the city council. He further stated that applicants for the vacancy are being accepted.

**Of Note: Commissioner Van Schuyver entered the meeting at 11:24am*

b. **SARAH LANE, ODVA LEGAL COUNSEL, REPORT WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

Documentation of the content presented has been provided as an electronic attachment to these recorded minutes.

- i. Delinquent Accounts
- ii. Electronic Payments
- iii. Mediation Program Standup

- iv. Volunteer Veterans Guardianship Initiative
- v. Legislative, Regulatory and Executive Orders Update

A brief discussion among the Commission members and Ms. Lane followed the presentation.

- vi. **PROPOSED EXECUTIVE SESSION PURSUANT TO TITLE 25 O.S. § SECTION 307(B)(4) CONFIDENTIAL COMMUNICATIONS BETWEEN A PUBLIC BODY AND ITS ATTORNEY CONCERNING A PENDING INVESTIGATION, CLAIM, OR ACTION IF THE PUBLIC BODY, WITH THE ADVICE OF ITS ATTORNEY, DETERMINES THAT DISCLOSURE WILL SERIOUSLY IMPAIR THE ABILITY OF THE PUBLIC BODY TO PROCESS THE CLAIM OR CONDUCT A PENDING INVESTIGATION, LITIGATION, OR PROCEEDING IN THE PUBLIC INTEREST.**
- vii. **Action to Adjourn to Executive Session**

- i. Action

Commissioner Secor moved to Adjourn to Executive Session

Commissioner Costilow gave the second

The clerk called the vote and the vote is as follows:

Arthur: Aye

Ball: Aye

Costilow: Aye

Fite: Aye

Secor: Aye

Smithson: Aye

Van Schuyver: Aye

Richey: Aye

The clerk counted the votes and notified the Chairman that the Motion was approved. The Commission adjourned to Executive Session at 11:51am.

- viii. **Litigation Update**
- ix. **Action to Return to Open Meeting from Executive Session**

- i. Action

Commissioner Secor moved to return from Executive Session

Commissioner Arthur gave the second

The clerk called the vote and the vote is as follows:

Arthur: Aye

Ball: Aye

Costilow: Aye

Fite: Aye

Secor: Aye

Smithson: Aye

Van Schuyver: Aye

Richey: Aye

The clerk counted the votes and notified the Chairman that the Motion was approved. The Commission returned from Executive Session at 12:25pm

BREAK FOR LUNCH @12:25pm

The Chairman called the meeting back to order at 1:00pm

c. **HELEN SAPP, ODVA SAFETY PROGRAMS, REPORT WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

Documentation of the content presented has been provided as an electronic attachment to these recorded minutes.

- i. Workers Compensation Update

d. **TRACY SPENCER, ODVA DIRECTOR OF HUMAN RESOURCES, REPORT WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

Documentation of the content presented has been provided as an electronic attachment to these recorded minutes.

- i. Human Resources Update
 - A. Overtime
 - B. Turnover
 - C. Vacancies
 - D. GALT

e. **SHANTHA VARAHAN, ODVA CHIEF FINANCIAL OFFICER, REPORT WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

Documentation of the content presented has been provided as an electronic attachment to these recorded minutes.

- i. Revolving Fund Revenue
- ii. Average Occupancy
- iii. Total Days of Care
- iv. Current Capital Projects

f. **DORITA HERD, CONSTRUCTION ADMINSTRATOR, REPORT WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

Documentation of the content presented has been provided as an electronic attachment to these recorded minutes.

- i. Review of all construction projects concerning Ardmore, Claremore, Clinton, Lawton, Norman, Sulphur, Talihina, Central Office and agency wide projects
- ii. Facilities Change Orders approved by the Executive Director under the delegation of authority made pursuant to 61 O.S. §121(F) since the last regular meeting.
 - a. Change Order (\$6,653.35 + CAP Fee \$49.90) – Smith Power Systems, LLC – Lawton Veteran Center, remove and replace Transfer Switch for both Kohler Generators. Cost to include installation, labor and materials.

g. **JACKIE WHITTEN, CLAIMS AND BENEFITS ADMINISTRATOR, REPORT WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

Documentation of the content presented has been provided as an electronic attachment to these recorded minutes.

- i. Veterans Services Report, Claims and Benefits Division

h. **JOHN WILSON, VETERANS SERVICES AND MENTAL HEALTH ADMINISTRATOR, REPORT WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

Documentation of the content presented has been provided as an electronic attachment to these recorded minutes.

- i. Ask the question: Did you serve?

i. **BRADLEY WARD, VETERANS SERVICES EMPLOYMENT AND EDUCATION PROGRAMS ADMINISTRATOR REPORT WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

Documentation of the content presented has been provided as an electronic attachment to these recorded minutes.

- i. Spring 2019 semester began January 15th
- ii. Tracking enrollment and revenue of military-connected students

j. **LISA MUSSETT, ODVA WOMEN'S VETERAN COORDINATOR, REPORT WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

Documentation of the content presented has been provided as an electronic attachment to these recorded minutes.

- i. Women's Veterans Events

k. **SHAWN KIRKLAND, ODVA DIRECTOR OF HOMES, REPORT WITH POSSIBLE DISCUSSION ON THE FOLLOWING:**

Documentation of the content presented has been provided as an electronic attachment to these recorded minutes.

- i. Oklahoma Veterans Centers Census
- ii. Oklahoma Veterans Centers Demographics Update

l. **TINA WILLIAMS, ODVA COMPLIANCE DIRECTOR, REPORT WITH POSSIBLE DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING:**

Documentation of the content presented has been provided as an electronic attachment to these recorded minutes.

- i. Education
- ii. Clinical
- iii. CMS Medicare Medicaid Update

A. Action

Commissioner Arthur moved to move forward with the CMS progress at all facilities

Commissioner Smithson gave the second

The clerk called the vote and the vote is as follows:

Arthur: Aye

Ball: Aye

Costilow: Aye

Fite: Aye

Secor: Abstain

Smithson: Aye

Van Schuyver: Aye

Richey: Aye

Costilow: Aye
Fite: Aye
Secor: Aye
Smithson: Aye
Van Schuyver: Aye
Richey: Aye

The clerk counted the votes and notified the Chairman that the Motion was approved.

IX. OPEN PUBLIC COMMENTS

The Oklahoma Veterans Commission shall hear public comments limited to only matters that are listed on the current meeting Agenda. Topics that are outside the scope of the present agenda will not be recognized. Individuals requesting to speak are required to sign-in onsite at the meeting prior to the commencement of the meeting. Speakers must provide the speaker's name, address, email or phone number, and the subject on which they wish to speak. Open public comments are limited to not more than five minutes per person. The Board Chairman may interrupt and/or terminate any presentation during public comment which is disruptive to the meeting or does not conform to the procedures outlined under this section. The Board Chairman reserves and retains the right to interrupt, terminate, or postpone public comments as necessary to effectuate the management of the public meeting.

Gina Wekke requested to speak to the Commission on the topic of the SAA
Madiline Kervin requested to speak to the Commission on the topic of labs and GALT

X. NEW BUSINESS

Pursuant to 25 O.S. § 311, "New Business" shall mean any matter not known about or which could not have been reasonably foreseen prior to the time of posting (twenty-four hours prior to the meeting).

XI. CARRYOVER TOPICS DEFERRED TO FUTURE AGENDA

- a. Director's Evaluation, *February 2019 Meeting or later*
- b. Center Security, SOP, and Badges, *March 2019 Meeting*
- c. Long-term Planning
 - i. Strategic Plan
 - ii. Capital Improvement Plans
- d. Standardization or Customization of Agency Policies and Procedures
- e. Cost Benefit Analysis for Future Outsourcing of Services (February Meeting)

XII. SUBMISSION AND DISCUSSION OF POSSIBLE AGENDA ITEMS BY THE OKLAHOMA VETERANS COMMISSION FOR THE NEXT SCHEDULED MEETING.

XIII. DISCUSSION AND POSSIBLE ACTION REGARDING THE NEXT REGULARLY SCHEDULED MEETING DATE.

Friday, February 22nd, 2019

10:00AM
Ardmore Veterans Center
1015 South Commerce Street
Ardmore, Oklahoma

XIV. ADJOURNMENT

a. CHAIRMAN

i. Action

Commissioner Smithson moved to adjourn
Commissioner Costilow provided the second
Meeting adjourned at 3:30pm