

**SUBJECT
TO
APPROVAL**

**SUBJECT
TO
APPROVAL**

**Board of Trustees
A. Luke Crispe Room
10 April 2024
1100 hours**

Present:

COL Gary De Gasta, President
COL Peter Fagan, Vice President
Michael Klopchin, Secretary
SFC Clark Adams, PA-C
Kent Butterfield

Jennifer Carmichael
CPT Brenda Cruickshank
Lawrence Cupoli
BMCS Michael diMonda

Melissa Hurt
Dr. Jacqueline Kelly
Sandra Pinsonault
Joyce Scribner
Rev. Richard Setzer

Excused: Charly Dickerson
Robert Hooper
Joseph Chip Troiano

LTC David Fabricius
Cathy Tester

Robert E. Burke, Director, Vermont Office
of Veterans Affairs

Guests: Dr. Peter King
Melinda Crawl, Marketing/Admissions
Jean Cody, QA Nurse
Aisling Taft
Josh Aldrich
Robyn Boland, Executive Assistant

Donna Richards, Director of Nursing
Christina Cosgrove, Behavioral Health Dir.
Harry J. Percey, Jr.
Chad Foster
Mary Driscoll

Steve McClafferty, Finance
Sarah Sigsbury, Nurse Case Manager
Tina Cole
Rae Ann Woods
Mary Ryan

The meeting was called to order by President De Gasta at 1100.
Roll call was taken by Secretary Klopchin and a quorum was announced. Attendees stood to recite the Pledge of Allegiance.
Motion made by COL Fagan to accept the 14 February 2024 minutes as written, second by Mr. Cupoli. Motion carried unanimously. Motion made by COL Fagan to accept the 13 March 2024 Special Meeting minutes as written, second by Mr. Cupoli. Motion carried unanimously.

TOPIC	DISCUSSION	ACTION
PRESIDENT WELCOME	President De Gasta welcomed the Board, a resident and members of the staff and thanked them for attending the meeting. He also conveyed Representative Mary Morrissey’s regrets that she was unable to attend today’s meeting. COL Fagan also recognized Rep. Morrissey’s outstanding efforts to sponsor and work to secure passage of her Bill (H.794) enabling the VVH to render services to veterans outside of the Bennington facility. The Bill was read for the first time in Senate Government Operations on March 22.	INFO
RECOGNITIONS	Christina Cosgrove, Behavioral Health Director, was recognized for implementing, leading and moving the VVH’s Namaste program forward during the time she also served as the Director of the Home’s Dementia Program. Christina recognized Mary Longtin and Rae Ann Woods who helped run the Namaste program over the years, and Tina Cole, who currently heads the program. Namaste was	INFO

	<p>created by Joyce Simard in 2003 to assist residents with advanced dementia by focusing on comfort, dignity and pain management. Ms. Cosgrove has been invited to present the Home’s stellar Namaste Program this September at the International Namaste Conference in London. Namaste is currently operational in 14 countries worldwide. One behalf of the Board, President De Gasta presented Ms. Cosgrove a Board Challenge Coin for her two decades of Namaste leadership and achievements.</p> <p>On behalf of the Board of Trustees, President De Gasta presented a Retirement Plaque to Harry J. (“Jamie”) Percey, Jr. for nearly 10 years of exceptional service as the first elected classified employee to serve on the Board. De Gasta recognized and thanked Mr. Percey for being a reliable, candid and contributing member of the Board while, at the same time, also faithfully supporting and representing VVH employees.</p> <p>Melinda Crowl read her nomination for Sarah Sigsbury, Nurse Case Manager, to receive a Board Challenge Coin. Ms. Sigsbury was praised for her exceptional dedication and deep commitment to her work and for being an integral member of the VVH team since she started less than 2 years ago. She was also recognized for her vast clinical knowledge, positive attitude, willingness to step in to fill any role to assist her coworkers and for the care and compassion she provides to residents. President De Gasta, on behalf of the Board of Trustees, presented a Board Challenge Coin to Ms. Sigsbury and thanked her for her contributions to the VVH.</p> <p>COO Whitcomb welcomed one of our veterans in attendance at the meeting.</p> <p>The Board wished Happy Birthday to Melissa Hurt and thanked her for attending the Board meeting on her day off.</p>	
TOPIC	DISCUSSION	ACTION
<p>HOME REPORTS CEO L&P DEFICIENCY</p> <p>MALCOLM BALDRIGE</p>	<p>The VA Survey team arrived on Monday and will be here all week. Life Safety arrived today.</p> <p>The Home recently received a deficiency for abuse from Licensing and Protection that stemmed from an investigation conducted a year ago. Audits are ongoing. As part of the Plan of Correction, employees are given an abuse competency quiz. The Board will be advised once we are back in compliance. All allegations of abuse must be reported. Subsequent discussion covered: the definition of abuse, abuse regulations, processes of reporting and processing investigating abuse, effects of having an abuse deficiency on our record and abuse appeal processes.</p> <p>In May, we should find out whether we achieved the Bronze Malcolm Baldrige Award.</p> <p>April 16 - 18, CEO Jackson and QA Nurse, Jean Cody, will be attending training for the Baldrige Silver Award. The Silver Award application is due in January of 2025. The QAPI (Quality Assurance Performance Improvement) Leadership Excellence team meets weekly to address our Policy, the QAPI Plan and to build on the Bronze application and work toward the Silver Award. The Malcolm Baldrige award recognizes systemic and sustained quality improvement and performance delivery</p>	<p>INFO</p> <p>INFO</p>

<p style="text-align: center;">MARKET STUDY RECOMMENDATIONS</p>	<p>accomplishments in business, industry and healthcare. Only 3 State Veteran Homes in the country have achieved a Gold Award.</p> <p>The purpose of the Gibbous Market study was to find out where the veterans are in the state and identify the service gaps they are experiencing to help support our Strategic Plan. CEO Jackson reported she will provide the Board Talking Points regarding the outcomes of the Gibbous Market Study. If Representative Morrissey legislation is passed, we would be in a position to consider program expansion if and when the timing is right. Currently there are no plans to expand services to a new location -- the main focus for some time will be on staff stabilization. We continue to work on strategic planning, including exploring the feasibility of future pilot programs/sharing/partnering with organizations such as the WRJ VA Medical Center.</p> <p>CEO Jackson stated the VVH needs the Board’s advocacy in three key areas: First, with the budget and the legislature. During the December Board meeting and thereafter, once the Governor’s Budget is released, it will be shared in executive session with Talking Points to be used when meeting with legislators, VSOs (Veterans Service Organizations) and the media. Constituents (Trustees) directly contacting their Representatives is believed to carry a great deal of weight.</p> <p>Second, the Board’s advocacy is needed at the federal level -- addressing the negative impact of the CMS staffing mandate proposal. Last week, CEO Jackson provided national testimony for the NASVH (National Association of State Veteran Homes) on the impact of the staffing mandate on state veteran homes. She noted the VVH is currently spending a million dollars a month on Agency staffing; that the Vermont Department of Health states our rural acute hospitals beds are limited due to staffing and patients no longer requiring acute hospital care are unable to be discharged because of the unavailability of nursing home beds. CEO Jackson also noted there is “talk” that LPN’s are possibly going to be included in the mandate. The impact of this unfunded staffing mandate would be lessened, albeit not eliminated, if adequate personnel monies are provided. The American Nurses Association (ANA) embraces the staffing mandates but is challenged by the need to recruit nursing educators in order to open and expand nursing programs to attract and train the thousands of nursing personnel needed nationally.</p> <p>Third, Vermont needs to streamline its hiring process and make it more user friendly. It is very difficult to identify the VVH or its open positions on the Human Resource site. Posting new positions is also challenging and takes a lot of time. Another issue is the outdated Willis pay scale (the pay equity system which began in 1974 and which restricts each step's pay raise to 5%) -- the Home’s salaries are not competitive with the private sector and VVH nurses are the lowest paid in our area.</p> <p>We also need to grow/enhance the leadership/management, especially middle managers -- how do we develop them and how do we provide educational opportunities for our staff for the future? CEO Jackson requested Trustees to share their thoughts and ideas with her.</p> <p>The heat is off and the water has been drained in the Commandant’s House. Working to arrange for an inspector to check for asbestos (insulation, floor tiles, etc.). If asbestos is found and abated, the local</p>	<p style="text-align: center;">INFO</p>
<p style="text-align: center;">COMMANDANT’S HOUSE</p>		<p style="text-align: center;">INFO</p>

<p align="center">HIPAA RISK ASSESSMENT AND REGULATION CHANGES</p>	<p>fire department has expressed interest in doing a “controlled burn” for training purposes. However, the rubbish would still need to be removed. There are no VVH funds available to cover the demolition. A suggestion was made to contact the Vermont National Guard to determine if a Guard Engineering unit might find the debris removal a training opportunity.</p> <p>Since it is anticipated that approximately 80% of HIPAA regulations will either be changing entirely or become stricter, CEO Jackson is delaying a HIPAA Assessment until the end of the year. HIPAA regulations cover medical record information, billing information, business associates’ agreements and employee information. We are working with State officials to develop a vendor contract for a comprehensive security risk and privacy breach analysis, to review our current policies and procedures in order to optimize training in regulatory compliance. The vendor will also be expected to work closely with ADS (Agency of Digital Services) to ensure the Home’s computer systems and programs are compliant with federal regulations.</p>	<p align="center">INFO</p>
<p align="center">NASVH LEGISLATIVE PRIORITIES</p>	<p>CEO Jackson posted documents on the Teams page regarding NASVH (National Association of State Veterans Homes) efforts to convince Members of Congress to help with 2 pieces of legislation (H.R. 7514 and S.3886) requiring the VA to permit State Veteran Homes to receive waivers from the BABA (Build America, Buy America Act). BABA mandates that federally funded construction projects must have 55% or more of its products made in America. Unfortunately, many HVAC and elevator replacement parts are not made in America so we would be unable to comply. Not having a waiver may also impact our ability to secure A-wing construction grant design and funding.</p>	<p align="center">INFO</p>
<p align="center">AGENCY OF NATURAL RESOURCES FINE</p>	<p>The \$3,000 fine imposed by the Agency of Natural Resources has been posted on their website for the required 30-day public comment period. As of yesterday, there were no public comments. Corrective actions to become compliant have been accomplished -- report requirements and reminders are now built into the VVH maintenance care software. CEO Jackson publicly thanked COO Whitcomb for all her efforts in heading up the Maintenance department with the absence of the Director of Environmental Services.</p>	<p align="center">INFO</p>
<p align="center">OTHER</p>	<p>The Board offered its congratulations to the Home for 460 consecutive days of “No Time Lost” by an employee for a sustained work injury. Safety protocols, training, education, equipment, technology, a safety culture, continuous learning and continuous improvement all contribute to this achievement.</p>	<p align="center">INFO</p>
<p align="center">LUNCH BREAK</p>	<p>A lunch break was taken from 12:12pm to 1:00pm.</p>	<p align="center">INFO</p>
<p>TOPIC</p>	<p>DISCUSSION</p>	<p>ACTION</p>
<p>BENNINGTON FAIR FOOD INITIATIVE PRESENTATION</p>	<p>Representatives Michael Fernandez (District Manager, Bennington Conservation District), Shannon Barsotti (Community Development Director, Town of Bennington), Susan Sgorbati (Director, Center for the Advancement of Public Action, Bennington College), and Jack Boger (via zoom) of the Bennington Conservation District and the Bennington Fair Food Initiative delivered a PowerPoint Presentation in</p>	<p align="center">OPEN</p>

	<p>support of their proposal to the Board: “To authorize CEO Jackson to initiate the formation of the legal structure for the veteran farming cooperative, to then authorize the distribution of the funds that VVH currently holds to that cooperative to act as seed capital to pay for staff time to develop the programming, and then pay for the implementation of the key infrastructure through those cost share programs available from the Natural Resource Conservation Service”.</p> <p>The goal of the proposal is to develop objectives to create a connected farm and food system to boost the growth of the agricultural workforce in Bennington County and establish farming partnerships across the food system. VVH already has the necessary funds to participate since we are a part of the Bennington Food Initiative, and we participated in the initial pilot program to establish a veteran training program for workforce development in the original spending request made through Senator Peter Welch’s office.</p> <p>Initially there would be 3-4 local veterans/participants for the first 2-3 years, expanded by 5-7 veterans every 2-3 years. This proposal would use about 20 acres of the Home’s property that does not require rezoning. Approval of the proposal would help the VVH address its Strategic Plan as well as our Mission and Vision statements to fulfill the promise to Vermont veterans and help (all) veterans. Participating veterans will learn how to develop their skills, build their efficacy and increase their agricultural knowledge. The participants will learn while doing and earning enough capital to transition to their own farm. The USDA will be involved in the cost share program.</p> <p>Due to meeting time constraints, further discussion on this matter and authorization to the CEO to proceed will be deferred until the June 12 Board meeting.</p>	
TOPIC	DISCUSSION	ACTION
<p>HOME REPORTS DONNA RICHARDS, DNS</p> <p>DR. KING, PROVIDER</p> <p>STEVE MCCLAFFERTY, FINANCE</p> <p>ASA WHITCOMB, ENVIRONMENTAL</p> <p>MELINDA CROWL, MARKETING</p>	<p>In response to a question, the Home attempts to coordinate clinical appointments so that more than one resident is transported at a time to the same location in order to conserve staff time. Alternatively, efforts are also being made to utilize telehealth services whenever possible.</p> <p>Dr. Bobba just obtained his Vermont license and returns to working 2 days a week beginning this Friday.</p> <p>There was a discussion regarding write-offs and requesting that the accounts be addressed more frequently so the amounts aren’t so large. Steps are being made to avoid non-payment and/or to collect in a reasonable time.</p> <p>No further inquiries were made from the report previously submitted.</p> <p>There are 2 residents still on American Way, but they should be relocated by the end of the week. There are two new admissions scheduled for next week. The maximum census will be 97. Also encouraged the Trustees to record a brief video thanking staff during the National Nursing Home week.</p>	<p>INFO</p> <p>INFO</p> <p>INFO</p> <p>INFO</p> <p>INFO</p>

JEAN CODY, QA	No further inquiries were made from the report previously submitted.	INFO
TOPIC	DISCUSSION	ACTION
CORPORATE COMPLIANCE	<p>Compliance Officer, Asa Whitcomb, reviewed the Report she previously submitted and led a Trustee compliance education session. She reviewed key points and “takeaways” from a “Practical Guidance for Health Care Governing Board on Compliance Oversight” (handout from October 2023’s Education & Training Program). Compliance is a major Board responsibility and Trustees need to be fully engaged in key areas of compliance: awareness, education, asking questioning of the leadership, ensure a reporting system exists and is adequate to ensure the Board receives appropriate information related to compliance, develop a formal plan to stay abreast of the ever-changing regulatory landscape and outlying environment and issues (e.g. HIPAA, cyber security, other risk areas), be sufficiently knowledgeable to ask pertinent questions of management and offer informed strategic suggestions regarding the organization’s compliance program (to include matters of funding and resource allocations, be knowledgeable regarding the budget -- funding, write-offs, bad debt, collections, return of overpayments, improper billing, improper collections, etc.).</p> <p>During subsequent Board meetings, CO Whitcomb will present short videos explaining various regulatory areas. She will provide the Board links to the videos. CO Whitcomb monitors OIG (Office of Inspector General) newsletters for topics that could potentially be focal areas for surveyors.</p> <p>CO Whitcomb made a request to the Trustees to advise her if there is any additional information they would like to be included in the Home Reports.</p>	INFO
BREAK	Break from 2:43pm to 2:53pm.	
TOPIC	DISCUSSION	ACTION
COMMITTEE REPORTS BUDGET AND FINANCE	Quarterly committee meeting scheduled for 4/19/24.	INFO
BUILDINGS & GROUNDS	Quarterly committee meeting scheduled for 5/17/24.	INFO
OUTREACH & MARKETING	<p>Ms. Carmichael reviewed the Report previously submitted which encouraged Trustees to “sign up for” and “participate in” Home events/fairs along with Melinda Cowl. Such participation would allow Trustees to increase communication and collaboration with Vermont veterans, support the Strategic Plan and its Outreach and Marketing Committee goals.</p> <p>The Committee Report also suggested that a periodic newsletter be created to keep VSOs briefed and updated. VSOs are invited to be added to the Buzz Word distribution list. Although many organizations currently receive the Buzz Word, it is unknown how well it is shared with individual members.</p> <p>Quarterly committee meeting scheduled for 5/20/24.</p>	INFO

QUALITY ASSURANCE	Quarterly committee meeting scheduled for 6/18/24.	INFO
EXECUTIVE	<p>President De Gasta provided a brief summary of the Report previously submitted. The Executive Committee’s rarely-used Ombudsman Program has outlived its usefulness and has been discontinued. Information on how to contact the Board will now be included on the VVH Feedback Form.</p> <p>The recommended Nursing Home Week all-employee gift for 2024 was slightly over the \$3,500 allocated in previous years. Our By-Laws authorize the Executive Committee (EC) to approve expenditures up to \$5,000. Due to time constraints to ensure the timely purchase, transport and delivery, the Executive Committee voted last month to approve a management request for \$3,983.25 to purchase the gift for each employee. By-Laws require that an EC expenditure be presented to the full Board of Trustees “at the next regular Board meeting” which is today, April 10th.</p> <p>Quarterly committee meeting scheduled for 5/1/24.</p>	INFO
STRATEGIC PLANNING	Quarterly committee meeting scheduled for 5/15/24.	INFO
NOMINATING/BY-LAWS	During the May meeting, it is anticipated Mr. Dickerson will present and discuss several Board policy recommendations.	INFO
TOPIC	DISCUSSION	ACTION
EXECUTIVE SESSION	<p>A motion was made by COL Fagan to enter into Executive Session to discuss contracts and a personnel matter. The motion was seconded by CPT Cruickshank. No discussion. The motion carried unanimously and the Board entered Executive Session at 1507. Attendees during the Executive Session included the Board members and invitees CEO Melissa Jackson and COO Asa Whitcomb. Financial Director, Steven McClafferty, only attended the Executive Session relating to contracts.</p> <p>A motion was made to exit the Executive Session by BMCS diMonda, second by Mrs. Scribner. The motion carried with none opposed and the Board returned to its open meeting at 1604. There were no motions or recommendations resulting from the Executive Session.</p>	CLOSED
TOPIC	DISCUSSION	ACTION
ADJOURNMENT	A motion to adjourn the meeting made by BMCS diMonda, second by COL Fagan. No discussion. The motion carried unanimously to adjourn the meeting at 1605.	CLOSED

Meeting adjourned at 1605. Next Board meeting is 12 June 2024.