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BEFORE THE OHIO ASSOCIATION OF
COUNTY BEHAVIORAL HEALTH AUTHORITIES

- - -

OACBHA/ODMH FUND 408
FORMULA ROUNDTABLE MEETING
5/1/09 10:00

- - -

TRANSCRIPT OF PROCEEDINGS

- - -

Friday, May 1, 2009
10:09 a.m.
OACBHA
33 North High Street
Suite 500
Columbus, Ohio 43215

- - -

ANN FORD,
Registered Professional Reporter

- - -

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2 Cheri L. Walter, OACBHA, Chief Executive Officer
3 Mike Jenks, Medina County
4 Deborah Nixon-Hughes, ODMH
5 Helen Anne Sweeney, ODMH
6 Eric Stewart, Hamilton County
7 Jacqueline Martin, Lucas County, (Via Telephone)
8 Karen Scherra, Clermont County
9 Rod Hollingsworth, Muskingum Area
10 Orman Hall, Fairfield County
11 Kirk Halliday, Erie-Ottawa County, (Via Telephone)
12 Donald Anderson, ODMH
13 Dalon Myricks, ODMH

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P R O C E E D I N G S

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BE IT REMEMBERED THAT, on the 1st day of May, 2009, this cause came on for hearing before the Ohio Association of County Behavioral Health Authorities; and the parties appearing in person and/or by counsel, as hereinafter set forth, the following proceedings were had:

MS. WALTER: This is Cheri Walter.

MR. JENKS: Mike Jenks, Medina County.

MS. NIXON-HUGHES: Debbie Nixon-Hughes.

MS. SWEENEY: Helen Anne Sweeney.

MR. STEWART: Eric Stewart, Hamilton County.

MS. SCHERRA: Karen Scherra, Clermont.

MR. HOLLINGSWORTH: Rod Hollingsworth, Muskingum Area.

MR. HALL: Orman Hall, Fairfield County.

MR. ANDERSON: Don Anderson.

MR. MYRICKS: And Dalon Myricks.

MS. WALTER: And the Court Reporter.

MS. MARTIN: Jackie Martin.

MR. HALLIDAY: Good to meet you all.

MS. SCHERRA: We appreciate you being here. We appreciate the time we were given to try to come up with a recommendation in lieu of what the Department had put out. I think we have to acknowledge the work that Orman and Eric, along with Helen Anne,

1 have done to really try to come up with something. I think, in
2 general, a lot of really good work was done. I think a lot of
3 it was informational, both telling us things, I think, that need
4 to be considered and some things that maybe aren't the right way
5 to go.

6 We've reviewed all of that, and we did have several
7 conversations with our membership this week to get to a
8 recommendation to bring to you today. And we're very hopeful
9 that what you will recognize is that we would like very much to
10 continue this process. We think that this is a way -- the best
11 way of approaching, I think, what is probably the most serious
12 issue that faces us, which is the amount of funding and how that
13 funding is allocated and what that funding is to be directed
14 towards. I think we have certainly learned, and I hope you have
15 learned, that we have a lot to still learn about how to make
16 that work and what should be in that formula.

17 I think we need to tell you that the association membership
18 is very committed to continuing to work. I think something that
19 we can say that everybody, I think, agrees with is that the
20 prevalence factor is something important to look at and its
21 place in the formula versus rate and treatment. I think that's
22 sort of a given that we can all point to. But I think we still
23 have to look at where does it fit in with other factors, how is
24 it rated and what else we have to do.

25 So I'm going to turn things over to Mike. Mike is going to

1 go through the specifics of what our recommendation is, and
2 we'll -- we're certainly willing to help you understand how we
3 got to that and where we would like to go from here. But I'll
4 let Mike.

5 MR. JENKS: Thanks. I would like to echo a couple of
6 Karen's points. I want to pay attention to what I'm saying here
7 so I get it right. First of all, thank you for the time and the
8 opportunity and Helen's work I wasn't involved with at all, but
9 I certainly appreciate it, but I think we really feel that doing
10 it together is very important.

11 We learned things from you, and hopefully you learned things
12 from us. And I think that you'll see that the offer we have
13 today that we would like you to have consideration of is a fair
14 one. Our overarching, I think, recommendations of two I would
15 like you to hear from the process is that we think being at the
16 table with you in a manner like this is appropriate and fair and
17 that we want to continue that. We want to stay in that
18 together-mode.

19 I think we recognize the value of the science and also
20 realize the limitations that not all science can take an is and
21 turn it into an ought. There's limits of science as well, but a
22 clear recognition that we want to do this in a way that brings
23 science into it. I think we also believe that moving towards
24 the prevalence versus rates under treatment, I think, really
25 strong support on that as a way to go.

1 The notion, I think Orman brought this up, of bringing folks
2 that have some background in health care economics and whatever
3 would be a valuable component and add an important facet to
4 inform the process. We think that's important.

5 We also believe that, and we share the belief, that it's
6 time to incorporate a paradigm or a model to move resources in a
7 way that's consistent with our broad objectives, and the time
8 has come to do that. And as we move forward, one of the things
9 we're going to talk about is the need to get to this formula
10 that is the one, so to speak, it's the one -- if you've seen the
11 movie the Matrix -- that will probably take us maybe six months
12 to get there, but if we can get there by December 31 or
13 January 1, we think that's important.

14 As we talk now and introduce what we have today to talk to
15 you about, it is somewhat of an interim strategy, a strategy
16 that attempts to move resources in the way that we think the
17 Department contemplated in its initial work, that in the way
18 subscribes to the notion that there are some boards that should
19 be getting more dollars for whatever reasons. The same time,
20 though, doing it in a way that minimizes the disruption to the
21 many while taking that substantive step towards relief or more
22 dollars for those that seem to be, based on a variety of the
23 formulas, consistently popping up, as it were, and saying, hey,
24 those are the boards that should be getting some relief.

25 This solution, I think, is a reasonable one. It's a

1 solution -- it's a strategy that would be seen as sort of a
2 tweak or a bridge as opposed to going from one formula to a
3 different one, at the same time going to another one. I think
4 we would see this as a bridge tool to get us from where we are
5 now to where we think we can all be. We have more time to do
6 it. I think there's a clear recognition that it just takes time
7 to put the car together, just somehow can't always be done,
8 especially if it's multiparty, involves other people.

9 So it's within that spirit that we brought out and shared
10 with the membership through a conference call what we're going
11 to share with you right now. And in the conference call, the
12 board supported -- was it unanimous? No. But was it a real
13 strong showing? Yes. I think that's the -- where we're at
14 right now.

15 So if I could hand it out. I'm not so sure I can explain as
16 well as others, but I'll have these to hand out to you, and I'll
17 try to cover them. Just keep passing them out. One more for
18 the court reporter and Don. Now Dalon gets to be challenged by
19 someone else explaining how the formula works, and you get to
20 say, tell me what that means, Michael. I will try to go through
21 it as carefully and as clearly as I can.

22 The boards are listed along column one. Column -- the next
23 column called Current Methodology would be the '09 allocation as
24 we know it to date. The next column represents what would be
25 the allocation to those same boards if they were funded at

1 99 percent of that current level or it incorporates the
2 1 percent reduction.

3 Then it talks -- then the next column would incorporate a --
4 if I got this right here -- the 2 percent; is that correct? The
5 next column would incorporate a 2 percent; am I saying that
6 right?

7 MS. SCHERRA: No. 1 percent.

8 MR. JENKS: 1 percent. I'm sorry. And that total dollar
9 value would be moving to the boards that are highlighted in the
10 lavender, and that would be the dollar amount.

11 MS. SCHERRA: It's 1 percent off the top.

12 MS. WALTER: Yeah.

13 MR. JENKS: Yeah. And I haven't looked at this yet. This
14 is brand new to me. These are looking at it from a different
15 position. Then the new distribution, which totals 5.263749
16 represents -- that represents a 2 percent.

17 MS. WALTER: That's what we're asking ODMH.

18 MR. JENKS: That's what we would be asking you. This sort
19 of represents -- a simple way to say would be 1 percent coming
20 off the top of all boards, which would create the dollars, and
21 then 2 percent of additional dollars that would be added
22 together. The 2 percent that we're talking about that's not
23 coming from the boards, we would be seeking the Department to
24 help find those resources. That then taken together would
25 create new allocation, which is the second from the far right

1 column. And, again, the lavender would show those boards that
2 have that increase.

3 Then the difference between the new and the old would
4 exactly be that, whether it was Allen, Auglaize for 816,000,
5 Franklin County, this would be a 3,287,188, or almost over
6 \$3 million.

7 So what this model does is it creates a sense of quicker
8 pace on the positive side yet it minimizes the loss on the
9 reduction side for boards. It's kind of a hybrid in a way.

10 MS. SCHERRA: Just a clarification, on the first column, the
11 term Methodology, that's using the current formula but with the
12 \$10.

13 MS. WALTER: Right. And it's taking that 1 percent off the
14 top so every board is impacted, even those boards that benefit
15 later on. The initial 1 percent comes off the top of the 263.
16 And boards felt that it was really important that we showed that
17 we were willing to work. And some boards, a lot of boards, as
18 you can see, were willing to get less than what would have
19 originally been in your formula even to show that they were
20 committed to making some of this movement. I mean, they really
21 felt that there were several boards that throughout all the
22 formula work we had done consistently showed they had a need
23 now.

24 MR. HALL: It was really pretty amazing yesterday on the
25 conference call, the majority of the boards voted to cut their

1 allocation so we could create positive movement in the direction
2 of the formula. It was really pretty impressive.

3 MS. WALTER: I think the hardest part for you guys probably,
4 we're asking you to look for \$5 million, and we admit that. I
5 mean, you know, there's \$31 million less in this allocation now
6 than what there was going out last year ultimately in flex. And
7 boards really -- we know that you guys have been looking at
8 hospital costs. We know that we haven't figured in all of the
9 stuff that's going to happen with your cost savings that you're
10 trying to work on and so forth. And so boards are really trying
11 to show they're willing to put some money up. We would really
12 like to see the Department come up with some money, too. It's
13 1 percent from us and 2 percent from you. We're just really
14 hoping that you guys can go back, look and see if there's some
15 way to find that. We think the important thing is we're all
16 moving together forward.

17 MR. ANDERSON: This is, just so I understand, this is the
18 current methodology, the way things are currently. This is the
19 current methodology. It's currently being used, so there's no
20 moving to a new methodology.

21 MR. JENKS: Well, there is in a sense if you decide -- if
22 you think about what the objective moving to a new methodology
23 is, and that objective is to move dollars in a different way
24 than prior, and it does that because the eight boards that would
25 be getting the dollars are the ones that consistently in your

1 model and the models that have been described to date were the
2 ones that got those dollars. So definitely emulates or kind of
3 in a sense mirrors that changed model.

4 MS. SCHERRA: The benefit, I think, Don, is that it
5 acknowledges that those formulas singled out, in a sense, those
6 boards, but it doesn't put that formula in place, which I think
7 we all have seen maybe is not -- does not hit the right things
8 in the right times in the right place. I mean, we have a lot of
9 work to do on the formula.

10 So I think there was a belief that rather than putting some
11 formula in place that no one is comfortable with, it's better to
12 do it this way, use the old methodology, but acknowledge the
13 work that has come out of all of the looking at different
14 variables in the formulas.

15 MS. WALTER: And please don't see this as saying we're
16 looking at the status quo. We are not. We don't want the
17 status quo.

18 MS. SCHERRA: No.

19 MS. WALTER: We absolutely want to sit with you and work
20 together, like we said, over the next six months and have a new
21 formula that is science based. We bring some expert in by
22 January 1. Because we've all talked about some of the science
23 in your original formula probably wasn't the best. You know,
24 our folks tried hard. I mean, they worked with Helen Anne, I
25 don't know how many different formulas you ran, but there was

1 always something just not quite right with each of the formulas.
2 And instead of putting something in place for the sake of
3 putting something in place, we really felt, let's do something
4 to help those boards that are really hurting, they need some
5 additional dollars, so that we're not just at the status quo.
6 And then let's spend the next six months really digging into
7 what is a good, long-term formula.

8 MS. SCHERRA: I think it's easier to accept the concepts of
9 those formulas as opposed to a specific formula.

10 MR. HALL: I think the problem that we had, there were three
11 potentially viable formulas that we looked at, two of which were
12 predominantly based on science, and all three of those formulas
13 shifted dollars in dramatically different ways.

14 And since, again, there were potential validity challenges
15 to all of those models, it was difficult for us to determine
16 which of those models we should use without additional work. So
17 we think we need additional time.

18 What Cheri did was she went through and eyeballed all of the
19 models and identified eight boards that benefited pretty much in
20 all of the scenarios. And so what we hope to do is to move
21 dollars to those boards, because we're fairly certain that when
22 we do complete our formula work, those boards will receive
23 additional money. So we're creating the movement and at the
24 same time we're minimizing the damage and we're creating a
25 window of opportunity for us to do the real work that needs to

1 be done for the long term. I think that was kind of the
2 process.

3 MR. JENKS: By no means -- I think we really feel
4 comfortable that the boards that we're talking about were the
5 boards that were the ones that will be affected by a change in
6 the formula. So it was not like were boards willing to have
7 lost money or whatever. It gets to the same destination but a
8 different vehicle.

9 MS. WALTER: There are several boards that would have gained
10 in your formula that are now losing, and they recognize that.

11 MR. MYRICKS: I think I heard -- being the person who's had
12 to explain things to others, so I can appreciate what it's like
13 to be on that side, so I won't go down at all, Mike. So if you
14 could just repeat one piece because I think you started to go
15 down that path, but if I can just get a single, complete thought
16 and that was there's something you saw in the boards that are
17 highlighted that made you ensure that there was an increase for
18 those.

19 MR. JENKS: Right.

20 MR. MYRICKS: And if you could kind of just -- I heard it in
21 three different angles.

22 MS. WALTER: Probably me better than you.

23 MR. HALL: Do you want to do it, Cheri?

24 MS. WALTER: You can go ahead.

25 MR. HALL: Basically, Cheri did the work. She eyeballed all

1 of the major formula scenarios and identified eight boards that
2 gained money in all of those major scenarios. And then
3 basically what we did is we looked at the ratio of gain that
4 they would have gotten and used that to proportionally spread
5 the new dollars that we would like to create in a pool to move
6 to those boards.

7 MS. WALTER: Yeah. One thing, just to be real clear, this
8 does not include that 300 percent prevalence model because that
9 was pretty far out there. But what this really worked off was
10 some of the work you did with the new hospital stuff and the
11 original formula you guys had and how we got to where we are.
12 Those were the ones.

13 And then what Orman did, because he's the mathematician, not
14 my, we took the difference between what was this formula under
15 the current methodology and then took your formula and saw what
16 percent -- and Orman did the work on what percentage each of
17 those boards gained, and then he prorated the percentages off
18 the top; is that correct, Orman?

19 MR. HALL: Yeah. That's pretty much it.

20 MS. WALTER: And that's how we got to these numbers.

21 MR. ANDERSON: So the math is -- the allocation for the
22 boards that gain was proportional to what they would have gained
23 under our formula; is that what I'm hearing?

24 MR. HALL: That is correct.

25 MS. WALTER: Just for these eight. Yes.

1 MR. ANDERSON: For those eight boards, the proportion of
2 gain is the same as they would have gained under our formula; is
3 that correct?

4 MS. WALTER: The proportion, yes, under the 3 percent total
5 increase.

6 MR. ANDERSON: Trying to understand the math.

7 MR. HALL: Yeah. But they were identified by the virtue of
8 them benefiting in all of the major funding scenarios.

9 MR. ANDERSON: I hear that. I understand that. But the
10 actual math is to -- you went back to the formula that we
11 proposed; is that correct? I'm just trying to understand.

12 MR. HALL: We did. And we could have --

13 MR. ANDERSON: Sorry. And you created a proportion for a
14 ratio for each of those of gain, and you allocated according to
15 that ratio.

16 MR. HALL: That's correct. That's exactly what we did.

17 MS. NIXON-HUGHES: Is it possible to get something written
18 about how these eight boards were identified and the math or the
19 science that was used to come up with --

20 MR. HALL: There's no science. You know, I don't want to
21 say there's no science. Wait a minute. I need to be careful
22 and watch my words here. What we did is we made a decision
23 based on a set of logical assumptions. And that was, again,
24 just to repeat, we wanted to identify boards that appeared to be
25 universally disadvantaged based on the fact that they would get

1 more money in every major scenario. So they were identified or
2 they were targeted for additional funds.

3 MR. ANDERSON: Right.

4 MR. HALL: And then we did precisely what Don said, we used
5 the difference between -- and some of this was done for
6 expediency. Obviously, this work has had to emerge very
7 rapidly. Cheri and I did the work over the telephone in a
8 matter of about 10 minutes. So we need to go back and vet our
9 numbers. There may be another board or two that needs to fall
10 into this group. We need to more closely look at the data.

11 You know, this is more proof of concept than anything else.
12 We want to go back and verify the numbers or we can do that
13 together with the Department. But I think what we're doing is
14 recommending a strategy and an approach to move us forward.

15 MR. ANDERSON: I think no matter what the spreadsheet ends
16 up looking like, there is, as I understand what you're talking
17 about, is something that can be described mathematically.

18 MS. WALTER: Yes.

19 MR. JENKS: Oh, yeah.

20 MR. ANDERSON: That's what we're looking for, Debbie is
21 looking for, I think, is something that can be described
22 mathematically that's tangible. We can look at it and we can
23 actually --

24 MR. JENKS: You would come up with the same result.

25 MS. WALTER: Yeah. I can show you exactly what we did.

1 MR. ANDERSON: And that's what we would like to see.

2 MR. MYRICKS: Really, I just have one other moderately
3 simple question. For the past three or four years, we've also
4 in conjunction in this line item have dealt with the safety net
5 issue and some boards whose risks, you know, showing that they
6 needed to have safety dollar supports.

7 MS. WALTER: I thought that was on the 505.

8 MR. MYRICKS: It is, but a large part of it was where people
9 were in terms of their overall resources. And this is one of
10 the key resources here. As you look into that, did any of
11 that -- did any of that come into some thought process, again,
12 towards the eight?

13 MS. WALTER: No.

14 MR. JENKS: No. It was just pure, just really pure formula.

15 MS. WALTER: We talked about the safety net and that that
16 was being handled under 505, and you had held some money off the
17 top. We talked about that. But it was not included in this
18 though.

19 MR. JENKS: I think it's a unique formulation in the sense
20 that it's simultaneously trying to minimize harm while at the
21 same time, and almost more of a higher coefficient, you know,
22 where there tries to be movement, accelerates the pace where the
23 other things were, you would minimize it by 10 percent or it
24 would go up by 10 percent. But the gain here, it's kind of
25 minimizing it at one and then you're hitting faster on the

1 eight, if that makes sense. It's kind of an interesting
2 strategy.

3 MS. SCHERRA: Just in terms of, again, making sure that
4 something's on the table for future. When we're saying all or
5 most of the formulas, the one, that 300 percent of poverty is
6 not factored into this because it was very different than the
7 others. I think those of us that are positively affected by
8 that and also believe that's a variable that has to be
9 considered are willing at this point to take it off the table
10 and compromise to move forward.

11 But in the bigger picture, as we move forward with the
12 formula, I seriously believe that is still something that has to
13 be looked at and factored in, but for the sake of the whole and
14 the sake of moving forward, because that one is different than
15 the majority of the other iterations of the other variables and
16 formulas, that one was not considered. But that does not
17 minimize, I don't think, the fact that that variable going
18 forward needs to be looked at and addressed, as do, I think,
19 some others.

20 MR. JENKS: Right.

21 MR. STEWART: Similarly, I think there are a lot of factors
22 that haven't even gotten put on the table yet. That's just an
23 artifact of the expediency of this exercise. If we had some
24 time, I think we could all probably bring additional variables
25 to the table that should be explored for consideration.

1 MR. ANDERSON: You presented this as a proposal that has not
2 uniform support, if I understand what you said. Let me back up
3 a second. It has the support of the association but not
4 unanimous support of the membership; is that correct?

5 MR. JENKS: That would be a fair assessment.

6 MR. HALL: A strong consensus though.

7 MR. JENKS: The formula, per say. Some of the other things
8 we talked about, I think, but as far as this very --

9 MS. SCHERRA: To be very practical, though, the motion
10 passed. It is the recommendation of the association.

11 MR. HALL: With overwhelming support. It wasn't close.

12 MS. SCHERRA: Yeah. Yeah.

13 MS. WALTER: There were just some of the people that had to
14 vote no had to vote no because of their conscious that they
15 would lose money, not because they don't agree -- that they
16 don't support the association. You understand the difference
17 there?

18 MR. ANDERSON: Yes, I understand.

19 MS. SCHERRA: People gave explanations.

20 MR. ANDERSON: I'm trying to understand the nature of the
21 support. I would like to understand -- I'm hearing something
22 that, again, I want to understand. There is an expectation, I
23 think I heard, that something will occur during a six-month
24 period.

25 MS. WALTER: Right.

1 MR. ANDERSON: What is that expectation on your part?

2 MR. JENKS: I think it's the expectations that some of the
3 kind of the work that Helen was doing and doing with Orman and
4 some of the kind of work that we've done here would have a
5 logical extension and that we would take that seriously and we
6 would try to create a group or some type of dynamic that would
7 continue. But with more time devoted to it, move to that
8 formula that we all say, yes, let's go forward. That doing it
9 under this really tight time frame was just not enough time to
10 get to that point, but we want to get to that point. We want to
11 get to it with you.

12 MR. MYRICKS: This may not be the right time to ask this
13 question, but I'll ask. Are you -- is it part of your
14 expectations or hope here is that the work we do in the next six
15 months, we did that, would help to impact '10 or impact '11?

16 MR. JENKS: What are we in now? We're going into --

17 MR. MYRICKS: We're going into '10.

18 MS. SCHERRA: We're in nine.

19 MR. JENKS: It would be '11. It would be effective July 1
20 FY11.

21 MR. MYRICKS: The way I would interpret that is this is what
22 you want to do for '10.

23 MR. JENKS: Right.

24 MR. MYRICKS: And then you want to do a body of work for
25 '11.

1 MR. JENKS: Yes.

2 MS. SCHERRA: And, Dalon, to be very practical, we don't
3 want to be at May 1 next year sitting around a table and trying
4 to figure out what the allocation is. And the December 31, in a
5 sense, is what we just landed on. But it was really trying to
6 make sure that we all came together, we had a timeline in front
7 of us to push us to come to resolution so that all of us know
8 way in advance how to plan for '11.

9 MR. MYRICKS: I seem to remember from our last meeting that
10 one of the things that we were talking about is work to be done
11 and then adjust in '10 to reflect that work. That's what I was
12 trying to make a distinction between.

13 MR. JENKS: Right.

14 MS. SCHERRA: Some of that was discussed and it was put
15 before the membership and it was just one of the alternatives, I
16 think, we talked about, but I think this is where we landed.

17 MR. MYRICKS: I just wanted to get that updated. That was
18 where we left last time was how we look at it if you did the
19 body of work in '10 and then it was an expectation that you
20 would adjust in '10. I think what I'm hearing is --

21 MR. ANDERSON: I think if I'm hearing this correctly, and I
22 think I am, that what you would like to do is have the work done
23 by December so that it can be implemented properly for '11; is
24 that correct?

25 MR. HOLLINGSWORTH: That is correct.

1 MS. WALTER: Yes. That's exactly right.

2 MS. SCHERRA: Yes.

3 MS. WALTER: We want to look not only at the work but the
4 pacing because I will say that there were a couple of boards
5 that felt very strongly that a 10 percent pace was not nearly
6 quickly enough to help those boards that really needed help.
7 And that's why you'll even see some of our pacing is quicker.
8 And, obviously, that pacing can hurt other boards. And so we
9 really want to be able to have enough time to have a strong
10 discussion as well about pacing of any new formula.

11 MR. ANDERSON: Now, this anticipates that we'll come up
12 with --

13 MS. WALTER: \$5 million.

14 MR. ANDERSON: What were your thoughts on that?

15 MR. JENKS: Our thoughts on where you would find the money
16 or thoughts as to why we want you to find the money?

17 MR. MYRICKS: Just your thoughts on that. I mean, that's
18 your request for us to come up with 5.2 to throw into here in
19 the areas that you have targeted.

20 MR. JENKS: Right. I think the thought process was that it
21 represented or symbolized somewhat of a shared solution to being
22 able to move substantial amounts of money in this way and also
23 minimize -- it both allows the minimization of the pain on the
24 one side and it allows the pace on the other side to move
25 substantial amounts of money. That wouldn't happen if you just

1 did a 1 percent pull off or a half a percent.

2 And I think the other assumption might have been that we're
3 not smart enough to know where all that money can be found, but
4 we think maybe that money, although it's a large amount of money
5 by my standards, but maybe within the entire infrastructure,
6 that maybe somehow that money could be found.

7 MR. HALLIDAY: If I can prescribe another option that
8 occurred to me last night on this. What would happen if we
9 pulled all of our resources and went to the powers that be in
10 the General Assembly and said let's make this a two-day
11 contribution, 1 percent from the boards current expected
12 allocation, 1 percent from what the Department has already
13 expected to receive, and 1 percent additional funds from the
14 General Assembly. This way all of us would contribute to an
15 important step forward, but each of us would correctly be able
16 to say, gee, I'm only paying one-third of it. I'm getting two
17 for one dollars from others for my contribution.

18 MS. WALTER: This is Cheri. I mean, I hear you. But I
19 really wouldn't want to go there, Kirk, and I'll tell you why.
20 I'm pushing much harder for bigger dollars. And I talked with
21 Sandy this morning, I've had a couple of talks with legislators,
22 and they're looking at some other pots to be able to put more
23 dollars in mental health. I do not want to limit us to
24 \$2 million. I think that would give them an out so fast, they'd
25 be happy.

1 MR. HALLIDAY: Okay. I'll be happy to grudgingly
2 accept where I sit.

3 MR. MYRICKS: This is not a conversation that we can sit
4 there and have around this.

5 MS. WALTER: Right. I understand.

6 MR. JENKS: The other thing we need you to hear, Dalon, and
7 maybe Kirk can explain this well too, this distribution doesn't
8 become any kind of hold harmless or any kind of lock-in but
9 rather represents a one year.

10 It's contemplated and anticipated that as you move to that
11 other new formula, that that formula then when that is applied
12 in '11 would probably still have those same kinds of boards get
13 the same kinds of resource money, if that makes sense.

14 MS. SCHERRA: Which is why the pacing question then becomes
15 so critical.

16 MS. WALTER: Right.

17 MR. JENKS: Right.

18 MR. MYRICKS: I understand.

19 MS. NIXON-HUGHES: I have a question as we do this work over
20 the next six months or so, however many months there is, is the
21 board looking to do this jointly with other constituency groups
22 or is this, again, looking only to do this between the
23 Department and the board? Are we willing to do this together
24 with other constituencies?

25 MR. HOLLINGSWORTH: Part of the thing you have here is we

1 are the ones that have to decide what agencies get what money
2 and what programs get funded. But the other side of this is if
3 we do this right, the formula should be defensible no matter who
4 we're talking to, whether it's consumers, agency, or whoever.
5 But, again, we're the ones who see the big dollars from where we
6 sit as boards, and you see it as the Department from where you
7 sit. I think we're really talking about having us together as a
8 group come up with a good solution that we can defend to
9 anybody. I guess we're just talking about us to work on with
10 you.

11 MS. SCHERRA: And get there and put it, before it's
12 finalized, but to have something to present as opposed to
13 bringing lots and lots and lots of people to the table to try to
14 go at all of this, which is very difficult. I mean, I will be
15 honest, when we started to share some of the work we had done
16 with our own membership, again, when people are not in every
17 meeting and understand every context and understand
18 methodologies and such, it gets very, very confusing.

19 So I think we needed to get to the point of who we're
20 supposed to fund, what are the critical variables, what is the
21 science behind that. I mean, I think those kind of things can
22 be brought to other constituencies. But to have everybody there
23 from the very beginning, I think, unfortunately, it would in a
24 sense slow down the process. But I think they certainly have
25 the right to hear and to weigh in on how we got to that and what

1 the factors are and what this means. I think that's a critical
2 piece. We would do that in our own communities. So it
3 certainly needs to be done, I think, in the broader community.

4 MS. NIXON-HUGHES: And would this be a process like we
5 started -- we started into this process thinking it was with the
6 association. Then it turned into specific boards. Now this
7 recommendation comes from the whole association.

8 MS. WALTER: Yes.

9 MS. NIXON-HUGHES: As we move forward, is there some
10 commitment that this would be a board association process and
11 not an individual board process?

12 MS. WALTER: I think absolutely.

13 MS. SCHERRA: Can I just clarify that for you, Debbie. I
14 think what we tried to say in the beginning was that we were
15 here representing the association. But, again, because we were
16 starting in a sense from scratch to look at all this stuff, we
17 didn't feel comfortable to say we were representing the entire
18 membership. Sitting at this table when we were discussing, all
19 we can do is look at it from our own perspective.

20 But it is our job as a committee to take that information
21 back to the membership, explain it and then bring to you, the
22 Department, then what the entire association agrees. So I think
23 we were just trying to say that what we were saying in those
24 discussions in this room represented at that time our individual
25 opinions because we were not empowered at that point to speak on

1 behalf of anybody because they had no idea what we were going to
2 be discussing or what we would end up saying.

3 MR. JENKS: I think because of the, quote, winners or losers
4 or the diversity within this group, I think there was a sense
5 that it served as an appropriate proxy or maybe good estimator
6 of what we might feel when we get out to all the membership.

7 MS. WALTER: And as you know, as an association, we work
8 exceptionally hard to speak with one voice. But any board
9 always has the right that if they absolutely disagree with
10 something, that's their right. You know, they can say what they
11 want. They can speak as they want. But our goal is to try and
12 work together. But sometimes there are some boards that just
13 have to look at other issues and feel very strongly about them.
14 But, you know, but that's any topic. That's not just this
15 topic. That's any topic we have.

16 MR. ANDERSON: But I did see something occur here that I --
17 I'm concerned as we go forward that I see a pattern of -- not a
18 pattern -- kind of a method of operation, I guess, of this
19 committee in relationship to the larger -- excuse me -- always
20 occurs at the wrong time.

21 There is a method of operation that developed with this
22 group in terms of how you related to the larger membership; is
23 that correct? I mean, you were taking concepts back or
24 recommendations back to a larger -- to the larger membership and
25 vetting those ideas and recommendations with that larger

1 membership and then having in this case a vote occur.

2 So as we go forward, would we expect then to have that same
3 method of operation occur so that we would have a viewpoint that
4 represents the association position on where we are?

5 MS. WALTER: We try to do that any time we give you an
6 association recommendation. Yes.

7 MS. SCHERRA: And, Don, too, we didn't just go back and give
8 recommendations. We were also keeping people informed of the
9 whole process.

10 MR. ANDERSON: I understand.

11 MS. SCHERRA: So people understood, again, the context of
12 what was happening, the progress we were making so that we don't
13 just come at them with here we are and here's the
14 recommendation. And I would expect the membership is going to
15 want us -- or whomever, I shouldn't say us necessarily -- but
16 whomever would be working in tandem with the Department to keep
17 them informed.

18 MS. WALTER: We were working very hard with the membership.
19 We were probably having either a meeting or two all member
20 conference calls a week. They were in the loop with everything
21 we were doing because we didn't want anyone surprised.

22 MR. ANDERSON: Okay.

23 MR. HALLIDAY: And a couple of times, they made us go back
24 and rework some things.

25 MS. WALTER: That's true.

1 MR. HOLLINGSWORTH: Yeah.

2 MR. JENKS: I think it's fair, too, that each of us come
3 from different parts of this State. There's an awful lot of
4 informal retouching, too. I relate in the heartland district.
5 It's going to be real easy for me to get back, get on the phone
6 and talk to some of my heartland buddies. Karen relates to
7 certain people and Rod relates to certain people.

8 So notwithstanding Cheri's point, we also were getting the
9 feedback through just those other kind of natural, collegial
10 connections that we have. We don't want to do it -- we want to
11 be doing it the right way.

12 MR. ANDERSON: I don't have any other questions.

13 MS. WALTER: If you could wait one minute, I'll get copies
14 of the sheet and show you the two sheets that we used to look at
15 all the boards so that you will have that science. And then
16 maybe, Orman, you can explain to them exactly so they
17 understand.

18 MR. HOLLINGSWORTH: Aren't there three sheets?

19 MS. SCHERRA: Yeah. I thought there were three.

20 MR. HOLLINGSWORTH: The Holzer 2 thing.

21 MS. WALTER: This is the Holzer hospital that has two. This
22 has '10, it doesn't have '09 on it. So that's what you're
23 talking about? What was the third sheet you were thinking?

24 MR. HOLLINGSWORTH: The Holzer 200 without the hospital.

25 MS. SCHERRA: Yeah.

1 MS. WALTER: The Holzer 200 without the hospital.

2 MS. SCHERRA: The Department's original from April 1.

3 MR. JENKS: The Holzer Data Series 2, is that what it's
4 called? It had like 50 percent prevalence, 25 percent poverty.

5 MS. WALTER: Can I have that sheet? Let me go and get some
6 clean copies for you.

7 MS. NIXON-HUGHES: Can you just tell us one more time
8 because I think, Orman, you said that there were some
9 assumptions that were made when you came up with this formula.
10 What were those assumptions again?

11 MR. HALL: The logic -- the underlying logic is that there
12 are a handful of boards that regardless of what -- whatever
13 formula scenario we looked at, with the exception of
14 300 percent, gained.

15 MS. SCHERRA: Yes.

16 MR. HALL: And so those boards were targeted for increases,
17 so that we can honor the general expectation of the Department
18 and the boards that we need to create some movement.

19 MS. SCHERRA: And maybe the assumption under that is that
20 even if those factors are not used in the same way, in the
21 eventual formula, those factors clearly in the iterations we
22 used showed that those boards were going to be impacted. So the
23 assumption is they still will be even if they're used in
24 different manners.

25 MR. HALL: Precisely. What we didn't want to create was a

1 scenario where for FY10 we would move money to boards and then
2 in FY11 we would move money away from boards. You know, we are
3 reasonably confident that the dollars that we're moving this
4 year will stay with the boards that we're moving them to.

5 With the boards that do not receive additional money, we're
6 uncertain whether they're going to get additional monies or they
7 will be negatively impacted. So we erred on the side of being
8 conservative, and we tried to minimize losses and then at the
9 same time move some dollars to those boards that appear to be
10 winners in every major scenario. So that's kind of the
11 underlying logic behind what we --

12 MR. JENKS: Substantial amount, more than what would have
13 moved the other formula in terms of movement.

14 MR. HALL: Yes.

15 MS. NIXON-HUGHES: Thank you.

16 MS. SCHERRA: Then I think the other point just to mention
17 again then is that those boards that might benefit down the road
18 by some of these other factors or variables are willing at this
19 time to take a loss and to acknowledge what we found about those
20 eight with the understanding that how they end up may change
21 based on when we put in this new formula.

22 But at this point, they're willing to forego any
23 consideration of additional money because we don't know enough
24 yet about those other factors to be able to say anything that
25 specifically as we can about the eight.

1 MR. ANDERSON: All right. So Cheri's doing something?

2 MR. MYRICKS: She's making copies so we can see where the
3 tie-in was to the eight boards and then -- so we would better
4 understand the tie-ins to the boards that are highlighted for an
5 increase.

6 MS. SCHERRA: Obviously, you have to take this back. Do you
7 have any sense of next steps? Where we go from here? And
8 there's a lot of people, obviously, waiting to know.

9 MR. ANDERSON: Well, we will take them back and have a
10 conversation. I think maybe it's fair to say that the -- we
11 sent the member letter out, when was that, yesterday about
12 budgets because there's so much going on, including this. And
13 there's also concerns about what happens in the General
14 Assembly, that is very concerning too.

15 So I think our thinking was this could, for a number of
16 reasons, I mean, what actually gets distributed out in '10 --
17 what it actually ends up being in allocations in '10 could be
18 different. And so as a consequence, we thought, well, we better
19 hold off on that budget request. And so this is one of those
20 factors. I don't know how else to answer that but other than
21 say that we recognize that this is -- obviously recognize that
22 this is going on and want to deal with it.

23 MS. NIXON-HUGHES: And also because we're required by
24 statute to meet with consumers and family members, we'll also
25 have to get back with our other constituency groups about

1 whatever the decision is in terms of moving forward. The other
2 thing that Don talked about, I guess there's been questions to
3 the Department that we didn't need a budget, but what about the
4 budget narrative. Some people were -- I think we were under the
5 assumption we didn't need the budget, we were going to have the
6 budget narrative. So we're trying to get that clarification out
7 to people, too, that expectation.

8 MS. WALTER: Are we talking about the community planning?

9 MS. NIXON-HUGHES: Yes.

10 MS. WALTER: Because I also had a talk with Sandy today
11 about the assurances. Did she tell you that?

12 MS. NIXON-HUGHES: I haven't talked to her since you were
13 with her.

14 MS. WALTER: About the assurances, we still have concerns
15 with that. She asked me to send her over the language. So if
16 you send something out, maybe we could just say the assurances
17 got a couple more days, too many people will be in the community
18 plannings.

19 MS. NIXON-HUGHES: So I'll hold that correspondence out.

20 MS. WALTER: I told Sandy I would send her something over
21 when I got done here.

22 MR. MYRICKS: I just have an all funds type of thought
23 process going through, how this relates to all funds. That's
24 got to be worked out as well.

25 MS. WALTER: There's not enough, and we're going for more.

1 MR. MYRICKS: Okay.

2 MS. SCHERRA: Do you need that in writing, Dalon? We'll
3 write that up for you.

4 MS. WALTER: I will say that the senators so far are
5 believing that our Department got -- or your Department got hit
6 harder than most and they need to look at it, so that's pretty
7 damn good going into the Republican senate. So that's a good
8 thing. So maybe -- maybe we'll see a little movement. Have
9 heart. Have heart. You might get it. Go for it, buddy.

10 MR. MYRICKS: Thanks.

11 MR. ANDERSON: Well, thank you.

12 MS. WALTER: Thank you for all your help.

13 MR. JENKS: Thank you, Don.

14 MS. SCHERRA: Thank you.

15 - - -

16 And, thereupon, the meeting was concluded at 10:59 a.m.

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C-E-R-T-I-F-I-C-A-T-E

I do hereby certify that the foregoing is a true, correct and complete written transcript of the proceedings in this matter, taken by me on the 1st day of May, 2009, and transcribed from my stenographic notes.

Ann Ford
Registered Professional Reporter
and Notary Public

My commission expires: 4-18-11.

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