

Bergen County Improvement Authority
ONE Bergen County Plaza,
Hackensack, New Jersey
Work Session
CERTIFIED MINUTES
April 7, 2011

APPROVED

Present: Commissioners: P. Wilson, L. Visotcky, K. Corcoran, L. D'Arminio, E. Trawinski
BCIA Staff: R. Garrison, M. Raguseo, J. Montag, B. Losito, G. Velazquez
General Counsel: J. Shahdanian, Esq.
Compliance Officer: F. Tomkins
Urban Health Institute: P. Breyer

Meeting Called to Order

The meeting was called to order at 5:34 p.m. by Chairperson Philip Wilson.

Proof of Public Meeting Notice Publication

B. Losito read the Proof of Public Meeting Notice.

Open to Public (for matters not on today's agenda)

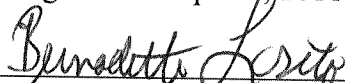
Chairperson Wilson stated for the record that all Commissioners served on the Board without compensation. In addition, Chairperson requested that those members of the public wishing to speak at the meeting address his/her question to the Chair and limit any comments to seven (7) minutes in accordance with our By-Laws.

Motion was made by Commissioner Corcoran and seconded by Commissioner D'Arminio to open the meeting for public comment. Motion carried unanimously.

Chairperson Wilson asked if there were any questions by the public concerning matters not on today's agenda.

Jeff Peck, hospital employee and HPAE Union representative expressed his thanks to the BCIA members for recent meetings/discussions and encourages its future help and offered his and the union members assistance in any way possible in connection with BRMC. He wanted to advise the Board that a medical doctor who assists BRMC psychiatrists when their patients have medical problems has been replaced by a nurse practitioner. The name of the former medical doctor is Dr. Rafuten.

I hereby certify that these are the minutes of the meeting held on April 7, 2011.


Bernadette Losito, Assistant Secretary

Mr. Peck asked that the two psychiatrists from the hospital have asked to say a few words. Dr. Barbara Palmer, attending psychiatrist from the most acute psych unit, and Dr. Karina Attapedian, attending psychiatrist in acute care psych unit, introduced themselves. Dr. Palmer advised that she is deeply distressed at the loss of Dr. Rafuten. He was inundated with caring for our psychiatric patients. Psychiatric patients usually do not take care of their medical health. Dr. Palmer advised that while she can handle basic medical concerns, more in depth coverage is needed. Without minimizing the value of a nurse practitioner, this level of staffing is not equipped to handle certain situations. Also, the psychiatrists were informed that the nurse practitioner is to handle only emergency situations and today when there was an emergency situation, the nurse practitioner referred the medical case to a hospitalist. Dr. Palmer reiterated that she is concerned that patient care will be compromised. Dr. Attapedian agreed with Dr. Palmer's assessment and advised that as psychiatrists, they do not have the liability insurance to handle medical-based issues that may arise. The quality of care of their patients may be compromised without actual doctor's coverage for these patients.

Close to Public

As there was no other members of the public wishing to be heard, Chairperson Wilson asked for a motion to close the meeting for public comment.

Motion was made by Commissioner D'Arminio and seconded by Commissioner Trawinski to close the meeting for public comment. Motion carried unanimously.

Chairperson's Report

Chairperson Wilson advised that we will be forming a subcommittee to examine the fee basis of the BCIA bond offering program. Executive Director Robert Garrison gave a brief explanation of our bonding program. Chairperson Wilson asked Commissioner D'Arminio, and he accepted, to join BCIA staff to serve on this committee.

Chairperson Wilson expressed an interest in forming a subcommittee to discuss upgrades for the BCIA website. However, we are not ready to that tonight, but asked that if any Commissioner has an interest in this area to let him know.

Executive Director's Report

Executive Director Garrison mentioned that the BCIA received two inquiries from Tenafly school board and Maywood borough to use our Bergen Municipal Banc program. We are awaiting their formal applications and we will forward them to TD Bank for processing. Chairperson Wilson repeated that what you are reporting is that the program is up and running. Mr. Garrison confirmed, but added that both this program as well as our bonding program are being examined as to their viability and possible improvement. Chairperson Wilson advised that he was delighted that we would have more openness about fees.

Chairperson Wilson advised that last month we made several requests regarding staff layoffs from the Hospital and to date, the hospital has not provided this information. The BCIA is continuing its oversight role and have had meetings with HPAAE and Hospital staff and have

found these meetings useful. The Hospital has accused the BCIA of micromanaging and we have expressed that we have no interest in doing so. Dr. Breyer's reports have been useful and have given us good information for discussion. Chairperson Wilson also wanted to thank the COB as well its subcommittees--Behavior Health, Acute, Executive and Mental Health. In addition, the Chair asked to put three (3) statements on the record: (1) the BCIA has no interest in micromanaging BRMC; (2) the BCIA has oversight duties in protecting our most vulnerable citizens; and (3) contract compliance.

Hospital Report

Mrs. Mendelowitz' report included the following:

Announcements:

- May 8 – the BRMC Foundation's annual golf outing fundraiser will be held at the Hackensack Golf Club, Oradell, NJ.
- Chapel renovations – a project of the BRMC foundation which began on January 24th will conclude over the next two weeks.
- Bergen Record article on “Medicare Preventable Errors”

Regulatory compliance:

- LTC – February 15 – The Ombudsman visited as follow up to an incident that we reported. BRMC has received the written report confirming no findings.
- LTC – March 10 – The Ombudsman visited on a complaint from a resident's daughter – there were no findings on exist.
- LTC – April 7 - the DOH visited on 6 complaints involving 3 residents. There were no issues with pest control, cleanliness, puddles of water, infection control, call bells, DM monitoring, or delay of notification. No issues with an allegation of abuse per a resident's daughter's complaint. The surveyor will further review back in office, one set of Dietitian notes on one resident, regarding weight loss, and will contact us if there are any findings on that particular issue. No issues noted upon exit.
- BHS - March 8 - BRMC received written notification that the Division of Child Behavioral Health, Department of Children and Families re-designated our Child/Adolescent unit FG as a Children's Crisis Intervention Service. The on-site survey took place in January.

Mrs. Mendelowitz commented on Dr. Rafuten, the medical liaison in Behavior Health, who resigned without giving the hospital notice. She advised that the nurse practitioner is just a temporary measure. Dr. Rafuten worked during the day, 5 days a week. Emergencies that would arise at any other time of the 24 hour, 7 day per week period would be handled by the hospitalist.

The hospitalist is still available. Both pediatric and geriatric care coverage is provided by separate group providers. Mrs. Mendelowitz advised that Dr. Sweeting, BRMC Director, Department of Medicine, is actively looking for Dr. Rafuten's replacement. Mr. Garrison asked if there is a policy for physician replacement. Mrs. Mendelowitz said there might be an H.R. procedure in place. Commissioner D'Arminio asked what would be an adequate time for the hospital to find Dr. Rafuten's replacement. Mrs. Mendelowitz responded about thirty (30) day. Further, Commissioner D'Arminio asked what assurances can the hospital give us about the quality of care in the interim period. Mrs. Mendelowitz reiterated that the hospitalist is on staff 24 hours a day, 7 days per week to handle patient care. Mr. Garrison asked if hospitalist providing this care is a physician. Mr. Orlando affirmed that a hospitalist is a medical doctor trained in hospital care.

Compliance Report

Mr. Tomkins mentioned that on the agenda tonight we have the award of contract to a firm to conduct the audit of BRMC accounts receivables. He asked if there were any questions regarding this award. Commissioner D'Arminio asked that the contract award include the hourly rates for the services rendered. General Counsel Shahdanian advised that the resolution will be amended to include the auditor's hourly rates. Commissioner D'Arminio asked whether the BCIA has a security interest/assignable interest in BRMC receivables. Mr. Shahdanian asked Special Counsel Joseph Rizzi to respond. Mr. Rizzi affirmed that we have a security interest in BRMC's accounts receivables.

Urban Heath Report

Dr. Breyer asked to speak with the psychiatrists regarding the situation in Behavior Health and discuss his finding in LTC Subcommittee. Chairperson Wilson asked that he please do.

Dr. Breyer advised the volume in psych is down in psychiatry. At the LTC subcommittee meeting, we are still discussing the reduction in staffing. On several spot checks the Medicaid standard of staffing was exceeded, but on two units Medicaid standard was not met. The contract standard, however was met, but by an ever shrinking margin. At the subcommittee meeting, the nurse liaison, a union person, spoke about the tremendous stress nurses are working under. They are staying on their own time for record keeping. Another issue was that the staffing matrix for LTC has been reduced. We are hoping that the staffing is too low and the hospital may choose to increase staffing levels. Chairperson Wilson and June Montag commented that the discussion at the meeting was helpful.

Deputy Executive Director's Report

Mr. Raguseo advised that several of us met with the Hospital Management to go over some of the issues that arose from our meeting with HPAE. Several items that were discussed where that when complaint forms are submitted to management, that a copy of said form be supplied to the COB. In addition, we asked that the BCIA be given access to policy manuals. Our General Counsel will be sending a letter memorializing our concerns.

We had the negotiation for the BRMC Buildings 6 and 8 Sprinkler Project at Florio Perrucci's offices. The three contractors who recently bid participated. The negotiation resulted in a reduction of \$70,000, a \$600,000 or \$700,000 reduction from our first bid offering. We recently received some information that has prevented us from moving forward with this project, but hopefully we will be able to proceed at our next meeting.

Mr. Raguseo wanted to highlight an \$8,500 invoice on the bill list for Adamo Brothers for Emergency Shoring of Building 5 Tunnel. We received a call from the hospital that the tunnel was collapsing. Michael Formanek of RSC Architects investigated and found that the tunnel was not collapsing, but deteriorating which would require emergency shoring. Building 10 Tunnel is currently out for bid. We have included Building 5 Tunnel as an alternate in that project.

Mr. Raguseo noted Resolution 11-39 authorizing a change order for English Paving for BRMC 2009 Paving and Circulation Project. This change order was necessitated as a result of unsuitable material found during excavation. The Project Manager, Neglia Engineering certified and documented the condition and approved the change order.

General Counsel's Comments

General Counsel Shahdanian made no comments.

Action Items:

- Executive Director Garrison asked the Hospital for procedure/policy for personnel replacement, if any.
- BRMC - Medical liaison in Behavior Health replacement to be in place within thirty (30) days of our April 7, 2011 meeting.
- General Counsel Shahdanian to research/render a advisory opinion whether conflict of interest exists with Commissioner D'Arminio status on the BCIA Board considering that BCIA's Executive Director Robert Garrison is also the Acting Director of the Department of Planning and Economic Development and that Commissioner D'Arminio's firm has client matters before the County Planning Board. **(generated from 3/3/11 work session)**
Mr. Shahdanian advised that his office will provide response shortly

Adjournment

There being no further business, motion was made by Commissioner Visotcky and seconded by Commissioner Corcoran to close the Work Session at 6:20 p.m. Motion was carried unanimously.