

GOVERNING BOARD MINUTES

Utah State Developmental Center

November 3, 2022



Governing Board Members:

Angella Pinna, DSPD Director
Scott Pingree, Family Advocate
Dr. Frank Rees, USDC Superintendent
Tonya Hales, DHHS Assistant Deputy Director

Dr. Scott L. Smith, MD, Public Appointee
Paul Smith, Public Appointee
Jennifer May, Family Advocate

Public / Presenters Present:

Misty Tidwell, Administrative Assistant
Ted and Lori Dunaski, Public
Michael Kelley, Assistant Attorney General
Bonnie Hardy, USDC Records Manager
Lauren Gutierrez, Quality Assurance Director
Stephanie Saperstein, Assistant Attorney General

Shauna Bradley, Records
Mark Forbes, USDC Administrative Dir.
William Exeter, USDC Project Manager
Jamie Wulthrich, Assistant DSPD Director
Katie England, Public Information Officer

Excused:

Manuel Smiley, Consumer Advocate

BUSINESS:

Electronic Meeting:

This meeting will be held electronically in accordance with Utah Code Ann. 52-4-202, House Bill 5002, Open and Public Meetings Act pursuant to a written determination by the Chairperson, finding that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present. Due to the infectious and potentially dangerous nature of the COVID-19 virus, all agencies, institutions, and the general public may attend via a conference line. To attend please call (US) +1 413-308-2315 listen to the prompts and enter the (PIN: 254703178). Opinions and comments by the public may be presented as the meeting progresses or at the closing, as requested by the USDC Governing Board Chairperson.

Meeting Minutes Approval:

Governing Board Meeting Minutes were unanimously approved. Dr. Scott Smith motioned to approve the minutes and Paul Smith seconded the motion.

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Motion /Minutes Approval:

Yea - Tonya Hales, DHHS Assistant Deputy Director

Yea – Dr. Scott L. Smith, Public Appointee

Yea – Paul Smith, Public Appointee

Yea – Jennifer May, Family Advocate

Yea – Dr. Frank Rees, USDC Superintendent

There was motion to close the public meeting by Dr. Scott Smith and Dr. Frank Rees seconded the motion.

The meeting was reopened and Paul Smith motioned to approve to continue moving forward with the USDC Superintendent candidate and Dr. Scott Smith seconded it.

Yea – Tonya Hales, DHHS Assistant Deputy Director

Yea – Dr. Frank Rees, USDC Superintendent

Yea - Dr. Scott L. Smith, Public Appointee

Yea – Paul Smith, Public Appointee

Yea – Jennifer May, Family Advocate

Yea – Scott Pingree, Family Advocate

It was a unanimous approval to move forward with the candidate.

Paul Smith motioned to continue with the approval for Tim Mathews for the position of Superintendent of USDC contingent on the other requirements being successfully met. Dr. Scott L. Smith seconded the motion.

Yea – Tonya Hales, DHHS Assistant Deputy Director

Yea – Dr. Frank Rees, USDC Superintendent

Yea – Dr. Scott L. Smith, Public Appointee

Yea – Paul Smith, Public Appointee

Yea – Jennifer May, Family Advocate

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Yea – Scott Pingree, Family Advocate

USDC Buildings and Land:

Legislative Update:

There is no legislative update. USDC is continuing to hire and work with funding for the comprehensive therapy building. The department section we are under has had a number of results based accountability goals with results and strategies; these are all things we have covered before. Is there any more legislation that is going to be routed for reorganization and are there still some pieces being figured out? The department is working through rules and staff rights and has prioritized what needed to be changed for the merger. They are working on the internal policies that merge across the departments.

Property Development Report:

Bill spoke with Boyer last week and got an update. They have had some changes in Highland City with their administrator. They have had some difficulty and pushback from city council on some things.

USDC Quality Services:

USDC Maintenance & Projects Report:

Fire Panel – This project is still out until November because of design.

Medium Voltage – This project will be ongoing for a few months. This is also tied to a box on the other side of North County Boulevard.

Summer Boiler – We have had some delays with supply chain, so this won't be completed until next summer.

Flooring Projects – This is ongoing and they are making progress. USDC is moving people in and out of TLC and that keeps us moving despite quarantines on campus.

Remodeling in Sunset – It used to be one big day room and then it broke off into separate bedrooms. Someone put a wall between and made 2 separate kitchens. We are taking the wall out. The kitchens were very small and space is needed. There

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is also a safety issue for the staff. Without the kitchen, staff will have more space to put between themselves and an aggressive individual. This area looks great, the flooring contractors are in there right now, and it has been painted. Going forward they will use the kitchen in Sunset 5&6.

Appreciation for Frank and all of the work that he has done and is doing to serve the great State of Utah was expressed.

USDC Operations:

Sustainability Fund Update:

Mark shared a document that shows the money available from the sustainability fund. The board went through the projects and USDC staff are reviewing and completing studies on the projects. As each study is completed, it will be shared with the board. Some of these programs may be eligible for grants and different things; are we going to look into that as well? Grants are good if they are not federal grants. That has to do with our funding. USDC would always have to take a reduction if it is a federal grant.

USDC Policy Report:

USDC Report / COVID-19:

Similar to the community, USDC is having an uptick in COVID cases. So far, at least for the individuals here, the cases have been pretty mild. We have maintained our vaccination status and revaccination status. USDC has worked with our pharmacy and used bivalent doses to re-booster the individuals. We have done that in conjunction with the flu shots. Usually staff become ill and then it ends up here at USDC. Dr. Smith has seen an uptick in positives in the community but most people are not very sick, they are aggressively immunizing with the new vaccine that covers omicron. Vaccinations prevent some people from getting it and in his experience it reduces the severity. There have been all kinds of positive testing for influenza early in the season.

Policy Review:

HIPAA policies – The description goes over the statement USDC includes in all HIPAA policies. The policy begins with establishing different safeguards to protect any PHI from any intentional or unintentional disclosures. It defines the mediums

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such as paper, electronic, oral, or visual representations of confidential information. The policy talks about how USDC will do assessments for potential risks and how to store files securely. Records can't be removed from USDC premises unless required by law. USDC uses a pin system and 2 factor authentication. The policy went over electronic recording devices, cameras, camera phones not being authorized, and having prior consent when videotaping or recording individuals. Electronic storage devices are encrypted and can't go off grounds of USDC. When communicating orally make sure there is privacy and that doors are closed. Visual PHI needs to be shielded from unauthorized disclosure, such as on computer screens or white boards. Staff are prohibited from posting any individual or any sort of PHI on social media sites. Report any disclosures to the privacy officer.

What happens if something is accidentally shared? Once the report is brought to Bonnie she does an investigation to find out what was shared and how extensive it was. They write it up and turn it into the AG because it can lead to discipline or termination. How frequent does it happen? We had 6 in a matter of a few months and she went through and did some training on it. When the board is going to vote on a policy, it will be added as an action item on the agenda. Also, everything for the upcoming meetings is put in the Google Drive so everyone can access it ahead of time. This will be brought to vote in the next meeting.

HIPAA safeguards pertaining to iPads – USDC is finally going to roll out iPads to some areas to see how they are going to work. Hopefully we can start going more paperless around campus. We want this policy in place so we can test the iPads. This is a fluid document and we will make changes as necessary. It includes some of the same information as the other document. Electronic usage outlines security that we have in place. There is a shared user pin to get into the iPad. It automatically locks out users when there has been no activity for 5 minutes. Apps are used by Utah id and require multi factor authentication. The policy goes into social media usage and that you can't post or discuss individuals, you can't post stories or pictures. USDC staff are obligated, if they come across anything on social media that is a breach, to report it. The iPads will not function off of USDC campus. There will be a management software so you can remote wipe them if they get lost. This policy will be brought to the next meeting for a vote.

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USDC People and Culture:

Public Comments and/or Questions:

Public Comment:

Ted Dunaski – Personal Property Policy: The policy is written so there is a lot of training for the residents to take care of their own personal property. A lot of the residents don't understand that. It didn't look like it was in sync with the state operations manual. It has been sent to the assistant AG for review. Request is to review the procedure and how it is expected that the residents are going to keep track of everything themselves. Not sure when the review will be done by the AAG. It is requested that an update is on the next agenda or when it has been reviewed by the AAG, so we don't lose track of it. We can bring it back to the board to look at it as well. Numerous governing board sessions ask members to vote on these procedures. Most cases the procedures are not available for pre-review.

Highlighting the changes would be very helpful. Benefits of the change would be helpful also. The next meeting is in January.

We are going to miss Frank, he has been fun and awesome to work with and has dealt with a lot. He has done an exceptional job. As well as making sure people were able to stay connected with family and friends as much as possible. We are going to celebrate him.

Dr. Scott Smith motioned to adjourn the meeting and Dr. Frank Rees seconded the motion.