

**Vision**

The North Dakota Hospital Association will take an active role in major Healthcare issues.

Mission

The North Dakota Hospital Association exists to advance the health status of persons served by the membership.

North Dakota Hospital Association Board of Directors Meeting Minutes

June 23, 2023

Directors Present*: Tim Blasl, Ben Bucher, Mike Delfs, Marianne Doeling, Todd Forkel, Tiffany Lawrence, Nikki Lindsey, Alan O'Neil, and Reed Reyman.

Others Present*: Kelly Cermak, Melissa Hauer, Erik Rasmussen, and Lori Wangler.

*All participated by video conferencing.

A regular meeting of the Board of Directors of the North Dakota Hospital Association (NDHA) was called to order at 9:02 a.m., Central time, on June 23, 2023, by Mariann Doeling, Chair-elect of the Board. A quorum of directors was present.

Ms. Doeling asked if there were any perceived or known conflicts of interest as per items listed on the agenda for this meeting. There were none.

Agenda Approval: Ms. Doeling asked if there were any proposed changes to the meeting agenda. There were none.

Action Items:

- a. Approval of Minutes: Ms. Doeling presented to the Board for approval the minutes from the March 31, 2023, board meeting. Upon a motion duly made, seconded, and adopted, the minutes of the March 31, 2023, meeting were approved.
- b. NDHA Financials: Kelly Cermak, Finance Manager, presented NDHA's financial statements as of March 31, 2023.

In response to a request, Mr. Cermak said he would forward a copy of the NDHA investment policy to all board members. Upon a motion duly made, seconded, and adopted, the financial statements were approved as presented.

Nominating Committee Appointments:

Melissa Hauer, General Counsel/VP, explained the structure and duties of the NDHA Nominating Committee as set out in the NDHA bylaws. Tim Blasl, President, presented a list of board members eligible to serve on the Nominating Committee. Ms. Doeling appointed Mike Delfs, Nikki Lindsey, and Todd Schaffer, M.D., to serve along with the Chair and President on the Nominating Committee.

Reports:

a. Subsidiaries:

i. North Dakota Hospital Foundation.

Mr. Blasl explained that the North Dakota Hospital Foundation (NDHF) provides benefits to NDHA members, including funding for education and special projects, such as the economic impact of hospitals study. Mr. Blasl stressed the importance of the economic impact study to collect data such as hospital financial information, utilization, charity care, community benefit, and employment statistics, which are critical to inform the work of interim studies and the new legislatively-created health care task force. Mr. Blasl assured the board that all data collected are aggregated and kept confidential. It was suggested that the data collected from each facility be provided to that facility's leadership.

Mr. Blasl reviewed the critical access hospital financial analysis sponsored by NDHF which was conducted by Darrold Bertsch. The findings were presented by Mr. Bertsch at the NDHA Leadership Conference in May and will be presented again at the NDHA Annual Convention. Mr. Blasl expressed a desire to also perform such an analysis of the PPS hospitals, which could be provided to the Legislature.

ii. Hospital Services, Inc. (HSI).

Mr. Blasl announced that the leadership of HSI has transitioned to Rob Field, with Kim Granfor advising him before her retirement late this summer or

early fall. HSI board positions vacated by Ben Bucher and Mike Delfs, along with two others, will be filled soon. HSI's contribution to NDHA is currently \$400,000 in annual dividends.

iii. NDHA Health Benefits Trust. The Trust currently has ten participants, made up of nine hospitals and NDHA, and covers approximately 1300 lives. It is anticipated that two additional members will join in 2023 and the Trust is proposing to add dental and vision coverage. A summit is being planned for early August to provide information on the Trust to members. The Trust has recovered from early instability and its assets are increasing.

- b. **NDHA Bylaws Committee:** Mr. Blasl reported that the Bylaws Committee has had one meeting so far. Ms. Hauer reported that a review of the bylaws indicates the need for clarification of the start dates of at-large board member terms and the term of the AHA Region 6 Policy Board representative; the provision that added additional time to the three-year terms due to the hiring of a new President is obsolete and should be removed; the intention that chair of the NDHA board serve on all committees should be clarified. Ms. Hauer estimates that one-third of the provisions of the bylaws remain to be reviewed. She reported that the Committee will meet again to complete its review and will provide its recommended changes to the board at the September meeting. If the board approves them, the recommendations will be submitted for approval of the members at the annual meeting.

- c. **AHA Update:** Elizabeth Summy, AHA Executive, Region 6, was not present at the meeting. A written report was distributed to the board. Mr. Blasl informed the board that he would be attending the American Hospital Association State Hospital Association Executive Forum (SHAEF) meetings in August and December. He reported that the SHAEF meeting he recently attended in Minneapolis provided particularly useful content.

- d. **Federal Update:** Erik Rasmussen, NDHA's federal affairs consultant, reported on partisan activity and bi-partisan cooperation regarding Medicare legislation. He reported that the Inflation Reduction Act prescription drug pricing reform will allow Medicare to negotiate the price of ten high priced drugs starting in 2026. He encouraged the board not to be concerned if the CONNECT for Health Act of 2023, which has been co-sponsored by Senators Hoeven and Cramer, is not passed this year due to the divided Congress and

Democrat controlled administration. The debt limit has been extended until after the 2024 elections. He reported that our advocacy agenda for 2023 is to ensure access to care, financial relief for hospitals, strengthening the workforce, advance quality, equity, and transformation, and enact regulatory and administrative relief.

There was discussion regarding a Request for Information (RFI) issued by Senator Thune and several other Senators regarding how to provide more transparency in the 340B drug pricing program Mr. Rasmussen recommended that members complete the survey openly that the questions on the survey were fair. Mr. Blasl reported that NDHA is going to be holding a meeting of interested members to formulate a response.

President's Report:

Health Care Task Force. Mr. Blasl expects the health care task force that was created during the last legislative session to convene in August. He informed the board that five members of the task force will be selected by NDHA, consisting of two representatives of rural hospitals, two representatives of urban hospitals and one representative of a psychiatric hospital, but the chairman of Legislative Management, Representative Mike Lefor, has the power to appoint additional members and may be open to adding more urban hospital representatives. Mr. Blasl asked the board if it would choose the critical access hospital and psychiatric hospital representatives now but to wait to choose PPS representatives until Rep. Lefor has responded regarding adding increased PPS representation. Mr. Blasl reported that he sent an email to all member CEOs asking for interest in serving on the task force and said representatives do not have to be the hospital's CEO. NDHA and the North Dakota Medical Association (NDMA) will not be members of the task force, but the associations will attend all meetings.

There was discussion regarding requesting additional hospital members be added to the task force. The consensus of the board was that there needs to be more PPS and CAH representation and that Mr. Blasl should ask Rep. Lefor to add additional members. There was a discussion about hiring an outside firm for consultation on strategy.

Ms. Doeling requested that an update on the health care task force be given at the annual meeting.

Mr. Blasl reported that Sarah Aker has been named executive director of the Medical Services Division of North Dakota Health and Human Services. He plans to reach out to her in August.

General Counsel Report

Ms. Hauer reviewed the state of North Dakota's abortion law. She said NDHA and NDMA worked hard to change the trigger law so providers would not come under felony charges when non-elective abortion procedures become necessary to treat pregnancy complications. Ms. Hauer reported that the lawsuit filed by what was the state's sole abortion provider is ongoing. She expects the new abortion law to be challenged and the case may go back to the state's Supreme Court.

Ms. Hauer reported that the Centers for Medicare & Medicaid Services (CMS) COVID-19 vaccine requirements for healthcare workers have been retracted effective August 4. North Dakota's revised state law governing COVID-19 vaccine requirements for employees goes into effect August 1.

Ms. Hauer informed the board that NDHF contracted with Jamie Orlikoff, hospital governance expert, to produce four short educational videos for hospital board members. They are available free for NDHA members by contacting the NDHA office.

There being no further business, the board meeting was adjourned at 11:23 a.m., Central time.



Lori Wangler
Recording Secretary