Board of Governors Regular Meeting Minutes #280 June 6, 2019

Hillcrest Remarkable Retirement Community Meeting House, 2705 Mountain View Drive, La Verne, CA 91750

Members

Hector De La Torre, *Chairperson*Alvaro Ballesteros, MBA, *Vice Chairperson*Robert H. Curry, *Treasurer*Layla Gonzalez-Delgado, *Secretary*Stephanie Booth, MD
Christina R. Ghaly, MD
George W. Greene, Esq.

Antonia Jimenez
Hilda Perez
Courtney Powers, Esq.
Honorable Mark Ridley-Thomas *
G. Michael Roybal, MD, MPH
Ilan Shapiro, MD
*Absent **Via teleconference



Management/Staff

John Baackes, Chief Executive Officer
Terry Brown, Chief of Human Resources
Augustavia Haydel, General Counsel
Thomas Mapp, Chief Compliance Officer
Marie Montgomery, Chief Financial Officer
Richard Seidman, MD, MPH, Chief Medical Officer
Tom Schwaninger, Chief Information Officer

AGENDA ITEM/PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
WELCOME	Hector De La Torre, <i>Chairperson</i> , called the meeting to order at 2:06 p.m.	
Hector De La Torre	John Baackes, <i>Chief Executive Officer</i> , acknowledged the 75 th Anniversary of D-Day and thanked all veterans for serving and their families for their sacrifices.	
	Chairperson De La Torre announced that members of the public may address the Board on matters listed on the agenda before or during the Board's consideration of the item, and on any other topic in the public comment section on the agenda. The request must be submitted before the Agenda item is called for discussion. He announced that the Board is pleased that people are here to speak to the Board, and would like to ensure that everyone who would like to do so has the opportunity to speak today. He welcomed members of the CCIs and RCACs and informed them that members will be introduced later in this meeting.	
APPROVAL OF	The agenda was approved as submitted.	Unanimously
MEETING AGENDA		approved. 10 AYES (Ballesteros, Booth,
Hector De La Torre		Curry, De La Torre,
		Ghaly, Gonzalez-
		Delgado, Perez,
		Powers, Roybal and Shapiro)
PUBLIC COMMENT	Elizabeth Cooper, RCAC 2 member, wished all a Happy Father's Day. She suggested that the	
	Board hold the October meeting in the San Fernando Valley, as the Board of Governors has	

APPROVED

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	never met in that geographic area. She asked about a motion on the CCI Council restructure. Mr. Baackes responded that changes to the Operating Rules will be discussed at a future Executive Committee meeting and a subsequent Board meeting.	
	Chairperson De La Torre indicated that the Board will hold future meetings in areas of Los Angeles County, potentially in the San Fernando Valley, Westside, or other areas. Mr. Baackes noted that former Board Member Ozzie Lopez had suggested holding off site meetings each year. The first was held in the Antelope Valley in 2016. Since then meetings have been held in Long Beach and Westminster.	
	Dorothy Lowry, RCAC 8 Member, has been trying to get an appointment with her doctors and they refuse to acknowledge her health issues. She has met with several doctors. Since they are refusing to help her is it possible she can be referred to another provider that will follow up with special tests. Chairperson De La Torre encouraged her to get assistance privately from L.A. Care staff and refrain from talking publicly about her medical care. Richard Seidman, MD, MPH, Chief Medical Officer, offered to meet privately with Ms. Lowry after the meeting.	
APPROVAL OF CONSENT AGENDA Hector De La Torre	 Approve May 2, 2019 meeting minutes RCAC Membership Motion ECA 100.0619* To approve the following as members to the Regional Community Advisory Committee, as reviewed by the Executive Community Advisory Committee (ECAC) during its May 8, 2019 meeting: Roger William T. Rabaja, Consumer, RCAC 1 Carolyn Ruano, Consumer, RCAC 1 Valerie Small, Consumer, RCAC 1 	The Consent Agenda was unanimously approved, 10 AYES.
CHAIRPERSON'S REPORT	There was no report from the Chairperson.	
CHIEF EXECUTIVE OFFICER REPORT John Baackes	 Mr. Baackes reported: L.A. Care has published a 2019 Annual Report in print and in a video on L.A. Care's website. L.A. Care has agreed to lease 30,000 sq ft at 1200 W 7th Street in 2024 to consolidate L.A. Care's staff in one building. This will allow the plan to operate more efficiently because that 	
	building has a larger footprint and staff will occupy fewer floors. L.A. Care will continue to expand the family resource centers (FRC) with more care management staff at FRCs.	

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Grants and Sponsorships Report	 Since September, the Elevating the Safety Net (ESN) program has made 72 grants to practices and clinics in the safety net to add new primary care providers. He referred to a report with a list of the grants and entities included in the materials for this meeting. The report includes information about 37 newly hired physicians. There are 35 grants in process for recruiting doctors. He encouraged private medical offices to apply as they are the backbone of the safety net, and may have difficulty in recruiting. He referred Board members to a report on grants and sponsorship requested by the Board which is included in the meeting materials provided. Sponsorships are usually for qualified fundraising events for organizations affiliated with L.A. Care. (Copies of the reports referenced above are available by contacting Board Services.) 	
	(Member Jimenez joined the meeting.)	
	 Mr. Baackes informed the Board that Cherie Compartore, <i>Senior Director, Government Affairs</i>, will not attend today's meeting and he provided an update on legislative activities. He was recently in Washington, D.C. for a meeting of America's Health Insurance Plans (AHIP) Board, and while there, he met with five members of Congress. He believes that legislation will not be passed in the near future because agreement won't be reached due to partisan stands. Congress is working on bipartisan legislation for correcting prescription drug pricing and eliminating surprise billing for medical services provided by out of network providers. Agreement will likely be reached on the latter issue. In California, there are budget discussions on Medi-Cal coverage for undocumented adults and expanding eligibility for health coverage premium subsidies in Covered California. The Managed Care Organization (MCO) tax generates money to fund Medi-Cal and will expire June 30, 2019. A proposal to replace the MCO tax is being discussed in Sacramento. L.A. Care advocates protecting revenue for Medi-Cal. The Governor has proposed issuing an Executive Order to have all pharmacy benefits administered by the state. L.A. Care is continuing advocacy work on maintaining administration of Medi-Cal pharmacy benefits with health plans to protect coverage for beneficiaries. The Centers for Medicare and Medicaid Services (CMS) is considering making it optional for states to fund non-emergency transportation for government sponsored coverage plans. The federal Office of Management and Budget has issued a notice that it will request public comment for revising the methodology for calculating the federal poverty level (FPL), which could result in lower increases in the FPL. This will reduce eligibility for government programs over time. 	

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	Mr. Baackes announced that Mark Ghaly, M.D. MPH, Secretary, California Health and Human Services, will be a featured speaker at the upcoming all-day Board Retreat, scheduled on September 5, 2019, at the California Community Foundation campus in downtown Los Angeles.	
CHIEF MEDICAL OFFICER REPORT Richard Seidman, MD, MPH	PUBLIC COMMENT Ms. Cooper raised a concern about the cost for emergency medical transportation. She also mentioned that durable medical equipment (DME) takes a long time to obtain, and she asked Mr. Baackes to advocate for members who need DME. She appreciated his comments about the proposals for changes in benefits for beneficiaries. Mr. Baackes noted that L.A. Care Medi-Cal, L.A. Care Covered and Cal Medi-Connect members should not receive a bill for emergency transportation. Balance billing for covered benefits is not legal. Member Ghaly noted that Los Angeles County administers emergency medical transportation services and regulates ambulances, and would like to be informed of violations.	
	 Dr. Seidman referenced his written report in the meeting materials (a copy of his report is available by contacting Board Services). He noted that the measles outbreak appears to be abating in Los Angeles County. He encouraged people to have current immunizations. L.A. Care health care providers and pharmacies can administer immunizations. L.A. Care contacted over 700,000 households to encourage members to get immunized. The managed care accountability set is a set of clinical quality measures that are reported by the health plan. There has been a significant increase in the number of measures reported. There are now 19 measures, which more closely aligns with federally mandated measures. In addition to increasing the number of measures, the minimum performance level has increased from the 25th to the 50th percentile. The measures, which were announced in late May, will be retroactive to January 1, 2019. Non compliance will result in corrective action plans and financial penalties to health plans. L.A. Care continues to strive for high quality. L.A. Care is working on a clinical pharmacy pilot program, where the pharmacist writes prescriptions based on predetermined protocols for doctor approved care. These programs have proven successful in reducing hospitalizations. Dr. Seidman will continue to report on the progress of the pilot program. A second pilot program will expedite behavioral health rehabilitation admission of members with substance abuse conditions. Martin Luther King Jr. and Long Beach Memorial hospitals are participating in the pilot and will discharge a patient from acute stay directly into rehabilitation site if the patient agrees. 	

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	Member Booth asked if the program is only for inpatients, and Dr. Seidman responded that the pilot program is only for inpatients. If successful, the program will be expanded.	
	Member Ballesteros asked if the rehabilitation beds already exist in the community, and Dr. Seidman responded that it is for existing beds and the goal is to test the efficiency of expedited admission to rehabilitation when the patient is amenable to rehabilitation.	
	Member Ballesteros asked if criteria testing will be done during the hospital stay. Dr. Seidman responded yes.	
	Member Booth commented that this is an example of integration of care that this health plan can do. It can be difficult to manage abuse when discharging. She commended the plan for the pilot. Dr. Seidman credited Alex Li, MD, <i>Deputy Chief Medical Officer</i> , for creating the program.	
Executive Community	Member Gonzalez-Delgado acknowledged the RCAC / CCI Members in attendance.	
Advisory Committee (ECAC)	PUBLIC COMMENT: Ms. Cooper commented that she had asked to speak before the CMO Report. Chairperson De	
Hilda Perez/Layla Gonzalez-Delgado	La Torre responded that she had an opportunity to speak before the CMO Report, and he invited her to comment here regarding ECAC.	
	Ms. Cooper asked Members Perez and Gonzalez-Delgado to take note that Congressman Neal of Massachusetts spoke about the disadvantages of African American children. They are suffering from health issues that are not being addressed. She asked all those in attendance for their attention to the children of color who have health issues. Mr. Baackes stated that this topic will be added to the Agenda for the next Childrens Health Consultant Advisory Committee meeting. Chairperson De La Torre agreed with this comment and added that there is increasing evidence that women of color in particular are having worse outcomes in pregnancy, and L.A. Care will see what can be done internally to address these needs.	
	Fatima Vasquez, <i>RCAC 7 Chair</i> , stated that she is grateful to work with Members Gonzalez-Delgado and Perez. She is grateful that L.A. Care brings RCAC Chairs and Vice Chairs to the Board meetings. She commented that RCAC 7 has begun outreach in the community. Members to work closely with health promoters, who provide information for the committee to share with the community. Through the information and outreach the committee members work to help the community. Members are grateful for L.A. Care's support and ask when the FRC will be opened in their community. The community is grateful for the information and for L.A. Care's support. Mr. Baackes responded that two more FRCs will open this year and five more next year.	

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-	Member Gonzalez-Delgado continued her report on the ECAC meeting held May 8.	
	 The ECAC received a legislative update: Governor Newsom's May 2019 Budget Revise is expected to be finalized by June 15. Senator Holly Mitchell is working on legislation to restore adult Medi-Cal vision benefits. Other services proposed to be restored include incontinence supplies, speech and podiatry services. People who receive Supplemental Security Income (SSI) benefits will qualify for CalFresh starting this month, June 2019. It is projected to add 500,000 new CalFresh recipients. 	
	 Two reports were presented to the ECAC: L.A. Care's process for submitting grievances and appeals related to health care. Processing prescriptions at a pharmacy and prior authorization for medications. 	
	 It was also announced: A three-year extension was granted through December 2022 by the federal government for the Cal MediConnect pilot program. L.A. Care health promoters participated in the Health Promoters Certification Program at Cal State Long Beach. 	
	Member Perez reported that health promoters also were trained on colorectal cancer by the City of Hope, as part of the 2019 work plan. Health promoters attended RCAC meetings to educate RCAC members on colorectal cancer, who in turn will share information in their community. She encouraged people to get screened for this condition.	
	Member Perez commented that the long drive is worth attending today's meeting in La Verne.	
	Member Perez summarized the training materials provided to RCAC Chairs and Vice Chairs. She read a list of training topics, including sessions on managing meetings and understanding health plan programs, among others.	
	(Member Greene joined the meeting.)	
	Member Perez asked Member Jimenez to provide information about CalFresh enrollment. Member Jimenez noted that eligible SSI recipients can call the Los Angeles County Department of Public Social Services (DPSS) to enroll for CalFresh benefits. Over 74% of callers receive approval for benefits on the same day. Enrollment can also be completed online at calfresh.org. DPSS is excited to serve the new CalFresh members.	

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Children's Heallth Consultant Advisory Committee (CHCAC) Richard Seidman, MD, MPH	 MOTIONS / MAJOR DISCUSSIONS Dr. Seidman refererred to his written report, which was included in the meeting materials for today's meeting. He reported on the CHCAC meeting held on May 21. Tara Ficek, MPH, Director of Health Systems, First 5 LA, outlined the Strategic Plan Refinement Process for First 5 LA (F5LA). F5LA's planning process focuses on reviewing, reflecting and refining the current strategic plan with a focus on preparing all kindergarten children in Los Angeles County to be ready to succeed in school and in life by 2028. Grace Kim Crofton, MPH, Director, Quality Performance Management, presented the California Department of Health Care Services Managed Care Accountability Set children's measures. Member Perez suggested adding a consumer member to CHCAC. Dr. Seidman noted that in response to Ms. Cooper's earlier concern, L.A. Care is working with Los Angeles Department of Public Health and with a hospital association on a priority project to improve birth outcomes for women of color. 	ACTION TAKEN
STANDING COMMITTE	E REPORTS	
Executive Committee Hector De La Torre	PUBLIC COMMENT: Ms. Cooper noted that she encourages members to work in the election polls. She asked the board to consider the many legislative issues, and suggested it would help L.A. Care members to be informed. Chairperson De La Torre indicated that L.A. Care can encourage members to vote.	
	Chairperson De La Torre reported that the Executive Committee met on May 28 (a copy of the minutes of the meeting can be obtained by contacting Board Services). The Executive Committee approved a motion to update human resources policies.	
Government Affairs Update	Mr. Baackes reported on legislative activies earlier in his CEO report, above.	
Finance & Budget Committee	PUBLIC COMMENT: Andria McFerson, RCAC 6 Chair, asked that a sticker be placed on the back of the member card so an emergency contact and blood type can be written there to be used in case of emergency. RCAC 6 approved a motion for the sticker. Mr. Baackes indicated that L.A. Care can consider the concept. Member Booth stated that blood is typed at the hospital no matter what is written down or declared by the patient.	

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	Mr. Baackes noted that L.A. Care advocates for health information exchanges (LANES in Los Angeles County) which will allow doctors to see information about patients who cannot communicate in an emergency situation.	
	Robert Curry, Treasurer, reported that the Finance & Budget Committee met on May 28. (The minutes of that meeting are available by contacting Board Services.)	
Chief Financial Officer Report	Marie Montgomery, Chief Financial Officer, reported (a copy of the report can be obtained by contacting Board Services) on financial results for the fiscal year through April, 2019:	
Marie Montgomery	 Financial Highlights for April 2019: Membership is 2,187,479, which is favorable to forecast and is approximately 23,436 member months favorable for the year. The increase is primarily from Medi-Cal (TANF). Surplus is \$15 million for the month of April, which is favorable to forecast. This month includes \$29 million in revenue and healthcare costs for the Ground Emergency Medical Transportation (GEMT). This is a QAF like program providing an add-on rate of \$220 for each service retroactive back to July 1, and on claims paid going forward. Year to date surplus is \$215 million, \$56 million ahead of forecast. Year to date, revenue is favorable by \$59 million, driven by the updated Prop 56 rates as well as the GEMT rates that went into effect this month; both are retroactive to July 2018. L.A. Care will pay the rate increase to medical transportation providers. Medical expenses are unfavorable year to date vs forecast by \$37 million, also driven by the updated Prop 56 rates and GEMT expenses. Administrative expenses are favorable to forecast by \$16 million due to timing of mailing, advertising, printing for directories, as well as reclassification of expenditures to capital. Non-operating income is favorable by \$18 million driven by \$9.4 million in grant timing, \$4.1 million in investment income, and \$4.6 million unrealized gains on investments. Overall Medical Cost Ratio (MCR) is 90.6%, almost equal to forecast of 90.9%. The commercial products MCR is higher than the forecast due to a retroactive increase to capitation for a provider group on a percentage of revenue reimbursement and an adjustment to Risk Adjustment Factor (RAF), both for L.A. Care Covered. Fund Balance was \$1 billion which represents 643% of Tangible Net Equity. Several years ago, L.A. Care set a target of 530% based on the average of eight other local initiatives and county organized health systems. The updated average is 600% and L.A. Care updated the goal to that	Approved unanimously by roll call. 12 AYES (Ballesteros, Booth, Curry, De La Torre, Ghaly, Gonzalez- Delgado, Greene, Jimenez, Perez, Powers, Roybal and Shapiro)

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·	Motion FIN 100.0619 To accept the Financial Report for the period ended April 2019, as submitted.	
Monthly Investment Transaction Report	Ms. Montgomery referred to the report on investment transactions included in the meeting materials for Committee member review. (A copy of the report can be obtained by contacting Board Services). As of April 30, 2019, the market value of L.A. Care's investments was \$2.2 billion. \$2 billion managed by Paydel & Rygel and New England Asset Management \$61 million in Local Agency Investment Fund \$104 million in Los Angeles County Pooled Investment Fund	
	Member Gonzalez-Delgado asked if the budget will be revised to reflect expenditure changes due to the restructure of CCI Councils. Member Curry noted that has not been discussed at committee to date.	
Compliance & Quality	PUBLIC COMMENT: Ms. McFerson asked why people were banned from talking about issues of racism. She was told that racism should not be spoken about. Many times as people have told her outside of a meeting that they felt pushed aside. She wants to be sure everyone's voice is heard. When she speaks about the health promoter program, she is speaking for other members that feel they are being shut out. The program has 18 members and two are Afro-American, 16 are Spanish. She loves everyone. She was asked by others to talk about this. She wants to know why she is banned for speaking up and speaking out. She speaks for people who are not able to participate in the health promoter programs.	
	Chairperson De La Torre stated at a past meeting he had stopped her from calling specific staff racist. She is not banned, she is welcome to speak, but if the topic is inappropriate, he will stop it. Ms. McFerson noted she was speaking specifically about a decision maker for the program and advocating for all to participate in the program. Chairperson De La Torre stated that all who want to participate in the Health Promoter program are welcome.	
	 Member Booth, Comliance & Quality Committee Chairperson, reported that the Committee met on May 21. Dr. Seidman provided updates during his CMO report earlier today. Thomas Mapp, Chief Compliance Officer, reported on: The 2019 CMS Validation Audit measures the progress of Corrective Action Plans in remediating the non-compliance found in last year's program audit. 	

AGENDA	MOTIONO / MAIOR DISCHISSIONIS	A CHIONI HARRINI
ITEM/PRESENTER	MOTIONS / MAJOR DISCUSSIONS	ACTION TAKEN
	 L.A. Care launched a CMS monitoring program on April 8, 2019 to better monitor and remediate findings. The 2019 Department of Health Care Services Onsite Medical Audit is scheduled for July 15 – July 26, 2019. The Committee received a presentation on Population Health Management: National Committee on Quality Assurance's new standards for 2020 survey Services to members through patient-centered model of care, engaging members regardless of the member's health position as measured on the continuum of health. Continuum of coordinated, comprehensive care using evidence-based practice guidelines to improve member quality of life and meet diverse care needs by improving quality of care and sustainably lowering cost. Part of this is looking at differences in care for different types of people based on health status, ethnicity or geographic area. Member Booth commended L.A. Care for integration of care, and not just for acute or chronic 	
	health conditions, so that the whole population is as healthy as possible.	
PUBLIC COMMENT	Tonya Byrd, RCAC 9 Chair, related a personal situation with Call the Car (CTC) and she shared the transportation number with interested people at the meeting. It is easiest to call 844-905-7272 for transportation. She complimented Member Jimenez on making enrollment for CalFresh easy. Ms. Cooper asked if staff would assist L.A. Care members with enrolling in CalFresh. Mr. Baackes noted that staff will assist, including staff at FRCs. L.A. Care is also working to inform members about the program.	
	Ms. Cooper indicated that she is a tenant and she noted that homelessness is important. Housing and health are very important. In the Los Angeles Times, it has been reported that homeless rates are increasing. She asked that rather than just giving money, that the reasons for homelessness be addressed. It is important to go beyond homelessness and have programs to assist tenants. Mr. Baackes reported that L.A. Care will soon announce grants on tenant assistance. Roland Palencia, <i>Director, Community Benefits</i> , outlined a new grant program to assist members with legal advice to prevent eviction and avoid homelessness. Mr. Baackes noted that this won't solve the problem but is a way to help members, by giving an advocate in difficult situation.	
	Ms. McFerson said that what Member Jimenez is doing is awesome. She suggested that representatives come to the RCAC meetings to talk about the program. She suggested outreach	

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	to the community. She suggested empathy training for anyone who makes decisions for members.	
	Member Powers asked for information about the tenant eviction prevention grant program. Mr. Baackes indicated that a report will be provided at the next Board meeting.	
ADJOURN TO CLOSED SESSION	Mr. Baackes announced that Board members will be invited to a special event on July 23 to annous cholarship recipients for the Elevating the Safety Net Scholars.	ance the next eight
Alvaro Ballesteros	Augustavia J. Haydel, Esq., <i>General Counsel</i> , announced the following items to be discussed in closed session. The Board adjourned to closed session at 3:50 p.m.	
	CONTRACT RATES Pursuant to Welfare and Institutions Code Section 14087.38(m) • Plan Partner Rates • Provider Rates • DHCS Rates • Plan Partner Services Agreement REPORT INVOLVING TRADE SECRET Pursuant to Welfare and Institutions Code Section 14087.38(n) Discussion Concerning New Service, Program, Business Plan	
RECONVENE IN OPEN SESSION	Estimated date of public disclosure: <i>June 2021</i> The Board reconvened in open session at 4:02 p.m. There was no report about the closed sesion.	
ADJOURNMENT	The meeting was adjourned at 4:25 p.m.	

Respectfully submitted by:	APPROVED BY:
Linda Merkens, Senior Manager, Board Services	
Malou Balones, Senior Board Specialist	
Victor Rodriguez, Board Specialist	Layla Delgado-Gonzalez, Board Secretary
	Date Signed

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	Plan Partner Rates	ł
	Provider Rates	
	DHCS Rates	
	Plan Partner Services Agreement	
	REPORT INVOLVING TRADE SECRET	
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Respectfully submitted by:

Linda Merkens, Senior Manager, Board Services Malou Balones, Senior Board Specialist

Victor Rodriguez, Board Specialist

APPROVED BY:

Layla Delgado-Gon alez, Board Secretary
Date Signed