

CARR Board Meeting

2/20/2024

9AM

Zoom Call

Meeting called by:	Butch Lewis	Type of meeting:	Monthly Board Meeting
Facilitator:	Butch Lewis	Note taker:	Jaycie Lafrican
Timekeeper:	Jaycie Lafrican		

Attendees:	Butch Lewis, Jaycie Lafrican, Scott Mounce, Amy Cooper, Cali Ryczek, Matt Neptune, Tonya Wheeler, Dara Keller, Alia Andrews, Gonzalo Ardavin
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Minutes

Agenda item:	January Financials	Presenter:	Butch
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Discussion:

Gonzalo: Motion to approve financials ending January 31, 2024.

Dara Keller seconds.

Conclusions: January Financials Approved

Agenda item:	Update on BHA Contract	Presenter:	Butch
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Discussion:

Butch: I engaged in a 2.5-hour meeting with BHA last Friday to address pertinent issues. It was brought to our attention that they are encountering difficulties managing 196. Currently, CARR is facing a shortfall of approximately \$222,000 in billables to BHA, as payments from them have ceased since November. However, a pending invoice of \$37,000 is scheduled for payment this week. Which should hold us over.

BHA has informed us that they have been revisiting and revising numerous budgets, aiming to ensure accuracy and clarity in their breakdowns. Consequently, payment was temporarily halted until the new contract and budget were revised. I have been assured that this issue has been rectified.

It is imperative to note that should payment not be received by March 2024, we may be compelled to initiate staff layoffs. However, efforts are underway to mitigate this scenario as BHA is actively addressing its outstanding obligations. Furthermore, it is worth acknowledging that the grant Alia is overseeing has been instrumental in providing much-needed financial stability during this period.

If there are any further inquiries regarding the contract or updates, please do not hesitate to raise them at this time?

Conclusions: No further concerns.

Agenda item:	Review Standards/ New CARR Levels	Presenter:	Butch
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Discussion:

Butch initiated discussion on the new CARR standards, particularly regarding the transition from the previous 1-4 CARR level designation to new designations of PMSC.

Butch clarified that ASAM's alteration to include recovery residences in their standards of care prompted NARR to switch to PMSC:

- P: Peer-run homes
- M: Monitored
- S: Residential recovery programs led by peers
- C: Clinical (not applicable in Colorado)

Dara inquired about the rationale behind the shift from 1-4.

Butch explained the background and emphasized the need for alignment with NARR and ASAM's evolving standards. The board deliberated and agreed to accept the new PMSC designation.

Updates on CARR Standards

1. **Additional Insured Insurance Coverage:** Discussion ensued on liability coverage, particularly concerning incidents post-certification. The necessity of being named as additional insured on the policy of certified homes until CARR's insurance kicks in was emphasized for protection.
2. **Insurance for All Locations:** It was noted that all program residences should be added to insurance policies to ensure clarity and adherence to standards.
3. **Code of Ethics:** Input from NARR was considered, with emphasis placed on accurate documentation of services within the program scope.
4. **Acceptance Process:** Clarification was sought regarding the acceptance process and final decision-making authority.
5. **Referral Process:** Amendments to accommodate new legislation on referrals to outside organizations were discussed, ensuring resource and referral provision for non-accepted individuals.
6. **Staff Contact Information:** Standardization of staff contact details was proposed for clarity so residents could easily contact staff.
7. **Intake Process:** Updates from the Document Review Questionnaire (DRQ) and collaboration with Signal and BHA for scholarship-related inquiries were discussed to enhance data collection and efficacy.
Dara: Any of this information, the owner needs to make sure the information is secure with agreement from clients and is compliance with HIPPA and 42 CFR.
8. **Residence Handbook:** The necessity of a comprehensive residence handbook was highlighted.
9. **Relationship with Residents:** The discussion revolved around managing intimate relationships within recovery residences.
10. **Curfews/Stealing/Dress Codes/Assault:** The importance of clear standards for such behaviors was emphasized.
11. **Restricted Employment:** Areas where residents cannot work were to be clarified in the contract if any exist.
12. **Rule Infractions:** Protocols for property damage were discussed.
13. **Peer to Peer Anonymity**
14. **Grievance Retaliation**
15. **Repair Maintenance Form**
16. **Drug Screening:** Methods for confirmation were discussed.
17. **Med Disposals:** Proper disposal of medications was emphasized.
18. **Medical Cannabis:** Adherence to CARR-approved policy was reiterated.
19. **Discharge for Emergency Contact:** Alignment with new state bill requirements was emphasized.
20. **Service Animals/ESA:** Discussion on designation and accommodation requirements ensued, with considerations on providing training and resources for operators.

Dara highlighted the key difference between service animals and emotional support animals (ESA) under the ADA, emphasizing that service animals are trained to perform specific tasks while ESAs are not. She noted the importance of legitimate ESA confirmation from a mental health provider to ensure proper accommodation, considering the proliferation of illegitimate providers.

Scott mentioned the requirement for reasonable accommodation approval, clarifying that the ESA should always be accompanied by its owner and not left alone with other residents to avoid property damage.

Dara and Butch discussed the possibility of CARR providing training on ESA animals, outlining necessary documentation and procedures for operators. Butch raised concerns about potential abuse if such information were readily available online, seeking input from operators.

Matt expressed concern about the increased workload for operators if additional training on ESAs were provided.

Amy suggested creating a resource to direct people to more information on ESAs to ensure awareness, with Dara mentioning a useful brochure issued by agencies in Colorado.

Tonya shared a question from a resident owner about proper disposal of controlled substances, prompting a discussion on disposal methods such as drug-dissolving bags and pharmacy drop-offs, with Cali suggesting informing the police when transporting drugs for disposal.

Dara motioned to accept new CARR standards, concluding the meeting.

Conclusions:

- Motion for new designation passed.
- Dara sending over an ESA animal brochure to post a link for training.
- New CARR standards approved.

Agenda item:	Ute Tribal Nations Request	Presenter:	Butch
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Discussion:

Butch introduced the \$40 - \$60 million project that has been in progress for almost two years, involving the construction of a large village to provide healthcare services to the four-corners region, including Montana. Due to time constraints, the funds allocated for the project need to be utilized promptly. HICPUF has approved CARR to manage and hold onto these funds until they are needed for the project. Butch proposed having Dara draft a contract to formalize this arrangement legally and ensure they were in legal compliance with all laws.

Gonzalo expressed concerns regarding the legality of CARR holding funds for a nonprofit project, likening it to acting as a banker and suggesting further legal research before proceeding. He also raised concerns about benefiting from the interest accrued on the funds.

Dara acknowledged the need for additional legal research, especially regarding laws pertaining to tribal nations, and offered to consult colleagues on the matter.

Butch sought approval from the board to authorize Dara to conduct further research and potentially draft a contract for CARR to hold the funds for the Southern Ute Nation project.

Alia suggested consulting with Kacey to ensure that the arrangement aligns with expansion grant guidelines but expressed trust in Dara's expertise.

After discussion, Butch motioned to have Dara review the legalities of CARR holding funds for the Southern Ute Nation project and, if found legal, to draft a contract for the arrangement. Gonzalo proposed a modification to focus initially on research before proceeding with drafting the contract, which was agreed upon.

The motion was approved.

Conclusions:

Butch will get with Dara after he talks to Kacey tomorrow.
Motion approved for Dara to do more research on legalities.

Agenda item:	CARR Staff Ownership of Sober Living	Presenter:	Butch
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Discussion:

Butch: We currently have three staff members who wish to start or become owners of recovery residences.

Tonya: Is it acceptable for them to work for both the certifying body and own a recovery residences simultaneously?

Dara: It depends on their roles and whether they have authority over certifying. It could affect CARR's reputation and may raise ethical concerns. We need to consider the community's perception and the legality of the situation.

Tonya: I personally know the staff involved and believe it could be managed ethically, but I share concerns about potential backlash.

Butch: Historically, we had a strict policy prohibiting staff from having any ties to recovery residences. However, with our recent expansion and a larger staff of 11 people between full-time, part-time, and contract employees, I would like the board to weigh in on whether the policy I created was overly restrictive and whether employees should be allowed to become owners and operators of recovery residences.

Cali: The fundamental issue remains the same regardless of the staff size – maintaining clear boundaries. I don't see why the policy should change because we now have more staff.

Butch: I'm considering the fairness aspect and the potential benefits of having more operators, especially as we expand.

Cali: What about the regulations at the state level?

Alia: Regardless of our job roles, we're obligated to disclose any conflicts of interest. I agree with Butch's instinct to be cautious about conflicts of interest.

Gonzalo: In Arizona, the state oversees AZRA, and such conflicts could reflect poorly on CARR, especially with rural expansions. We need to carefully consider the implications before making any decisions. So far, our staff has been hired with the understanding that they cannot open residences, so this hasn't been an issue.

Butch: I've never formalized a written policy on this, so I'm asking Dara to draft one.

Cali: Maintaining CARR's reputation is paramount.

Amy: If an employee quits and becomes eligible to become an operator, we should consider imposing a non-compete period to prevent conflicts of interest. This is common practice in many industries.

Butch: We could implement an accrual period, especially for grant applications. I'll discuss this with Dara to determine a reasonable timeframe. However, the legislature passed a law a few years ago that made non-compete clauses in contracts unenforceable.

Conclusions:

Dara will draft up a policy for employees to sign.

Motion approved to draft policy.

Agenda item:	Program Grievance/ Process	Presenter:	Butch
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Discussion:

Butch: We've received a grievance regarding a program running two uncertified houses. The owner claims a Level One, but UA testing for clients is being done, and the home has rules, so it is not a Level One. Also, they have a second issue. A resident and staff member are in a relationship, though they're moving out. I've asked for ethics documentation as per our last violation consequence, but it lacks date stamps and who the course was taken by. I need direction from the board on how to move forward with this one.

Scott: This is a pattern, the third time it's happened. It's concerning and shows a lack of control from the owner. There should be consequences.

Gonzalo: Agreed, there have been clear infractions. We should issue a corrective action.

Butch: We're working on it, but need input on next steps after the probationary period.

Amy: We must treat it as a first infraction if no clear timeframe was set initially. We can't escalate action without clear language.

Butch: Does BHA have second offender action?

Amy: No, but we can note it and conduct a deeper investigation and would have done a full audit of the program.

Cali: We need to help the owner understand and improve. Training might help.

Scott: Everyone signed the code of ethics, and took the training so she's aware.

Cali: There seems to be a gray area.

Gonzalo: She's operating an illegal sober house; there's no question she knew it had to be certified. We should register her backwards and pay fees. On the relationship issue, she knows better.

Butch: Let's follow Amy's advice and conduct a full audit.

Tonya: Shouldn't the board have more non-operators?

Butch: It's been challenging to find qualified people. We can change percentages if needed, but that needs to be approved by the BHA.

Scott: There's no gray area here, clear violations. CARR must remain consistent.

Gonzalo: We need to violate her on the first two issues and conduct a full audit due.

Butch: Kevin and I will conduct the audit and report back to the board.

Tonya: Will violations be issued?

Butch: Potentially, depending on findings. However, the first two violations will be issued.

Conclusions:

Butch will get clarification from Amy on violations, conduct a full audit and report back to board in March.