



**February 26, 2024**  
**MCHD Board Minutes**  
Teresa Stephens, Chairman

**Call to Order**

The Marion County Hospital District Board of Trustees regular monthly meeting was called to order by Teresa Stephens on February 26, 2024, with a quorum present at 5:00 PM at 2547 E. Silver Springs Blvd. Ocala, FL.

**5:00 PM Roll Call**

Upon roll call the following Board Members were present in the office: Rusty Branson, Teresa Stephens, Ram Vasudevan, David Cope, Ken Marino, Rich Bianculli. Harvey Vandeven arrived at 5:04 PM

**Other Present in Office**

Curt Bromund, Debra Velez, Matt White, Kimberly Glancy, Crystal Pfriendler, Jessica Cole, Jennifer Murty, Bruce Akerman, Tom O'Mara, Nathan Howes (via Zoom), Iffy Akwule-Udoch (via Zoom), Brian Creekbaum, Mac MacKay with Gooding & Batsel

**Invocation**

The meeting opened with invocation by David Cope.

**Public Comment (3 Minutes)**

None.

**ADOPTION OF PREVIOUS MINUTES**

**MCHD January 29, 2024 Board Meeting minutes – A motion was made by Ken Marino, seconded by Rich Bianculli to adopt the previous MCHD board meeting minutes presented. With no further discussion and no objections, the motion passed unanimously.**

**INVESTMENT REPORT**

Teresa Stephens opened the Investment Report.

**New Business**



**Wilshire Investment Overview** – Nathan Howes and Iffy Akwule-Udoch (via Zoom) reviewed Wilshire’s January investment overview which was provided in the Board packet.

**IPS Document** – Teresa Stephens advised that MCHD legal counsel has reviewed the updated IPS and approved it for the board to proceed to vote. Mrs. Stephens called for a motion to approve the IPS as presented in the Board packet.

**A motion was made by Rich Bianculli to approve the IPS as presented, motion was seconded by Ram Vasudevan. The Motion passed unanimously.**

**The Investment Report was accepted by general consent.**

#### **Old Business**

None.

### **STRATEGIC INITIATIVES REPORT**

Harvey Vandeven opened the Strategic Initiatives Report.

#### **New Business**

**Quarterly Updates: Beacon Point, LIP Funds, SMA Match** – The quarterly updates for Beacon Point, LIP Funds, and SMA Match were included in the board packet. Crystal Pfriendler asked if there were any questions from the Board about the information included in the Board packet and the trustees had none.

#### **New Projects**

Rich Bianculli opened the New Projects Report.

**Blue Sky First Responder Update** – Rich Bianculli stated the Blue Sky study will be completed March 15, 2024.

**The Strategic Initiatives Report was accepted by general consent.**

#### **Old Business**

None.

### **OPERATIONS REPORT**



Rusty Branson opened the Operations Report.

### **New Business**

**Board Development Training Date** – Rusty Branson reminded the trustees that the board development training, facilitated by Dave Fechtman with Velocity Advisory Group, is scheduled to take place at the MCHD Office on February 27th from 1:00 to 4:00 PM.

**Operations Manual** – Rusty Branson stated that work is currently underway on the operations manual for MCHD. He emphasized that the manual is expected to be finalized no later than April. The manual will encompass various aspects, including policies for staff vehicle usage, handling public information requests, and processing funding requests.

**Public Relations Firm** – Rusty Branson sought the board's approval to engage Vancore Jones a public relations firm out of Tallahassee for MCHD. Curt Bromund informed the trustees that he and Debra Velez have conducted thorough research over the past several months, aiming to identify a firm capable of delivering unified messaging and coordinating with MCHD's existing marketing efforts. The proposed cost for the firm is \$4,000 per month, with the flexibility of cancellation at any time with a 30-day notice. The proposal from Vancore Jones Communications is provided in the Board packet.

**A motion was made by Ken Marino to approve hiring Vancore Jones Communications as MCHD's Public Relations Firm, motion was seconded by Ram Vasudevan. The Motion passed unanimously.**

**Ratify Gooding & Batsel Contract** – In January the trustees approved the engagement of the law firm Gooding & Batsel as MCHD's new legal counsel. Notably, Gooding & Batsel's hourly rate is \$100 less than the other firm that was under consideration.

**A motion was made by Ken Marino to approve hiring Vancore Jones Communications as MCHD's Public Relations Firm, motion was seconded by Ram Vasudevan. The Motion passed unanimously.**

***\*\*Harvey Vandeven and Rich Bianculli abstained from the vote, recusing themselves due to their association with the Gooding & Batsel Law Firm.\*\****

**The Operations Report was accepted by general consent.**



## Legal

**Introduction** – Mac MacKay, an attorney from Gooding & Batsel, introduced himself to the trustees and expressed gratitude for the opportunity to serve as MCHD's legal counsel.

**MRHS Stark Progress (Attorney)** – In 2016, CHS submitted voluntary self-disclosures of Stark Law violations to CMS as the designated representative of Munroe HMA Hospital LLC d/b/a Munroe Regional Medical Center. The violations fell into two general categories concerning (1) the hospital's staff professional courtesy policy and (2) certain Chief of Medical Staff arrangements. Sandy Teplitzky of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, has been representing CHS throughout this process. The Hospital District is the real party in interest as successor to Munroe. In other words, CHS has paid the attorney's fees to date, but the District will be ultimately responsible for any settlement or reimbursement of overpayments.

At this point, Mr. Teplitzky and CMS have agreed in principle to withdraw the voluntary disclosures concerning the Medical Director Agreements due to changes in Stark Law that render the underlying violations compliant. Concerning the professional courtesy policy, overpayments amount to approximately \$2,200,000 but are likely to be resolved pursuant to a Settlement Agreement requiring a payment of between \$75,000 and \$150,000 within a few months. CHS has agreed to pay the remainder of Mr. Teplitzky's attorney's fees to resolve the matter, but the District will need to retain him to do so on our behalf. His proposed Engagement Agreement is attached.

If he is retained, Mr. Teplitzky will continue working with CMS and report back to Trustees. This is likely to include a request for approval of a certification at a future meeting providing for withdrawal of the Medical Director Agreements, followed by consideration and approval of a Settlement Agreement upon receipt from CMS. We hope to conclude the foregoing within a few months. Finally, please note that failure to proceed in this manner could result in CMS terminating the voluntary disclosure process and demanding reimbursement of the full overpayment.

Mr. Teplitzky and Ms. Cooper have been extremely competent and informative, for which we are grateful. We are confident in Mr. Teplitzky's ability to represent the District's interests and respectfully recommend that Trustees approve his engagement by and through the Chair's execution of the enclosed Engagement Agreement.



Rich Bianculli requested legal counsel to inquire whether any of the doctors received a compensation package. Teresa Stephens announced that the discussion will be tabled to allow legal counsel to conduct additional research on the matter.

### **FINANCE REPORT**

**January 2024 Financials** – Matt White conducted a review of the January 2024 financial statements, as presented in the board packet. There were no significant variations to the budget. Mr. White stated Purvis Gray will be in attendance at the March Board Meeting to review the audit.

**A motion was made by Rusty Branson to approve the January 2024 Financials, motion was seconded by Ken Marino. The Motion passed unanimously.**

**Teresa Stephens adjourned the meeting at 5:46 PM.**