



**MEETING OF THE  
REGIONAL GOVERNING BOARD**

**Friday, May 24, 2024**  
**9:30 a.m. - 12:00 p.m.**

**REGION 3 BEHAVIORAL HEALTH SERVICES  
4009 6<sup>TH</sup> AVE., SUITE 65  
KEARNEY, NE**

*The Mission of Region 3 Behavioral Health Services is to foster recovery and resiliency for individuals and their families who experience a behavioral health challenge.*

**MINUTES**

1. Welcome and Introductions  
Rich Nelson welcomed everyone and called the meeting to order at 9:30 a.m.
2. Roll Call  
Roll Call was taken by Jean Starman.

**Present:**

Adams – Lee Hogan  
Buffalo – Bill Maendele  
Clay – Ivan Fintel  
Custer – Tammy Kleeb  
Garfield – Jerome Zulkoski  
Hall – Gary Quandt  
Hamilton – Richard Nelson  
Nuckolls – Jerry Grove  
Phelps – Theresa Puls  
Sherman – Ken Kaslon  
Valley – Helen Cullers  
Wheeler – Roy Plugge

**Absent:**

Blaine – Craig Thompson  
Franklin – Josh Johnson  
Greeley – Jordan Foltz  
Harlan – Seat currently vacant  
Kearney – Larry Landstrom

**Also Present:**

Tiffany Gressley – Region 3 Behavioral Health Services (BHS)  
Kerry Slaymaker – Region 3 BHS  
Kayl Dahlke – Region 3 BHS  
Jean Starman – Region 3 BHS

**Excused:**

Furnas – Dennis Tegtman  
Howard – Jessie Urbanski  
Loup – Donna Steckel  
Merrick – Carolyn Kucera  
Webster – Trevor Karr

3. Review of Open Meetings Act  
The Open Meetings Act sign is posted in the meeting room. Two weeks prior to the May 24, 2024 Regional Governing Board meeting, advanced publicized notice was ran in the Kearney Hub, the Grand Island Independent and the Hastings Tribune.

4. Comments from the Public  
There were no comments from the public.
5. Approval of Agenda  
Motion by Tammy Kleeb to approve the agenda, seconded by Helen Cullers, motion carried.
6. Approval of March 22, 2024 Meeting Minutes  
Motion by Gary Quandt to approve the March 22, 2024 meeting minutes, seconded by Ivan Fintel, motion carried.
7. Executive Committee Report  
Rich Nelson reported that the Executive Committee met on May 24, 2024 at 8:30 a.m. The committee reviewed the Region 3 Expenditure Report March 1, 2023 – April 30, 2024. Some Opioid Settlement Funds have been received and deposited.

The committee reviewed a consultant agreement stating that Chad Gressley, University of Nebraska at Lincoln consultant, provided motivational training to some Region 3 employees. The agreement states that Chad provided the service and was paid. Rich explained that Tiffany Gressley was not involved in contract negotiations. Kerry Slaymaker signed the agreement and Tiffany completed a Conflict of Interest form.

Rich reported that the Region 3 FY25 Contract has not yet been received from the Division of Behavioral Health. Rich said Kerry and Tiffany are doing a good job of adjusting to the FY25 budget with the budget cuts. A significant portion of the budget is dedicated to salaries and Tiffany and Kerry have done a good job with attrition instead of reducing staff. Some open positions existed and responsibilities were distributed to other staff which was the equivalent of five full time positions.

8. Region 3 Fiscal Reports
  - a. FY24 Year-to-Date Program Summary July – April Report  
Kerry Slaymaker reviewed a handout, *Region 3 Behavioral Health Services Network Expenditures July 1, 2023 – April 30, 2024*. Mental Health services expended 69% of the budgeted amount for FY24 with 83% of the fiscal year elapsed. Some service utilization has increased and the Medicaid expansion piece is gradually dropping off. Kerry explained that some of the lower utilization amounts are placeholders in case we need to access those services. Assertive Community Treatment expended 82% of the budget and has remained steady through Medicaid expansion. This service has not been as affected by Medicaid expansion as others and funds have been added. Day Support, an expense-based service, expended 94% of the FY24 budget. The two providers that provide Day Support services have been asked to submit a Budget Shift Request if additional funding is needed in May or June 2024. Outpatient Psychotherapy Adult expended 62% of the budget. In the past, this service has trended upwards late in the year. Outpatient Psychotherapy Youth expended 85% of the FY24 budget. This service has significantly increased in the last several months. Previously, we added \$50,000 in budget shifts and it continues to be over budget so we will add funds as needed. Secure Residential shows -940%, which is a result of a refund of several months where someone became Medicaid eligible so Region 3 funds are being paid back. Housing funds are being expended. There is more funding available than what we can provide. Housing funds are designated for housing only and the funds cannot be moved to other services.

Substance Use Disorder services expended 62% of the budgeted amount for FY24 with 83% of the fiscal year elapsed. Inpatient Post Commitment Treatment Days shows -42% paid. This reflects a refund. Kerry explained that most amounts that show negative numbers are refunds from a payer source and some are the result of a Network Provider audit where a refund was due.

Grand Total paid out for FY24 - \$9,305,027 or 67% of the budgeted amount with 83% of the year elapsed. Last year at this time, we paid out 58% of the budgeted amount. We have expended a higher percentage this year compared to last year at this time. This reflects Medicaid expansion unwinding and that Network Providers have been more fully staffed due to the Workforce Stabilization Grant, which opened up capacity. Kerry said it appears we may have an estimated \$2.7 million left unspent in June 2024. However, the Housing funds, Secure Residential funds and First Episode Psychosis (FEP) funds are all designated for those particular services and cannot be used elsewhere or moved. These three services total approximately \$300,000.

Kerry explained that two Request for Proposals (RFPs) were released. One RFP is for an expansion of the Crisis Stabilization Unit (CSU) in Hall County and the other for a short-term residential service in the Adams County area. A total of \$1.8 million was earmarked for the two projects. Region 3 continues to have back and forth conversations with the Division of Behavioral Health (DBH) regarding the proposals. A large part of the short-term residential service RFP involved construction and renovation costs to prepare buildings for a residential facility. DBH said they cannot fund any construction or renovation costs. This project is on hold until the funding piece is solved. DBH is working with Region 3 on accessing State Opioid Infrastructure Funds. We continue to tell DBH that the timing is crucial because funds have to be used by June 30, 2024. Region 3 has designated funding in the FY25 budget for ongoing service expenses but not for start-up costs. Region 3 is waiting for final approval from DBH. Tiffany Gressley added that because we do not have written approval, we cannot tell Network Providers to move forward. Tiffany said the passing of LB 1355 restructured how Opioid State Funds could be used. The Behavioral Health Regions will receive a portion of the large Opioid Settlement Funds but not in the amount originally stated. A large percentage of the funding went to the DBH contract, specifically for infrastructure. Tiffany said Dr. Janousek is talking with Director Green regarding our ability to access some statewide infrastructure funds. Kerry shared that discussions began with DBH on the CSU expansion project in December 2023. The lengthy back and forth negotiations with DBH have been frustrating and the outcome will have a significant impact on the amount of Region 3 funding left unspent at the end of FY24.

Kerry reviewed Other Reinvestment Projects where funding is available through September 30, 2025. The projects were largely predetermined and Region 3 had little input. We asked DBH if remaining funds can be used in areas to specifically address needs in our area. Director Green seemed open to inquire if the federal funds can be used elsewhere.

Mobile Translation Devices – DBH budgeted for internet and data plans. However, data plans were included with the purchased devices so much of the budgeted amount remains unspent.

Mental Health First Aid has expended 100% of the funding.

Sequential Intercept Model – Region 3 signed a contract to get started.

Signs of Suicide (SOS) Curriculum has been purchased for some schools. The Region 3 Suicide Prevention Coordinator is working with them to implement the curriculum.

Outreach/Education for Faith Partners is to be determined. Organizations are interested in the project and we are looking at options.

Kerry asked if there were any questions regarding the FY24 Year-to-Date Network Expenditure Report. No questions were asked.

b. FY24 Contract/Budget Shift Ratifications

Kerry Slaymaker referred to a handout, *Region 3 Behavioral Health Services Contract Ratifications by Regional Governing Board*, which includes contracts signed by Tiffany Gressley since the Regional Governing Board (RGB) meeting on March 22, 2024. Tiffany receives the contracts electronically, signs and returns them to the Department of Health and Human Services/Division of Behavioral Health. The contracts are then signed by the RGB Chairperson and brought to the Regional Governing Board for ratification. This is the process approved by the RGB.

- FY24 Budget Shift 4/19/24 - \$59,212.00  
Funds were shifted to cover services between line items.
- FY24 Budget Shift 4/29/24 of \$1,000,000.00 is pending Division of Behavioral Health approval. This is a portion of the Crisis Stabilization Unit (CSU) Expansion Project that is pending.
- FY24 Budget Shift 4/29/24 of \$417,043.00 is pending Division of Behavioral Health approval. This is a partial amount for the short-term residential facility Request for Proposal.

Kerry said the CSU-related budget shift request and the short-term residential budget shift request will likely be denied and we will submit a different budget shift request when we know the final funding amounts approved by DBH.

c. FY25 Regional Budget Plan Status

Kerry Slaymaker explained that Region 3 has had several meetings with the Division of Behavioral Health (DBH) regarding the FY25 Budget Plan. Most of their concerns involve a few services that have a Region 3 specific service definition rather than a statewide service definition. DBH seems to want all services in the state to have a uniform state service definition. This does not always work in all places, especially in rural areas.

The Validata Post Discharge project involves texting as a means of participant re-engagement. Overall, the outcomes were not as anticipated. DBH did not approve continued funding for the project in most areas. The Professional Partner Program, however, has seen positive outcomes so DBH allowed some funding for it to continue. Approximately \$100,000 from this project was reallocated back to services that received a larger cut to the FY25 budget.

After multiple discussions with DBH regarding the feasibility for the Vets for Vets service, Region 3 reviewed costs associated with the Vets for Vets Program compared to the number of individuals being served and this combined with ongoing audit concerns led to the decision to end the program. Audit findings showed that Lutheran Family Services (LFS) was not following the service definition to which they agreed. In addition, not all paperwork was being completed. Region 3 gave LFS an option to provide Peer Support services, which is a similar service. At this time, their response has not been received. Funding previously used for the Vets for Vets Program was reallocated to services that sustained larger budget cuts due to the FY25 budget cut.

Funds for the Behavioral Health Outreach Jail Program through Buffalo County will be available in the FY25 budget; however, DBH would like to learn more about the program. They would like it to be an outpatient program rather than the current outreach program. Region 3 and DBH are discussing the matter.

Region 3 and DBH have been discussing the Transition Age Coordinated Employment Service since November 2023. Goodwill Industries provides the service to help 16-21 year old individuals obtain a job and provide job coaching; services that Vocational Rehabilitation does not provide for individuals in that age group. DBH allowed funding in the FY25 Budget for this service, however, conversations continue. Region 3 submitted a revised service definition that would allow service to more young people which was approved.

Region 3 will share the final FY25 Budget Plan with the Regional Governing Board after it has been approved by DBH.

Motion made by Ken Kaslon to approve the FY24 Year-to-Date Network Expenditure Report, the FY24 Contract/Budget Shift Ratifications and the FY25 Regional Budget Plan Status, seconded by Theresa Puls. A roll call vote commenced.

Lee Hogan - Yes  
Craig Thompson - Absent  
Bill Maendele - Yes  
Ivan Fintel - Yes  
Tammy Kleeb - Yes  
Joshua Johnson - Absent  
Dennis Tegtman - Excused  
Jerome Zulkoski - Yes  
Jordan Foltz - Absent  
Gary Quandt - Yes  
Rich Nelson - Yes  
Harlan County - NA  
Jessie Urbanski - Excused  
Larry Landstom - Absent  
Donna Steckel - Excused  
Carolyn Kucera - Excused  
Jerry Grove - Yes  
Theresa Puls - Yes  
Ken Kaslon - Yes  
Helen Cullers - Yes  
Trevor Karr - Excused  
Roy Plugge - Yes

9. FY25 Alternative Compliance Request

Tiffany Gressley referred to a handout, *Alternative Compliance Ratification for Revive, Inc. Effective July 1, 2023 – June 30, 2025*. Region 3, on behalf of Revive, Inc., has requested a two-year Alternative Compliance effective July 1, 2023 – June 30, 2025 to waive the requirement of National Accreditation for the organization. Region 3 will oversee the quality of service delivery by Revive Inc.

Tiffany shared that a new director is in place at Revive Inc. and the organization is looking to expand the services that they provide. Rich Nelson and the Division of Behavioral Health have approved the Alternative Compliance Request and Tiffany asked the Regional Governing Board to ratify the approval of Alternative Compliance for Revive, Inc.

Motion made by Jerry Grove to approve the Revive, Inc. Alternative Compliance Request for Revive Inc. effective July 1, 2023 - June 30, 2025, seconded by Ivan Fintel, motion carried. A roll call vote commenced.

Lee Hogan - Yes  
Craig Thompson - Absent  
Bill Maendele - Yes  
Ivan Fintel - Yes  
Tammy Kleeb - Yes  
Joshua Johnson - Absent  
Dennis Tegtman - Excused  
Jerome Zulkoski - Yes  
Jordan Foltz - Absent

Gary Quandt - Yes  
Rich Nelson - Yes  
Harlan County - NA  
Jessie Urbanski - Excused  
Larry Landstom - Absent  
Donna Steckel - Excused  
Carolyn Kucera - Excused  
Jerry Grove - Yes  
Theresa Puls - Yes  
Ken Kaslon - Yes  
Helen Cullers - Yes  
Trevor Karr - Excused  
Roy Plugge - Yes

## 10. Quality Improvement Report

### a. FY24 3<sup>rd</sup> Quarter Quality Improvement Report

Kayl Dahlke reviewed all areas of a handout, *FY2024 Network Quality Improvement Plan: Performance Measurement and Reporting – Third Quarter Report January 1, 2024 – March 31, 2024*. This tool is designed to improve and sustain identified satisfaction, access and performance measures for the Region 3 Behavioral Health Services Network. Kayl explained that the Access Measures for the Housing Assistance Program show second quarter data due to a glitch in the State reporting system.

A question was asked about a Performance Measure for Crisis Services that states *75% of the individuals ages 16 and older served in Emergency Community Support (ERCS) services will achieve or partially achieve their goals*. A question was asked about who sets the goals. Kayl said the individual participating in the service sets his or her goals using the Daily Living Activities tool. Individuals either achieve, partially achieve, or do not achieve their goals. ERCS is typically a 60-90 day program.

The Region 3 service area currently has twenty-two pharmacies participating in the Naloxone Distribution Program, which is well above the target goal of ten pharmacies.

### b. Region 3 Active Individuals Served Trended (5.01.24)

Kayl Dahlke reviewed a handout that shows service utilization for the past seven months for individuals that have Region 3 as the payer source.

Tiffany Gressley shared information regarding the Region 3 Maintenance of Effort (MOE) for Substance Use Services across all Regions. The state as a whole has been struggling during the last few years to achieve the MOE. With budget cuts to the FY25 Budget, the state as a whole is not budgeted to meet the FY25 MOE. DBH has asked all Regions to continue to brainstorm strategies to meet the MOE because it could potentially put some federal funds at risk in the future. Tiffany stated that she wanted the Regional Governing Board members to be aware of the situation as DBH and the Regions work to meet the MOE.

## 11. Regional Administrator's Report

### a. Legislative Update-Interim Studies

Tiffany Gressley shared the following Interim Studies to take place.

- LR 420 - Introduced by Senator Fredrickson to examine the budget needs of and funding sources for Regional Behavioral Health Authorities. Tiffany hopes the study will shed light on the challenges involved in drawing down funds during the last few years and the time it takes to bring up new services or expand existing services. Tiffany is optimistic that the study will provide solutions to help move the system forward.

- LR 421- Introduced by Senator Fredrickson to examine addiction with an emphasis on the examination of opioid addiction. Tiffany would like to see this study lead us to having better data on opioid addiction and other drugs and to target some funds to address it more effectively.
- LR 422 - Introduced by Senator Fredrickson to examine the needs, successes and challenges relating to behavioral health in Nebraska. This is to be a systems-wide study to review all aspects of the Nebraska behavioral health system.

b. Workforce Stabilization Grant Update

Tiffany Gressley shared information from Network Providers regarding staff vacancy rates after using Workforce Stabilization Grant funding to address staffing issues. Tiffany stated that, overall; she thinks the grant funds have been useful in the recruitment of additional staff into the network while retaining current staff.

c. Opioid Grant RFP Update

Tiffany Gressley referred to a handout, an updated *Opioid Grant Timeline*, and stated that the application is live and posted on the Region 3 website. Region 3 will be awarding \$600,000 of Opioid Settlement Funds for the first round of grant applications to fund programs and projects that will help address the ongoing opioid crisis through prevention, treatment, education, and recovery strategies. Any agency, organization or community-based coalition within the Region 3 Behavioral Health Services 22-county area is invited to apply for the grant funds. Applications are due June 21, 2024 and then the application review process will begin. Grant funds will be awarded in July 2024. Norah Renner developed a quarterly report process and will conduct audits of organizations awarded funds.

A question was asked about the Region 3 current Opioid Grant funding. Kerry said that as a result of LB 1355, Region 3 is to receive \$326,000 annually for 11-18 years. Previously, the funding amount was significantly higher. Discussion took place. Much of the Opioid Settlement Grant Funding has gone to the Division of Behavioral Health. Small portions have been awarded to Health Departments, Law Enforcement and First Responders. A question was asked about how the State of Nebraska intends to use the funding. Tiffany said her understanding is that funds will be used for infrastructure to provide behavioral health services in communities across the state.

d. Department of Justice Findings - State of Nebraska

Tiffany referred to a handout that is a copy of a letter to Governor Jim Pillen from the U.S. Department of Justice (DOJ). The letter states that the Justice Department determined that Nebraska is violating Title II of the American Disabilities Act (ADA) by unnecessarily segregating people with serious mental illness in assisted living facilities and day program facilities. The letter describes the findings and the steps the State of Nebraska can take to remedy the ADA violations identified.

Tiffany explained that the DOJ held several town hall meetings across Nebraska. Tiffany and some Region 3 staff attended the meeting held at the public library in Kearney to listen and learn. Other attendees included family members of individuals with serious mental illness (SMI), Buffalo County Sheriff Neil Miller, Kearney Police Chief Bryan Waugh and some of our providers.

Tiffany stated that, overall, it appears that the DOJ is saying that Nebraska has community-based services, such as Supported Employment, available, but not enough, as the workforce is undeveloped to meet the need. The letter also mentions Managed Care Organizations (MCOs) and assisted living facilities and that they may be warehousing people with serious mental illness instead of trying to get people into community-based services.

The letter states that Nebraska could remedy the violations without fundamentally altering its behavioral health service system. Nebraska already has a statutory goal of providing greater access to community-based services and improved outcomes for people with SMI. Changes like the ones listed on page sixteen of the letter, built on Nebraska's existing behavioral health system, would reasonably modify the system by expanding community-based alternatives to treatment in segregated settings, allowing more Nebraskans with SMI to live and work in the community.

Tiffany said the DOJ interviewed many individuals, including day program participants, families of people with SMI, providers and some of the Regional Administrators across the state. Tiffany said it is unclear what action the State of Nebraska will take but she hopes it will have a positive effect on behavioral health and the individuals we serve. Updates will be shared, as they are available.

12. Other Business

Rich Nelson stated that the Executive Committee will conduct the annual performance review for Tiffany Gressley during the August 23, 2024 Executive Committee meeting. At this time, Tiffany will have completed one year in the Regional Administrator role and twenty-six years at Region 3 Behavioral Health Services. Regional Governing Board members can contact Rich, Theresa Puls or Bill Maendele with any input to share regarding Tiffany's performance as Regional Administrator. Input shared will be discussed at the August 24, 2024 Executive Committee meeting.

13. Date of Next Meeting

August 23, 2024

9:30 a.m. – 12:00 p.m.

Region 3 Behavioral Health Services

4009 6<sup>th</sup> Avenue, Suite 65

Kearney, NE

Remaining Meetings for 2024

- October 25, 2024

14. Adjourn

Motion by Gary Quandt to adjourn the May 24, 2024 meeting, seconded by Theresa Puls, motion carried. Rich Nelson adjourned the meeting at 11:45 a.m.