

**Dirigo Health Agency
Board of Trustees
Minutes of Meeting
Monday, April 9, 2012**

The Dirigo Health Agency Board of Trustees held a meeting Monday, April 9, 2012.

Chair Bruno convened the meeting at 9:00 AM in the Dirigo Health Agency Boardroom located at 211 Water Street in Augusta.

Board members in attendance: Gary Reed, Robert Harmon, Douglas Carr, Jonathan Beal, John Brautigam, Mary McAleney, and Ellen Shillinglaw. Also in attendance: Karynlee Harrington, Executive Director of DHA and William Kilbreth, Deputy Director of DHA.

Board Chair welcomed Ellen Shillinglaw to the Board.

The Board approved the March 12, 2012 meeting minutes with Board member Shillinglaw abstaining.

Agency Old Business

Ms. Harrington introduced Linda Pistner, the Chief Deputy Attorney General, to discuss the concerns Board member Beal had previously raised regarding the Board's fiduciary obligation.

Ms. Pistner explained that the Board responsibilities are set by statute which include

- 24-A MRSA Sec. 6905 which addresses indemnification of employees and board members;
- Section 6905 also provides that personal liability of board members is governed by 18-B MRSA Sec. 1010 which contains several specific and pretty narrow situations in which a trustee might have personal liability, there is insurance to cover the Board's possible exposure;
- The appropriation of state funds is a power that is constitutionally given to the Legislature. Having appropriated funds to an agency, the Legislature has the authority to de-appropriate them, whether through the budget or by generally applicable statutes that provide for the disposition of certain funds at the end of a fiscal year;
- The DHA Board may, if it desires, testify orally or in writing, concerning budget matters affecting the agency. However, the Board and the DHA lack the power to change the decisions of the Legislature.

Board member Beal asked Ms. Pistner several follow up questions. There was discussion and then the Board moved on to the next agenda item.

Ms. Harrington presented to the Board the detailed DHA Proposed SFY 2013 Budget. Refer to handout.

Board member Beal expressed his concern and asked that the Board reconsider the \$3 million budget for the Agency's quality initiatives. Board member Beal shared with the Board his perspective for why he feels that the money would be better used to expand access to

healthcare coverage. There was discussion among the members on this point and several members concluded that the Agency's investment in the quality initiatives were a critical part of the Agency's mission and were likely to have a lasting impact on future efforts to improve healthcare quality, cost and access.

Ms. Harrington stated that because of the current forecast it is likely that the Agency will be able to offer subsidies through the end of the 2012 calendar year.

A motion was made to approve the SFY13 budget. The budget was passed with 7 in favor of and one member opposed.

Ms. Harrington reported that the 4th Annual HAI report was recently submitted to the Health and Human Services Committee.

Public Comments

There were no public comments.

Next Meeting

The next meeting will be held on Monday, May 14, 2012 beginning at 9:30 AM.

The meeting was adjourned at 10:20 AM.