COUNTY SERVICES COMMITTEE
November 19, 2019
Minutes

Members Present: Celentino, Grebner, Koenig, Maiville, Naeyaert, Sebolt, and Stivers

Members Absent: None

Others Present: Commissioner Crenshaw, Bill Conklin, Cynthia Wagner, Amy Morris-Hall, Deb Fett, Carla Clos, Todd Heywood, Ryan Jenkins, Amanda Darche, Jennifer Hanna, Linda Vail, Matt Nordfjord, Tim Dolehanty, Sue Graham, Becky Bennett, Liz Noel, and others

The meeting was called to order by Chairperson Celentino at 6:00 p.m. in Personnel Conference Room “D & E” of the Human Services Building, 5303 S. Cedar Street, Lansing, Michigan.

Approval of the November 5, 2019 Meeting Minutes

MOVED BY COMM. MAIVILLE, SUPPORTED BY COMM. KOENIG, TO APPROVE THE OPEN AND CLOSED SESSION MINUTES OF THE NOVEMBER 5, 2019 COUNTY SERVICES COMMITTEE MEETING.

THE MOTION CARRIED UNANIMOUSLY.

Additions to the Agenda

9. Human Resources
   b. Discussion on Prescription Drug Benefit Policy

Chairperson Celentino stated the previous Agenda Items 9b and 9c would be adjusted to reflect the addition to the agenda.

Substitutes –
7. Controller’s Office – Resolution to Authorize an Amendment to the Contract for Legal Services

Limited Public Comment

Ryan Jenkins, County resident and County employee, stated he had been HIV positive for six years, and in that time he had navigated the insurance industry as his own advocate and now dedicated his career to serving those living their lives with HIV. He further stated in the past six years he had lifted himself out of homelessness, graduated from Michigan State University (MSU), and became the County’s first HIV Peer Educator.
Mr. Jenkins stated that he had been afforded the care he needed through Medicaid in most of those years, but was now enrolled in private health insurance through his employer. He further stated that the health insurance for the County required employees switch to the generic version of a drug when it was available.

Mr. Jenkins stated the generic drugs for HIV had significant side effects and they were no longer supported by the Department of Health and Human Services as treatment. He further stated that he did not have prescription coverage under Physicians Health Plan (PHP), so he had to seek out patient assistance programs to pay for his medicine.

Mr. Jenkins stated he had brought the issue to his supervisors, his union, and Human Resources. He further stated he was proud to serve the community he could relate with and he was not here to place blame, but he felt that with the union, the administration, and the Board of Commissioners, he was hopeful the County could make health care equitable to all.

Todd Heywood, Ingham Community Health Centers (ICHC) Board Chair, read a statement into the minutes, which is included as Attachment A.

Ms. Hanna asked that the barriers to the drugs be removed as she did not think an employee needed to call Human Resources and share their diagnosis. She further stated that she had grown up in Indiana in the 1980s and recalled the stigma surrounding HIV at that time, and she did not want any HIV positive person to feel uncomfortable living their lives.

Amanda Darche, County resident, read a statement into the minutes, which is included in the minutes as Attachment B.

MOVED BY COMM. NAEYAERT, SUPPORTED BY COMM. MAIVILLE, TO APPROVE A CONSENT AGENDA CONSISTING OF THE FOLLOWING ACTION ITEMS:

1. **Clerk’s Office** – Resolution Honoring Mary Kay Scullion

2. **Drain Commissioner** – Resolution Pledging Full Faith and Credit to Webberville Consolidated Drain Drainage District Bonds

3. **Facilities Department** – Resolution to Authorize a Contract Renewal with Safety Systems, Inc. for Alarm Monitoring Services at Forest Community Health Center

4. **Innovation and Technology Department**
   a. Resolution to Approve the Renewal of the Imagesoft and Onbase Annual Support
   b. Resolution to Approve the Renewal of the Microsoft Enterprise Agreement through CDWG

5. **Road Department**
   a. Resolution to Authorize an Extension of RFP #49-19 with Yellow Rose Transport for the 2020 Seasonal Requirement of 29A Blast Furnace Slag
b. Resolution to Authorize Re-Approval of the Preliminary Plat of Sierra Ridge Estates Subdivision

c. Resolution to Approve Stop Sign Traffic Control Orders in Centennial Farms Subdivision Section 26, Delhi Township

d. Resolution to Approve the Special and Routine Permits for the Ingham County Road Department

7. Controller’s Office – Resolution to Authorize an Amendment to the Contract for Legal Services

8. Board of Commissioners
   a. Resolution Continuing a Contract with WebQA for a FOIA Management Program
   b. Resolution Increasing the Budget for the Ingham County Cultural Diversity Committee

9. Human Resources
   a. Resolution to Approve the Collective Bargaining Agreement Wage Reopener for 2020 with the Ingham County Employees Association Assistant Prosecuting Attorneys Division
   c. Authorization to Start a Managerial Employee at Step 3

THE MOTION CARRIED UNANIMOUSLY.

THE MOTION TO APPROVE THE ITEMS ON THE CONSENT AGENDA CARRIED UNANIMOUSLY.

6. Potter Park Zoo – Resolution to Submit to the Electorate a Special Millage Question for the Reauthorization of Funding for the Operation of the Ingham County Potter Park Zoo and Potter Park, Including Funding for Operations, Maintenance and Improvements (Discussion)

Cynthia Wagner, Potter Park Zoo Director, presented information about the Potter Park Zoo and potential millage increase.

Commissioner Koenig asked what the estimated cost for the demolition of the moat was.

Ms. Wagner stated the estimated cost of the moat demolition was $125,000.

Commissioner Crenshaw asked when the last American Zoological Association (AZA) assessment had been done.

Ms. Wagner stated that the last AZA assessment had been in 2017, and it was done every five years.

Commissioner Crenshaw stated the demolition of the moat had been identified on the last AZA assessment.
Ms. Wagner stated Commissioner Crenshaw was correct, and the animal hospital was also a concern on the last AZA assessment. She continued presenting to the Committee.

Amy Morris-Hall, Potter Park Zoological Society Executive Director, stated that the animal hospital did not need to be completed by 2022, but improvements needed to be made in order to receive accreditation from AZA. She further stated that the moats would need to be demolished by 2022.

Commissioner Sebolt asked if the animal hospital was required to be on-site. He stated that MSU had a large animal hospital down the road from the zoo.

Ms. Wagner stated the animal hospital did need to be on-site at the zoo. She further stated that the zoo did work closely with MSU in many aspects, but that was not sufficient for AZA funding.

Ms. Morris-Hall stated the zoo also needed to quarantine incoming animals, so the new animal hospital would also include a health center and holding pens for them.

Ms. Wagner continued presenting information to the Committee.

Discussion.

Commissioner Crenshaw stated he noticed some of the participants in the zoo pass program were located outside of the County. He asked if those jurisdictions paid for the passes.

Ms. Morris-Hall stated that the passes to the zoo were under a grant-funded program, so those jurisdictions had been reached out to about pricing. She further stated that the goal was to bring individuals who might not usually come to the zoo in the doors, which was usually targeted by the passes in lower income communities.

Ms. Wagner continued presenting information to the Committee.

Commissioner Naeyaert asked what would happen to the zoo if there was not enough money raised to make the repairs for accreditation.

Ms. Wagner stated that a lot of programs the Zoo currently participated in would not be allowed if accreditation was lost. She further stated that in that case, it was likely that a lot of the high-profile exhibits, like the tigers, lions, and rhinos would be removed from the Zoo.

Commissioner Naeyaert asked if the millage increase would be enough to make the changes necessary to maintain accreditation, including making changes to the hospital and getting rid of the moats, by 2022.

Ms. Wagner stated that the millage increase would address the infrastructure and equipment needs of the Zoo, and the Zoological Society would fundraise to cover the larger-ticket items such as the hospital.
Ms. Morris-Hall stated that increasing the millage would help to maintain a valuable County asset, and the Zoological Society’s role in that was to help the Zoo grow. She further stated by increasing the millage to help get the Zoo stable, and make repairs to 100-year-old infrastructure, the Zoological Society could then focus on its efforts to raise money for special projects.

Commissioner Koenig stated that there would be over 6 million dollars needed in 2022 to make AZA required upgrades. She asked if the Zoological Society was still looking at doing a capital campaign.

Ms. Morris-Hall stated the Zoological Society was still planning to take part in a capital campaign.

Commissioner Koenig asked what the plan was for a capital campaign.

Ms. Morris-Hall stated that not all of the funds would be raised next year and all of the money would not be spent in 2022. She further stated that the Zoological Society was working with the Nonprofit Network for training and consulting and they were initially looking to raise 2 million to 3 million dollars to cover the hospital and moat projects.

Ms. Morris-Hall stated while the hospital renovations needed to be started by 2022, they did not need to be completed then, whereas the moats needed to be removed. She further stated that it would be a longer process to update the hospital.

Commissioner Koenig asked what the timeline was for the capital campaign.

Ms. Morris-Hall stated she was not sure of the timeline to raise $2 million to $3 million, but would know more after the meeting with the consultants. She further stated she would be happy to update the Committee once she knew more details about the capital campaign.

Commissioner Koenig stated she recalled the Zoo had previously worked with MSU and thought they had come to a commitment to have MSU help build a new hospital for the Zoo, but those plans had fallen through. She asked when the last time the Zoo had reached out to MSU about assistance was.

Ms. Morris-Hall stated the Zoo and MSU were in constant contact, and the Dean of Veterinary Medicine had toured the Zoo’s facility recently. She further stated that MSU had no interest in building a hospital on Zoo property.

Commissioner Koenig stated she recalled that the previous estimate for the hospital alone was 6 million dollars. She asked why the estimate presented to the Committee was lower.

Ms. Morris-Hall stated that initial proposed project had been scaled back to reach the estimated 4 million dollar amount.
Commissioner Koenig stated that while the project had been scaled back, the real cost of the hospital renovations was not known at this time.

Ms. Wagner stated that based on other projects of similar size, she believed this cost would be around 4 million dollars.

Discussion.

Commissioner Grebner asked if the Zoo had thought about asking the Parks Department for money through the Trails and Parks Millage to help with the paths in the Zoo.

Ms. Wagner stated she did not think the Zoo met the requirements of the Trails and Parks Millage based on their admission fees, but she thought the idea was worth exploring.

Discussion.

Commissioner Koenig stated she did recall a discussion about the use of Trails and Parks Millage funds for the Zoo a few years ago, but she was not sure why the idea had not gone anywhere.

Commissioner Stivers stated she thought the idea of using Trails and Parks Millage funding for the Zoo was interesting. She further stated that the parking lot and path projects could potentially be brought to the Parks Commission for consideration.

Commissioner Stivers asked what would happen if the Zoo did not receive the extra funds.

Ms. Wagner stated the projects would take a lot longer, and the lack of some equipment could mean losing an exhibit, perhaps temporarily. She further stated that some funds could possibly be raised through grants, or used golf carts could be bought, which would mean they would not last as long.

Discussion.

Ms. Wagner stated that the penguin exhibit needed a new pool quickly, and then the entire exhibit needed to be renovated.

Commissioner Sebolt stated the proposed resolution placed the millage on the March 2020 ballot. He asked if that specific date had been requested by the Zoological Society, and if there would be any campaign in support of the millage from the Zoological Society.

Ms. Morris-Hall stated the Zoological Society would campaign in support of the millage.

Ms. Wagner stated she had worked with Commissioner Trubac and his suggestion was to put the millage on the March 2020 ballot.

Discussion.
Commissioner Grebner stated the millage was almost certain to pass whenever it was placed on
the ballot, and he recommended to get it passed sooner so the Zoo could plan the projects
accordingly. He further stated he would like to renew the millages at the current level and then
fund the balance out of the Trails and Parks Millage, as there was a lot of money there that was
not being spent down fast enough.

Commissioner Stivers stated she would like to see the millage renewed at the current rate and
then find other avenues for the extra $730,000. She further stated that if the millage was a
renewal, she supported keeping it on the March 2020 ballot, but if it were to be an increase then
she would like it to be on a different ballot in 2020.

Commissioner Sebolt stated he did not like the idea of playing funding switch-around games and
waiting to see what happened. He further stated that the Zoo was a great resource for the City of
Lansing and the County as a whole.

MOVED BY COMM. SEBOLT, SUPPORTED BY COMM. NAEYRAERT, TO APPROVE
THE RESOLUTION AS PROPOSED.

Commissioner Stivers stated if the millage did end up being an increase, the County would be
raising taxes three times in 2020 with the various millages on the ballot. She further stated that
she loved the Zoo, but she was nervous about raising taxes three times in one year.

Commissioner Stivers stated that while the amount of the millage was not much, the voters
would pay attention to the amount of tax increases, not the amount of those increases. She further
stated that she thought moving the millage to the August 2020 ballot would give the Committee
more time to explore potential avenues and the millage language could still be adjusted if it was
needed then.

Commissioner Maiville stated he would support a renewal at the current rate on the March 2020
ballot. He further stated he was apprehensive about increasing the millage rate.

MOVED BY COMM. GREBNER, SUPPORTED BY COMM. MAIVILLE, TO AMEND THE
RESOLUTION TO REFLECT A MILLAGE RENEWAL AT 0.41 MILLS, AND ADD A
RESOLVED CLAUSE THAT STATED THE BOARD OF COMMISSIONERS DECLARES
ITS INTENTION TO FUND ADDITIONAL CAPITAL EXPENDITURES USING TRAILS
AND PARKS MILLAGE FUNDS.

Discussion.

Commissioner Sebolt stated he would not support the motion to amend the resolution and only
renew the millage at the current rate. He further stated that some Commissioners had thought in a
more thoughtful manner about putting the millage increases on one ballot, but that had been
changed at the request of other Commissioners.
Commissioner Stivers stated it was not about how many ballots had tax increases on them, but the fact that taxpayers would notice the increases in their taxes. She further stated that she would support the amendment, however she was a little hesitant to commit Trails and Parks Millage funds without exploring the idea.

Commissioner Naeyaert stated she would support the original motion, and she did not support moving the millage to a different ballot. She further stated that the millage placements had been carefully crafted, and she thought it was comical to debate it when there were six millages up this year for the County.

Commissioner Maiville stated he thought that increasing the millage would jeopardize the passage of it. He further stated he would like to see it stay as a renewal.

Commissioner Naeyaert corrected her previous statement to say there were nine millages for the County up in 2020.

Commissioner Koenig stated she would support the resolution with the millage increase as it was presented, as the average taxpayer would only be paying nine dollars more for a millage increase. She further stated if one went to the Zoo, they would see that it was one of the most underrepresented facilities the County had, where many of the buildings were decrepit and decaying.

Commissioner Koenig stated that the state of the Zoo buildings was not the County standard and there needed to be more to support the infrastructure at the Zoo. She further stated that the Zoo was trying to maintain AZA accreditation, which came with benefits, to prevent the Zoo from becoming a roadside zoo.

Commissioner Koenig stated that the Zoo faced 6 million dollars in upgrades to maintain AZA requirements within two years, and she thought counting on capital campaigns was a huge risk.

Commissioner Stivers stated she acknowledged that the need was there and she wanted to fund the Zoo’s request, but she thought it could be done without increasing the millage rate, ask $730,000 was not that much money. She further stated that she thought the use of Trails and Parks millage funds was a good idea that should be explored.

Commissioner Stivers stated she thought the amended resolution could be approved now, and if the millage was moved to the August 2020 ballot, it would give the Board of Commissioners more time to explore options. She further stated that the millage language could be changed before the August 2020 election if the increased millage rate was needed.

Commissioner Sebolt stated that the work the Zoo was doing was of international significance, and if the AZA accreditation was lost then the County would no longer be participating in that. He further stated that he would be willing to pass the increased millage rate and still explore other funding options, as the needed upcoming projects were likely the bare minimum, and the animals deserved better than the bare minimum.
Commissioner Sebolt stated that the Zoo needed to know if they would have funding in-hand by early next year, and if the millage was on the August ballot, that would be months of unnecessary waiting.

Commissioner Grebner stated he was not interested in reducing the proposed expenditure by the Zoo, but rather using Trails and Parks Millage money instead of increasing the millage rate. He further stated that the use of the Trails and Parks Millage funds was likely legal, and the Board of Commissioners was the ultimate arbiter so it could be asked for.

Commissioner Grebner stated if the County found itself spending down too much of the Trails and Parks Millage fund balance, he would commit to offering a separate millage increase for the Zoo. He further stated that the current millage could be renewed at the current level, and two or three years from then, a separate millage increase question could be placed on the ballot.

Commissioner Naeyaert stated she still supported the originally presented resolution. She further stated that the Trails and Parks Millage funding could be used on top of the millage increase.

Discussion.

Commissioner Koenig stated that she was not talking about the $750,000 funding need, but was more concerned with the 6 million dollar funding need to maintain AZA accreditation. She further stated that moving the millage to the August ballot would give the Board of Commissioners more time.

Chairperson Celentino asked why the motion to amend the resolution was not sufficient if the goal was still to get to the 3.8 million dollar amount for Zoo revenue.

Ms. Wagner stated that the millage increase was to be used for infrastructure and equipment, and the hospital renovation fundraising would be separate.

Discussion.

Commissioner Sebolt stated the difference between the originally presented resolution and the amendment was that the millage was to support the Potter Park Zoo and Potter Park and that could be used in any way, whereas the use of Trails and Parks Millage funding could only be used for certain projects at the Zoo. He further stated that he wanted to make sure the Zoo had the funding it needed, and he would be supportive of using Trails and Parks Millage funding in addition to the millage funds if it was allowed.

Commissioner Stivers stated that the additional millage money would be for infrastructure and equipment, not for AZA accreditation requirements. She further stated that there were no infrastructure or equipment needs that could not be paid for by Trails and Parks Millage funds.

Discussion.
THE MOTION TO AMEND THE RESOLUTION FAILED.  Yeas: Grebner, Stivers, Maiville  Nays: Celentino, Koenig, Sebolt, Naeyaert  Absent: None

MOVED BY COMM. STIVERS TO AMEND THE RESOLUTION TO PLACE THE MILLAGE ON THE AUGUST 4, 2020 BALLOT.

THE MOTION DIED DUE TO LACK OF SUPPORT.

MOVED BY COMM. GREBNER, SUPPORTED BY COMM. STIVERS, TO TABLE THE RESOLUTION UNTIL THE DECEMBER 3, 2019 COUNTY SERVICES COMMITTEE MEETING.

THE MOTION TO TABLE THE RESOLUTION CARRIED UNANIMOUSLY.

9.  Human Resources
    b.  Discussion on Prescription Drug Benefit Policy

Chairperson Celentino thanked those who brought this issue to the Committee’s attention and spoke during Limited Public Comment.

Tim Dolehanty, Controller, stated that he had communicated with Mr. Heywood all day, and Mr. Heywood’s mention of unconscious bias resonated with him. He further stated that the formulary the County had for prescription drug benefits was boilerplate and the County had just added language to note it was self-funded.

Mr. Dolehanty stated that when an employee’s issue with accessing their health benefits or medication was brought to his or Sue Graham, Human Resources Director, attention, they dealt with that specific issue and moved on. He further stated that in the examples he heard tonight, he realized that employees may find that process of bringing issues to the administration difficult.

Mr. Dolehanty stated he thought Mr. Heywood’s requests were good, and thought the County needed to address eliminating unconscious bias, which was not something he had personal experience with. He further stated that he thought by working together, they could come up with something to make the path more direct, as he understood was the main concern, and he recommended Mr. Heywood’s plan.

Chairperson Celentino stated he understood that employees were able to get prescriptions, but they might not be able to get the prescriptions they needed if there was a generic version offered.

Mr. Jenkins explained the process he had to go through in order to obtain the specific medications provided by his physician. He stated that when he had brought the issue to his chain of command, he had been asked how long he needed to take drugs for or if he could take them every other day.

Chairperson Celentino asked how long Mr. Jenkins had been involved in the process of obtaining his prescriptions.
Mr. Jenkins stated it had only been in the last few weeks that he had been able to obtain his medication, and had to either rely on physician sample packs or go without medication in the meantime. He further stated that his job as a peer educator was to stress the importance of taking medication every day, which was hard to do when he was unable to do so himself.

Mr. Jenkins stated that it had been suggested to him to use the Michigan Drug Assistance Program, which was not designed for those with the ability to purchase private health insurance through their employer like himself. He further stated that the only reason he had been able to navigate the process as he did was because of his experience and connections.

Commissioner Sebolt stated the Controller had said he had not heard that people could not get the medications they needed. He further stated that he had heard that during testimony tonight, and he hoped the Controller had heard that now.

Mr. Dolehanty stated he understood.

Commissioner Sebolt asked who had made up the list of excluded medications and why.

Discussion.

Mr. Dolehanty stated the formulary developed the drug exclusion list.

Commissioner Sebolt stated it was his understanding that the drugs were allowed, but they had been put on exclusionary list.

Mr. Dolehanty stated his understanding was that whatever the doctor prescribed to the patient, was what the patient got.

Discussion.

Chairperson Celentino asked staff to find out how the exclusion list was formed.

Mr. Dolehanty stated that some medications had to be excluded under the Affordable Care Act. He further stated that the drug benefits through the County allowed the insurance company to go right to the drug manufacturer to get prescriptions without markups to avoid extra charges to patients.

Mr. Dolehanty stated he did not know how to fix the issue tonight, but would rely on Mr. Heywood and Mr. Jenkins to assist them in the process.

Commissioner Sebolt stated he understood that employees had been advised to go under Patient Assistance Programs (PAP), which were usually used by the underinsured. He asked if County employees were underinsured.
Mr. Dolchanty stated that maybe County employees were underinsured. He further stated that as a self-funded provider, it needed to be fixed.

Commissioner Sebolt stated that if employees were underinsured then the system was grossly failing them. He further stated that one thing the County had been able to provide was a good benefits program.

Linda Vail, Health Officer, explained the formulary. She stated that when she explored the system, it had told her that Truvada was a plan benefit exclusion on the Ingham County Summary of Drug Coverage.

Ms. Vail stated that the summary specifically excluded brand HIV medications, then the plan excluded it. She further stated that from her investigation, it seemed to be a benefit issue, but it was in the summary list.

Commissioner Sebolt stated it seemed to be on the County’s end that the exclusion was opted into, which was unacceptable.

Discussion.

Commissioner Naeyaert stated that Mr. Jenkins had to disclose his health information to supervisors, Human Resources representatives, and others throughout the process of trying to obtain his medication. She asked if there was a benefits coordinator on the Human Resources staff that could assist employees more efficiently.

Commissioner Naeyaert asked if the exclusion list was on County letterhead, and asked who submitted the Summary of Drug Coverage.

Discussion.

Commissioner Naeyaert asked if Human Resources or the Controller was notified of these issues before tonight.

Ms. Graham stated Mr. Jenkins had sent an email on November 8, 2019, which had followed a meeting with him on November 7, 2019.

Mr. Jenkins stated he had first asked the question of Human Resources when he began the process.

Commissioner Naeyaert stated she was concerned about the process, and she thought Ms. Graham should be concerned as the Human Resources Director about employees needing to disclose personal health conditions to that many people. She further stated it made her physically ill that an employee had to divulge personal information like they had heard tonight.

Commissioner Koenig asked Ms. Vail if there had been other drug benefit policy concerns brought to her attention by other employees.
Ms. Vail stated she had also heard about issues with access to insulin, where employees had received suggestions to go to injections instead of pumps, and employees were rationing insulin because of the out-of-pocket costs. She further stated that Mr. Jenkins’ email solicited other employee issues with prescriptions.

Ms. Vail stated that the problem was that this singled out HIV medication as the only excluded chronic illness medication.

Commissioner Koenig stated this was not uncommon for insurances to exclude medications as a cost-limiting measure.

Mr. Jenkins stated minutes after sending the email to County employees, he received messages of support or stories of other issues. He further stated one employee could not get access to HIV or organ rejection medication, and another nurse was rationing their insulin because of costs.

Discussion.

Mr. Heywood stated he had been notified of concerns with Truvada access in January, and at that time he had felt staff was handling it. He further stated that he knew Health Department administrators were spending time to get these issues addressed, but the issue was systemic.

Mr. Heywood stated this was blatantly biased against HIV positive and LGBTQ people and he was convinced unconscious bias was involved. He further stated it may not be intentional on the County’s part, but he knew that an expensive Hepatitis C medication was not excluded at all.

Commissioner Maiville asked how this issue could be quickly fixed.

Mr. Dolehanty stated that all he could do was commit to doing it, but he did not know where to start. He further stated that this was a top priority to take care of.

Commissioner Sebolt thanked Mr. Jenkins for his persistence and for bringing the issue to the Board of Commissioners. He asked if the people answering the phones at 44North were physicians.

Mr. Dolehanty stated the people answering the phone at 44North should not be advising patients in any medical way.

Commissioner Sebolt stated that there were two new instances where employees got suggestions from 44North employees. He further stated that he understood that the benefits issues went through Human Resources, but someone might not be comfortable with that chain, especially if that department was making other decisions on that person’s employment.

Commissioner Sebolt stated there needed to be somewhere else to address these issues, and it should not be a case by case basis, but the underlying systemic issues should be addressed.
Discussion.

Commissioner Crenshaw asked when the current contract with 44 North ended.

Mr. Dolchanty stated he believed there was one more year on the 44North contract.

Commissioner Crenshaw asked how the County could get out of the contract.

Mr. Dolchanty stated that it would require 30 to 90 days’ notice.

Discussion.

Commissioner Crenshaw stated that it was totally unacceptable that an employee had to go through this process. He further stated that the fact that the employee was then chided for reaching out to his fellow employees via email was also unacceptable, and administration should have gone to the employee to address the real concerns they were having with their insurance.

Discussion.

MOVED BY COMM. SEBOLT, SUPPORTED BY COMM. STIVERS, TO REQUEST STAFF TO INVESTIGATE THE ABILITY TO EXIT OUT OF THE 44NORTH CONTRACT, WHAT NEEDED TO BE DONE TO SEARCH FOR OTHER AVAILABLE OPTIONS THAT ARE MORE FAVORABLE FOR EMPLOYEES, AND THE EMPLOYEE CONCERNS THAT WERE RAISED, AND TO REACH OUT TO OTHER LOCAL ENTITIES IN THE INSURANCE POOL FOR REPORTS OF OTHER ISSUES BY THE NEXT COUNTY SERVICES COMMITTEE.

THE MOTION CARRIED UNANIMOUSLY.

Commissioner Naeyaert stated she commended Mr. Jenkins for emailing his peers and fellow employees. She further stated she thought there should be an apology to the employee from whoever chastised him.

Commissioner Stivers stated she would like to make sure the information requested by the Committee would be produced as a public report on how and why the policy was adopted. She further stated she would also like to see a resolution to avoid bias in the future.

Ms. Vail stated that the Health Department was committed to addressing unconscious bias and health equity, and dedicated training days to that within the department.

Commissioner Sebolt stated the Equal Opportunity Commission was also exploring best practices for unconscious bias and possible County-wide trainings. He further stated he thanked Chairperson Celentino for adding this to the agenda, and he hoped to continue this work next year as Committee Chair.
Commissioner Sebolt stated he commended the employee and hoped employees felt comfortable approaching the Board of Commissioners when their chain of command failed.

Chairperson Celentino stated the issue would be revisited as the second item on the agenda on December 3, 2019.

Chairperson Celentino recessed the meeting at 8:01 p.m.

Chairperson Celentino called the meeting back to order at 8:05 p.m.

Commissioner Sebolt stated that the County had lost the Human Rights Campaign’s Leader in Equality status because it was not stated that hormone treatment was covered, which was deeply regrettable. He asked Human Resources to work with the ICHC Board to provide all documentation needed to regain the Leader in Equality status, including health care coverage.

Discussion.

Chairperson Celentino stated the deadline for this request was by the end of December 2019.

9. Human Resources
d. Collective Bargaining Update (Closed Session)

MOVED BY COMM. STIVERS, SUPPORTED BY COMM. GREBNER, TO ENTER CLOSED SESSION AT 8:11 P.M. FOR THE PURPOSE OF A COLLECTIVE BARGAINING UPDATE STRATEGY CONNECTED WITH COLLECTIVE BARGAINING NEGOTIATION.

THE MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE.

MOVED BY COMM. GREBNER, SUPPORTED BY COMM. STIVERS, TO RETURN TO OPEN SESSION AT 8:43 P.M.

THE MOTION CARRIED UNANIMOUSLY.

Announcements

None.

Public Comment

None.

Adjournment

The meeting was adjourned at 8:44 p.m.

BARB BYRUM, CLERK OF THE BOARD
ATTACHMENT A

Commissioners

Thank you for hearing me this evening. My name is Todd Heywood and I am here in my official capacity as chair of the Ingham Community Health Centers, as well as a community member and activist dedicated to addressing the HIV crisis in Ingham county and beyond.

As we know, HIV infection is driven, at least in part by bias. This bias is sometimes conscious and deliberate, and it is sometimes unconscious and accidental. Whichever bias manifests, it ultimately cuts to the very core of a person's identity, leaving scars and adding to the burden of minority stress.

Unfortunately, I am here tonight because the county has established a system driven by unconscious bias. This system is impacting the hard-working, professionals who work in the Health Centers, and those who work in the county.

The county's pharmacy benefit, which I learned today has been in effect since Jan. 1 and is self funded; is the problem I am here to discuss. Currently, the pharmacy plan EXCLUSION list includes any HIV brand name medication, as well as non-FDA approved hormone treatment prescriptions for transgender persons undergoing gender transition.

Let me share with you the barriers and medical issues implicated by this exclusion policy.

The move to not cover brand name HIV medications for persons living with HIV forces them onto substandard medications with significant and dangerous side effects. Side effects, incidentally, which can and do increase additional medical costs. The medications, in generic form, are not considered a standard of care.

So why is brand name coverage of HIV medications important? Our understanding of HIV and fighting it in the human body is evolving daily. This new science is informing new directions in the development of treatments for HIV. When a new drug comes on the market, which it is generally more tolerated than the older medications where the patent has since run out, it is simpler to take, more effective, often comes with fewer side effects and ultimately leads to better health outcomes for the person living with HIV.

This exclusion is literally putting people's lives at risk unnecessarily and dangerously.

In addition, while Truvada, the drug used as an HIV prevention medication which can be as much as 99 percent effective in preventing someone from contracting the virus, is covered. It is a brand name medication. There is no generic alternative. The result is, a person taking his or her health into their hands by accessing a preventative medication, is being denied care.

In relation to hormone treatment of gender dysphoria. The exclusion includes all medications used "off-label." This means the FDA has not approved the medications use for a specific care option. In this case, hormones used in gender transition which have been approved for use in hormone replacement based on gender assigned at birth, are not accessible to transgender employees. How can that be?

Simply: The FDA has not approved a SINGLE medication for use in gender transition and gender affirmation care. Not one. The exclusion as written completely excludes persons who are transgender from ANY affirmative medication.
All three of these violate the deeply held core values of Ingham County and the Ingham Community Health Center. They undermine the authority of the County and the Health Centers to work constructively with our community partners to expand coverage to these medically necessary pharmaceuticals. And most importantly, they create undue burdens and barriers to most specifically the LGBTQ communities in our workforce.

Yes, an employee can call and jump through a dozen hoops to get patient assistance programming dollars. But why? Why would we do that?

Can you imagine if a brand treatment for COPD or heart disease were subjected to this kind of exclusion and differential -- and I argue discriminatory -- process? The outrage would be legitimate and loud.

But because these exclusions apply only to a minority of our employees who are already viewed in a social construct as lesser than, there is no urgency in removing these barriers and County employees are quite satisfied in creating this two tier system for our employees. It is offensive and it is discriminatory. It is morally offensive on its face and indefensible.

This exclusionary policy is eye-popping when viewed in the list of other exclusions on the list. HIV and gender dysphoria, both life threatening, are right there in the list along with vitamins and cosmetic type pharmaceuticals. Not on the list, are medications for cancer, Parkinson's Disease, heart disease and other common chronic manageable diseases.

Certainly, in a county which has embedded equity as a path for policy making, this was not a deliberate systemic bias built in, but it is a systemic bias nonetheless. It creates additional burdens for persons living with or at risk for HIV to obtain necessary medications. It prevents transgender employees from accessing gender affirming pharmaceutical care.

This is all unacceptable.

I urge you to immediately direct Controller Dolehanty and the Human Resources Department to delete this exclusionary process by removing name brand HIV medications from the pharmacy exclusion list as by removing medically appropriate treatment for gender transition. I also encourage you to direct the Controller to determine HOW this county could have come to such an exclusionary process in violation of the letter and spirit of the county’s own visions and values. By doing a systemic review and report on how this was allowed to happen, it is my hope the County can determine how to improve future processes to exclude unconscious biases.

Thank you.
In March of 2017, Ingham County Commissioners adopted a five-year strategic plan. Included in the plan are Key Implementation Tasks to:

1. Expand programming to identify and address the prevalence of HIV/AIDS in the community, and;
2. Secure funding for a mass media campaign around education, prevention, and treatment of HIV.

I applaud the Ingham County Commissioners for setting such well-informed and meaningful public health goals; however, I believe the county's prescription drug formulary undermines these goals and the values in which they are rooted. Ingham County's formulary creates barriers for employees living with HIV whom rely upon certain prescription medications. These barriers do not exist for employees with most other health conditions. The formulary constitutes structural-level stigma against people living with HIV as it effectively constrains their opportunities, resources and well being.

HIV stigma is dangerous. It feeds false information and creates barriers for prevention and treatment. It is insidious in nature. The perpetuation of stigma may be wholly unintentional within the county, but the impact (and that is what matters most) is harm to Ingham County employees and erosion of any credibility the county may have in efforts to prevent and treat HIV.

In accordance with commissioners' wishes as outlined in the Ingham County Strategic Plan, the health department plans to launch a mass media campaign "around education, prevention and treatment of HIV" on November 25. The campaign aims to educate people about HIV and reduce HIV stigma, thereby eliminating some of the barriers to prevention and treatment. The health department will do this by sharing the stories of real people in our community who are living with HIV. I'd like to share a preview of the campaign with you now.

This is Jonathan. He describes himself as smart and creative. He is a writer. He is a person living with HIV.

This is Jackie. She describes herself as honest and reliable. She is a grandmother. She is a person living with HIV.
Jackie isn’t Jackie’s real name, nor is this her picture, by the way. Jackie was concerned that disclosing her identity would compromise her safety.

Jonathan and Jackie are people living with HIV in our community. They are your constituents, and they have bravely chosen to participate in this campaign because they know that reducing stigma against people living with HIV is one of the most effective things we can do to advance HIV education, prevention and treatment.

I’d be remiss in having asked them to participate in this campaign if I did not speak to you today on this matter. Ingham County’s formulary calls into question the sincerity with which Ingham County has asked Jonathan and Jackie to participate in the campaign. It dishonors the gift of their openness, honesty and bravery. The formulary also dishonors the work of Ingham County employees who are living with HIV.

There is a gap between county values and policies. I implore you to take action. Please review the Ingham County prescription drug formulary and seek immediate solutions. I also encourage you to find ways to apply a health equity lens to future decision-making regarding employee benefits.

Thank you for your time.