

Minutes of Meeting
Health Services Council
Project Review Committee-II

DATE: 8 July 2010

TIME: 2:30 PM

LOCATION: Beck Conference Room

ATTENDANCE:

Name	Present	Absent	Excused
Committee-II			
Victoria Almeida, Esq. (Vice Chair)	X		
Raymond C. Coia, Esq.			X
Joseph L. Dowling, MD	X		
Gary J. Gaube			X
Maria R. Gil			X
Catherine E. Graziano, RN, PhD			X
Robert Hamel, RN	X		
Daniel Orgel, MPA	X		
Denise Panichas			X
Robert Quigley, DC (Chairman)			X
Reverend David Shire (Secretary)	X		

Staff: Valentina Adamova, MBA, Michael K. Dexter, MPA, Timothy Gilmartin (Intern), Joseph G. Miller, Esq., Michael Varadian, JD, MBA

Public: (Attached)

1. Call to Order, Approval of Minutes, Conflict of Interest Forms and Extension for the Minutes Availability

The meeting was called to order at 2:40 PM. The Chair noted that conflict of interest forms are available to any member who may have a conflict. Minutes of the 29 April 2010 Project Review Committee-II meeting were adopted as submitted. A motion was made, seconded and passed by a vote of five in favor and none opposed (5-0) that the availability of minutes for this meeting be extended beyond the time frame as provided for under the Open Meetings Act. Those members voting in favor were: Almeida, Dowling, Orgel, Quigley, Shire

2. General Order of Business

The first item on the agenda was the application of **Rhode Island Home Care, Inc.** for initial licensure as a Home Care Provider Agency at 222 Reservoir Ave in Providence.

The applicant reviewed responses to follow-up questions. Staff questioned the applicant regarding their website and references to services they are not licensed to provide.

With regards to what services are currently being provided by the applicant, Ms. DiCostanzo stated she currently provides homemaker services to 3 clients for no charge. Ms. Kulik noted they filed for a grant through America Recovery Act (“ARA”) for several staff positions. The program runs out on September 2010 unless extended. Ms. Kulik noted another grant in partnership with CranstonArc. Upon Committee’s request, Ms. Kulik handed out their employment agreement contracted from the Department of Labor and Training and Jobs Now Program, showing that the staff positions are pending review.

Mr. Orgel questioned the applicant regarding their application with the Jobs Now Program. Staff noted that Jobs Now disqualifies an applicant from receiving federal grant money if blood relatives are hired into administrative positions. It was noted that Ms. Kulik proposed to hold several top administrative positions herself. Staff questioned whether that is essentially the same as hiring as a blood relative and thus Ms. Kulik might be disqualified from receiving the grant. Staff noted that they will follow-up on this matter on behalf of the Committee.

It was questioned as to why the applicant isn’t registered with the Department of Business Regulation (“DBR”) as a charitable organization. Mr. Keselica stated that the applicant filed for an exemption from registration. Staff questioned the appropriateness of the exemption. Mr. Miller, legal counsel to the Department, read into the record a portion of RIGL 5-53.1-2 regarding the registration of charitable organizations. The applicant said they will contact the DBR and file the appropriate documentation, if necessary.

Ms. Kulik noted that she worked as a Medicare Billing Specialist for St. Jude Home and that she recovered \$345,000 since Medicare billing wasn’t done for 2 years.

Ms. Kulik provided a response to the question with regards to consolidation of authority in Ms. Kulik as Executive Director, CEO, Chair of the Board of Directors, and Medicare Billing Specialist. To her response, the Acting Chair, Ms. Almeida, noted that the issue is more serious than that. She stated that the applicant has one person in all these roles. She stated that her concern is that all these responsibilities are in one person and what happens when those roles conflict. One person wearing all these hats is an inherent conflict of interest. Mr. Keselica noted policies in place and stated that a lot of this consolidation has to do with the associated expenses. The Acting Chair stated that you don’t go into business if you cannot afford to do it properly. The Acting Chair questioned as to who would enforce policies in cases of conflict and what happens when that’s the same person. Ms. Kulik stated that Mr. D’Amico will serve as Lead Director and will provide separation of power. Staff noted that there are a lot of powers and duties beyond just evaluating responsibilities, performance and compensation of the CEO, which is the carve out for the Lead Director. What is being discussed today, is that there are many other responsibilities in operating this company, such as the Medicare billing, and is that a potential conflict to have the CEO also doing the Medicare billing. Staff noted that the issue is the separation of responsibilities. The Acting Chair noted that it is an inherent conflict of interest to have one person wearing all these hats. She noted that this is her opinion.

The Committee reviewed the applicant’s grants and financial projects. Mr. Orgel questioned the projections. The Chair noted that staff will send follow-up questions.

The next item on the agenda was the application of **Scovin Home Care, LLC d/b/a Visiting Angels** for initial licensure as a Home Care Provider Agency at 68 Cumberland Street In Woonsocket.

The applicant reviewed responses to follow-up questions. The Committee questioned the applicant regarding background checks.

A motion was made by Mr. Hamel, seconded and passed by a vote of five in favor and none opposed (5-0) to recommend that the application be approved subject to the conditions of approval. Those members voting in favor included: Almeida, Dowling, Hamel, Orgel, Shire.

The meeting was adjourned at 4:30 PM.

Respectfully submitted,

Valentina D. Adamova, MBA
Health Economics Specialist