

# King County Accountable Community of Health

## Governing Board Meeting

June 28, 2017, 1:00 pm – 4:00 pm

King County Elections - 919 SW Grady Way, Renton, WA 98057 - Alvine Conference Room

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### **MEETING GOALS**

The primary objectives of today’s meeting are to (1) discuss the proposed ACH committee structure; (2) consider decision-making around 2 required policies and a proposed ACH decision-making structure; (3) review a proposed request of Project Design Teams by the Demonstration Project Committee; and (4) learn about the ongoing work of the Community and Consumer Voice Committee, including its recent work on an equity tool.

### **AGENDA**

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|------------------|--|---|
| <b>1:00 p.m.</b> | <b>1. Welcome &amp; Introductions</b>  | <i>Betsy Lieberman and Esther Lucero, Board Co-Chairs</i>   |
|                  | <ul style="list-style-type: none"> <li>▪ Welcoming New Executive Director and New Governing Board Member</li> <li>▪ Approval of Last Meeting’s Minutes</li> <li>▪ Meeting Goals &amp; Agenda Review</li> <li>▪ Executive Committee Update</li> </ul>   |   |
| <b>1:30 p.m.</b> | <b>2. ACH Governance</b>   | <i>Christina Hulet, Hulet Consulting</i>  |
|                  | <ul style="list-style-type: none"> <li>▪ Review of ACH Committee Structure</li> <li>▪ <b>Decision Memo:</b> ACH Decision-Making Structure</li> <li>▪ <b>Decision Memo:</b> Conflict of Interest Policy</li> <li>▪ <b>Decision Memo:</b> Tribal Collaboration &amp; Communication Policy</li> </ul> |   |
| <b>2:30 p.m.</b> | <b>BREAK</b>   |   |
| <b>2:40 p.m.</b> | <b>3. Interested Party Comment Period</b>  |   |
| <b>2:50 p.m.</b> | <b>4. Demonstration Project Planning</b>   | <i>Demonstration Project Committee</i>  |
|                  | <ul style="list-style-type: none"> <li>▪ Request of Design Teams</li> </ul>  |   |
| <b>3:20 p.m.</b> | <b>5. Community/Consumer Voice Committee Update</b>  | <i>Shelley Cooper-Ashford, Center for MultiCultural Health and Marya Gingrey, Regional Equity Network</i> |
|                  | <ul style="list-style-type: none"> <li>▪ Committee Overview</li> <li>▪ Review of Equity Tool</li> </ul>  |   |
| <b>3:50 p.m.</b> | <b>6. Wrap-Up</b>  | <i>Betsy Lieberman and Esther Lucero, Board Co-Chairs</i>   |
|                  | <ul style="list-style-type: none"> <li>▪ Meeting Evaluation</li> </ul>   |   |
| <b>4:00 p.m.</b> | <b>Meeting Adjourn</b>   |   |

**Next Meeting:** Monday, July 17, 2017, 1:00 am – 4:00 pm (King County Elections, 919 SW Grady Way, Renton, WA 98057). Refreshments and networking at 12:30 p.m.

# King County Accountable Community of Health

## Governing Board Meeting Summary

June 8, 2017, 10:30 a.m.

Revelle Hall – 1210 SW 136<sup>th</sup> St. Burien, WA 98166

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### **Members Present:**

*Teresita Batayola (International Community Health Services), Elizabeth “Tizzy” Bennett (Seattle Children’s Hospital), Roi-Martin Brown (Washington Community Action Network), Molly Carney (Evergreen Treatment Services, on phone), Elise Chayet (Harborview Medical Center), Steve Daschle (Southwest Youth and Family Services), Ceil Erickson (Seattle Foundation), Patty Hayes (Public Health – Seattle & King County), David Johnson (NAVOS Mental Health Solutions), Betsy Lieberman (Betsy Lieberman Consulting), Maureen Linehan (Seattle Aging and Disability Services, on phone), Esther Lucero (Seattle Indian Health Board), Daniel Malone (Downtown Emergency Service Center), Adrienne Quinn (King County Department of Community and Human Services), Jihan Rashid (Somali Health Board), Jeff Sakuma (City of Seattle), Erin Sitterley (Sound Cities Association), Amina Suchoski (United Healthcare), and Sherry Williams (Providence Health Services of Washington), delegate for Preston Simmons.*

### **Members Not Present:**

*Shelly Cooper-Ashford (Center for MultiCultural Health), Stephen Kutz (Cowlitz Indian Tribe), Sarah Rafton (Washington Chapter – American Academy of Pediatrics) and Marya Gingrey (Regional Equity Network).*

### **Staff:**

*Christina Hulet (Hulet Consulting), Ingrid McDonald, Gena Morgan, Marguerite Ro and Melissa Warner (Public Health – Seattle & King County).*

### **Guests:**

*Sharon Poch (Qualis Health), Jim Jackson (DHS), Allie Franklin (Crisis Clinic), Maureen Finneran (WA Dental Service Foundation), Betsy Jones (King County), Elizabeth Arjun (King County Department of Community and Human Services), Susan McLaughlin (King County Department of Community and Human Services), Eli Kern (Public Health – Seattle & King County), Lee Che Leong (Public Health – Seattle & King County), Adam Davis (Puget Sound Regional Fire Authority), Tavish Donahue (MHNW), Sharon Bogan (Public Health - Seattle & King County), Travis Erickson (Public Health – Seattle & King County), Ellie Wilson-Jones (Sound Cities Association), Mariel Torres Mehdipour (Public Health - Seattle & King County), Matania Osborn (Amerigroup), Hiroshi Nakano (Valley Medical Center), Sybill Hyppolite (SEIU 1199NW), Stephanie Shushan (CHPW), Caitlin Safford (Amerigroup), Laurel Lee (Molina Healthcare), and Ross C. Baker (Virginia Mason Health System).*

## **Welcome, Meeting Goals & Agenda Review**

Betsy Lieberman and Esther Lucero (ACH Governing Board Co-Chairs) welcomed Governing Board members and guests, and attendees briefly introduced themselves, their agencies and/or which sectors they represent.

Betsy noted that the public portion of the meeting was preceded by a closed executive session. She explained that the Board wants to be transparent, and that the closed session was needed to protect the confidentiality of the executive director hiring process.

Betsy reviewed the agenda and the following meeting goals:

1. Learn about the work of the Performance Measurement Work Group and the ongoing efforts to build a dynamic Regional Health Needs Inventory for the King County ACH
2. Begin familiarization with the Demonstration Project Planning Template

Gena Morgan (Public Health – Seattle & King County) provided an overview of materials distributed to the Governing Board, which included:

1. Regional Health Needs Inventory slide deck
2. King County ACH Design Team Formation summary
3. Support staff information for demonstration project planning areas
4. ACH Tribal workshop announcement (Governing Board RSVPs requested)
5. Governing Board contact list (errors requested)
6. Draft project plan template

### ACH Data Planning Presentation

Eli Kern, MPH, RN, Epidemiologist in the Assessment, Policy Development & Evaluation Division of Public Health – Seattle & King County, provided the presentation “Regional Health Needs Inventory June 2017 Update.” The goal of the presentation was to examine the past, present and future work of the King County ACH Performance Measure Workgroup (which is the ACH’s data group, and reflects a partnership between Public Health – Seattle & King County and King County’s Department of Community and Human Services). The key takeaways from the slide deck included:

- Looking at multiple sorts of data is necessary to measure progress, identify disparities and take effective action rooted in equity and social justice. Data sharing is often necessary across sectors and disciplines to accomplish this.
- The number of Medicaid-covered lives is important for funding. King County residents constitute 22% of the WA State Medicaid population (enough people to fill Safeco Field nine times). It is more important than ever to keep as many Medicaid-eligible people enrolled as possible.
- Regional health needs assessment is a requirement of the ACH. Data can be found here: <https://goo.gl/j5eJav>. It is imperative that project design teams use data to inform their plans and that the ACH chooses data that it will track to demonstrate movement of the needle for King County overall.

The ACH Performance Measure Workgroup recommends that it continues the work it has been doing for the ACH. Eli also provided a realistic timeline for work through mid-July, between July and December, and looking forward to 2018 (please see Performance Measurement WorkGroup RHNI Update to Governing Board Slide 16).

The following questions and points of discussion were raised:

- It is important that the KC ACH decides what data to track as soon as possible.
- It is important that the KC ACH determines the investments in systems that need to be made and how these needs may or may not coincide with current systems in the County. The ACH can also learn from other states.

- It is important to capture what is and isn't working, identify gaps and connectivity between data and the work being done. Design teams should demonstrate their rationale for plans.

Marguerite Ro, DrPH, Chief of the Assessment, Policy Development & Evaluation Division of Public Health – Seattle & King County, noted that a draft charter has been provided and is required for certification. She also noted that Amina Suchoski (United Healthcare) is co-chair of this workgroup, and that the workgroup will need representation from all sectors to develop a well-rounded perspective. Backbone staff will do their best to meet ACH needs, though Marguerite does not anticipate they will be able to meet all needs moving forward.

Betsy thanked Eli, Marguerite and the Performance Measure Workgroup for their work.

### Public Comment

1. Adam Davis (Puget Sound Regional Fire Authority): Is there data regarding patient consumption, particularly for high-risk populations?

Reply (Eli Kern): Yes, the state has some data for frequency and dollars spent on services. Request has been made for more data.

2. Caitlin Safford (Amerigroup): How are duplications of services accounted for in the data and reporting (e.g., a patient who receives services from both Navos and Neighborcare)? This is important to how much funding is received by an organization.

Reply (Eli Kern): State says this is up to the regions to decide. This may be a consideration in the ACH's funding decisions.

### Demonstration Project Planning Update

Betsy provided the update that the Governing Board has been working hard to be responsive to the ACH's timeline. The Executive Committee was recently formed, and the Governing Board is getting ready to support the ACH's new executive director who will be hired soon.

Ingrid McDonald (Public Health – Seattle & King County) provided an outline for project planning updates:

1. Brief updates on the Demonstration Project Committee and Design Teams
2. Small group discussion on the Draft Project Planning Template

### Demonstration Project Committee

Marguerite Ro recapped that the committee requested input on design team guidelines at the previous Governing Board meeting. The Demonstration Project Committee helps establish project criteria and will recommend a portfolio of projects to the Governing Board.

There will be one design team per project, and design teams are currently being assembled. Backbone staff and data contacts were provided in handouts. Design teams will gather and submit the necessary project information in accordance with the timeline. Draft deadlines are aggressive, and it was acknowledged that design teams may not be able to make the exact deadline. However, they must provide updates on the status of planning to ensure they are making progress.

Governing Board members were asked to help spread the word about the design teams, and to help communicate to partners that the ACH is not asking the community at large to fill out and submit the template. Rather, interested parties can reach out to the design teams which will convene interested parties to draft and submit a collaborative plan. A process for community feedback starting this summer and continuing through implementation is required.

David Johnson (NAVOS Mental Health Solutions) recommended sending the “King County ACH Design Team Formation” summary handout to partners, because it illustrates how the implementation, community feedback and design team work together to form one project.

Patty Hayes (Public Health – Seattle & King County) noted that it is imperative that the ACH design teams continue to push the envelope, and the fast timeline does not deter innovation.

Marguerite Ro (Public Health – Seattle & King County) noted that teams will need to meet benchmarks, but will also have time later to continue refining the work.

Ingrid provided a contact list for design team leads and data contacts.

### **Project Planning Template discussion**

The ACH Project Planning Template was very recently released, and feedback from ACHs was due to the Health Care Authority on Friday, June 9. All attendees were asked to review the template with their sector. The goal of this exercise was to capture reactions and feedback about the template. The following groups and leaders were formed:

Physical & Behavior Health Integration – Liz Arjun

Care Coordination – Betsy Jones

Diversion and Transitional Care – Travis Erickson and Kirsten Wyses

Chronic Disease - Mariel Mehdipour Torres

Reproductive, Maternal & Child Health and Oral Health – Lee Che Leong

Opioids were skipped, as representatives were largely attending another meeting during this time

### **Wrap-Up**

Betsy requested that attendees please submit meeting feedback forms. She thanked everyone for attending and providing so much food for thought, and closed the meeting by sharing that the Governing Board’s next meeting is scheduled for Wednesday, June 28 at King County Elections in Renton.

Betsy motioned to adjourn.

It was noted that the June 28 meeting will conflict with the ACH Quarterly Convening in Chelan. As a result, a few Governing Board members and backbone staff would be absent from the KC ACH meeting.

Patty Hayes seconded the motion to adjourn. Betsy thanked David Johnson and Navos for hosting.

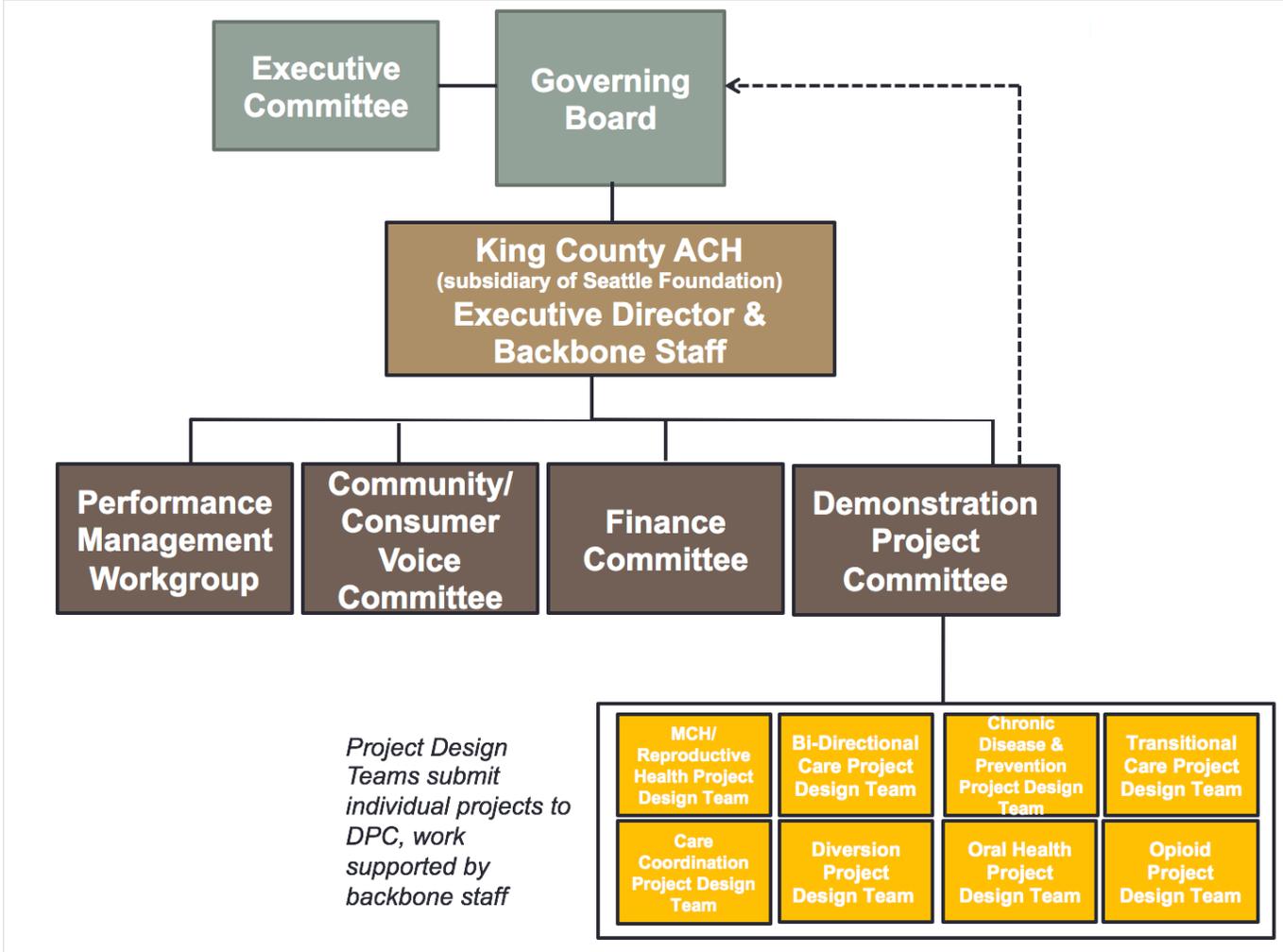
# KCACH Board Meeting 6/28/17 - Governance Section

## UPDATE: EXECUTIVE COMMITTEE MEMBER ASSIGNMENTS

The following Executive Committee members will serve as the primary lead to our other committees/bodies to ensure effective, two-way communication and alignment:

Committee / Entity	Executive Committee Leads
Governing Board / Executive Committee	Co-Chairs: Betsy Lieberman / Esther Lucero
Community/Consumer Voice Committee	Shelley Cooper-Ashford
Demonstration Project Committee	Maureen Linehan / Amina Suchoski
Finance Committee	Patty Hayes / Amina Suchoski / Steve Daschle
Performance Measurement Committee	Tizzy Bennett
Seattle Foundation	Ceil Erickson

Context: ACH Organizational Structure



## KC ACH GOVERNANCE

### DECISION MEMO: Providing additional guidance on decision making authority

Memo prepared by: Christina Hulet on behalf of the KC ACH Executive Committee  
 Date prepared: June 22, 2017  
 Date of proposed action: June 28, 2017 KC ACH Governing Board

#### Issue

At the May Governing Board meeting, members discussed empowering the Executive Committee to make some decisions on behalf of the full board. Below is the Executive Committee's recommendation for which decisions should be made by the full Board, the Executive Committee and the Executive Director.

#### Background

On April 18<sup>th</sup>, the Governing Board voted to approve the following, high-level decision making process, which is incorporated into the KC ACH's current operating agreement with the Seattle Foundation:

- A quorum must be present to take action (simple majority)
- Decisions require a 2/3rds majority vote at which a quorum is present
- Each Governing Board member has 1 vote
- Designated alternates are allowed but must have full decision-making authority

The purpose of today's decision is to provide additional guidance on which ACH committees/persons are authorized to make specific decisions, with the goal of ensuring appropriate oversight, transparency and efficiency.

#### Recommendation: Guidance on decision-making authority

The Executive Committee proposes that the Board, the Executive Committee and the Executive Director be authorized to make the following decisions:

##### Decisions of the Board:

- Overall mission and direction of the organization
- Fiduciary responsibility, including approval of the ACH's annual budget and unanticipated/overspend items of the annual budget
- Hire/fire/evaluate the Executive Director
- Selection of the portfolio of demonstration projects
- Operating agreement terms
- Approval/dismissal of Governing Board members
- Oversight of Regional Health Needs Inventory (RHNI) update process
- Review and approval of the community engagement plan

##### Decisions of the Executive Committee:

- Approval of any expenditures or contracts between \$100,000 and \$500,000
- Act on behalf of the Governing Board in cases of emergency or when urgent decisions are needed between board meetings (e.g., items subject to time constraints)
- Process for selection, supervision, compensation and evaluation of the Executive Director

- Process for recruiting/selecting new Board members
- Board meeting agendas, materials, preparation
- Approval of ACH certification and other documents required by the state

**Decisions of the Executive Director:**

- Approval of any expenditures or contracts that correspond to expenditures of the board-approved annual KC ACH budget
- Approval of any expenditures or contracts under \$100,000 that are not included in the board-approved annual KC ACH budget
- Selection, supervision, compensation and evaluation of all KC ACH staff
- Sign and execute all legal documents such as coordination agreements, memorandum of understanding, etc.
- Apply for grants that align with the KC ACH's mission and strategic plan
- Management/operational decisions related to the ACH's relationship with The Seattle Foundation

**Advance notice of decisions:**

In addition, the Executive Committee recommends maintaining the current practice of providing Governing Board members at least 5 business days of advance notice for decisions. An effort will be made to provide more advance notice on key decisions such as the annual budget or project selection.

## KC ACH GOVERNANCE

### DECISION MEMO: Adopting conflict of interest policy

Memo prepared by: Christina Hulet on behalf of the KC ACH Executive Committee  
Date prepared: June 22, 2017  
Date of proposed action: June 28, 2017 KC ACH Governing Board

#### Issue

The KC ACH is required to adopt a conflict of interest policy per the state's Certification Phase II requirements (due 8/14/17).

#### Background

The Health Care Authority and its technical assistance partner, Manatt, provided ACHs statewide a model conflict of interest (COI) policy for consideration/modification. This model was consistent with standard non-profit board COI policies that include, for example, a duty to disclose and recuse oneself when there is a real or potential financial interest.

While the model policy was helpful, the Executive Committee felt that ACHs differ from standard non-profit boards in that members are explicitly recruited to represent and bring the expertise of their particular sector. This adds a layer of complexity given that some demonstration projects will, for example, include many (if not most) of the sectors and organizations represented on the Governing Board. Given this, additional research and legal consultation was done to develop a COI policy that addresses conflicts of interest without compromising the ACH's core tenant of engaging and relying on community partners around the table.

#### Recommendation: Adopt the following conflict of interest policy

To that end, the Executive Committee recommends the attached conflict of interest policy, which would apply to members of the KC ACH Governing Board, its Executive Director and senior staff, and members of the Executive and Finance Committees.

*Of note: Our legal team is reviewing one final component regarding the ACH's tax exempt status; we do not anticipate that this will change the attached COI policy but will inform the Governing Board if it does at the meeting.*

## CONFLICT OF INTEREST POLICY

### Article I: Purpose

The purpose of this Conflict of Interest Policy is to protect the interest of the King County Accountable Community of Health (“KC ACH” or “Organization”) when it is contemplating entering into a transaction or arrangement that might benefit the private interest of any member of the Board of Directors, its Executive Director and Senior Management, or any member of the Executive and Finance Committees of the KC ACH.

To ensure the KC ACH operates in a manner consistent with its charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, the KC ACH Board of Directors shall conduct periodic reviews of the KC ACH Operating Agreement and Conflict of Interest Policy.

### Article II: Definitions

**1) Interested Person** – Any member of the KC ACH Board of Directors, its Executive Director and Senior Management, or any member of the Executive and Finance Committees of the KC ACH who has a direct or indirect financial interest, as defined below, is an interested person.

**2) Financial Interests** – A conflict may exist where an interested person directly or indirectly benefits as a result of a decision, policy or transaction made by the KC ACH, either through business, investment or a relative (as defined herein):

- a) An ownership or investment interest in any entity with which the KC ACH has or is considering entering into a transaction or arrangement;
- b) A compensation arrangement with the KC ACH or with any entity or individual with which the KC ACH has or is considering entering into a transaction or arrangement; or
- c) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the KC ACH is negotiating a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. A conflict of interest only exists when the Board of Directors, Executive Committee or Finance Committee, as the case may be, decides there is a conflict per Article III below.

A relative is defined as an individual’s (i) spouse or domestic partner; (ii) brothers and sisters (whether whole or half-blood); (iii) children (whether adopted or natural); (iv) grand-children and great-grandchildren; and (v) spouses of brothers, sisters, children, grandchildren and great-grandchildren.

### Article III: Procedures

**1) Duty to Disclose** – In connection with any actual or possible conflict of interest, an interested person must, as soon as possible, disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Board of Directors, the Executive Director, the Executive Committee or the Finance Committee, as the case may be, that is considering the proposed transaction or arrangement.

**2) Recusal of Self** – Any interested person may recuse himself or herself at any time from involvement in any decision or discussion in which the person believes he or she has or may have a conflict of interest, without going through the process for determining whether a conflict of interest exists.

**3) Determining Whether a Conflict of Interest Exists** – After disclosure of the financial interest and all material facts, and after any discussion with the interested person, the chairperson of the Board of Directors, the Executive Committee or the Finance Committee, as the case may be, may request that the interested person leave the meeting while the remaining members decide if a conflict of interest exists.

**4) Procedures for Addressing the Conflict of Interest**

- a) An interested person may make a presentation at the Board of Directors, Executive Committee or Finance Committee meeting, as the case may be, and be present for the discussion at hand in order to lend his/her expertise as a sector representative; this perspective is an important and central tenet of the KC ACH. Except as provided in Section 4f below, he/she shall then leave the meeting when the discussion transitions to the actual vote of the transaction or arrangement involving the possible conflict of interest. The interested person shall not attempt to influence improperly the deliberation or voting on the matter giving rise to the potential conflict of interest.
- b) The chairperson of the Board of Directors, Executive Committee or Finance Committee, as the case may be, shall, if appropriate, appoint a disinterested person or committee to evaluate alternatives to the proposed transaction or arrangement.
- c) After exercising due diligence, the Board of Directors, Executive Committee or Finance Committee, as the case may be, shall determine whether the KC ACH can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- d) The disinterested members of the Board of Directors, Executive Committee or Finance Committee, as the case may be, may approve the proposed action, policy or transaction upon finding that it is in the best interest of the KC ACH. The Board of Directors, Executive Committee or Finance Committee shall consider whether the terms of the proposed action, transaction or policy are fair and reasonable to the KC ACH and whether it would be possible, with reasonable effort, to find a more advantageous arrangement with a disinterested party.
- e) Except as provided in Section 4f below, approval by the disinterested members of the Board of Directors, Executive Committee or Finance Committee, as the case may be, shall be by a 2/3rds vote of the majority in attendance at which a quorum is present. An interested party shall not be counted for purposes of determining whether a quorum is present, or for the purposes of determining what constitutes a 2/3rds majority vote.
- f) In the unusual circumstance where a quorum of disinterested members alone is not possible (e.g., a majority of members have a conflict of interest), approval by the Board of Directors, Executive Committee or Finance Committee, as the case may be, shall be by a 2/3rds vote of the majority in attendance at which a quorum is present.

## 5) Violations of the Conflicts of Interest Policy

- a) If the Board of Directors, Executive Committee or Finance Committee, as the case may be, has reasonable cause to believe an interested person has failed to disclose actual or possible conflicts of interest, it shall inform the interested person of the basis for such belief and afford the interested person an opportunity to explain the alleged failure to disclose.
- b) If, after hearing the interested person's response and after investigating further as warranted by the circumstances, the Board of Directors, Executive Committee or Finance Committee, as the case may be, determines the interested person has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

## Article IV: Records of Proceedings

The minutes of the Board of Directors, Executive Committee or Finance Committee, as the case may be, for proceedings pursuant to this policy shall contain:

- a) The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the decision of the Board of Directors, Executive Committee or Finance Committee, as the case may be, as to whether a conflict of interest in fact existed.
- b) The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and record of any votes taken in connection with the proceedings.

## Article V: Annual Statements

Each member of the Board of Directors, Executive Committee and Finance Committee shall sign a statement (Exhibit A hereto) as soon as practicable after appointment, to be renewed annually, which affirms such person:

- a) Has received a copy of the conflicts of interest policy;
- b) Has read and understands the policy; and
- c) Has agreed to comply with the policy.

In addition, each member of the Board of Directors, Executive Committee and Finance Committee shall, as soon as practicable after appointment and annually thereafter, sign and submit a statement identifying to the best of the individual's knowledge, any entity of which such individual is an officer, director, trustee, member, owner (either as a sole proprietor or partner) or employee and with which the KC ACH has a relationship, and any transaction in which the KC ACH is a party and in which the individual may have a conflicting interest.

**Article VI: Use of Outside Experts**

When conducting the periodic reviews as provided for in this Conflict of Interest Policy, the KC ACH may, but is not required to, use outside advisors. If outside experts are used, their use shall not relieve the KC ACH Board of Directors of its responsibility for ensuring periodic reviews are conducted.

**Appendix: Annual Acknowledgment and Disclosure of Possible Conflict of Interest**

As a member of the Board of Directors, Executive Director and Senior Management team, Executive Committee and/or Finance Committee of the KC ACH, I recognize that it is incumbent upon me to avoid actual and perceived conflicts of interest that may influence my responsibilities to the KC ACH.

I hereby acknowledge the following:

- a) I have received and carefully read the KC ACH’s Conflict of Interest Policy. I have considered not only the literal expression of the policy, but also its intent.
- b) I understand and agree to comply with the Conflict of Interest Policy.
- c) I understand that the KC ACH is a nonprofit organization and that in order to maintain its federal tax exemption, it must engage primarily in activities that accomplish one or more of its tax-exempt purposes without personal inurement or benefit.

I further acknowledge that, to the best of my knowledge, I am an officer, director, trustee, member, owner (either as a sole proprietor or partner), or employee of, or otherwise have a direct or indirect financial interest in, the following organizations:

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If any situation should arise in the future that I think may involve me in a conflict of interest, I will promptly and fully disclose in writing the circumstances to the Board of Directors, the Executive Director, or to the Committee on which I serve.

Name (please print): \_\_\_\_\_

Employer of record: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## King County Accountable Community of Health

### DECISION MEMO: Adoption of the Model ACH Tribal Collaboration and Communication Policy

Memo prepared by: Gena Morgan on behalf of the ACH Executive Committee  
Date prepared: June 22, 2017  
Date of proposed action: June 28, 2017 ACH Governing Board meeting

#### Issue

In order to achieve ACH Phase II Certification, the King County ACH Governing Board needs to adopt a tribal collaboration and communication policy. The Health Care Authority (HCA) has developed a model policy that the ACH Governing Board should consider adopting.

#### Background and Analysis

The HCA, with technical assistance provided by the American Indian Health Commission, has developed a Model ACH Tribal Collaboration and Communication Policy (see below) in consultation with ACHs and ITUs statewide (Indian Health Service, tribally operated, or urban Indian health programs). The purpose of this policy is to establish a clear and concise collaboration policy and communication procedure between the ACH and tribal governments, Indian Health Service (IHS) facilities, and Urban Indian Health Programs (UIHP) in the development of ACH policies or actions.

ACHs are given the choice to adopt the Model Policy, or to develop a modified version of the policy that supports meaningful and feasible collaboration and engagement. Any modified policy must be agreed to in writing by each sovereign tribal government, IHS facility, and UIHP in the ACH region. This is a requirement of Phase II Certification.

The Model Policy has been reviewed and discussed with the ACH Executive Committee, and with ACH Governing Board members representing tribal seats. While the ACH will need to figure out how to operationalize some of the requirements of the policy (e.g. establishing a committee of ACH and tribal/IHS/UIHP designees to determine impacts on American Indian/Alaska Native peoples, and developing a communication protocol with individual tribes, IHS facilities and UIHPs), these requirements are in alignment with the ACH's values of inclusion and participation by those most affected.

## Recommendation

The ACH Executive Committee recommends that the ACH Governing Board adopt the Model ACH Tribal Collaboration and Communication Policy as written. Any modifications to the policy, if needed, can happen after the Phase II Certification process has been completed.

## Model ACH Tribal Collaboration and Communication Policy

### I. Purpose

To establish a clear and concise collaboration policy and communication procedure between the Accountable Community of Health (ACH) and tribal governments, Indian Health Service (IHS) facilities, and Urban Indian Health Programs (UIHPs) in the development of all ACH policies or actions.

### II. Governance

The ACH will hold at least one seat on the ACH governing board for the tribes, IHS facilities, and UIHPs in its region to designate a representative.

[The ACH and every tribe, IHS facility, and UIHP may agree in writing to implement a modified version of Part II to support meaningful and feasible collaboration and engagement, including engagement with each sovereign tribal government, IHS facility, and UIHP.]

### III. Collaboration

The ACH will collaborate and communicate with tribal governments, IHS facilities, and UIHPs in a manner that respects the tribes' status as sovereign nations and the IHS facilities' and UIHPs' status as congressionally established entities charged with meeting the federal trust responsibility and U.S. treaty obligations to American Indians/Alaska Natives (AI/ANs).

- The ACH will not refer to tribes, IHS facilities, or UIHPs as stakeholders but as partners.
- The ACH will collaborate with tribes, IHS facilities, and UIHPs from the beginning of and throughout the planning and development process and engage in inclusive decision-making with tribes, IHS facilities, and UIHPs for all ACH actions that have an impact on AI/ANs, tribes, IHS facilities, or UIHPs (as determined in accordance with Section IV) and not just solicit feedback from tribes, IHS facilities, and UIHPs.
- The ACH will respect and support the need for:
  - Tribal representatives to inform their tribal councils and receive directives from their tribal councils on whether and how the tribe would like to proceed with respect to any ACH action.
  - IHS facility representatives to inform their agency leadership and receive directives from their agency leadership on whether and how the IHS facility would like to proceed with respect to any ACH action.
  - UIHP representatives to inform their boards and receive directives from their boards on whether and how the UIHP would like to proceed with respect to any ACH action.

If a tribe, IHS facility, or UIHP declines an invitation to collaborate, the ACH will maintain a standing invitation for the tribe, IHS facility, or UIHP to collaborate with the ACH.

IV. Determination of ACH Actions Having Impacts on AI/ANs, Tribes, IHS, or UIHPs

The ACH will establish a committee of ACH and tribal/IHS/UIHP designees. Such ACH designees must include the ACH lead staff member (e.g., ACH executive director) and at least one ACH governing board member who is not a representative of tribes, IHS facilities, or UIHPs. The committee will meet regularly to determine whether any ACH actions being contemplated, including the development of policies, programs, or agreements, will have an impact on AI/ANs, tribes, IHS, or UIHPs. The ACH lead staff person will ensure that sufficient information about ACH actions is communicated during the meeting, and prior to implementation, to enable the committee to determine whether those actions will have an impact on AI/ANs, tribes, IHS, or UIHPs. If no tribe, IHS facility, or UIHP designates an individual to serve on this committee and until such time when a tribe, IHS facility, or UIHP does designate an individual to serve on this committee, the governing board of the ACH will make determinations of whether any ACH actions being contemplated will have an impact on AI/ANs, tribes, IHS, or UIHPs and inform the tribes, IHS facilities, and UIHPs.

[The ACH and every tribe, IHS facility, and UIHP may agree in writing to implement a modified version of Part IV to support meaningful and feasible collaboration and engagement, including engagement with each sovereign tribal government, IHS facility, and UIHP.]

V. Communication

- A. The ACH will work with each of the individual tribes, IHS facilities and UIHPs to ensure that all contact information is up-to-date and the correct representatives are notified and regularly receive information.
- B. The ACH will effect delivery of written information to tribes, IHS facilities, and UIHPs concurrent with, and in the same format and method as, the delivery of written information to board members for board meetings, to committee members for committee meetings, and to other ACH participants for participant or other meetings.

VI. Sovereignty and Disclaimer

The ACH respects the sovereignty of each tribe located in the State of Washington and that the tribes and UIHPs have the right to request consultation with the State of Washington and/or the United States government in the event the ACH fails to address the impacts on AI/ANs, tribes or UIHPs. In executing this policy, no party waives any rights, privileges, or immunities, including treaty rights, sovereign immunities and jurisdiction. This policy does not diminish any rights or protections afforded AI/AN persons or tribal governments or entities under state or federal law. The ACH acknowledges the right of each tribe and UIHP to consult with state and federal agencies, including, where appropriate, the Health Care Authority, the Governor of the State of Washington, the Region X Administrator of the U.S. Department of Health and Human Services, or the President of the United States.

VII. Effective Date

This policy will be effective on \_\_\_\_\_, and will be reviewed and evaluated annually at the request of any tribe or UIHP or at the request of a majority of the ACH governing board members.

APPROVED BY: ACH Chair