

AGENDA

BAY ARENAC BEHAVIORAL HEALTH BOARD OF DIRECTORS

BYLAWS & POLICIES COMMITTEE MEETING

Wednesday, December 13, 2023 immediately after Finance Committee

William B. Cammin Clinic, Bay Room, 1010 N. Madison Avenue, Bay City, MI 48708

Committee Members:	Present	Excused	Absent		Present	Excused	Absent	Others Present:
Ernie Krygier, Ch	_____	_____	_____	Pat McFarland	_____	_____	_____	BABH: Chris Pinter, Marci Rozek, and Sara McRae
Sally Mrozinski, V Ch	_____	_____	_____	Robert Pawlak, Ex Off	_____	_____	_____	
Tim Banaszak	_____	_____	_____	Colleen Maillette, Ex Off	_____	_____	_____	
Jerome Crete	_____	_____	_____	Richard Byrne, Ex Off	_____	_____	_____	Legend: M-Motion; S-Support; MA-
Robert Luce	_____	_____	_____					Motion Adopted; AB-Abstained

	Agenda Item	Discussion	Motion/Action
1.	Call To Order & Roll Call		
2.	Public Input (Maximum of 3 Minutes)		
3.	Policies Ending 30 Day Review 3.1) Credentialing and Re-Credentialing of Applied Behavioral Analysis & Ancillary Staff, 8-6-8 3.2) Virtual Office, 7-1-7 (delete) 3.3) Temporary Emergency Leave, 7-1-20 (delete)		3.1-3.3) Consideration of motion to refer the policies beginning 30-day review to the full Board for approval
4.	Unfinished Business 4.1) None		
5.	New Business 5.1) None		
6.	Adjournment	M -	S - pm MA

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY POLICIES AND PROCEDURES MANUAL

Chapter: <u>8</u>	<u>Fiscal Management</u>		
Section: <u>6</u>	<u>Contract Management</u>		
Topic: <u>8</u>	Credentialing and Re-Credentialing of Applied Behavioral Analysis and Ancillary Staff		
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Policy

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) to ensure that the credentialing of all Applied Behavioral Analysis (ABA) technicians and professionals (including Behavior Technicians (BT), Qualified Behavioral Health Professionals (QBHP), Board Certified Assistant Behavioral Analyst (BCaBA), Board Certified Behavioral Analyst (BCBA), Qualified Licensed Practitioner (QLP), and Licensed Psychologist/Limited Licensed Psychologist (LP/LLP) and Ancillary Professionals (Occupational Therapist, Speech and Language Pathologist, and Physical Therapist) and assistants (Occupational Therapy Assistant and Physical Therapy Assistant) are verified and approved according to the Michigan Department of Health and Human Services (MDHHS) guidelines.

Purpose

This policy and procedure is to establish processes for the verification of credentials for ABA technicians and professionals and ancillary professionals and assistants consistent with the MDHHS guidelines.

Education Applies to:

- ☐ All BABHA Staff
☐ Selected BABHA Staff, as follows:
☐ All Contracted Providers: ☐ Policy Only ☐ Policy and Procedure
☒ Selected Contracted Providers, as follows: ABA Providers, [Ancillary professionals and assistants](#)
 ☐ Policy Only ☒ Policy and Procedure
☐ Other:

SUBMISSION FORM

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY

POLICIES AND PROCEDURES MANUAL

Chapter: <u>8</u>	<u>Fiscal Management</u>		
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AUTHOR/ REVIEWER	APPROVING BODY/COMMITTEE/ SUPERVISOR	APPROVAL /REVIEW DATE	ACTION (Deletion, New, No Changes, Replacement or Revision)	REASON FOR ACTION - If replacement list policy to be replaced
Sarah Holsinger- Chris Tomezak	Joelin Hahn	<u>8/15/2023</u>	New	Outline credentialing and re-credentialing process for ABA employees.

BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY POLICIES AND PROCEDURES MANUAL

Chapter: 7	Human Resources		
Section: 1	Administration of Personnel Management		
Topic: 7	Virtual Office		
Page: 1 of 8	Supersedes Date: Pol: Proc: 3-21-11, 1-22-01, 12-29-10	Approval Date: Pol: 5-20-04 Proc: 8-5-19	<div style="border-top: 1px solid black; text-align: center; margin-top: 20px;"><i>Board Chairperson Signature</i></div> <div style="border-top: 1px solid black; text-align: center; margin-top: 20px;"><i>Chief Executive Officer Signature</i></div>
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Policy

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) to establish guidelines for employees working for the Board under a “virtual office” arrangement.

Purpose

The goal of establishing the “Virtual Office” is to increase flexibility in the delivery of services provided by BABHA, improve quality and efficiency and reduce the overall cost of providing services. Clinical positions that provide service in the community may be eligible to participate in a virtual office arrangement.

It is expected that increased flexibility will create a more user-friendly environment for individuals served and staff. Staff will be more immediately available in the community during business hours to address the needs of individuals served. Staff will be responsible for meeting the responsibilities of their position without regard to work location. Documentation will be completed in the electronic health record (EHR) to meet all regulatory and agency standards. Services will be provided in an efficient, expeditious manner to improve outcomes (i.e. more individuals served, improved staff response time to individual needs, decreased need for more intensive services, increased satisfaction and the potential for the improvement of employee morale).

Education Applies to

- ☐ All BABHA Staff
- ☒ Selected BABHA Staff, as follows: Client Services Specialists, Clinical Specialists, Community Based Nurses, and other staff as approved by their SLT member
- ☐ All Contracted Providers: ☐ Policy Only ☐ Policy and Procedure
- ☐ Selected Contracted Providers, as follows:
 - ☐ Policy Only ☐ Policy and Procedure
- ☐ BABHA’s Affiliates: ☐ Policy Only ☐ Policy and Procedure
- ☐ Other:

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Definitions

N/A

Procedure

1. Terms and Conditions/Performance Indicators

- a. All personnel policies and procedures as adopted by the BABHA Board of Directors will remain in effect for all BABHA employees participating in virtual office.
- b. In order to be considered for virtual office, staff must have all documentation up-to-date.
- c. Staff participating in virtual office are responsible for working their approved work schedule based on FTE status.
- d. Staff are required to be available during business hours via cell phone during their approved work schedule, and be prepared to respond to individuals' needs, unless on approved ETO. Adjusted schedules are encouraged in order to meet the principles of Person Centered-Planning and Self-Determination. Staff are expected to use this flexibility to address the needs of consumers but also remain responsible for attending all scheduled team meetings, supervision and training unless other arrangements have been made with supervisory approval
- e. All required documentation must be submitted on time. This includes assessments, periodic reviews, treatment plans, etc. Inability to comply with this requirement may be grounds for removal from participation in virtual office.
- f. All billing documentation and progress notes must be completed in the electronic health record (EHR) by the next business day.

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- g. Staff are required to respond to their cell phones as promptly as possible but no later than the end of the business day. They must also respond in person, when necessary, within forty-five (45) minutes.
- h. Staff are required to check their email regularly throughout each business day in order to respond to emergent and non-emergent messages from internal and external sources.
- i. Staff are responsible to handle any crises with their caseload during business hours, unless an immediate response is necessary and the staff is unable to respond. In such a case, Emergency Services will respond.
- j. Monthly productivity must be met in terms of the amount, scope and duration included in the person-centered plans for each consumer and/or any other measures as established by the agency.
- k. Consumer satisfaction must be maintained.
- l. Voicemail must be accessed and responded to as promptly as possible but no later than the end of the business day.
- m. Staff agrees that no business meetings will be held in the employee's home.
- n. Virtual office is not a substitute for dependent care. Proof of dependent care arrangements will be required.
- o. within the Phoenix calendar. [KA1].
- p. It is the responsibility of the employee to protect the confidentiality of the individual and to comply with the Mental Health Code and HIPAA laws. The employee agrees to provide a secure and locked environment for all confidential materials that they may have at their home office location.

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- q. The employee is solely responsible for determining whether the virtual office arrangement has any tax or financial implications and should seek advice from a professional tax consultant for details.

2. Monitoring

- a. Each employee participating in virtual office will meet with their respective supervisor on a pre-determined basis to monitor performance objectives, address any problems that may arise, etc.
- b. .
- c. Staff participating in virtual office who are out of compliance with a particular performance indicator may be subject to disciplinary action and may be excluded from participating in virtual office. Virtual office arrangements are approved at the discretion of the employer and may be revoked at any time based on program or consumer needs.
- d. The supervisor will monitor submission of progress notes weekly.
- e. Job Performance based on the needs of the consumer identified in the IPOS through the Person Centered Planning process will be monitored at least monthly.
- f. Documentation will be reviewed monthly.
- g. Consumer satisfaction will be assessed periodically.
- h. Agency vehicles are to be used exclusively for agency business. The usual sign-out procedure will be followed. Vehicles must be returned to BABHA each evening.

3. Selection of Candidates

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Virtual Office is voluntary for the employee. Selection criteria includes:

- a. The employee has worked at BABHA for a minimum of one year and is no longer on probationary status. The employee must demonstrate an understanding of the job and philosophy of the organization.
- b. Program demands may necessitate that an employee not be able to participate in virtual office.
- c. The employee has no current performance issues.
- d. The selection of staff requires supervisory approval. In the event the supervisor does not grant such approval, the supervisor will identify areas where the staff member needs to improve to participate in virtual office. The CEO has final approval/disapproval authority over all virtual office or alternate work schedule arrangements.
- e. Staff previously removed from virtual office for failure to comply with a particular performance indicator will require service director approval to renew their eligibility. To be eligible for reinstatement in virtual office, staff must demonstrate full compliance with all the conditions previously set forth for a minimum of three months.

4. Equipment

- a. BABHA will provide the following equipment for virtual office staff.
 - ❖ Laptop/ipad
 - ❖ Cell Phone
 - ❖ Office Supplies/Equipment
- b. Expenses related to the use of this equipment will be covered by BABHA. The employee is responsible for any increases in utility payments or any costs

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associated with preparing and maintaining the remote work location for conducting business due to the telecommuting arrangement.

- c. BABHA equipment will not be used for private purposes nor will family members or friends have access to the equipment.
- d. Staff shall promptly return all of the BABHA equipment when requested by the supervisor.
- e. Staff agree to follow all software-licensing provisions agreed to by BABHA.
- f. BABHA may pursue recovery from the employee for any BABHA property deliberately or negligently damaged or destroyed while in the employee's care, custody or control.
- g. BABHA is not responsible for private property used, lost or destroyed.
- h. Staff agree to notify their supervisor immediately in the event of a need for equipment repair. The employee shall not try to repair the equipment him/herself.

5. Safety

Safety-related issues shall be consistent with BABHA policy. The employee will designate a workspace within the remote work location. The employee will maintain safe, hazard-free conditions in the remote work location and practice the same safety habits in the remote work location as he or she would in his or her office at BABHA. The supervisor/service director may request photographs of, and make on-site visits to, the remote work location for the purpose of determining that the site meets these requirements. In such case, the employee will cooperate with the request.

6. Injury Liability

Staff must immediately report to their supervisor, in writing, any injuries related to work done for BABHA while in the remote work location. BABHA assumes no responsibility for any injuries to third party persons and/or members of the household that occur in the

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designated home work area. Injuries occurring in the employee's home but outside of the designated work area will not be subject to BABHA liability.

Attachments

N/A

Related Forms

Virtual Office Arrangement Agreement (Intranet)

Virtual Office Arrangement Agreement Form-Mental Health Nurse (Intranet)

Related Materials

N/A

References and/or Legal Authority

N/A

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Rebecca Smith	Robert Blackford	12/29/10	Revision	Updated to Current practices – Revised sections on performance indicators, monitoring, and selection of candidates
Rebecca Smith	Rebecca Smith	05/31/13	No Changes	Triennial review
Rebecca Smith	Rebecca Smith	04/18/16	No Changes	Triennial review
Rebecca Smith, Karen Amon, Joelin Hahn	Chris Pinter	5/30/19 and 8/5/19	Revision	Triennial Review-updated to current practice.
<u>Jennifer Lasceski</u>	<u>Chris Pinter</u>	<u>10/1/23</u>	<u>Replacement</u>	<u>Replaced with C07-S01-T12</u>

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Topic: 20	Temporary Emergency Leave		
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Policy

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) to safeguard the welfare of its employees, persons served and the community while maintaining operations in an effective and efficient manner during periods of extreme external circumstances such as pandemic illness COVID-19. The Temporary Emergency Leave Policy is developed to support our employees in response to COVID-19 as a tool for the Authority to utilize for Exempted/Excluded Emergency Responders and Health Care Providers that shall be eligible for a grant of up to fourteen (14) calendar day regularly scheduled work period of paid leave as deemed prudent by the Chief Executive Officer, in consult with the Strategic Leadership Team, to assure critical staffing levels of emergency responders and healthcare providers and the delivery essential emergency and public healthcare services to the community.

Purpose

The purpose of this policy and procedure is to establish processes for the eligibility, request and approval of Temporary Emergency Leave.

Education Applies to:

- ☒ All BABHAA Staff
- ☐ Selected BABHAA Staff, as follows:
- ☐ All Contracted Providers: ☐ Policy Only ☐ Policy and Procedure
- ☐ Selected Contracted Providers, as follows:
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- ☐ BABHAA's Affiliates: ☐ Policy Only ☐ Policy and Procedure
- ☐ Other:

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Procedure

- A. After April 1, 2020, employees who are healthcare providers or emergency responders are exempted/excluded from coverage or application from the Emergency Family and Medical Leave Expansion Act (“EFMLEA”) and from the definition of employee under the Emergency Paid Sick Leave Act (“EPSLA”).
- B. As an alternative, an eligible employee may be authorized for a Temporary Emergency Leave of up to five (5) workdays if they reasonably believe he/she or their eligible family member has been exposed or infected with COVID-19, to permit the employee (or eligible family member) an opportunity to contact his/her healthcare provider for examination to seek diagnosis, testing and treatment. Delay in test processing may require medical documentation as requested by the supervisor, to support paid leave beyond five calendar days.
- C. During the first five (5) days of a Temporary Emergency Leave absence supervisors shall not require a healthcare provider’s note for employees or their eligible family member who are experiencing COVID-19 symptoms (including, coughing, fever, shortness of breath, etc.) and are seeking a medical diagnosis from a healthcare provider.
- D. The Temporary Emergency Leave granted under this policy may be extended for up to 80 hours in total per calendar year if an employee's healthcare provider confirms in writing that an employee has been infected with COVID-19, is reasonably likely to spread COVID-19 to coworkers or the public through the performance of the employee's regular job duties, and/or is unable to perform the essential functions of his/her job without possible harm to himself/herself or others; or to care for family member who a healthcare provider has confirmed in writing, has been infected with COVID-19. Temporary Emergency Leave may also be extended for up to 80 hours in total per calendar year if the BABHA Infection Control Nurse in conjunction with the Public Health Department, determine that the

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employee should remain off work due to COVID-19. Family member shall be defined as provided in the BABHA FMLA policy within the Employee Handbook.

- E. An employee diagnosed with COVID-19 or caring for a family member diagnosed with COVID-19 must provide medical certification clearing them to work in order to return. This provision shall in no-way be interpreted to limit the employer's authority to require additional clearances for employees or to implement other measures to safeguard the health of employees and the public while maintaining operations in an effective and efficient manner and continuing to perform critical and essential services.
- F. An employee may be instructed not to report if the employee is showing symptoms of COVID-19 (including, coughing, fever, shortness of breath, etc.) until they meet Return to Work Criteria as outlined by the CDC or are released by a healthcare provider. In such cases, the employee may be approved for Temporary Emergency Leave to ensure they are symptom free.
- G. A full-time employee may be granted Temporary Emergency Leave up to 80 hours (in total) per calendar year based on full time equivalency (FTE) status. Part-time employees may be granted Temporary Emergency Leave based on their average work schedule over a two-week pay period. Employees may not carry over leave from one year to the next and are not entitled to reimbursement for unused Temporary Emergency Leave upon termination, resignation, retirement, or other separation from employment.
- H. Absences occurring during a Temporary Emergency Leave will not be counted as an unscheduled absence. However, nothing shall alter or amend the current BABHA policy that both paid and unpaid leave for an otherwise qualifying reason will count toward FMLA time off pursuant to employer policies. The counting of Temporary Emergency Leave to current FMLA limits shall be applied consistent with BABHA policies and the law.
- I. If an employee believes their Temporary Emergency Leave absence will exceed the allowable hours (pro-rated for part-time) authorized by this special Temporary Emergency Leave policy, the employee may request additional paid or unpaid leave pursuant to the normal BABHA Earned Time Off, Michigan Paid Medical Leave and Family Medical Leave Act policies found

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in the Employee Handbook. Normal verification requirements will apply, which may include but not be limited to verification from a health care provider to the Human Resources department.

Attachments

N/A

Related Forms

N/A

Related Materials:

Bay Arenac Behavioral Health Employee Handbook

References/Legal Authority:

Emergency Family Medical Leave Expansion Act
Emergency Paid Sick Leave Act

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AUTHOR/ REVIEWER	APPROVING BODY/COMMITTEE/ SUPERVISOR	APPROVAL /REVIEW DATE	ACTION (Deletion, New, No Changes, Replacement or Revision)	REASON FOR ACTION - If replacement list policy to be replaced
Rebecca Smith	Christopher Pinter	4/7/2020	New	New Policy and Procedure
Rebecca Smith	BABH Board of Directors	9/23/2020	Revision	Revised to remove end date for eligibility of Temporary Emergency leave and add language related to future eligibility.
Jennifer Lascieski	Christopher Pinter	8/19/2021	Revision	Grammatical corrections
Jennifer Lascieski	Christopher Pinter	10/1/23	Deletion	End of PHE