

# **Tillamook County Community Health Council & Board of County Commissioners Co-Applicant Agreement**

## **PURPOSE**

The Tillamook County Community Health Council (CHC) is a public entity with certain expectations for governance as outlined in the Health Resources and Services Health Center Program Compliance Manual. In a co-applicant arrangement, the health center project as a whole, because of the public agency and co-applicants' complementary roles, meets all health center program requirements.

The co-applicant board recognizes that as a public agency, Tillamook County is constrained by law in the delegation of certain government functions to private entities, and thus permits Tillamook County to retain authority over certain policies for the public center.

## **DEFINITIONS**

<b>Term</b>	<b>Definition</b>
Co-Applicant Board:	When the public agency's board cannot independently meet all applicable health center governance requirements, a separate "co-applicant" must be established whose governing board meets Public Health Service Act (PHS) section 330 governance requirements. The Health Department's Health Council (CHC) is the Co-Applicant Board for Tillamook County Health Department Community Health Center (TCHD) programs.
HRSA	The Health Resources and Services Administration. As a grantee under the Health Center Program TCHD and CHC combined must meet all HRSA Health Center Program Requirements.
Public Agency Status:	HRSA's designation for health centers funded through a section 330 grant which include state, county or local health departments, Tillamook County Community Health Centers have a Public Agency Status.
Public Center	A health center funded through a PHS section 330 grant to a public agency.

## **REFERENCES AND STANDARDS**

- Joint Commission Standard, L.D.01.03.01 EP-6: *Governance works with other leaders to annually evaluate the organization's performance in relation to its mission, vision and goals.*
- HRSA Health Center Compliance Manual;
- Authorizing Legislation: Section 330 of the Public Health Service Act (42 U.S.C. §254b);
- Program Regulations: 42CFR Part 51c and 42CFR Parts 56.201-56.604

- Grant Regulations: 45 CFR Part 75

## PROCESS

1. Language outlining approval authority is outlined in the following documents.
  - a) **CHC By-laws:** Reference Article IV where responsibilities are described.
  - b) **Co-Applicant Agreement:** Describes the co-applicant relationship between the Tillamook County Board of County Commissioners and the Community Health Council.
  - c) **Tillamook Board of County Commissioners:** Established May 19, 1993 to formally create the co-applicant Board and Community Health Council.
2. To further clarify the approval process, the following approval responsibilities are outlined:

Items Requiring Approval	Community Health Council	Board of County Commissioners
HRSA Federal Grant	X	X
Other Health Center Program Grants	X	X
Financial Oversight	X	X
• Health Center Program Annual Budget	X	X
• Monitors budget performance	X	
• Sliding Fee Discounts (Fee Policy)	X	
• Billing and Collections	X	X
Fiscal Policies		X
• Internal control/financial management procedures		X
• Purchasing policies and standards		X
Personnel Policies		X
• Employee compensation		X
• Position descriptions and classification		X
• Employee grievance procedures		X
• Equal Opportunity practices		X
• Employee selection, performance review/evaluation and dismissal procedures,*	X	
o *Approving selection/removal and evaluating performance of CEO aka Administrator		
Facilities/Lease Agreements	X	X
Sets Clinic Policy	X	
• Scope of Services	X	
• Service Locations	X	
• Hours of Operation	X	
• Quality Improvement Plan	X	
• Licensing & Credentialing	X	
• Patient Satisfaction and grievance Process	X	
Strategic Plan	X	
Selection of Co-Applicant Board Members		

### **III. COUNCIL and COUNTY AGREEMENT**

As amended and approved by the Council, and the BOC, this jointly approved co-applicant agreement describes the authorities and distribution of governance activities required by Section 330 of the Public Health Services Act and are necessary for a viable health center.

### **IV. RESPONSIBILITIES**

The Health Center's system of governance must provide leadership and guidance in support of the health center's mission. Day-to-day leadership and management responsibility rests with staff under the direction of the CEO (aka Administrator) of the health center. Together, the Council, the CEO, and other members of the management team comprise the leadership for the health center.

Certain governance activities and responsibilities are reserved by the BOC. Reserved activities and responsibilities result from:

1. Statutory requirements (e.g., Oregon local budget law, Oregon public procurement statutes);
2. Responsibility for general policies (e.g., human resources, financial management, intergovernmental relations, labor relations, risk management);
3. Activities and responsibilities normally carried out by the board of a non-profit health center but incongruent with the Council as a body created through BOC resolution such as legal responsibility for operations and compliance.

Specifically, general policy which falls under the Statutory Requirements are as follows:

#### **BOC Authorities**

##### **Fiscal Policies:**

- Internal control procedures to ensure sound financial management procedures;
- Purchasing policies and standards.

##### **Personnel Policies:**

- Employee selection, performance review/evaluations and dismissal procedures;
- Employee compensation, including wage and salary scales and benefit packages;
- Position descriptions and classification;
- Employee grievance procedures;
- Equal opportunity practices.

**Health Council Executive Committee & BOC Authorities**  
**CEO/Administrator**

1. The Council Executive Committee and a majority thereof shall sit on the recruitment and hiring committee for employment of a CEO/Administrator.
2. Health Council agrees to adhere to County Personnel Policies that adheres to County Policy and State and Federal law, to maintain due process and legality.
3. Health Council Executive Committee members and BOC shall jointly review CEO/Administrator applications & resumes in order to select candidates to interview consistent with County Policy.
4. Health Council Executive Committee and BOC shall jointly conduct interviews of CEO/Administrator applicants consistent with County Policy to guide process.
5. Health Council Executive Committee will select a CEO/Administrator candidate to make an offer of employment subject to satisfactory criminal record check and reference check all in accordance with County Policy.
6. Health Council Executive Committee shall conduct a joint review and evaluation of CEO/Administrator at least annually using an agreed upon protocol and/or process.
7. Health Council Executive Committee will meet in executive session to discuss personnel issues and/or misconduct regarding the CEO. Should the Executive Committee identify a personnel issue that could lead to removal or resignation of the CEO, the Executive Committee or their designees (not less than three members) of the Health Council will meet with the BOC to discuss the issues and begin due process.
8. After meeting with the BOC, the Health Council Executive Committee shall determine, consistent with County policy, if the CEO/Administrator should be terminated from employment or asked to resign from the position.

**Health Council & BOC Authorities**  
**Grant Administration**

9. The Council will approve and recommend a schedule of Public Health charges/fees, based on Public Health program elements, to the BOC for review and approval as required by law.
10. The Council will approve grant applications related to the Community Health Center, including grants/designation applications and other Health Resources Services Administration (HRSA) requests regarding scope of project.

11. The Council will approve the annual health center budget submission to the statutory budget committee. The budget will be prepared under general county budgetary parameters and financial and risk management policies.
12. The Council will approve the Section 330 grant re-application before submission to HRSA. The BOC will also approve this grant re-application in accordance with County grants management or intergovernmental agreement policies.

### **Health Council Authorities**

13. The Council will establish long-term strategic planning, which would include regular updating of the health center's mission, goals and plans, as appropriate, and evaluate the health center's progress in meeting its annual and long-term goals.
14. The Council will establish and approve any change to hours of operations, services, fees for services, and service locations appropriate and responsive to the community's needs, including selection of services beyond those required in law to be provided by the health center, as well as the location and mode of delivery of those services.
15. The Council will establish general policies and procedures for the health center that are consistent with Health Center Program and applicable grants management requirements.
  - Board member selection and dismissal procedures;
  - Quality improvement system;
  - Fee schedules for services;
  - The sliding fee discount program;
  - Billing and collections;
  - Financial policies that assure accountability for health center resources;
  - Avoidance of conflict of interest.
16. The Council will approve a schedule of income based discounts for health center services that must be discounted under Section 330 expectations to assure availability of services without regard to ability to pay.
17. The Council will periodically review the financial performance of the health center against planned goals.
18. The Council will evaluate health center activities to assure compliance with applicable federal, state and local laws and regulations.
19. The Council will assure provider credentialing and privileging.

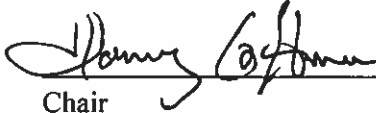
## RELATED DOCUMENTS

Name

Location

Attachment A: Community Health Council Bylaws

Attached

 10-6-22

Chair

Date

Community Health Council

10/12/2022

Chair

Date

Tillamook County Board of Commissioners