

Campbell County Health Board of Trustees

Special Board Meeting – Webex

November 9, 2021 - 5:30 PM

Members present:

Adrian Gerrits, Chairman
Alan Stuber, Vice Chair
Randy Hite, Treasurer
Kristina Leslie, Trustee

Lisa Harry, Secretary
Sara Hartsaw, Trustee
Tom Murphy, Trustee

Also present:

Jerry Klein, Noamie Niemitalo, Karen Clarke, Matt Sabus, Natalie Tucker, Alison Gee, Brandi Miller, Diane Jackson, Brad Cave (HR Attorney)

Call to Order

Mr. Gerrits, Chairman, called the meeting to order at 5:30 p.m.

Roll Call

Brandi Miller called the roll. Quorum – all members present.

Approval of Agenda

TOM MURPHY MADE A MOTION TO APPROVE THE AGENDA AS RECOMMENDED. LISA HARRY SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

DISCUSSION

Vaccine Mandate Update/Discussion

Exemption forms were sent to employees this morning. The Vaccine Mandate policy outlines how CCH will comply with the mandate. Religious and Medical exemptions will be allowed. Medical exemptions required the employee's primary care provider to sign off on the exemption. Employees need to submit vaccine exemption forms no later than November 22 to allow time for review and approval. Employees will be notified if their exemption is approved, denied or if more information is needed to make a determination. Testing requirements, as of December 7, if an exemption is approved:

- If the staff member has positive antibodies they will not be required to adhere to weekly testing. Acceptable proof of immunity must be turned into CCH Employee Health. Antibody testing performed at CCH's lab will be paid by CCH. Proof of immunity will be required every 6 months.
- If the staff member does not have positive antibodies or chooses not to have an antibody test, the staff member will be required to have a weekly COVID test unless the CDC Data Tracker Transmission rate is in the "blue". Nasopharyngeal swab testing will be provided at the CCH lab at CCH's expense (employee only). Swab testing is also free of charge at Public Health, Curative, and Walgreens. If testing takes place at another facility the employee will be responsible for any fees associated with the test.

Non-compliance with the Vaccine Mandate policy will subject CCH staff and employed providers to discipline up to and including termination. Appointed members of the medical staff will be subject to discipline pursuant to hospital and Medical Staff policies.

ALAN STUBER MADE A MOTION TO TABLE TAKING ACTION ON THE VACCINE MANDATE POLICY UNTIL THE DECEMBER 2, 2021 BOARD MEETING. TOM MURPHY SECONDED THE MOTION.

Discussion –

Mr. Stuber stated there are 4-5 challenges against the OSHA mandate and that it would be ideal to wait until litigation is completed to approve the policy. At this time there are no CMS lawsuits filed against the mandate.

If the policy is not approved exemptions can't be submitted/reviewed/approved. Waiting to take action on the policy would only allow four days for exemption reviews.

Will the hospital be liable? Alison Gee stated that if an employee has a reaction to the vaccine the hospital will not be held liable, the government has protection in place as well as federal funds established in the event that there are problems caused by the vaccine.

Examples and or boilerplate language for exemptions can't be provided by HR however, there are many examples of exemption language available online to provide employees with an idea of how to write their exemption.

ROLL CALL VOTE TO TABLE TAKING ACTION ON THE VACCINE MANDATE POLICY UNTIL DECEMBER 2, 2021: ADRIAN GERRITS, NAY; RANDY HITE, NAY; TOM MURPHY, NAY, KRISTINA LESLIE, NAY; LISA HARRY, NAY; ALAN STUBER YEA. SARA HARTSAW WAS UNAVAILABLE TO VOTE. FIVE NAY VOTES, ONE YEA VOTE. MOTION FAILS.

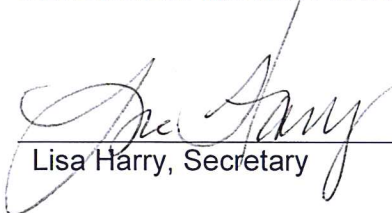
LISA HARRY MADE A MOTION TO APPROVE THE VACCINE MANDATE POLICY AS PRESENTED. KRISTINA LESLIE SECONDED THE MOTION. ROLL CALL VOTE: ADRIAN GERRITS, YEA; RANDY HITE, YEA; TOM MURPHY, YEA; KRISTINA LESLIE, YEA; LISA HARRY, YEA; ALAN STUBER NAY. SARA HARTSAW WAS UNAVAILABLE TO VOTE. FIVE YEA VOTES, ONE NAY VOTE. MOTION CARRIES.

PUBLIC COMMENT

No comments.

ADJOURN

TOM MURPHY MADE A MOTION TO ADJOURN THE MEETING AT 6:31 PM. LISA HARRY SECONDED. MOTION CARRIED UNANIMOUSLY.



Lisa Harry, Secretary



Brandi Miller, Recorder