

**Pend Oreille Hospital District**  
**MINUTES**  
**November 23, 2021**

A meeting of the **Board of Trustees of the Pend Oreille Hospital District** was held in the HSB Monarch/Cabinet Room.

**Present:** Tom Lawrence, Scott Burgstahler, Helen Parsons, Dan Rose, and Bart Casey. Tim Cochran and Jim Frank attended by phone. Others present: Julie Hoffman and Sharon Beeman. Six callers from the outside joined the call – 4 identified themselves as Dodi Glass from Dover, Kathryn from Dover, Karen Heffley from Sandpoint and Tanya Wilson.

The meeting was called to order at 7:00 a.m. by Tom Lawrence, Chairman.

**Business:**

1. It was noted that the date at the top of the Agenda needed to be changed to the 23<sup>rd</sup>. Dan Rose made a motion to add item, as timely requested of the POHD Chairman, Prohibition of a mandated vaccination to patients who use our clinics clinical services. Question was asked if we are denying patients – no we are not denying patients services based on vaccination status – it is illegal for us to deny care to patients for any reason, including vaccination. No second was received, motion failed. Motion to approve agenda as written was made by Scott Burgstahler, seconded by Helen Parsons. The Agenda was approved by 4 yea votes, 1 nay vote.
2. Approval of Minutes. Motion to approve the minutes from the October 26, 2021 meeting was made by Bart Casey, seconded by Scott Burgstahler. Approval of Minutes was approved by 6 yea votes.
3. Treasurer’s Report. Jim Frank reviewed the Treasurer’s Report with the financials and cash bank balances for October. Bonner County Warrant was received dated 11/5/21 for \$4,048.00. Jim Frank moved to accept the warrant check, seconded by Scott Burgstahler, approved by 6 yea votes.
4. Funding Requests for the POHD. Funding Requests for POHD Clinics are as follows:
  - a. **Sandpoint Women’s Health: \$102,894**
  - b. **Ear, Nose & Throat Clinic: \$14,564**
  - c. **Behavioral Health Clinic: \$38,856**

**Total: \$156,314**

Chairman clarified question raised last month on the ENT spreadsheet, he also discussed other issues with the ENT clinic. Dan asked why SWH did not list the BF clinic for October - Chairman will need to get clarification. Other discussion was held on SWH spreadsheet. Dan Rose moved to suspend the funding to BGH until all religious and medical exemptions are accepted. No second – motion failed. Dan Rose moved to deny the funding to BGH until the financial issues of the SWH BF line can be remedied – no second received, motion failed. Motion was made by Scott Burgstahler to fund the clinics at their requested amounts for a total of \$156,314.00, seconded by Bart Casey. Motion to pay Funding Request was approved by 5 yea votes 1 nay vote.

5. CMS Vaccination Mandate. COVID 19 FAQ was included in the packet to answer questions regarding the mandate. Discussion was held regarding the clinics funding from POHD vs. Medicare/Medicaid and the CMS mandate vs. public opinion, exemption committee makeup. Dan Rose moved that “this body get George Wentz into this room and start to file, for the hospital’s sake or the POHD’s sake, an injunction against CMS.” Dan then moved that “today, George Wentz be called, and solicit his

services to seek an injunction for the CMS mandated vaccinations on employees of BGH within the funding realm of POHD tax dollars.” Questions/discussion was held. Jim Frank seconded the motion. Additional discussion was held regarding legal representation and the vaccine mandate and staff not getting vaccinated. Motion to contact Mr. Wentz - 1 yea vote 5 nay votes – motion failed.

Dan Rose made the motion to reconsider not funding the clinics for the month of October 2021, Jim Frank seconded the motion. Discussion was held regarding why we would do this. 3 Yea votes, 3 Nay votes, Chairman made the final vote of nay and we will not withhold payment.

6. Public Comment Time. It has been requested to allow the public to have comment time at the end of each meeting. Dan Rose moved that public comment time be 3 minutes and, at a minimum, the first name be given and the town they live in. Helen seconded the motion. Tim Cochran made a motion to amend the motion that persons that are residents in the Hospital District be given priority to give comment. Motion passed with 6 Yea votes. This will be incorporated into the meetings just before when the next meeting is announced.
7. Legal Referral. Chairman Lawrence discussed our current situation with the Davillier Law Group. We need to decide as a Board what we want to do. Dan Rose made the motion that Davillier be the retained Counsel by the POHD. No second received, motion failed. Discussion was held regarding the issue. Scott Burgstahler made the motion that we choose a lawyer, based on their expertise and whatever is in front of us and not a single group that is always on retainer. Seconded by Helen Parsons. Dan Rose made the motion to amend the motion to notify Davillier Law Group that they are no longer retained by POHD. No second to amended motion. It was asked that the Secretary provide the Trustees with a copy of the Agreement from Davillier Law Group and POHD, she will do this prior to the next meeting. Motion to choose lawyer based on their expertise and POHD need was passed by 5 Yea votes and 1 Nay vote.
8. Public Comment. Dodie from Dover made comment. Karen from Sandpoint made comment. Kathryn from Dover made comment. In light of the public comment, Jim Frank made a motion to revisit the issue to hold the funding to the clinics for October until next month to show support for the employees in the medical field that we do not support CMS firing staff. Seconded by Dan Rose. Discussion was held regarding holding funding or just making a statement. Tim Cochran made that motion that we make statement that we disagree with CMS firing staff due to not getting vaccination. Jim Frank restated the motion to change the previous motion to temporarily withhold funding, seconded by Dan Rose. Additional discussion was held regarding mandate and exemptions and the exemption review committee. Tim Cochran called for the question. Motion failed with 3 Yea votes, 3 Nay votes, Chairman made the final vote of nay and we will not withhold payment.
9. Next meeting is December 21, 2021.
10. With no other business to be brought before the Board, Scott Burgstahler made the motion to adjourn, seconded by Helen Parsons and was approved by 6 Yea votes. The meeting adjourned at 8:30 a.m.

Respectfully submitted,



Sharon Beeman, Secretary