

October 10, 2023

Tuesday, 5:30 p.m.

The Bourbon County Commission met in open session with all three Commissioners and the County Clerk present for a special meeting to discuss healthcare.

Teri Hulsey, Clint Walker, Anne Dare, Mark McCoy, Deb Martin, and Rachel Walker were present for some or all of the meeting.

Jim Harris opened the meeting with the flag salute followed by a prayer led by Mark McCoy.

Jim explained that the board is here tonight to discuss healthcare, and will begin with an executive session followed by general discussion. The public will have an opportunity to speak after the general discussion and Jim asked those interested to sign up and remain professional and courteous.

Clifton Beth made a motion to go into a 10-minute executive session under KSA 75-4319 (b)(4) to discuss data relating to financial affairs or trade secrets of corporations, partnerships, trust and individual proprietorships to include all three Commissioners and Justin Meeks and will return at 5:42. Nelson Blythe seconded the motion and all approved. Clifton made a motion to resume normal session at 5:42 with action. Nelson seconded the motion and all approved.

Clifton made a motion that we support, along with other taxing entities in the county, an entity that Legacy Health has brought to the county and has been working with for many months, which is Amberwell, to provide ER services in Bourbon County soon if not as close to as possible after January 1, 2024. The amount that Bourbon County would need to contribute is \$500,000 contingent upon a signed MOU along with them coming and providing the services. Justin Meeks clarified that if other taxing entities don't agree to fund, the county's share would go up. Jim seconded the motion and all approved.

Clifton stated that assuming other taxing entities are on board we will have an emergency room and that will be made possible with a large financial commitment to the project by Legacy Health. Clifton said he would address some of the questions that have been posted online and stated that we do not qualify as a Critical Access Hospital and stressed the point that Girard and multiple other rural hospitals that are surviving are Critical Access Hospitals. Clifton explained that Critical Access Hospitals are essentially made whole at the end of the year by the federal government. Clifton said that if a hospital is opened, we still wouldn't qualify as a Critical Access Hospital. REH, Rural Emergency Hospital, was

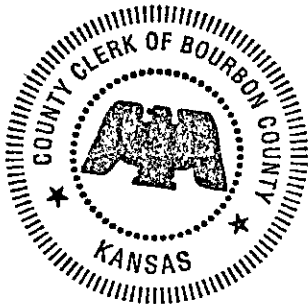
discussed with Clifton saying that as of a month ago there still was not a hospital in the country with that designation. To qualify for REH Clifton said you had to be a functioning hospital in 2020 and that Via Christi, himself, Legacy Heath, and Amberwell have all been working trying to get the designation and will continue to work with representatives at the federal level to try to obtain. REH gives a \$2,000,000 subsidy plus around a 3% bump in Medicare payments. Clifton also addressed rumors that Via Christi was leaving due to Legacy raising the rent and stated that for the last year or more Via Christi has had free rent. Clifton said that to his knowledge Legacy is charging way less than the standard rate to their new tenants. Clifton said assuming everybody can collaborate we will have an emergency room, but stated it would take licensing as any new entity would have to get multiple licenses from the State of Kansas which is a process. Clifton said his hope is they are able to get it done quickly and that we will have little to no lag, if any, in emergency room care in Bourbon County. Jim read the following prepared list: since 2010 113 rural hospitals have closed, 46% of rural hospitals are losing money, 86 % of rural hospitals in Kansas are losing money, the ER in Fort Scott has not paid rent in 24 months, the ER in Fort Scott has lost over \$1,000,0000 a year. Jim said they are working with other taxing entities to come up with a solution. Jim said if we do not get the REH designation we will have to come up with some other ideas and present it to the voters on some things we could or could not do. Jim said to have an ER in Bourbon County the county, city, state, or federal entities would have to subsidize it. Jim said he has seen the discussion about sales tax and stated we are a long way from that, but it could happen next year. Clifton said that we can't arbitrarily charge a sales tax and explained that it would have to be placed on the ballot for the public to decide. Jim stated hopefully we receive the REH and it doesn't come to having to vote on a sales tax, but wants everybody to understand that to maintain an ER somebody has to subsidize it. Jim said we have to move forward and build our cash reserves in case we do not receive the REH. Clifton said they have reached out to multiple agencies who were not interested in opening an ER or hospital and that Amberwell is willing to come and is already highly successful in rural healthcare. Building a new hospital is a comment Clifton has seen and stated that isn't necessarily a bad idea but the rules and regulations to build a hospital are not the same as building a house, would cost in the ballpark of \$20,000,000, and would take at least two years which would leave us without a hospital. Clifton said the public can write their Senator and House of Representatives and let them know of our issues, that we need the REH designation, and that we all want to make the hospital successful. Nelson said he wants to build cash reserves by saving money in every way possible and use it for essential county functions and nothing else. Jim said Amberwell is well thought out, has two hospitals and six clinics, and would be a blessing for Bourbon County.

Clint Walker said he feels that the state needs to expand Medicaid because rural hospitals are in trouble and people can't pay their bills. Anne Dare asked for the total amount of the subsidy that would need to be paid and Clifton said it would be \$1,500,000. Anne asked if anybody has talked to Linn County about buying in because they still rely on our emergency room. Anne stated she knew there is information that cannot be released, but suggested having townhall meetings and creating task forces to be more communicative with residents. Anne asked how long Amberwell has been an entity and where they are based out of. Clifton said it seems like he read they have been around 5 or 6 years and they are from Atchison. Jim said they have a hospital in Hiawatha as well and clinics in other cities. Anne questioned if they had functioning emergency rooms at their hospitals, and Jim replied yes. Anne said it was mentioned on Facebook about keeping pilot funds to use to portion of the county's share of the healthcare subsidy. Mark McCoy said he was here tonight on his own behalf and not representing REDI. Mark said he had a concern with a taskforce because people can't keep things private which can be detrimental when in the process of making deals in any business. Mark stated the plethora of people on

Facebook making comments are keeping businesses out because the majority of comments are negative and nobody wants to come here if it's a negative place. Mark said the cost of operating the old Mercy building with utilities, maintenance, up-keep, and the roof and HVAC issues that come with a building that is at least 20 years old is astronomical. Mark asked if the taxing entities were Bourbon County, the City of Fort Scott, the school districts, and community college and Clifton said yes, we would ask all those to contribute. Mark said EMS does a good job and that a lack of an ER would put a strain on them. Mr. McCoy stated an emergency room is important to Bourbon County and Fort Scott as well as businesses and said it would be in the best interest of businesses to contribute. Mark said that REDI stands ready and will participate but cannot give an exact dollar amount tonight. Matt Sanders asked how we can keep an ER from failing like the other 80% in the state and said he agrees with Anne's suggestion of reaching out to Linn County. Matt asked if there was any term length to the agreement and asked if they were to leave tomorrow do, we get our money back. Matt stated he thinks we are putting a lot of faith in obtaining an REH designation, and that he agrees we need an ER but doesn't think the taxpayers should have to pay for it.

Clifton said REH is our ultimate goal and that it would cost us as a county \$500,000 if we don't have an ER for EMS for another ambulance and staff, so we would have to spend this amount regardless and he personally would rather spend it to have an emergency room to save people's lives. Jim said if we receive the REH that would be a federal subsidy, if we do not it would be up to the Bourbon County people if we want an ER and how we would pay for it. The idea of a sales tax was discussed since everybody, including those individuals just traveling through, would pay it. If a 1% sales tax were voted on by the residents and passed that would be \$1.00 on every \$100 spent and it was asked if a life is worth \$1.00. It was questioned how the county would come up with \$500,000 and the Commissioners stated we could pull the money from several funds, and it would be a matter of not doing things such as working on the courthouse building, replacing windows, or switching software companies next year.

Clifton made a motion to adjourn the meeting at 6:33. Nelson seconded the motion and all approved.



ATTEST:

Jennifer Hawkins

Jennifer Hawkins, Bourbon County Deputy Clerk

10-10-2023 Approved Date

THE BOARD OF COMMISSIONERS
OF BOURBON COUNTY, KANSAS

J. Ham, Chairman

[Signature], Commissioner

[Signature], Commissioner