

In Board of Trustees of the Soldiers' Home in Holyoke

July 14, 2020

MOTION ONE

Be it moved by Trustee Mass and seconded by Trustee Jourdain,

Pursuant to the Board of Trustees of the Soldiers' Home in Holyoke's authority to "adopt reasonable rules and regulations governing outpatient treatment at, admission to and hospitalization in the home" as provided by Massachusetts General Laws Chapter 6 Section 71, and in response to the Report of Attorney Mark Pearlstein, we the Board of Trustees do here by establish the following rules for the management and control of the Home:

1. No employee of the Home shall take a position on the contents of Medical Orders for Life Sustaining Treatment, to include, but not limited to, encouraging or discouraging orders to Do Not Resuscitate, Do Not Intubate, or Do Not Hospitalize. While employees may within the limits of HIPAA provide factual medical information to health care proxies, the employee should take no position about the appropriateness of any directive and if asked indicate that it is a decision that only the veteran or health care proxy can make. Further, no veteran or health care proxy shall be questioned about

their decision or made to feel that the decision is inconvenient or otherwise inappropriate.

2. Notwithstanding any legal exemption to the contrary, the Home shall in addition to Veteran Administration and Joint Commission Inspection, request and fully cooperate with an annual inspection that would otherwise be required of a licensed long-term care facility as proscribed in 105 Code of Massachusetts Regulation 153.00, as it may change from time to time.
3. The interior smoking area of the facility shall be permanently closed; no smoking shall be permitted on the property except in designated and well-maintained exterior smoking areas.
4. Notwithstanding any legal exemption to the contrary, and with the exception of the current Superintendent, whose continued employment will be subject to determination by the Board of Trustees at the earliest convenient date, the Superintendent shall be required to hold a Massachusetts Nursing Home Administrator License or licensure by the Massachusetts Board of Registration in Medicine with substantial healthcare experience in the field of gerontology.
5. Notwithstanding any legal exemption to the contrary, it shall be a requirement that at a minimum either the Superintendent or Deputy Superintendent shall hold a Massachusetts Nursing Home Administrator

License as required by MGL c. 112 sec. 109 in order to ensure effective supervision of the Home.

6. The Home shall employ within 90 days a permanent staffing schedule, with flexibility to staff based on acuity, and the leadership team shall provide monthly progress reports towards this objective to the Board of Trustees.
7. The leadership team shall report to the Board of Trustees the cost and efforts to prepare for the adoption of an Electronic Health Records System on a quarterly basis.
8. The Board of Trustees requests that the Commonwealth of Massachusetts fully fund the adoption of an Electronic Health Records System and refund the Trustee Account of the Home the \$100,000 in donor funds that were taken to help pay for those costs. This is an important capital project worthy of public funding and should not have to rely on private donations that are intended for direct benefits to veterans of the Home.
9. The Home shall develop and execute a plan, which may include the hiring of an occupational health nurse, to ensure that reasonable anticipation and management of staff illness, policies, education and enforcement providing 5-star level staffing levels for all shifts. The leadership team shall provide monthly updates to the Board of Trustees on progress towards this objective.

10. The Home shall prepare and present to the Board of Trustees for adoption a set of policies related to the professional development, continuing education and training, of employees in all aspects of their employment to include, but not limited to, existing policies related to infection control. The leadership team shall provide monthly updates to the Board of Trustees related to the implementation of this objective.
11. Representatives of the unions shall be encouraged to attend meetings of the Board of Trustees and no retaliatory or punitive action shall be taken against any employee, union or non-union, for sharing information or opinion in good faith with the Board of Trustees;
12. Notwithstanding any policy of affirmative action in the solicitation of veteran applicants, veteran status shall never be a substitute for satisfying the minimum experience or qualifications for employment at the Holyoke Soldier's Home at any level including, but not limited to, the position of Superintendent;
13. Notwithstanding the completion of the Pearlstein Report the Home shall continue to cooperate fully with all regulatory or legislative investigations.

MOTION TWO

Be it moved by Trustee Mass and seconded by Trustee Jourdain,

The following Resolution of the Board of Trustees of the Soldiers' Home in Holyoke be adopted:

Whereas, pursuant to the Board of Trustees of the Soldier's Home in Holyoke's moral authority and advisory role to the Department of Veteran's Services, the Executive Office of Health and Human Services, the Governor of the Commonwealth and the State Legislature as prescribed in the individual Trustee's Oath of Office to "bear true faith and allegiance to the Commonwealth of Massachusetts" and to "faithfully impartially discharge and perform all duties

incumbent on me, as Trustee of the Soldier's Home of Holyoke, according to the best of my abilities and understanding",

Be it Resolved that we do hereby resolve to call upon the governments of the Commonwealth of Massachusetts and the United States of America to take the following executive and legislative actions as the may be required:

1. Update forthwith any existing plans for a new facility capable of housing the veterans in accordance with the capacity demands of the Commonwealth's veterans, while ensuring that they, as well all veterans receiving outpatient treatment, receive the best possible healthcare available given the current state of medical science and with provisions to be able to adapt to anticipated changes in the medical field in the foreseeable future; and to apply for both competitive and non-competitive Federal funding and to fully fund any required match.
2. To fund the position of Executive Director of Veterans Services as mandated in Massachusetts General Laws Chapter 115A Section 12 and to fill this critical position with an experienced healthcare leader.
3. To fully fund an upgrade to an Electronic Health Record System, through all possible funding sources including, but not limited to, competitive and non-competitive Federal grants.

The Administrator of the Home shall convey a copy of this resolution to the Office of the Governor of Massachusetts, The Executive Office of Health and Human Services, The Department of Veterans Services, The President of the Massachusetts Senate and Speaker of the Massachusetts House of Representatives, The Majority and an Minority leader of the Massachusetts House and Senate; the Office of the President of the United States, the Secretary of Veterans Affairs, and the entire Massachusetts delegation of Federal legislators.