

STATE OF KANSAS - STATE EMPLOYEES HEALTH CARE COMMISSION

Meeting Minutes

February 16, 2021, 9:00 am

The State of Kansas Employees Health Care Commission (HCC) meeting was called to order on Tuesday, February 16, 2021 at 9:03 am. The meeting was conducted virtually using Zoom following publication to the State of Kansas's Public Square web portal.

The following members were present:

- Chair DeAngela Burns-Wallace
- Commissioner Steve Dechant
- Commissioner Ximena Garcia, M.D.
- Commissioner Jose Castillo
- Commissioner Vicki Schmidt

The following staff and presenters were present:

- Janet Stanek, SEHP Director
- Mike Michael, SEHP Deputy Director
- John Yeary, DofA Chief Counsel
- Tracy Diel, DofA Legal Counsel
- Cynthia Sheppard, outside legal counsel
- Courtney Fitzgerald, SEHP

Welcome

Secretary Burns-Wallace welcomed the commissioners and those listening in. She took some time to be sure all of the commissioners were able to see and hear each other. Reminded all commissioners to please identify themselves when speaking for those listening on the phone.

1. **Litigation discussion - *Boyle v. Kansas State Employees Health Care Commission*, Riley County, Kansas District Court Case No. 2018-CV-000251**

Chair Burns-Wallace explained how the Executive Session would work.

Commissioner Dechant made a motion to enter into Executive Session.

"I move that the open meeting of the Health Care Commission, being held by Zoom, be recessed for a closed, executive meeting pursuant to K.S.A. 75-4319(a), for consultation with an attorney for the Health Care Commission which would be deemed privileged in the attorney-client relationship under the justification listed in K.S.A. 75-4319(b)(2), because discussion of such matters in an open meeting would waive attorney-client privilege; that the Health Care Commission resume the open meeting, being held by Zoom, at 9:37 am; and that this motion, if adopted, be recorded in the minutes and be maintained as a part of the permanent records of the Health Care Commission."

Commissioner Garcia declared a second.

All in favor, none against.

The commissioners returned at 9:37 am and requested additional time to discuss the matter.

Commissioner Dechant renewed his motion to go into executive session for an additional 30 minutes, until 10:10 a.m.

Commissioner Garcia declared a second.

All in favor, none against.

The commissioners returned from Executive Session at 10:10 am.

No action was taken.

Commissioner Schmidt made a motion to adjourn.

Commissioner Garcia declared a second.

All in favor, none against.

The meeting was adjourned at 10:15 am.