

**WESTON COUNTY HOSPITAL DISTRICT  
SPECIAL JOINT BOARD OF TRUSTEES/MEDICAL STAFF MEETING  
Monday, November 15, 2021**

**Present:** Connie James, Chairman; LeAnn Kenagy, Treasurer; Jeff Virchow, Trustee (via Zoom); Mike Ratigan, Trustee; (via Zoom) Jamie Farnsworth, Trustee

**Also Present:** Maureen Cadwell, Chief Executive Officer (via Zoom); Alison Gee, Lubnau Law Office (via Zoom); Kim Scharf, Quality Director; Charlie Turner, Director of Human Resources; Carmen Allison, Home Health Director; Tavis Weidenbach, Pharmacy Manager; Tarah Parsons, Pharmacist; Dr. Sara Thurgood, Physician; Dr. Chuck Franklin, Physician (via Zoom); Dr. Lanny Reimer, Physician; JoAnn Farnsworth, Quality Director; Denice Piscioti, Executive Assistant.

**Visitors:** Alexis Barker, NLJ (via Zoom); Sue Mireles; Nakala Liggett; Suzanne Steele; Jessica Holland

**Call to Order:** Connie James called the meeting to order at 6:00 pm.

The meeting was held to discuss topics related to the COVID Pandemic. What the WCHS Malpractice Insurance covered was reviewed. Off labeling is not covered which means if COVID treatments are not fully FDA approved they are not covered. Clinical trials are not approved unless approved through the underwriting process. Hospital policies for end-of-life care need to be followed.

A conversation was held about what would be involved in having an Ethics Committee. The WCHS Ethics Committee Policy was reviewed. The committee meetings would be a confidential discussion to review cases brought to its attention by concerned individuals directly involved in the case. The goal of the Committee is to respect the rights and to promote the interests of the patient, clarify the issues, promote mutual education, and support all individuals involved in the provision of patient care. The lead consultant will offer recommendations relevant to the ethical issues identified. The ethics consultation is advisory only. Final decisions are made by the patient, family, and the healthcare team.

Once the Centers for Medicare and Medicaid Services regulations were received, staff worked internally along with the WCHS attorneys to develop a policy. WCHS is required to have a policy mandating the COVID vaccine for healthcare personnel. Exemptions for Medical and Religious are allowed. The Medical exemption requirements have to be specific to the COVID vaccine. Staff members need to have exemptions submitted or the first dose by December 5, 2020. It will be treated the like any other CMS rule or regulation during the Wyoming Department of Health Surveys. If the Mandatory COVID regulations are not met or are refused, it could lead to WCHS loosing the Medicare and Medicaid certification. That would me WCHS could not bill for services under Medicare and Medicaid. The policy states how WCHS would enforce the CMS regulation for Mandatory COVID vaccinations. Wyoming Governor Mark Gordon has joined the lawsuit with several other States to stop the regulation. The recommendation was to proceed with following the regulations not to wait for the lawsuit. The way the Occupational Safety and Health Administration (OSHA) rules read, they would come into play if the CMS rules do not need to be met. Another concern WCHS Attorney Allison Gee

stated was the facility losing the licensure altogether because many times it is tied to Medicaid and Medicare. Some insurance companies also require certification under Medicaid and Medicare. To protect the institution, it is the attorney's recommendation to put the pieces in place; give the employees the opportunity to apply for exemptions and in the meantime watch the lawsuit. Employees who qualify for exemptions will be required to wear the appropriate PPE and a surgical mask always covering the nose and mouth. They may also provide proof of immunity to the employee health nurse through a positive COVID test within 90 days or submit to weekly COVID testing. Onsite the testing will be paid for by WCHS, if COVID testing is completed off site, the employee will be financially responsible.

**LEANN KENAGY MADE A MOTION TO ADJOURN AT 7:37 PM, JEFF VIRCHOW SECONDED AND MOTION PASSED.**

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Connie James, President

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