



# Emergence Health Network

El Paso Center for Mental Health/Intellectual Disabilities

## EMERGENCE HEALTH NETWORK BOARD OF TRUSTEES

### MINUTES

(Audio copy of the meeting is available upon request)

Emergence Health Network Board of Trustees (“EHNBOT”) Meeting  
Thursday, October 8, 2015 at 5:05 PM  
Central Administration, Boardroom, 201 E. Main St. Ste. 600, El Paso, Texas 79901  
**PRESENT: CINTRON, STOUT, PEYTON, AGUIRRE, and ESCAMILLA**  
**ABSENT: BARTLETT, HOWARD**

#### 1. INTRODUCTORY ITEMS

- a. **Call to Order and Certification of a Quorum**  
Quorum was certified.

#### 2. REGULAR AGENDA

##### A. **Discuss and take appropriate action regarding possible breach of protected health information regarding certain EHN consumers.**

Mr. Villa explained that as a follow-up to last month’s discussion of an alleged security issue with the EHN servers; and audit was performed and a forensic analysis was done of the servers. There was indication of an intrusion of an SFTP server but there was no proof that protected information was compromised. HHSC was provided with a copy of the audit reporting and it concluded that a breach took place but no data was added, modified, deleted or exfiltrated from the SFTP server as a result of the compromise.

After consultation with the agency’s insurance carriers it was advised that notification must be made to those consumers affected by the breach and that is the purpose of this meeting as it affects numerous individuals.

There will be a notification to the Office of Civil Rights pursuant to the HIPPA regulations. There may be other actions required by the Office of Civil Rights or fines.

Mr. Gonzalez explained that the analysis was performed and it was indicated that EHN was utilized as a proxy to get on the internet. New firewalls and intrusion detection systems have been installed, to minimize the risk of future incidents.

Mr. Cintron inquired if corrective plans taken were sufficient to fulfill requirements by the company’s insurance carriers and the government. The insurance company has been notified and is fully aware of the steps taken and a review is still in process by their adjuster. The Office of Civil Rights will provide technical assistance and will verify that all steps were adequate. HHSC has asked EHN to provide some technical recommendations to other entities that may experience these breaches of information in the future. Validation will be pursued to assure an impartial finding.

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Mr. Duncan Del Toro, Principal Enterprise Security Engineer of Altep noted that EHN has taken the necessary steps in assuring that this does not happen again. A company has been hired to manage the firewalls as well as alert EHN. An internal audit will be conducted.

Dr. Escamilla requested clarification on the item before the Board. Ms. Daugherty explained that the County was informed of this issue and because of the number of records involved there are specific actions required. Mr. Navarro explained that a notification/press release is required and HHSC must be notified and EHN will be populating the system for HHSC. A letter of notification will be sent out in both English and Spanish. Calls coming in as a result of the notification letters will be documented. There was no diagnosis information released just name of individuals that had received services from EHN and were in the County's 15k, HIPPA clients that matched.

Ms. Peyton expressed some concern on the three year time lapse of when the documents were stored prior to an inspection. A draft of the press release will be provided to the board tomorrow prior to release to the media.

Mr. Gonzalez provided an analogy of how the intrusion took place and when it happened. Mr. Villa stated that the requirement is to state when and how it happened to include in the press release.

**ACTION: Motion to provide Ms. Daugherty with authorization to implement any contracts necessary to proceed with the notification process of HIPPA breach in the event it is above her monetary limit not to exceed \$100k and contracts will be brought back to the board was made by Escamilla/Aguirre seconded. Motion carried (5/0)**

**B. Discuss and take appropriate action regarding interlocal agreement with the County of El Paso for provision of mental health services in the El Paso County Detention Facility and El Paso County Jail Annex.**

Ms. Daugherty explained that the interlocal agreement with the County is included in the documents before the board. The term sheet will be incorporated into the agreement and is what is anticipated on the terms for the November 1, 2015 start date. Ms. Chrystal Davis has been working on the agreement with the County and the financials involved in the various services to be provided. This will be a carefully planned implementation as training will be required for the providers. A timeline has been developed for a smooth process to assess the individuals on the services they require. Reimbursements of the services will be provided. Staff has been identified and recruitment is being done internally. Ms. Daugherty added that this project is modeled after successful programs utilized in other areas of the state. A question was raised if family therapy would be provided and it was noted that it would not. A recommendation was made to look into that service.

**ACTION: Motion to approve the CEO to hire necessary staff pursuant to the interlocal agreement with the County of El Paso for Jail Services and any deviation will be brought back to the Board was made by Aguirre/Peyton seconded. Motion carried. (5/0)**

**3. ADJOURNMENT**

**THE MEETING ADJOURNED.**

Approval Date: Oct. 23, 2015

By: Martin W. Bartlett

Martin Bartlett, Board Secretary