



The Mission of Foothills Gateway, Inc. is to advocate for and empower individuals with disabilities to lead lives of their choice.

**Board of Director's
Agenda
November 18, 2014
7:00pm**

MEETING CALLED TO ORDER

Open Forum-Please limit presentations to 10 minutes

PRESENTATION

CONSENT AGENDA

Approval of Minutes – October 21, 2014

December Meeting Decision

2015 Board Meeting Schedule

Holiday Breakfast Invite – December 23rd

FGI Giving Tree

FINANCIAL REPORT

OLD BUSINESS

Conflict Free Case Management Consultation Update

NEW BUSINESS

MOU Review

Board Self-Evaluation Survey

Annual Policy Review & Approval

COMMITTEE REPORTS

Executive Committee

Fiscal and Property Committee

Legislative Strategy Committee

Dial-A-Ride Letter

Joint Resource Committee

Succession Planning Update

ADJOURNMENT

Meeting Schedules for 2015

Foothills Gateway, Inc. strives to meet all requirements and intents of the Colorado “Open Meetings” law and in that endeavor, provides the following listing of regularly scheduled meetings involving the FGI Board of Directors. Additional meetings and events may be scheduled from time to time and interested parties should check by calling (970) 226-2345 or emailing info@foothillsgateway.org for more information or a more detailed meeting schedule and agendas.

Foothills Gateway Board Meetings:

Typically, all Foothills Gateway Board Meetings are held on the third Tuesday of each month at 7:00 p.m., except for the Annual Membership and Board Meeting, which is held on the first Monday of March.

- Tuesday, January 20, 2015
- Tuesday, February 17, 2015
- Monday, March 2, 2015 **Annual Membership & Board Meeting**
- Tuesday, April 20, 2015
- Tuesday, May 19, 2015
- Tuesday, June 16, 2015
- Tuesday, July 21, 2015
- Tuesday, August 18, 2015
- Tuesday, September 15, 2015
- Tuesday, October 20, 2015
- Tuesday, November 17, 2015
- December, 2015 – TBD

Fiscal and Property Management Committee:

The Fiscal and Property Management Committee reviews and makes recommendations to the Board of Directors for approval of annual operating budget, quarterly financial reports, long range financial planning and the annual financial audits. In addition, the Fiscal and Property Management Committee monitors the condition of physical assets and recommends budgetary funding of repairs, improvements, and replacements, as required.

- Meeting dates are identical to the Board meeting dates with a 6:00 p.m. start time.

Executive Committee:

The Executive Committee monitors the organization's programs and services to insure that they are consistent with the Mission Statement and the organization's purpose.

Typically, all meetings are scheduled at 7:30 a.m. on the Friday prior to Board Meetings. Please see the following schedule:

- Friday, January 16, 2015
- Friday, February 13, 2015
- Friday, February 27, 2015
- Friday, April 17, 2015
- Friday, May 15, 2015
- Friday, June 12, 2015
- Friday, July 17, 2015
- Friday, August 14, 2015
- Friday, September 11, 2015
- Friday, October 16, 2015
- Friday, November 13, 2015
- December, 2015 - (The December meeting is typically cancelled due to the holidays)

Legislative Strategy Committee:

The Legislative Strategy Committee discusses and plans around local, state, and federal atmospheres.

Typically, all meetings are scheduled at 7:30 a.m. on the second Thursday of each month. Please see the following schedule:

- Thursday, January 8, 2015
- Thursday, February 12, 2015
- Thursday, March 12, 2015
- Thursday, April 9, 2015
- Thursday, May 14, 2015
- Thursday, June 11, 2015
- Thursday, July 9, 2015
- Thursday, August 13, 2015
- Thursday, September 10, 2015
- Thursday, October 8, 2015
- Thursday, November 12, 2015
- December, 2015 - (The December meeting is typically cancelled due to the holidays)

Joint Resource Committee:

The Joint Resource Committee is comprised of members from both the Foothills Gateway, Inc. and the Foothills Gateway Rehabilitation Center Charitable Foundation Trust Boards and its purpose is to coordinate, develop and undertake long-range fund development planning; assist in the review of existing policies and the development of new policies relative to the solicitation and acceptance of donations and fund development; and review of existing fund raising events and developing plans for new fund raising activities.

Typically, all meetings are scheduled at 7:30 a.m. on the fourth Wednesdays of each month. Please see the following schedule:

- Wednesday, January 28, 2015
- Wednesday, February 25, 2015
- Wednesday, March 25, 2015
- Wednesday, April 22, 2015
- Wednesday, May 27, 2015
- Wednesday, June 24, 2015
- Wednesday, July 22, 2015
- Wednesday, August 26, 2015
- Wednesday, September 23, 2015
- Wednesday, October 28, 2015
- Wednesday, November 25, 2015
- December, 2015 – (The December meeting is typically cancelled due to the holidays)

Other Meetings as Scheduled:

- Succession Planning – January 16, 2015 - 9:00 – 10:00 am
April 17, 2015 - 9:00-10:00 am
July 17, 2015 - 9:00-10:00 am
October 16, 2015 - 9:00-10:00 am



Because you are a
Special Friend of
Foothills Gateway,

You are cordially invited
to attend the:

**Foothills Gateway
Annual
Holiday Breakfast!**

Place: **Foothills Gateway Gymnasium**

Date: **Tuesday, December 23, 2014**

Time: **7:15 am**

Hope to see you there!

No RSVP required, but if you have any questions, please call Jamie Martin @ 266-5304

THE GIVING TREE



IT'S THAT TIME OF YEAR AGAIN!

*This year the Giving Tree is again being dedicated
to the individuals served by Foothills Gateway
who have no family or gifts coming in.
We are asking for your help
to give someone a gift to open on Christmas.*

The Giving Tree will be up and ready by November 18th!
The tree will have numbered gift tags for you to pick up.
These tags will have up to three gift ideas
(only one of the suggested gifts needs to be purchased).

Please fill out AND return the bottom portion of the tag to Linda or Joanie.
Return wrapped gift with tag to front desk by December 10th.

FOOTHILLS GATEWAY, INC.

Preliminary Financial Reports
for the 4 months ending October 31, 2014

MONTHLY FINANCIAL HIGHLIGHTS

- * Revenues are 3.7% under YTD Budget
- * Expenses are 7.8% under YTD Budget
- * Net Loss is \$353,450 less than YTD Budgeted Net Loss

Financial Status	at June 30, 2014	at October 31, 2014	Incr (Decr)
Total Assets	\$11,937,465	\$11,159,063	(\$778,401)
Total Liabilities	\$1,844,071	\$1,436,135	(\$407,936)
Net Assets (Fund Balances)	\$10,093,394	\$9,722,929	(\$370,465)
Working Capital	\$5,234,720	\$5,190,021	(\$44,699)

Current Year Financial Performance at 4 months / 33.3% of annual revenue and expense

	Actual Year to Date	YTD Budget	% Actual to YTD Budget	Annual Budget	% Actual to Annual Budget
Revenues					
State/Medicaid Funds	\$6,523,655	\$6,780,959	96.2%	\$19,930,765	32.7%
Vocational Income	119,888	110,268	108.7%	330,804	36.2%
Public Support	105,505	79,540	132.6%	241,520	43.7%
Larimer County Mill Levy	77,719	100,643	77.2%	3,227,095	2.4%
Other	160,684	181,838	88.4%	552,268	29.1%
Total Revenue	\$6,987,451	\$7,253,248	96.3%	\$24,282,452	28.8%
Expenses					
Salaries, Taxes & Benefits - Staff	\$3,247,338	\$3,563,346	91.1%	\$11,035,059	29.4%
Salaries, Taxes & Ben - Individuals in Svcs	97,263	77,108	126.1%	231,324	42.0%
Vocational/Contract Supplies	12,620	11,820	106.8%	35,460	35.6%
Supplies, Equipment & Building Expense	286,638	367,561	78.0%	1,021,443	28.1%
Vehicle Expense	181,741	182,306	99.7%	562,853	32.3%
Program Related Expense	758,153	899,225	84.3%	2,953,707	25.7%
Purchase of Service	2,660,189	2,742,604	97.0%	8,094,295	32.9%
Other	113,975	133,192	85.6%	416,966	27.3%
Total Expenses	\$7,357,916	\$7,977,162	92.2%	\$24,351,107	30.2%
Revenue Over (Under) Expense	(\$370,465)	(\$723,914)	51.2%	(\$68,655)	539.6%
Less: Other Capital Expenditures	-25,906	-194,856	13.3%	-364,127	7.1%
Less: (Purch)Sell Long Term Invstmnts	282,033	0	0.0%	0	0.0%
Plus: Non-Cash Expenses	69,639	116,617	59.7%	366,869	19.0%
Change in Working Capital	(\$44,699)	(\$802,153)	5.6%	(\$65,913)	67.8%

TEPS

RESPONSIBILITY

		RESPONSIBILITY
Initial Planning Considerations		
1	Define Separation Structure(s)	
2	Internal Process Considerations	
General Separation Issues		
1	Identification and Grouping of Businesses	
2	Capital Structure Considerations	
3	Allocation of Assets and Liabilities	
4	Viability/Solvency Analysis	
5	Governance Considerations	
6	Spin-Off Management and Employee Matters	
7	Consent Requirements	
Communications Strategy Activities		
1	Establish Disclosure Policies	
2	Board / Membership Presentation	
3	Stakeholders Relations Activities	
4	Employee Relations Activities	
Transition Agreements		
1	Separation and Distribution Agreements	
2	Transition Services Agreement - ST	
3	Operating Agreements for Services (arms length) - LT	
	Agreements regarding future fund raising activities	
5	Medicaid/Tax/IRS/ERISA matters agreement	
6	Restriction on Spin-Off for designated period to take action without parent co's consent	
7	Employee Matters Agreement	
8	Develop Marketing Plan	
Corporate Legal Structure Activities		
1	Organizing Resolutions	
2	Articles of Incorporation	
3	Corporate By-Laws	
4	Elect Board Officers	
5	Register with Secretary of State	
6	Financing Agreements	
7	Federal Tax # Application	
8	State Tax # Application(s) - Income/Payroll, Unemployment	
9	State & City Sales Tax Application	
10	IRS 501(3) Application for Nonprofit Status of Spin-off - Fed, State, County	
11	Register Charity with Secretary of State	
12	Allocate Costs incurred by Parent on behalf of Spin-Off (legal, printing, ins., etc.)	
Spin-Off Corporation Internal Operating Activities		
1	Create Administrative Mechanisms	
2	Prepare Operational Documentation	

2014 Incorporate Restructure Planning



STEPS

	RESPONSIBILITY	INFO/ACTION	DELIVERABLE	TIMELINE
Initial Planning Considerations				
1	Define Separation Structure(s)			
	- Reasons for Spin Off			
	- Review Spin Off/Split-Off Structure(s) Alternatives			
	- Evaluate Impact on CCB Status and Requirements			
	- Evaluate Impact on Mill Levy revenues			
	- Evaluate relationship to Foundation			
2	Internal Process Considerations			
	- Define Process Planning Methodology			
	- Planning by Board of Directors			
	- Authorization to Proceed			
	- Planning by Management			
	- Planning by Proposed Spin-Off Company Management			
	- Other Stakeholder Considerations			
General Separation Issues				
1	Identification and Grouping of Businesses			
2	Capital Structure Considerations			
	- Subsidiary or Separate Legal Entity			
	- Determine degree of autonomy desired for Spin-Off			
3	Allocation of Assets and Liabilities			
	- Determine Asset Valuation Methodology			
4	Viability/Solvency Analysis			
	- Prepare Audited Historical Financial Statements for Spin-Off			
	- Prepare Pro Forma Financial Statements			
	- Legal and Financial Due Diligence			
5	Governance Considerations			
	- Duties of Parent Board			
	- Corporate Structuring of Spin-Off Company			
	- Governance of Spin-Off Company			
6	Spin-Off Management and Employee Matters			
	- Composition of Management			
	- resolve Spin-Off stand-alone management needs			
	- Allocation of Employees & Employee Benefits			

2014 Corporate Restructure Planning



STEPS

	RESPONSIBILITY	INFO/ACTION	DELIVERABLE	TIMELINE
1	- Cross-Indemnification of historical liabilities			
	- Representation and warranties regarding the assets and liabilities to be transferred			
	- Contracts to be Assigned			
	- prepare "primarily related to" schedule - specific enumeration of contracts/leases			
	- Employee Benefit Plan Separation			
	- determine if division of 401(k) Plan is necessary			
	- Health, Dental, ST & LT Disability, EAP policy amendments & new policy preparation			
	- Licenses to be Assigned			
	- prepare "primarily related to" schedule - specific enumeration of licenses			
	- prepare new license application(s)			
	- Agreement with regard to information retention and confidentiality			
	- Allocation of rights and obligations under existing insurance policies			
	- with respect to claims or occurrences & procedures for administration of claims			
	- Indemnification			
	- Mechanics of Distribution			
2	Transition Services Agreement - ST			
	- Continuation of services during interim			
	- legal, payroll, accounting, human resources, IT, maint, equipment, joint staffing			
- Price services				
- Set interim time period				
3	Operating Agreements for Services (arms length) - LT			
	- Payroll, Training, Human Resource Services			
	- Accounting/Financial Services			
	- IT services			
	- Other Services as required			
	- Facility Leasing			
	- Vehicle Maintenance			
	- Building Maintenance			
	- Phones			
	- Receptionist Services			
	- Agreements regarding future fund raising activities			
	- Distribution of donations received during transition period			
5	Medicaid/Tax/IRS/ERISA matters agreement			

2014 Corporate Restructure Planning



STEPS

	RESPONSIBILITY	INFO/ACTION	DELIVERABLE	TIMELINE
		- payment of taxes, retention of records, conduct of audits, examinations, etc.		
		- Indemnification		
6		Restriction on Spin-Off for designated period to take action without parent co's consent		
7		Employee Matters Agreement		
		- Allocate Employee related liabilities and responsibilities		
		- employee compensation plans		
		- employee benefit plans, programs and related matters		
8		Develop Marketing Plan		
		- name Spin-Off corporation		
		- develop branding, Logo, marketing materials, etc.		
		- develop Website		
		- develop advertising approach / press release(s)		
		- evaluate consultant/printing costs		
		Corporate Legal Structure Activities		
1		Organizing Resolutions		
2		Articles of Incorporation		
		- Parent Co.		
		- Spin-Off		
3		Corporate By-Laws		
		- Parent Co.		
		- Spin-Off		
4		Elect Board Officers		
		- Establish Board Committees		
		- Establish Board & Committee meeting schedules		
		- Prepare related Board documents, financial resolutions, Board approval limits		
5		Register with Secretary of State		
6		Financing Agreements		
7		Federal Tax # Application		
8		State Tax # Application(s) - Income/Payroll, Unemployment		
9		State & City Sales Tax Application		
10		IRS 501(3) Application for Nonprofit Status of Spin-off - Fed, State, County		
11		Register Charity with Secretary of State		
12		Allocate Costs incurred by Parent on behalf of Spin-Off (legal, printing, ins., etc.)		

Memo

To: Foothills Gateway Board of Directors,
Gregg Seebohm seebohmg@gmail.com
Tim O'Neill <timo@foothillsgateway.org>

From: J. Brad March

Date: October 29, 2014

RE: Foothills Gateway Reorganization

Having been dilatory in providing the requested memorandum outlining preliminary thoughts related to the possibility of reorganizing Foothills so as to be able to separate service and case management activities you are due apologies. The separation of these functions within the community-centered board section created originally by title 27, article 10.5 C.R.S. and moved to title 25.5, article 10 C.R.S. to avoid inherent conflicts. Accomplishing separation will involve both statutory modifications as well as substantial evaluation of impacts associated with disentangling operations that have long been carried out under a single umbrella organization. I recognize that others, Sharon particularly, are much more involved in issues, legal and accounting issues will in many cases run parallel and Sharon, being in house will likely have a more precise outline than my analysis.

Inherent Issues for Foothills. Issues that will need to be addressed in conjunction with restructuring may include but certainly will not be limited to:

- **Business Plan/model.** While rudimentary, it would be helpful to develop a business plan that defines functions of the current Foothills and the reorganized Foothills. The plan needs to address role, funding, assets, employees, facility needs, equipment needs. This plan is likely well established in minds and may be written down already.
- **Entity.** There will likely be a need to form a new entity or entities to perform the separate/separated case management and service provider functions. Formation of

new entities will require re-establishing new a company(s) and documents which may include the following.

- **Multiple entities.** From our discussions it was my impression that there would be at least one new business entity. Other entities may be necessary/advisable. Determination of separate business entities keys to questions of both functions and liability avoidance. Maintaining the Foundation for a time may or may not be logical short term.
- **Choice of entity.** The type of entity chosen will in part determine the entity governance model, although it is possible to structure an entity that does not fit normal perceptions of entity structure. The designation as profit/non-profit entity can take the form of either a corporate or an LLC model. Less likely other potential entities might include a partnership, governmental entity (possibly including a governmental authority) or a limited partnership.
 - **Corporation.** More traditional mechanism, governance is usually by officers and directors. Requires filing of articles of incorporation. Will also need bylaws and minutes for an organizational meeting.
 - **Limited Liability Company.** Governance is usually by managers and members. Requires filing of articles of organization. Would also need an operating agreement and documentation relative to the organizational meeting.
- **Control.** Control of any newly established entity will need to be defined. There was some discussion that a new entity might be structures as “for-profit” as opposed to non-profit/charitable. These questions will have to be evaluated at the outset.
 - **Profit ownership.** If the company is for profit there will have to be ownership (e.g. stockholders), voting, transferability of ownership, profit distributions and tax accounting for owners. Ownership could take a variety of forms including for profit ownership by members of the community or, perhaps ownership by the existing non-profit entity of a new for profit entity

- **Non-profit ownership.** If the company is to be set up as a non-profit entity then a mechanism for control of the entity, i.e. appointment of management/directors, needs to be established. For example, recently we have questioned Foothills bylaws which allow donors to vote at an annual meeting for directors and have considered modifying the bylaws to do away with membership and have directors internally fill vacancies.
- **Tax reporting.**
 - A separate entity will need a Tax ID Number
 - New charitable qualifications
 - Federal tax exempt 501c3 or other filings for new entity.
 - State tax exempt numbers (sales tax).
 - Possible local tax exempt recognitions.
 - Secretary of State registration of charity.
- **New employee handling.**

Presumably there will be a need to identify employees as employed by one or the other of the new entities and structure for management of employees.

- Establish new Employee payroll accounts / see tax numbers.
- Benefits.
 - Termination of employment. Do you terminate an employee when transferred to the new company/ This may give rise to claims.
 - 401K /retirement accounts.
 - Health insurance.
 - Affordable Care Act – ACA issues, is there a current non-qualified plan?
 - Vacation time. Do you have to pay out vacation time for employees when transferred or will vacation time be assumed by the new company hiring the employee?
 - Past claims. If there are past claims in Foothills, realized or not realized, and an employee is transferred what is the status of claims?

- **Audits.**
 - Will it be necessary to audit both entities? Are entities related? Will audit costs be split?
- **Charitable Donations.** – Which entity receives charitable contributions? Which, or are both, organization(s) are charitable? How are allocations between new entities if both are charitable. There is a need to avoid competition among entities for contribution dollars. This may bode for defining each entity's charitable role as well as the business role.
 - **Foundation.** There has been discussion that the Foundation needs to be merged into Foothills, this raises questions as to what would happen to the assets, whether both the existing and new entity are charitable. If the Foundation is to be merged in Foothills it can only dissolve if its assets are transferred to a non-profit. Closing the Foundation may not be logical as it is a prequalified tax exempt entity. It may be possible to utilize tax exempt status in the process of the spin off. Is it logical to qualify the corporate arm of the foundation as tax exempt as it has an operating history?
- **Boards/officers.**
 - The type of entity chosen will define in some respects the entity.
 - Each new entity will have separate governance.
 - Will each entity need separate officers?
 - It may be possible to have the same boards or overlapping members for a period of time and then spin off new boards.
- **Bank accounts.** Presumably the entity to be formed will need to establish banking relationships and one or more bank accounts.
- **Regulatory and tax issues** will need to be evaluated and lay into which entity receives which tasks/assets. It will simplify matters the more of the attributes/assets/designations the existing Foothills entity retains.
- **Contract rights.** An asset that Foothills holds which is not shown on the Foothills books centers on contract rights. These rights may take a number of forms which likely will

take some time to evaluate. These contracts may range broadly from: state contracts, other governmental contracts, contracts with providers including health care, your phone/internet service, lawn care service, trash service, care-a-van, consultation contracts, postage meter, office supply providers, maintenance contracts, snow removal contracts ... With all contracts there is a component of a contract right as well as there is usually an obligation. Most contracts are not assignable without consent of the other party to the contract. There needs to be an effort to identify and evaluate contracts and determine who will assume/receive the contract benefit. You may have particularly favorable contracts that will need to be renegotiated with possible loss of favorable terms.

- **State Contracts.** Presumably State contracts, and likely regulations, will need to be restructured to take into account the new operating model and to divide functions.
- **Other Liabilities.** There needs to be consideration of liabilities as between any new entities and perhaps concerns surrounding liabilities among employees and how those may flow back through new entities and whether there need to be indemnities offsetting liabilities. In addition to contractual liabilities there needs to be an effort to identify other potential liabilities by way of tort claims, tax claims, employee claims, including existing and potential claims, including possible latent claims, that could be made in the future and how these claims would be handled.
- **Governmental immunity.** As a quasi-governmental entity Foothills currently may have some limited governmental immunity. Need to evaluate who retains immunity, if anyone or both.
- **Open meetings/records.** New statutory changes make Foothills subject to hybrid open meetings rules. Need to evaluate which entity or both will be subject to the rules on an ongoing basis.
- **CCB Designation.** There will need to be determination of which entity retains the CCB (this is dependent on possible statutory modifications) designation.
- **Mill Levy.** The CCB, which is currently Foothills receives the mil levy dollars. The ballot language will need to be examined to evaluate whether the mil levy must stay

with Foothills. Getting new voter approval to shift the mil levy to another entity would be problematic. Presumably the mil levy would follow the CCB designation.

- **Property ownership.** Foothills owns substantial real estate in the center and perhaps in group home properties as well as substantial personal property. Currently the property has tax exempt status if owned by Foothills, which is tax exempt. If a for profit entity is used as a new entity property tax issues must be considered.
 - **Transfer of assets.** It will likely be necessary to transfer certain assets to the new entity to allow the new entity to perform its functions.
 - **Transfer consideration –** There will need to be some determination of asset value for purposes of transfer to a new entity.
 - Foothills can presumably fund a new non-profit and donate/transfer assets to the new entity. The new entity would not have to pay for the assets and the assets would come off of the corporate books. Transfer of assets without consideration would be more problematic to a for-profit entity.
 - Foothills could sell assets to a new entity and carry back a note which would substitute the note for the assets on Foothills books.
 - **Leases.** There will clearly be some assets that will be jointly used, for example, the Center and jointly used equipment. Property that cannot be transferred can be leased. Lease rates will need to be established. To the degree that lease rates are not reasonable the separate nature of the entities will be subject to question. To the degree lease rates are reasonable the rates may prove prohibitive from a cost standpoint.
 - **Operating Capital.** As part of assets, there needs to be an analysis for the new company of needed operating capital and how that operating capital is to be accessed by the new entity.
- **Insurance.** Likely separate entities will need separate insurance. If the new entity is a Foothills tenant the new entity will need to provide insurance for building and for any property, together with liability insurance. One would think that the same risk is being

insured against, notwithstanding this, insurance for separate entities may be more expensive than insurance for one entity. Evaluate insurance from liability, employee, property, lessee, officer/director. Co-insurance and waiver of subrogation may be possible.

- **Profit v. Nonprofit Considerations.**

- **Foundation.**

- **Tax status.**

- **Tax filings.**

- **Employees.** Each separate entity will presumably have separate employees; particularly, initially, some employees who provide functions for both case management and services will likely continue to be needed by both organizations. The manner in which these services will continue to be provided, or if they can continue to be provided, and will likely necessitate contracts between the respective new entities, particularly, administrative services such as accounting, HR, and payroll. It likely would be prudent to project dates by which contracted-for services will be separated with each entity utilizing separate providers so as to afford further autonomy. This may lead to issues related to loaned employees.

- **Joint employees.** There will be some employees that have traditionally provided functions for both the pre-existing companies operations as well as the new companies operations. There may need to be an arrangement whereby these employees wherever they land, contract to provide functions for the other entity. It may be that provision of these services will be temporary (the first few years) or long term. Contracts likely will need to be developed to define the services provide, perhaps the employee providing the services and the cost.

- Pension/Retirement Plan Services/contracts/funds – you may need to
- Workers comp/unemployment – If you create a new entity and transfer employees you likely will need to establish new workers comp/unemployment insurance which may mean establishing new risk ratios for the new entity
- Insurance

- Joint costs. In addition to employees various other costs will also overlap and be joint. Costs of this nature need to be identified and addressed.

- Timing of split.

There are issues surrounding timing of a split. This may not be a single date, it is possible that numerous timelines will exist. It may be that leases for space and agreements for services will create new timelines. Board structuring may have the same board members for a time r overlapping board members. Common officers may be possible for a time or long term?

- Liability

From a liability standpoint, the more intertwined the organizations are and the less defined each role is the greater the potential is that claims will be made against both or that both entities will be found liable for each others actions/liabilities. Total separation will be difficult, particularly early on. Passage of time should allow for greater separation/autonomy. Some of these issues can be addressed contractually with agreements defining obligations/roles.

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MEMORANDUM OF UNDERSTANDING

between

Foothills Gateway, Inc. – Board of Directors (FGI)

and

Foothills Gateway Rehabilitation Center Charitable Foundation Trust's Trustees (Foundation)

WHEREAS, Foothills Gateway, Inc. (**FGI**) was formed and exists for the purpose of carrying out its mission of advocating for and empowering individuals with disabilities to lead lives of their choice with a vision of a life of opportunity, of choice, and of dignity for every individual, regardless of age or ability; and

WHEREAS, Foothills Gateway Rehabilitation Center Charitable Foundation Trust ("**Trust**") and the Foundation Board ("**Foundation**") was incorporated for the purpose of serving as the corporate trustee of the Trust; and

WHEREAS, in accordance with its mission of providing and overseeing financial and supplemental resources in support of FGI, the Foundation holds several fundraising events yearly and has also established an Endowment fund ("**Endowment**") with the Community Foundation of Northern Colorado (CFNC), with the intent that income generated by the Endowment be used for the purpose of supporting FGI objectives; and

WHEREAS, the FGI board, in consultation with the management team, will maintain a current needs list and communicate the needs to the Foundation board for the purpose of fundraising; and


WHEREAS, the Board of Directors for both FGI and the Foundation are desirous of encouraging additional contributions to the endowment fund, and recognize that notwithstanding the desire of both Boards to see the long term endowment fund increase, there may be certain immediate needs which may need to be met from the available Foundation resources;

NOW THEREFORE, the Boards of Directors of FGI and the Foundation resolve as follows:

1. All members of both Boards shall commit to actively assist with and/or attend at least one event of the other board per year, shall actively participate by volunteering, fundraising, donating or soliciting other participants (time/treasure/talent) and attend events that are held to promote fundraising and raise awareness of the mission of FGI and the Foundation. The fundraising coordinators will provide a list of needs for each event.
2. Members of both Boards will plan to meet and hold a joint meeting a least once per year to review their respective agreed upon roles and responsibilities; review the Strategic Plan, and enter into a new Memorandum of Understanding and review, update and renew this and future Memorandum(s) of Understanding, as needed and review the Needs List process.

3. Each Board will agree to a process of sharing information from each board's meetings and will invite a representative from the other board to attend meetings when there are topics that may pertain to or affect both boards.
4. Representatives of both Boards shall work cooperatively through the Joint Resource Committee to identify major donors and assist with, and encourage contributions to be directed to the Endowment fund to insure a long term source of revenue for the benefit of FGI's mission.
5. Both Boards, through representatives on the Joint Resource committee, will work to establish annual contribution goals for the Endowment fund and will develop a plan of action to locate and solicit both new and existing donors to meet these long term endowment goals.
6. The Foundation will donate to FGI an amount equal to 4% of the principal endowment balance annually, subject to available resources, without reducing the Endowment. The funds will be expended based upon the communicated Needs List.
7. This annual donation will be determined on August 1st based on the ending fiscal year's June 30th Endowment balance. This amount will be validated on the following May 1st and will be paid on or near the beginning of the fiscal year – July 1st.

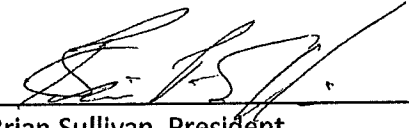
This Memorandum of Understanding is hereby agreed upon this 20th day of August, 2013.



Gregg Seebohm, President
Foothills Gateway, Inc.

9/10/13

Date



Brian Sullivan, President
Foothills Gateway Foundation

8/29/13

Date

2013 FOOTHILLS GATEWAY INC. BOARD EVALUATION

December 2nd – 20th, 2013

The following table can be used by all board members, Management Team and the executive director to get an impression of how well the board is doing. The table is a rather basic form for board evaluation. But, if the evaluation is conducted wholeheartedly, the form should indicate how the board is generally doing in conducting its role. Comments, whether the question was answered in a positive, neutral or negative manner, are more than appreciated!

	Considerations	5 Very Good	4 Good	3 Ave.	2 Fair	1 Poor	No Basis For Judgment	Comment
1	My understanding of the organization's mission, vision, and core values is:							
2	My understanding of the legal requirements and stipulations under which the Board act is:							
3	When outside auditors present the financial statements, my understanding of those documents is:							
4	My attendance at Board meetings is:							
5	My preparedness for Board meetings is:							
6	My working relationship with other Board Members is:							

7	Board has full and common understanding of the roles and responsibilities of a board																			
8	Board members understand the organization's mission and its products / programs																			
9	Structural pattern (board, officers, committees, executive and staff) is clear																			
10	Board has clear goals and actions resulting from relevant and realistic strategic planning																			
11	Board attends to policy-related decisions which effectively guide operational activities of staff																			
12	Board receives regular reports on finances/budgets, products/program performance and other important matters																			
13	Board helps support Foundation Board fundraising goals?																			
14	Do you contribute to FGI financially, exclusive of contributions to the Foundation?																			
15	Board effectively represents the organization to the community?																			
16	Board meetings facilitate focus and progress on important organizational matters?																			
17	Board regularly monitors and evaluates progress toward strategic goals and product/ program performance?																			

18	Board regularly evaluates and develops the Executive Director?												
19	Board has approved comprehensive personnel policies which have been reviewed by a qualified professional?												
20	Do you, as a Board Member, feel interested and involved in the Board's work?												
21	All necessary skills, stakeholders and diversity are represented on the board?												
22	Name												

Please list the one to three points on which you believe the board should focus its attention in the next year. Be as specific as possible in identifying these points.

1.

2.

3.



Policy Change Request Form

Name of Policy Requesting Change Eligibility Committee changing to Determination of Developmental Disability Committee

Current Policy Book Section (s) Case Management

What change is requested?(also, please attach old policy and requested policy)

Eligibility Committee - Determination of Developmental Disability Committee

OLD

It shall be the policy of Foothills Gateway, Inc. that an Eligibility Committee (EC) be established to determine whether an applicant has a developmental disability and is therefore eligible to receive services, and make recommendations for services funded by the Division for Developmental Disabilities (DDD).

NEW

It shall be the policy of Foothills Gateway, Inc. that Developmental Disability Determination Committee (DDDC) be established to determine whether an applicant has a developmental disability and therefore may be eligible to receive services and supports pursuant to Sections 27-10.5-102 and 106,C.R.S. funded by the Division for Developmental Disabilities (DDD).

Why is this Policy change necessary?

It is no longer allowed to be referred to as the Eligibility Committee, it now needs to be referred to as the Developmental Disability Determination Committee

*Submitted
by: Debbie
Lapp*

Foothills Gateway, Inc.
Policy Statements for Board Annual Review
November 18, 2014

The following is a list of all Foothills Gateway, Inc. policies as of November 17, 2014. Please review each policy for approval at the November 18th Board meeting. All policies have previously been approved by the Board at inception and on an annual basis and any changes or revisions have been reviewed and approved as submitted throughout the year .

Administration

Accessibility

It is the policy of Foothills Gateway, Inc. to remove, where possible, barriers to employment, architectural, attitudinal, environmental, financial, communication, community integration, technology, transportation barriers, service information, and any other barriers identified for persons receiving services, staff and stakeholders.

Anti-Discrimination Policy

It is the policy of Foothills Gateway, Inc., incorporated in the State of Colorado, to not discriminate on the basis of race, color, creed, national origin, gender, sexual orientation (as defined by the Colorado anti-Discrimination Act to be a person's orientation to heterosexuality, homosexuality, bisexuality, or transgender status or an employer's perception thereof), religion, age, disability or other legally protected status in admission to, access to, or operations of its programs, services or activities.

Confidentiality

It shall be the policy of Foothills Gateway, Inc. that every person receiving or seeking services has the same legal rights and responsibilities as other individuals including the right to have the information concerning the person be handled in a confidential manner.

Conflict of Interest

It is in the best interest of Foothills Gateway, Inc. and the individuals it serves to be aware and properly manage all conflicts of interest and appearances of a conflict of interest, in accordance with the goals of accountability and transparency. Therefore, it is the policy of Foothills Gateway, Inc. that no member of the Foothills Gateway, Inc. Board of Directors, any of its committees, or employees shall derive any personal profit or gain, directly or indirectly, by reason of his or her participation with Foothills Gateway, Inc. Each board member shall disclose to Foothills Gateway, Inc. any personal interest that he/she may have in any matter pending before Foothills Gateway, Inc. and shall refrain from participation in any decision on such matters. Each board member shall refrain from any business or personal activities or practices that would be in conflict with Foothills Gateway, Inc.'s full performance of its contractual obligations.

Any member of the Foothills Gateway, Inc. Board of Directors, any of its committees, and employees shall refrain from obtaining any list of Foothills Gateway, Inc. staff, families, or vendors for personal or private solicitation purposes at any time during the term of their affiliation.

Corporate Compliance Policy Statement

It is the policy of Foothills Gateway, Inc. (FGI) to have a Corporate Compliance Program that is committed to preventing, detecting, and resolving inappropriate business practices, improper conduct, and/or violations of law, with a further goal to foster an ongoing effort to improve quality of operational performance.

Dispute Resolution

It is the policy of Foothills Gateway, Inc. that all persons receiving services, or applicants for services, or parents of a minor, guardians and/or authorized representatives are entitled to report any dispute without fear of adverse actions as a result of filing said dispute.

These policies and procedures govern disputes in the following areas (Pursuant to Section 27-10.5-104.5 (3)(C)CRS).

1. Disputes between Individuals and Larimer County Program Approved Service Agencies under contract with Foothills Gateway, Inc., and Individual and Foothills Gateway, Inc.-Community Center Board.
2. Contract disputes between Foothills Gateway, Inc. and Larimer County Program Approved Service Agency(s); and,
3. Disputes between Colorado Department of Human Services and Foothills Gateway, Inc. or the Colorado Department of Human Services and Larimer County Program Approved Service Agency(s).

-
- i. Disputes between Individuals and Larimer County Program Approved Services Agencies under Contract with Foothills Gateway, Inc. and Individuals and Foothills Gateway, Inc.-Community Center Board.

Federal False Claims Act Prevention and Detection of Fraud and Abuse

It is the policy of Foothills Gateway, Inc. (FGI) to detect and eliminate waste, fraud or abuse related to payments to the organization from federal or state programs for individuals receiving services care and other services. Foothills Gateway, Inc. (FGI) does not tolerate making or submitting false or misleading billing claims or statements to any government agency, health care program or payer source.

The organization is committed to providing education to employees and to its contractors and/or agents on the expected standards of conduct. An essential element of the standards of conduct includes an obligation on the part of all employees, agents, contractors and other associates to report any issues and concerns that could lead to false claims or fraud, abuse and waste.

Grievance/Complaint

It is the policy of Foothills Gateway, Inc. that all persons receiving services, parents of a minor, guardians and/or authorized representatives may submit grievances/complaints. The utilization of the grievance/complaint procedure shall not prejudice the future provision of appropriated services or supports.

Health Insurance Portability and Accountability Act (HIPAA)

It is the policy of Foothills Gateway, Inc. to comply with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and any subsequent revisions or additions.

Information Measurement and Management System

It is the policy of Foothills Gateway, Inc. to administer and refine an Information Measurement and Management System for all Foothills Gateway, Inc. departments. Foothills Gateway is committed to evaluating continuous improvement of organizational quality and service excellence by measuring agency effectiveness, efficiency and satisfaction with services.

Leadership

It is the policy of Foothills Gateway, Inc. that the Board of Directors and management are committed to provide effective leadership, stability, planning and administration to assure consistency with the organization's mission, principles and goals.

Licensure Review for Private Therapists

It is the policy of Foothills Gateway, Inc. to require proof of licensure in good standing through a Department of Regulatory Agency (DORA) check on any private therapist or other counseling professional who may provide services to any person receiving services from Foothills Gateway, Inc., at any Foothills Gateway facility.

Private Pay Services

It is the policy of Foothills Gateway, Inc. to allow families/individuals to private pay for services in the following circumstances:

- Individuals eligible for DD services and currently on the Waiting List for Comprehensive, Children's Extensive Support and/or Supported Living Services;
- Individuals enrolled in a Medicaid Waiver Program who temporarily lose Medicaid eligibility;
- Individuals not eligible for DD services, having cognitive disabilities (as determined by the Eligibility Committee) but desiring similar services, as capacity allows; and,
- Other populations as deemed appropriate.

Public Communications

It is the policy of Foothills Gateway, Inc. to prepare and make available to the public, upon request, information about the organization's mission, the Annual Plan, service activities, quality assurance survey/evaluations, annual information returns, application for recognition of tax exemption, and basic financial data. Foothills Gateway, Inc. will also make available to the

public, upon request, the names of the members of Foothills Gateway, Inc.'s Board of Directors and management staff.

Sexuality

It is the policy of Foothills Gateway, Inc. to recognize that individuals with intellectual disabilities can develop relationships and determine the nature of these relationships.

Whistleblower Protection

It is the policy of Foothills Gateway, Inc. that any person (whistleblower) is free to lawfully disclose whatever fact based information supports a reasonable belief of misconduct or a violation of rule or law, to participate in an investigation or hearing, or to refuse to execute an illegal directive without retaliation or discrimination by the Agency or its personnel.

This policy shall only apply if the whistleblower first brought the alleged misconduct or violation to the attention of the Human Resources Manager or a person with supervisory authority, unless the employee reasonably believed reporting to the HR Manager or supervisor would not result in a prompt remedy of the violation.

Case Management

Advance Directives

It is the policy of Foothills Gateway, Inc. to comply with Colorado Advance Directives when issued by a individual with the capacity to issue the directive, a guardian authorized by court order to give consent, or by a properly appointed proxy decision maker.

Case Management Monitoring (Comprehensive, SLS, CES)

It is the policy of Foothills Gateway, Inc. to execute Case Management services according to the Division for Developmental Disabilities (DDD) rules and regulations.

Consent

It shall be the policy of Foothills Gateway, Inc. that, to ensure due process of law, consent, as defined in the Rules and Regulations of the Division for Intellectual Developmental Disabilities (DIDD), shall be obtained in all circumstances where it is required.

Discharge from Services and Supports

It shall be the policy of Foothills Gateway, Inc. to execute case management services according to the provisions of the Rules and Regulations of the Division for Developmental Disabilities (DDD).

Eligibility Committee - Determination of Developmental Disability Committee

It shall be the policy of Foothills Gateway, Inc. that an Eligibility Committee (EC) be established to determine whether an applicant has a developmental disability and is therefore eligible to receive services, and make recommendations for services funded by the Division for Developmental Disabilities (DDD).

It shall be the policy of Foothills Gateway, Inc. that Developmental Disability Determination Committee (DDDC) be established to determine whether an applicant has a developmental disability and therefore may be eligible to receive services and supports pursuant to Sections 27-10.5-102 and 106,C.R.S. funded by the Division for Developmental Disabilities (DDD).

Emergency Control Procedure

It is the policy of Foothills Gateway Inc. that Emergency Control Procedures (ECP) will only be used to keep the person receiving services and others safe.

Human Rights Committee (HRC)

Foothills Gateway, Inc. shall establish and maintain a Human Rights Committee as an impartial third party to safeguard the rights of persons receiving services. The committee is an advisory and review body to the administration of Foothills Gateway, Inc.

Incident Reporting

It is the policy of Foothills Gateway, Inc. that all incidents will be recorded and reviewed according to regulatory standards, Rules and Regulations of the Division for Developmental Disabilities (DDD). This will include but is not limited to:

- a. injury to a person receiving services;
- b. lost or missing persons receiving services;
- c. medical emergencies involving persons receiving services;
- d. death of person receiving services;
- e. errors in medication administration;
- f. incidents or reports of action by persons receiving services that are unusual and require review;
- g. allegations of mistreatment, abuse, neglect or exploitation;
- h. use of safety control procedures;
- i. use of emergency control procedures;
- j. stolen personal property belonging to a person receiving services;
- k. hospitalization of persons receiving services;

Intake

It shall be the policy of Foothills Gateway, Inc. to execute case management services according to provisions of the rules and regulations of the Division for Developmental Disabilities (DDD).

Master Records and Access to Information

It shall be the policy of Foothills Gateway, Inc. that each person receiving services or on the Waiting List to receive services will have a single master record which conforms to the requirements of Section 16.330 of the rules and regulations of the Division for Developmental Disabilities (DDD).

Master Records Maintenance

It is the policy of Foothills Gateway, Inc. to develop and maintain a master record for each person determined eligible and/or receiving services according to the rules and regulations of the Division for Developmental Disabilities (DDD).

Mistreatment, Abuse, Neglect and Exploitation (MANE)

Foothills Gateway, Inc. will not tolerate the Mistreatment, Abuse, Neglect, and/or Exploitation of any person receiving services by any other person.

Notice

It shall be the policy of Foothills Gateway, Inc. that to ensure due process of law, notice as defined in 16.320 of the Rules and Regulations of the Division for Developmental Disabilities (DDD), shall be given in all circumstances where it is required.

Proxy Decision Makers or Guardians

It is the policy of Foothills Gateway, Inc. to disallow employees or independent contractors (IC's) from becoming proxy decision makers or guardians for any persons receiving services or on the waiting list for services through Foothills Gateway, unless the employee is a family member or adoptive family member (i.e. parents, spouse, children, brothers, sisters, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandparents, grandchildren, aunts and uncles, step parents, step children, step brothers and step sisters) of the person for whom guardianship services or proxy decision making services are being sought.

Request for Proposal for Comprehensive Services

It shall be the policy of Foothills Gateway, Inc. to issue a Request for Proposal (RFP) specifically for a person to use a new comprehensive resource or if the Interdisciplinary Team (IDT) recommends a person needs to change Program Approved Service Agency (PASA).

Individual Choice

1. The RFP procedure provides the opportunity for individuals to select a Program Approved Service Agency (PASA) they feel best meets their needs.
2. The RFP procedure encourages individual choice and can facilitate reasonable changes between PASAs within the service area.
3. Persons dissatisfied with their current comprehensive services will meet with their IDT to resolve differences and take action towards preserving the existing relationship. The Case Manager will assist the person to complete the agency grievance/complaint procedure if necessary.
4. If resolution of the concerns cannot be resolved, the RFP procedure will be used to transfer the resource to an alternate PASA.
5. If there is not a PASA who can not provide services in the CCB catchment area, the RFP procedure will be used to transfer the resources to an alternate PASA in another service area.

Research

It is the policy of Foothills Gateway, Inc. (FGI) that any experimental research conducted by or under the supervision of FGI with individuals we serve, adhere to the rules and regulations set forth by the Division for Developmental Disabilities (DDD).

Rights of Persons Receiving Services

It is the policy of Foothills Gateway, Inc. to ensure adherence to the provisions of Colorado Revised Statutes (CRS-27-10.5-112 through and including CRS 27-10.5-124; as amended) concerning the rights, benefits and privileges of persons funded in whole or part through the Division for Developmental Disabilities (DDD).

Safety Control Procedure

It is the policy of Foothills Gateway, Inc. that Safety Control Procedures (SCP) must be developed when it is anticipated that there will be a need to use restrictive procedures or restraints to control a previously exhibited behavior which is likely to recur. A Safety Control Procedure is considered an Emergency Control Procedure that is planned for and is used only to keep people safe. A Safety Control Procedure does not require informed consent.

Section 8 Waiting List

It is the policy of Foothills Gateway, Inc. to maintain an active waiting list for individuals in Larimer County who meet the Elderly/Disabled preference to assure decent, safe and sanitary housing. Foothills Gateway, Inc. will assure that all families have an equal opportunity to apply for and receive housing assistance, and will affirmatively further fair housing goals in the administration of the program.

Service Plan Development and Implementation

It is the policy of Foothills Gateway, Inc. to execute services according to provisions of the rules and regulations of the Division for Developmental Disabilities (DDD).

Waiting List Management

It shall be the policy of Foothills Gateway, Inc. to execute case management services according to the provisions of the rules and regulations of the Division for Developmental Disabilities (DDD).

Fiscal Management

Corporate Credit Card

It is the policy of Foothills Gateway, Inc. to ensure that all credit cards issued:

- serve a legitimate business purpose consistent with the mission of the organization,
- are used for authorized purposes only, in agreement with the organization's approved budget,
- minimize liability to the organization for unauthorized charges,
- and, are adequately monitored by management for compliance.

Donations/Gifts and Acknowledgement Receipt

It is the policy of Foothills Gateway, Inc. to direct all donated resources for their intended use whether it is to be for restricted purposes or general purposes.

Executive Director Expense Administration

It is the policy of Foothills Gateway, Inc. to provide to the Chairman of the Property/Finance Committee of the Board of Directors, for review and approval, the Executive Director's monthly expense reporting, including supporting documentation, for all credit card expenditures and for all monthly reimbursement requests.

Fixed Asset Disposition

It is the policy of Foothills Gateway, Inc. to safeguard its fixed assets by maintaining comprehensive records of all fixed asset acquisitions and disposals and by conducting periodic inventories.

Funds Administration

It is the policy of Foothills Gateway, Inc. to operate within a balanced budget and to carefully plan to use its funds to advance the mission of Foothills Gateway., Inc.

The Fiscal and Property Management Committee of the Board of Directors will:

- Direct the organization to prepare and present an operating budget for each fiscal year, (July 1 through June 30);
- Review the fiscal year operating budget and request changes or vote to recommend the budget be adopted as presented;
- Present the budget to the full Board for review, modification and/or approval prior to the start of the fiscal year.
- If the budget has not been approved by the Board of Directors prior to the beginning of a new fiscal year, action is required by the Board of Directors to allow operating expenditures to be made based upon the previous years' budget until the new budget is approved. This action is recorded in the minutes of the regularly scheduled meeting of the Board of Directors.
- The budget should be prepared to maintain a working capital reserve equivalent to 3 to 6 months of operating expense requirements to ensure continued operation of the organization during unexpected or severe cash flow interruptions.

Internal Cash Management Control

It is the policy of Foothills Gateway, Inc. to safeguard assets by establishing management procedures to prevent the diversion of cash assets.

Investment Management

It is the policy of Foothills Gateway, Inc. that the Board of Directors/Fiscal & Property Management Committee will be responsible overseeing for management of all assets of the Agency of whatever nature.

Personal Needs Funds

It is the policy of Foothills Gateway, Inc. that the use and handling of the personal needs funds and personal possessions of individuals receiving services are properly managed as prescribed by the Division for Developmental Disabilities.

Purchase of Service Rates

It is the policy of Foothills Gateway, Inc. that, annually, a schedule of rate ranges used to purchase program services for persons with developmental disabilities shall be made available.

Working Capital

It is the policy of Foothills Gateway, Inc. to operate within a balanced budget and to carefully plan to use any surplus funds to address the following areas:

- Increase working Capital
- Fund depreciation
- Support competitive salaries (salary scale)
- Enhance and/or expand services and supports.

Health and Safety

Acute Infections

It is the policy of Foothills Gateway, Inc. to require employees and individuals who are experiencing acute infections/communicable diseases to remain away from the facility/program for the term of the illness as recommended by the Center for Disease Control, the Larimer County Health Department or their physician.

Bloodborne Pathogens Exposure Control

It is the policy of Foothills Gateway, Inc. to observe Universal Precautions to prevent contact with blood or other potentially infectious material.

Chronic Infections

It is the policy of Foothills Gateway, Inc. that employees and persons receiving services with chronic infections shall not be automatically excluded from employment or program services.

Health and Safety

The Management Team at Foothills Gateway believes that our people are our most important asset and that the preservation of persons receiving services and employee safety and health must remain a constant consideration in every phase of our business. It is our intent to provide a safe environment that is as free of hazards as possible, for employees and persons receiving services.

All employees are responsible for working safely and productively, always remaining aware of hazards in their jobs and following recognized safe work practices, including the use of personal protective equipment (PPE). It is also the responsibility of employees to assure the health and safety of persons receiving services.

It is our belief that any safety and health program must have total employee involvement.

Therefore, this program has management's highest priority, support and participation.

Benefits, Compensation and Time Off

Family and Medical Leave Act

It is the policy of Foothills Gateway, Inc. to comply with the laws of the Family and Medical Leave Act.

To be eligible for Family & Medical Leave an employee must have been employed for at least twelve (12) months and must have worked at least 1250 hours during the twelve months prior to requesting Family & Medical Leave.

Employment

Department of Labor Compliance

It is the policy of Foothills Gateway, Inc. to comply with all the Department of Labor rules and regulations.

Equal Employment Opportunity/Affirmative Action

It is the policy of Foothills Gateway, Inc. to provide equal employment opportunities (EEO) to all employees and applicants for employment. We prohibit unlawful discrimination against applicants or employees on the basis of age, race, sex, color, religion, national origin, disability, sexual orientation (as defined by the Colorado anti-Discrimination Act to be a person's orientation to heterosexuality, homosexuality, bisexuality, or transgender status or an employer's perception thereof), genetic information, veteran status or any other applicable status protected by federal, state or local law. This prohibition includes unlawful harassment based on any of these protected classes. Unlawful harassment includes verbal or physical conduct which has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This policy applies to all employees, including manager, supervisors, co-workers and non-employees such as vendors, consultants, etc. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

Foothills Gateway will make reasonable accommodation for qualified individuals with known disabilities and employees whose work requirements interfere with a religious belief unless doing so would result in an undue hardship to the Company or a direct threat.

In support of our equal employment principle, Foothills Gateway, Inc. has developed a written affirmative action plan for women, minorities, individuals with disabilities and covered veterans. The Company's EEO Officer is the Human Resources Manager, located at 301 W. Skyway Drive, Fort Collins, CO 80525. The Human Resources Manager's phone number is 970-266-5312. The EEO Officer is responsible for compliance with state and federal EEO laws and affirmative action regulations. In addition the EEO Officer is responsible for implementing the Company's Affirmative Action Plan (AAP), including equal employment practices, monitoring

and internal reporting. The AAP for Veterans and the Disabled is available to you in the EEO Officer's office during regular business hours or by appointment. All employees and applicants for employment are protected, by both company policy and equal employment opportunity/affirmative action regulations and law, from coercion, intimidation, interference, or discrimination for filing a complaint or assisting in an investigation. For more information about our organization's Affirmative Action Plans, please see the EEO Officer.

Health and Safety Policy

Same as under Health and Safety

Sexual Harassment

It is the policy of Foothills Gateway, Inc. that sexual harassment of employees or individuals receiving services by any person and in any form is prohibited. All complaints of sexual harassment should be reported immediately and will be investigated.

Operational Procedures

Workplace Security

It is the policy of Foothills Gateway, Inc. (FGI) to safeguard the well-being of persons served, employees, volunteers and visitors. FGI practices **zero tolerance** regarding violence in the workplace.

Adult Care Services

Adult Care Services Private Pay

It is the policy of Foothills Gateway, Inc. to accept private pay for services rendered in the Adult Care Services Program.

Department of Community Services and Supports (DCSS) Confidentiality

It shall be the policy of Foothills Gateway, Inc. that every person receiving or seeking services has the same legal rights and responsibilities as other individuals including the right to have the information concerning the person be handled in a confidential manner.

Department of Community Services and Supports (DCSS) Grievance/Complaint

It is the policy of Foothills Gateway, Inc. that all persons receiving services, parents of a minor, guardians and/or authorized representatives may submit grievances/complaints. The utilization of the grievance/complaint procedure shall not prejudice the future provision of appropriated services or supports.

Department of Community Services and Supports (DCSS) Incident Reporting

Same as Incident Reporting policy found under Case Management

Department of Community Services and Supports (DCSS) Mistreatment, Abuse, Neglect and Exploitation (MANE)

Foothills Gateway, Inc. will not tolerate the Mistreatment, Abuse, Neglect, and/or Exploitation of any person receiving services by any other person.

Department of Community Services and Supports (DCSS) Rights of Individuals Receiving Services

It is the policy of Foothills Gateway, Inc. to ensure adherence to the provisions of Colorado Revised Statutes (CRS 25.5-10-218 through 231 as amended) concerning the rights, benefits and privileges of persons funded in whole or part through the Health Care Policy and Financing (HCPF) Division for Intellectual and Developmental Disabilities (DIDD).

Day Services

Department of Community Services and Supports Confidentiality Policy

Same as Adult Care Services

Department of Community Services and Supports Grievance/Complaint Policy

Same as Adult Care Services

Department of Community Services and Supports (DCSS) Incident Reporting

Same as Incident Reporting policy found under Case Management

Department of Community Services and Supports Mistreatment, Abuse, Neglect and Exploitation Policy

Same as Adult Care Services

Department of Community Services and Supports Rights of Persons Receiving Services Policy

Same as Adult Care Services

Emergency Control Procedure

It is the policy of Foothills Gateway Inc. that Emergency Control Procedures (ECP) will only be used to keep the person receiving services and others safe.

Gastrostomy Services Administration

It is the policy of Foothills Gateway, Inc. that the agency Licensed Nurse shall be responsible to coordinate all activities and procedures relating to gastrostomy services (also referred to as G-tube) administered by bolus or timed drip feedings.

Integrated Work Services

It is the policy of Foothills Gateway, Inc. to provide all program participants the opportunity to direct, through the Interdisciplinary Team (IDT) process, the type of Integrated Work services the program participants are interested in receiving.

Medication Administration

It is the policy of Foothills Gateway, Inc. for the storage, administration and disposal of all prescription and non-prescription medications to comply with all applicable medication administration requirements of the Department of Public Health, Department of Health Care Policy & Financing (HCPF)/ Division for Intellectual and Developmental Disabilities.

Medication Discontinuation

It is the policy of Foothills Gateway, Inc. that medication administered to a person served shall not be discontinued by the Department of Community Services and Supports nurse except when ordered by a physician, physician's assistant, nurse practitioner, podiatrist or dentist.

Physical Facilities

It is the policy of Foothills Gateway, Inc. that the physical facilities, if owned or leased by Foothills Gateway, where Day Habilitation and Adult Care Services and Supports are provided to individuals receiving services (Comprehensive or Supported Living Services), shall meet all applicable fire, building, licensing and health regulations.

Quality Control Assurance

It is the policy of Foothills Gateway Inc. to assure customers that we are committed to quality control of contracted work in Integrated Work and prevocational programs.

Re-Admission To Program Services

It is the policy of Foothills Gateway, Inc. to ensure that any person receiving services through Foothills Gateway's Supported Employment program who loses his/her community placement is guaranteed that his/her Interdisciplinary Team (IDT) will meet and review the service options available at that time. The type of services to be provided will be determined by the individual's IDT and Service Plan.

Restraints

It is the policy of Foothills Gateway, Inc. that physical or mechanical restraints shall only be used by employees or Independent Contractors who have been trained in the use of restraints. Restraints will not exceed fifteen minutes, wherever practicable.

Safety Control Procedure

It is the policy of Foothills Gateway, Inc. that Safety Control Procedures (SCP) must be developed when it is anticipated that there will be a need to use restrictive procedures or restraints to control a previously exhibited behavior which is likely to recur. A Safety Control Procedure is considered an Emergency Control Procedure that is planned for and is used only to keep people safe. A Safety Control Procedure does not require informed consent.

Struck Work

It is the policy of the Foothills Gateway's Department of Community Services and Supports to not accept any contract work that is known to be struck work (work from a company on strike). This does not include any current or ongoing contracts which were initiated prior to the strike.

It is also the policy of the program to refrain from placing persons receiving services in businesses whose employees are on strike.

Supporting Persons with Challenging Behaviors

It is the policy of Foothills Gateway, Inc. that appropriate methods and procedures for supporting persons with challenging behaviors be employed pursuant to CRS 25.5-10-221 as amended of the Rules and Regulations of the Department of Department of Health Care Policy and Financing.

Work Reduction Non-Integrated and Integrated Work Services

It is the policy of Foothills Gateway, Inc. to provide functional training activities/services that are aimed at enhancing practical information/ training/experience to persons served during periods of work reduction.

Residential Services

Department of Community Services and Supports Confidentiality Policy

Same as Adult Care Services

Department of Community Services and Supports Grievance/Complaint Policy

Same as Adult Care Services

Department of Community Services and Supports (DCSS) Incident Reporting

Same as Incident Reporting policy found under Case Management

Department of Community Services and Supports Mistreatment, Abuse, Neglect and Exploitation Policy

Same as Adult Care Services

Department of Community Services and Supports Rights of Persons Receiving Services Policy

Same as Adult Care Services

Emergency Control Procedure Policy

Same as Day Services.

Gastrostomy Services Administration Policy

Same as Day Services.

Medical Practices and Services in Residential

It is the policy of Foothills Gateway, Inc. that the Residential Program shall provide sufficient oversight and guidance per the Individual Service Plan to ensure that the health, medical and dental needs of the person receiving services are addressed.

Medication Administration

Same as Day Services.

Medication Discontinuation Policy

Same as Day Services.

Money Management in Residential

It is the policy of Foothills Gateway, Inc. that each person served will have a money management skills assessment to evaluate the persons' ability to handle their own funds according to the Service Plan (SP).

Personal Belongings

It is the policy of Foothills Gateway, Inc. that persons receiving services are encouraged to have personal possessions.

Restraints Policy

Same as Day Services.

Safety Control Procedure Policy

Same as Day Services.

Scalding Burns Prevention

It is the policy of Foothills Gateway, Inc. that all staff and/or independent contractors providing services to persons served have training regarding prevention of scalding burns.

Supporting Persons with Challenging Behaviors Policy

Same as Day Services.

Transportation Services

Transportation Services Provided in Vehicles Not Owned or Operated By Foothills Gateway, Inc.

It is the policy of Foothills Gateway, Inc. that when transportation services are provided to persons receiving services by Foothills Gateway employees and Host Home Providers in vehicles which are not owned or operated by Foothills Gateway, Inc., the Employee/Host Home Provider, or Independent Contractor owner of the vehicle will possess current vehicle liability insurance, vehicle safety equipment, current license to drive in the State of Colorado, and emergency procedures to use in the event of an emergency.

Transportation Services

It is the policy of Foothills Gateway, Inc. that persons receiving services are transported in vehicles that meet legal requirements, are well maintained and safe, and the drivers of these vehicles are qualified to provide transportation services.



City Council
Gerry Horak
City Councilmember

10/28/2014

Gregg

Thank you for your letter concerning
shut-a-ride and connection to
Foothills Gateway. I discussed
this issue with Council at our
meeting 10/21. The Council and
staff is supportive of adding a
shuttle service for 2015-16. We
will be amending the budget 11/18.

Sincerely
Gerry

FOOTHILLS GATEWAY, INC
OCTOBER 2014
WAITING LIST REPORT

