

hp9601c.htm



PUBLIC JURIDIC PERSON ENSURES CATHOLIC PRESENCE

Catholic healthcare is at a crossroads. Many religious institutes are questioning whether they have the financial and human resources necessary to continue their healing ministry beyond the millennium. Nevertheless, they do not want the communities they currently serve to lose the Catholic healing presence.

This is why the United States St. Joseph Province of the Sisters of Charity of Montreal (Grey Nuns) is transferring its healthcare institutions to a lay model of sponsorship. The new arrangement makes Covenant Health Systems (CHS) a public juridic person of pontifical right sponsoring the U.S. Grey Nuns' acute, long-term, chronic, rehabilitative, and day care; congregate housing; and other health-related organizations (see also Judy Cassidy, "Refounding Sponsorship and Governance," *Health Progress*, July-August 1995, pp. 26-27).

Back in June 1992, the Grey Nuns were encouraged by Superior General Sr. Bernadette Poirier, SGM, to begin planning for the future of their healthcare institutions. There were only 69 sisters, with a median age of 72, in the Lexington, MA-based province.

"The gradual depletion of the human resources, skills, and interest required to sustain our healthcare facilities called for a change in the way we had carried on these ministries during the past 139 years," explains Sr. Dorothy Cooper, SGM,

How One Catholic Healthcare System Assumed a Lay Model of Sponsorship

BY NANCY MULVIHILL

who was provincial superior at that time.

"Uppermost in our minds was to find ways to meet challenges to the future of Catholic healthcare, to maintain our mission and the Catholic identity of our healthcare organizations, and to remain responsible stewards," she adds.

SPONSORSHIP DISCERNMENT TASK FORCE

The Grey Nuns met with members of their healthcare system—CHS—and established the

Summary To ensure that the Catholic healing presence remained in the communities it has served for many years, the United States St. Joseph Province of the Sisters of Charity of Montreal (Grey Nuns) is transferring its healthcare institutions to a lay model of sponsorship. The new arrangement makes Covenant Health Systems (CHS) a public juridic person of pontifical right sponsoring the U.S. Grey Nuns' healthcare organizations.

In addition to extensive education and communication efforts aimed at all its constituencies, CHS needed to pass through several stages before it could become a public juridic person. Approvals had to be obtained from the Grey Nuns Provincial Administration and General Administration (in Montreal). Proposed statutes and bylaws had to be drafted. The CHS Board of Directors had to sign a letter of intent, indicating its willingness to accept these responsibilities of sponsorship.

The Congregation for the Institutes of Consecrated Life and Apostolic Societies approved the request for public juridic person status. CHS and the Grey Nuns will take a year to implement the transfer, which will be official on October 24, 1996.

CHS will continue to operate in a manner consistent with the teachings of the Catholic Church by complying with the *Ethical and Religious Directives* and by maintaining contact with local ordinaries.



Ms. Mulvihill is vice president of corporate communications, Covenant Health Systems, Lexington, MA.



MEMBERS OF COVENANT HEALTH SYSTEMS

Fanny Allen Hospital, Colchester, VT
 Mary Immaculate Health/Care Services and subsidiaries, Lawrence, MA
 Sisters of Charity Health System and subsidiaries, Lewiston, ME
 St. Joseph Hospital and subsidiaries, Nashua, NH
 St. Joseph Residence, Rutland, VT (management contract)
 St. Vincent Medical Center and subsidiaries, Toledo, OH

Sponsorship Discernment Task Force. The task force's objective was to review all sponsorship options and recommend a course of action that would best preserve the viability and vitality of Catholic healthcare institutions sponsored by the Grey Nuns in the United States.

The task force was made up of the superior general (*ex officio*), a member of the general administration, members of the provincial administration, certain Grey Nuns still active in healthcare ministry, and David R. Lincoln, CHS president and chief executive officer. William E. Foy, a healthcare consultant from Evanston, IL, served as a facilitator. Canon lawyers Rev. Francis Morrissey, OMI, JCD, and Sr. Margaret Mary Modde, OSF, JCD, who was a CHS board member at the time, provided legal advice.

RECOGNIZING CHS'S SUCCESS

The task force began its work by looking at how CHS's services had helped the Grey Nuns further the mission of their foundress, St. Marguerite d'Youville, and at how the multi-institutional system had anticipated and met Catholic healthcare challenges since its inception in 1983. Clearly, CHS had been successful in its role.

CHS had strengthened mission by establishing a vice president of mission at the system level and at each institution. Covenant had done a great deal of leadership development and had implemented a mission effectiveness training program called *Shaping Our Future*, a 72-hour curriculum offered to members and nonmembers. CHS had initiated and implemented systemwide policies on Catholic identity, pastoral care, ethical issues, trustee recruitment, collaboration, and joint ventures.

CHS had also worked with other religious sponsors to further Catholic healthcare. In 1987 the Religious Hospitallers of St. Joseph affiliated their Colchester, VT, hospital—Fanny Allen—with CHS. The Sisters of Charity of St. Hyacinthe transferred their healthcare facilities in Lewiston, ME, to the Grey Nuns and thus CHS in 1991. In addition, the Grey Nuns saw the

Transfer of
 sponsorship
 to Covenant
 Health
 Systems
 means the
 Grey Nuns'
 institutions
 would remain
 within the
 Catholic
 Church.

financial health of their institutions grow under Covenant's leadership.

BECOMING A PUBLIC JURIDIC PERSON

In early 1994, after having identified 12 options for sponsorship, the task force recommended a new model of sponsorship. Their unanimous recommendation was for the Grey Nuns to transfer sponsorship of their healthcare ministries to CHS. CHS would become a public juridic person of pontifical right.

"Public juridic person" is a canon law term for a group of persons, an "aggregate of things," approved and established by the Church who come together as an entity recognized under Church law to participate in the apostolic life and mission of the Church. An analogous term in U.S. law might be a "civil corporation." "Pontifical right" means that CHS would be given juridical existence by the Holy See and would be answerable to the Holy See in its internal government.

An Innovative Model Transfer of sponsorship to CHS is an innovative model for the Catholic Church. The proposal calls for the Grey Nuns to choose a lay board of directors to assume responsibility for Catholic healthcare ministries. "We feel we are truly responding to the call of the Church to empower the laity," says Sr. Cooper. "We feel very comfortable transferring sponsorship to laypersons whom we know to be committed stewards of a Catholic healthcare ministry, rooted in values and faithful to contemporary requirements of Catholic identity."

Benefits and Changes For the sisters and the health system, the proposal had many benefits. Transfer of sponsorship to CHS as a public juridic person of pontifical right would mean:

- The Grey Nuns' institutions would remain totally within the Catholic Church.
- The possibility would be left open for institutes, systems, healthcare facilities, and others to join CHS.
- Assuming sponsorship would be the least disruptive option for CHS because the healthcare system knew the Grey Nun mission, values, reputation, and heritage and could build on the solid foundation the sisters had already established.
- It would be "business as usual" for the most part within the healthcare institutions sponsored by the Grey Nuns.

The major change in this new model would be that most decisions once referred to the Grey Nuns would remain with the CHS Board of Directors. The board would have the final say, except for a limited number of matters referred to



Rome. The Grey Nuns would maintain control in certain areas, including appointment of CHS board members, any proposed change in mission or philosophy, and certain aspects of bylaws pertaining to Catholic identity.

FACILITATING THE TRANSITION

Once the task force decided that the healthcare system would apply for public juridic person status, leaders of the Grey Nuns and CHS began planning to ensure a smooth transition. Throughout the process, everyone—the sisters, local bishops and their representatives, and CHS employees—were kept well-informed of progress. The Grey Nuns and CHS kept in close communication with bishops of dioceses in which CHS facilities were located. The sisters explained the process to the bishops, provided them with updates, and solicited their support.

Because the public juridic person concept is difficult to understand, it was no small feat for CHS leaders to keep the 9,000 CHS employees, board members, and volunteers informed. They did so by using newsletters and presentations and by simply being available to answer questions. "Most of all, we wanted to assure everyone that the Grey Nuns would be with them to help manage the transition," states Sr. Cooper.

Although the Grey Nuns believed the transfer of sponsorship was the right decision for Catholic healthcare and for the communities they serve, they also knew it would not be easy to cope with the changes. To come to grips with the transition, sisters attended "letting go" workshops. They also celebrated the many accomplishments that resulted from their long history of Catholic sponsorship. In addition, cultural anthropologist Rev. Gerald A. Arbuckle, SM, PhD, was invited to talk with CHS trustees about refounding.

MANEUVERING THE STAGES OF ACCEPTANCE

In addition to the extensive education and communication efforts aimed at all constituencies, CHS needed to pass through several stages for this proposal to be accepted. Approvals had to be obtained from the Grey Nuns Provincial Administration and General Administration (in Montreal). Proposed statutes and bylaws had to be drafted. The CHS Board of Directors had to sign a letter of intent, indicating their willingness to accept the responsibilities of sponsorship.

A meeting was then held in May 1995 in Rome with Sr. Sharon Holland, IHM, an official of the Congregation for the Institutes of Consecrated Life and Apostolic Societies. After a thorough

Although the Grey Nuns believed the transfer of sponsorship was the right decision, they knew it would not be easy.



review of the Grey Nuns' documents, Sr. Holland urged the sisters to send a petition to the Congregation for the Institutes, along with letters of support from the bishops involved. Sr. Poirier sent this packet to Rome at the end of June 1995, just as Sr. Cooper ended her six-year term as provincial superior.

APPROVAL GRANTED

One month later, the Grey Nuns received a favorable response from Card. Eduardo Martinez Somalo, prefect of the Congregation for the Institutes, to effect the transfer of the Grey Nuns' healthcare ministries in the United States to CHS. The Grey Nuns and CHS expected this process to take longer but saw such quick approval from Rome as a validation of their vision of empowering lay leadership to carry forth the Catholic healthcare ministry.


CHS and the Grey Nuns will take a year to implement the transfer. "We will use this coming year for additional education of our trustees on the responsibilities of sponsorship, for additional mission effectiveness training, and for preparation of our own sisters for the transfer," said Sr. June Ketterer, SGM, now provincial superior of the Grey Nuns. Official transfer will occur at the CHS Trustee Forum on October 24, 1996.

CHS will continue to operate in a manner consistent with the teaching and laws of the Roman Catholic Church by complying with the *Ethical and Religious Directives for Catholic Health Care Services* and by maintaining contact with local ordinaries. Upon official transfer, CHS will be granted a decree of establishment, spelling out its rights and obligations.

"The Grey Nuns have designed a creative response to the times," says Lincoln. "They have always been innovators and deserve credit for their risk taking based on a well-thought out plan to help ensure continuation of the Catholic healing ministry in light of fewer religious."

"This transfer of sponsorship was possible because there is a great deal of trust between the Grey Nuns and CHS," he adds. "In addition, we share an optimistic view of the future of Catholic healthcare."

During the transition period the Grey Nuns will serve as mentors and facilitators in translating the culture and values that will preserve the spirit of Catholic healthcare ministry in the tradition of the Grey Nuns. □

 For additional information, call Nancy Mulvihill at 617-862-1634.