



SUMMARY OF PROCEEDINGS

KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

**Kern Medical
1700 Mount Vernon Avenue
Conference Room 1058
Bakersfield, California 93306**

Regular Meeting
Wednesday, October 18, 2017

11:30 A.M.

BOARD RECONVENED

Directors present: Berjis, Bigler, Lawson, McGauley, McLaughlin, Pelz
Directors absent: Sistrunk

NOTE: The vote is displayed in bold below each item. For example, Lawson-McLaughlin denotes Director Lawson made the motion and Vice Chair McLaughlin seconded the motion.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH A "CA" WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

BOARD ACTION SHOWN IN CAPS

PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE AND SPELL YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!**

NO ONE HEARD

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Government Code section 54954.2(a)(2))

CHAIRMAN BIGLER AND DIRECTOR LAWSON EXPRESSED THEIR APPRECIATION FOR THE OPPORTUNITY TO PARTICIPATE IN 'DOC-FOR-A-DAY,' THURSDAY, SEPTEMBER 21, 2017

RECOGNITION

- 3) Presentation by the Vice President of Ambulatory Services recognizing the Chemotherapy Clinic remodel at Columbus Street –
MADE PRESENTATION

ITEMS FOR CONSIDERATION

CA

- 4) Minutes for Kern County Hospital Authority Board of Governors regular meeting on September 20, 2017 –
APPROVED
Lawson-McLaughlin: 6 Ayes; 1 Absent - Sistrunk

CA

- 5) Proposed recommendation to reappoint Nancy Lawson (ex-officio) to the Kern County Hospital Authority Board of Governors, term to expire December 31, 2018 –
REFERRED TO KERN COUNTY BOARD OF SUPERVISORS TO MAKE APPOINTMENT
Lawson-McLaughlin: 6 Ayes; 1 Absent - Sistrunk

CA

- 6) Proposed retroactive Amendment No. 15 to Agreement 925-2002 with nThrive Solutions, Inc., an independent contractor, for oncology data management and abstracting services, for the period October 8, 2002 through June 30, 2017, extending the term for one year from July 1, 2017 through June 30, 2018, and increasing the maximum payable by \$289,545, from \$9,953,731 to \$10,243,276, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 066-2017
Lawson-McLaughlin: 6 Ayes; 1 Absent - Sistrunk

CA

- 7) Proposed retroactive Amendment No. 1 to Agreement 20716 with J. Chandrasekhar, Inc., an independent contractor, for professional medical services in the Department of Medicine, for the period October 15, 2016 through October 14, 2017, extending the term for one year from October 15, 2017 through October 14, 2018, and increasing the maximum payable by \$380,000, from \$380,000 to \$760,000, to cover the extended term –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 067-2017

Lawson-McLaughlin: 6 Ayes; 1 Absent - Sistrunk

CA

- 8) Proposed retroactive Change Order No. 6 to Agreement 2016-086 with Black/Hall Construction, Inc., an independent contractor, for construction services related to the G Wing decommission project, increasing the maximum payable by \$6,861, from \$513,850 to \$520,711, to cover the cost of additional services –

MADE FINDING PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15301 AND 15061(b)(3) OF STATE CEQA GUIDELINES; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 068-2017; AUTHORIZED CHIEF EXECUTIVE OFFICER TO APPROVE ANY FUTURE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED \$100,000, FOR A TOTAL CONTRACT PRICE NOT TO EXCEED \$620,711

Lawson-McLaughlin: 6 Ayes; 1 Absent - Sistrunk

CA

- 9) Proposed Amendment No. 2 to Agreement 07616 with KSA Group Architects, an independent contractor, for engineering and architectural services from July 1, 2016 through project completion, increasing the maximum payable by \$250,000, from \$450,000 to \$700,000, to cover to cost of various design projects –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 069-2017

Lawson-McLaughlin: 6 Ayes; 1 Absent - Sistrunk

CA

- 10) Proposed Amendment No. 9 to Agreement 1324502 with Vantage Technology Consulting Group, an independent contractor, for construction management services related to completion of the B wing emergency power project and IDF closet upgrades from December 19, 2012 through project completion, replacing an existing 1200-amp electrical breaker, and increasing the maximum payable by \$25,300, from \$419,109 to \$444,409, to cover the cost of the project –

MADE FINDING PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15301 AND 15061(b)(3) OF STATE CEQA GUIDELINES; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 070-2017

Lawson-McLaughlin: 6 Ayes; 1 Absent – Sistrunk

CA

- 11) Proposed retroactive Agreement with OEC Medical Systems, Inc., an independent contractor, for radiology equipment service and support from October 11, 2017 through October 10, 2024, in an amount not to exceed \$51,282 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 071-2017
Lawson-McLaughlin: 6 Ayes; 1 Absent - Sistrunk

CA

- 12) Proposed Amendment No. 2 to Agreement 2016-030 with Valley Neurosurgery and Neurorestoration Center, A Medical Corporation, an independent contractor, for professional medical services in the Department of Surgery, for the period July 1, 2016 through June 30, 2021, adding electroencephalogram monitoring coverage and technician support, and increasing the maximum payable by \$300,760, from \$10,668,032 to \$10,968,792, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 072-2017
Lawson-McLaughlin: 6 Ayes; 1 Absent - Sistrunk

CA

- 13) Proposed retroactive Amendment No. 7 to Agreement 947-2008 with Toyon Associates, Inc., an independent contractor, for third-party reimbursement services, for the period October 14, 2008 through October 13, 2017, extending the term for one year from October 14, 2017 through October 13, 2018, incorporating changes to the hourly rates, and increasing the maximum payable by \$400,000, from \$2,090,000 to \$2,490,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 073-2017
Lawson-McLaughlin: 6 Ayes; 1 Absent - Sistrunk

- 14) Kern County Hospital Authority Chief Financial Officer report –
RECEIVED AND FILED
Pelz-McGauley: 6 Ayes; 1 Absent - Sistrunk

- 15) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED
Berjis-Pelz: 6 Ayes; 1 Absent - Sistrunk

CA

- 16) Claims and Lawsuits Filed as of September 30, 2017 –
RECEIVED AND FILED
Lawson-McLaughlin: 6 Ayes; 1 Absent - Sistrunk

CA

- 17) Proposed corrections to minutes for Kern County Hospital Authority Board of Governors regular meetings –
APPROVED
Lawson-McLaughlin: 6 Ayes; 1 Absent - Sistrunk

CA

- 18) Proposed acceptance of donation from CNA of travel and related expenses to cover all costs for one or more Kern Medical employees to attend the Health Care Compliance Association “Healthcare Enforcement Compliance Institute” in Washington, D.C., from October 29, 2017 through November 1, 2017 – APPROVED; ADOPTED RESOLUTION 2017-008
Lawson-McLaughlin: 6 Ayes; 1 Absent - Sistrunk

ADJOURNED TO CLOSED SESSION

McGauley-McLaughlin

CLOSED SESSION

- 19) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 20) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – SEE RESULTS BELOW
- 21) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), (e)(3)) Number of cases: One (1) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: The receipt of a claim pursuant to the Government Claims Act or some other written communication from a potential plaintiff threatening litigation, which non-exempt claim or communication is available for public inspection – SEE RESULTS BELOW
- 22) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: In the Matter of the Accusation Against: Kern Medical Center, dba Kern Medical Center Campus Pharmacy, et al., Case No. 5551 - SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION

McLaughlin-Lawson

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 19 concerning a Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – HEARD; BY A UNANIMOUS VOTE OF THOSE DIRECTORS PRESENT (MOTION BY DIRECTOR LAWSON, SECONDED BY DIRECTOR McGAULEY; 1 ABSENT - SISTRUNK), THE BOARD APPROVED ALL PROVIDERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, CHANGE IN STAFF STATUS, AND VOLUNTARY RESIGNATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 20 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 21 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), (e)(3)) Number of cases: One (1) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: The receipt of a claim pursuant to the Government Claims Act or some other written communication from a potential plaintiff threatening litigation, which non-exempt claim or communication is available for public inspection – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 22 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: In the Matter of the Accusation Against: Kern Medical Center, dba Kern Medical Center Campus Pharmacy, et al., Case No. 5551 – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, NOVEMBER 15, 2017, AT 11:30 A.M.

McGauley



/s/ Mona A. Allen
Authority Board Coordinator



/s/ Russell E. Bigler
Chairman, Board of Governors
Kern County Hospital Authority