



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, November 15, 2017**

11:30 A.M.

BOARD RECONVENED

Directors present: Berjis, Bigler, Lawson, McGauley (arrived at 11:35 a.m. after the vote on the consent agenda), McLaughlin, Pelz (arrived at 11:35 a.m. after the vote on the consent agenda), Sistrunk
Directors absent: None

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 BERJIS REPORTED ON THEIR ATTENDANCE AT 'THE MAGIC OF KERN MEDICAL: AN EVENING TO CELEBRATE THE PHYSICIANS OF KERN MEDICAL,' THURSDAY, NOVEMBER 9, 2017, AND EXPRESSED THEIR APPRECIATION TO THE KERN MEDICAL FOUNDATION FOR ITS PARTICIPATION IN THE EVENT

ITEMS FOR CONSIDERATION

CA

- 3) Minutes for Kern County Hospital Authority Board of Governors regular meeting on October 18, 2017 –
APPROVED
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

CA

- 4) Proposed retroactive Agreement with CareFusion Solutions, LLC, an independent contractor, containing nonstandard terms and conditions, for purchase of Pyxis® medication dispensing units from November 7, 2017 through November 6, 2022, in an amount not to exceed \$2,575,260 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 074-2017
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

CA

- 5) Proposed First Amendment to Operating Agreement of Kern Medical Surgery Center, LLC, by Kern County Hospital Authority, in its capacity as the sole member, revising Exhibit "A" to reflect all capital contributions, increasing the cash contribution by \$500,000, from \$1,500,000 to \$2,000,000, and adding in-kind contributions, including but not limited to, legal, financial, management, administrative, contracting, lease agreement, equipment, and insurance, effective November 15, 2017 –
MADE FINDING AGREEMENT COMPLIES WITH INTERNAL REVENUE SERVICE PLR-138562-15, DATED MAY 25, 2016, AND CHAPTER 2.170 OF THE KERN COUNTY ORDINANCE CODE; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 085-2017
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

CA

- 6) Proposed retroactive Amendment No. 1 to Agreement 2016-072 with Arman G. Froush, D.O., a contract employee, for professional medical services in the Department of Radiology, for the period January 21, 2017 through January 20, 2020, revising payment for excess call coverage, and increasing the maximum payable by \$395,000, from \$1,880,000 to \$2,275,000, to cover the term – 076-2017
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

CA

- 7) Proposed retroactive Agreement with James E. Thompson, Inc., doing business as JTS Construction, an independent contractor, for construction management services related to the NOC IT hub at Sagebrush Medical Plaza, effective October 17, 2017, in an amount not to exceed \$717,500 –
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 077-2017
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

CA

- 8) Proposed retroactive Amendment No. 5 to Agreement 472-2009 with Morrison Management Specialists, Inc., an independent contractor, for management of the dietary and food and nutrition services departments, extending the term from June 27, 2018 through June 30, 2023, adding one clinical dietitian, revising the cost of services, and increasing the maximum payable by \$6,434,394, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 078-2017
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

CA

- 9) Proposed retroactive Amendment No. 1 to Agreement 26716 with Naheedy and Zarandy Medical Group, Inc., an independent contractor, for professional medical services in Department of Radiology, for the period November 1, 2016 through October 31, 2018, adding payment for excess coverage, and increasing the maximum payable by \$80,000, from \$570,000 to \$650,000, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 079-2017
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

CA

- 10) Proposed selection of Milliman, an independent contractor, to recommend an alternate retirement plan for Kern Medical employees hired on or after July 1, 2018 –
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO DEVELOP AGREEMENT
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

CA

- 11) Proposed Resolution establishing meeting dates of the Kern County Hospital Authority Board of Governors for calendar year 2018 –
APPROVED; ADOPTED RESOLUTION 2017-009
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

CA

- 12) Proposed retroactive Resolution authorizing the Chief Executive Officer, Chief Financial Officer, Chief Strategy Officer, and Director of Finance, to establish one or more zero balance accounts with banking and investment institutions and sign banking instruments, effective July 1, 2016 –
APPROVED; ADOPTED RESOLUTION 2017-010
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

CA

- 13) Proposed Agreement with Bradley J. Phillips, M.D., a contract employee, for professional medical services in the Department of Surgery from November 15, 2017 through November 14, 2020, in an amount not to exceed \$2,400,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 080-2017
SUBJECT TO APPROVAL AS TO FORM BY COUNSEL
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

CA

- 14) Proposed retroactive rescission of Agreement 2017-42 with Aisha W. Shaheen, M.D., a contract employee, for professional medical services in the Department of Surgery, effective September 15, 2017 –
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AND ISSUE NOTICE OF RESCISSION
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

CA

- 15) Request to employ retired Kern County Hospital Authority employee Anna Rippy, as Extra Help Hospital Staff Nurse II, for the period ending June 30, 2018, or 960 hours, whichever occurs first, effective November 16, 2017 –
APPROVED
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

- 16) Proposed Agreements (Schedule No. 3, Schedule No. 4, Sales Order 1-65FB0P5, Sales Order 1-63XGF18) with Cerner Corporation, an independent contractor, containing nonstandard terms and conditions, for purchase of the Cerner electronic health record from November 15, 2017 through November 14, 2024, in an amount not to exceed \$38,776,601 –
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENTS 081-2017, 082-2017, 083-2017, AND 084-2017 SUBJECT TO APPROVAL AS TO FORM BY COUNSEL
Berjis-Pelz: All Ayes

- 17) Proposed Agreement with IBM Credit LLC, an independent contractor, for financing of the Cerner electronic health record from November 15, 2017 through November 14, 2020, in an amount not to exceed \$5,565,720 – APPROVED; ADOPTED RESOLUTION 2017-011; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 083-2017
Pelz-Berjis: All Ayes
- 18) Proposed Agreements (P201710019602, IWS-249098, IWS-249089, IWS-248055, IWS-166248) with McKesson Technologies LLC, an independent contractor, for purchase of the picture archiving and communication system (PACS) from November 15, 2017 through November 14, 2024, in an amount not to exceed \$4,541,460 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 087-2017, 088-2017, 089-2017, 090-2017 AND 091-2017
McGauley-Sistrunk: All Ayes
- 19) Kern County Hospital Authority Chief Financial Officer report – RECEIVED AND FILED
Berjis-Pelz: All Ayes
- 20) Kern County Hospital Authority Chief Executive Officer report – RECEIVED AND FILED
Sistrunk-Berjis: All Ayes
- CA
- 21) Claims and Lawsuits Filed as of October 31, 2017 – RECEIVED AND FILED
Sistrunk-Lawson: 5 Ayes; 2 Absent - McGauley, Pelz

ADJOURNED TO CLOSED SESSION
McGauley-Sistrunk

CLOSED SESSION

- 22) Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 23) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 24) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION
Pelz-Lawson

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 22 concerning a Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 23 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 (MOTION BY DIRECTOR LAWSON, SECOND BY DIRECTOR MCGAULEY), THE BOARD APPROVED ALL PROVIDERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, REVIEW AND RELEASE OF PROCTORING, CHANGE IN STAFF STATUS, VOLUNTARY RESIGNATION OF PRIVILEGES, AND AUTOMATIC TERMINATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 24 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, DECEMBER 13, 2017, AT 11:30 A.M.

Sistrunk



/s/ Mona A. Allen
Authority Board Coordinator



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