



## SUMMARY OF PROCEEDINGS

### KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

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

Regular Meeting  
Wednesday, June 19, 2019

11:30 A.M.

#### BOARD RECONVENED

Board Members: Alsop, Berjis, Bigler, Brar, McLaughlin, Pelz, Sistrunk  
Roll Call: 6 Present; 1 Absent - Berjis

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

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH A "CA" ARE 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. In addition, 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))  
**NO ONE HEARD**

PUBLIC REQUEST

- 3) Request of JJ's Legacy to present a 'Donate Life' plaque for display at the Kern Medical Center flag pole –  
LORI MALKIN, JJ'S LEGACY AND EILEEN SPALINO, ONE LEGACY, HEARD; MADE PRESENTATION OF THE 'DONATE LIFE' PLAQUE FOR PERMANENT PLACEMENT AT THE BASE OF THE KERN MEDICAL CENTER FLAG POLE

RECOGNITION

- 4) Presentation by the Chief Executive Officer recognizing the 'Association of Kern County Nurse Leaders - 2019 RN of the Year' nominees from Kern Medical Center –  
MADE PRESENTATION

ITEMS FOR CONSIDERATION

- CA  
5) Minutes for Kern County Hospital Authority Board of Governors regular meeting on May 15, 2019 –  
APPROVED  
**Pelz-Sistrunk: 6 Ayes: 1 Absent - Berjis**

- CA  
6) Proposed approval of the Kern Medical Center Policy and Procedures Manual –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN SIGNATURE PAGE  
**Pelz-Sistrunk: 6 Ayes: 1 Absent - Berjis**

- CA  
7) Proposed Agreement with Mikhail Bekarev, M.D., a contract employee, for professional medical services in the Department of Surgery from August 17, 2019 through August 16, 2022, in an amount not to exceed \$2,762,500, plus applicable benefits –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 030-2019  
**Pelz-Sistrunk: 6 Ayes: 1 Absent - Berjis**

- CA  
8) Proposed Agreement with Michael J. Eagan, M.D., a contract employee, for professional medical services in the Department of Surgery from July 17, 2019 through July 16, 2022, in an amount not to exceed \$3,300,000, plus applicable benefits –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 031-2019  
**Pelz-Sistrunk: 6 Ayes: 1 Absent - Berjis**



CA

- 9) Proposed Agreement with M. Brandon Freeman, M.D., a contract employee, for professional medical services in the Department of Surgery from June 25, 2019 through June 24, 2022, in an amount not to exceed \$1,800,000, plus applicable benefits –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 032-2019  
**Pelz-Sistrunk: 6 Ayes: 1 Absent - Berjis**

CA

- 10) Proposed Agreement with Ramon S. Snyder, M.D., a contract employee, for professional medical services in the Department of Surgery from July 1, 2019 through June 30, 2022, in an amount not to exceed \$1,602,000, plus applicable benefits –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 033-2019  
**Pelz-Sistrunk: 6 Ayes: 1 Absent - Berjis**

CA

- 11) Proposed retroactive Agreement with RightSourcing, Inc., an independent contractor, containing nonstandard terms and conditions, for temporary staffing services from May 29, 2019 through May 28, 2024, in an annual amount not to exceed \$16,430,124 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 034-2019  
**Pelz-Sistrunk: 6 Ayes: 1 Absent - Berjis**

CA

- 12) Proposed Amendment No. 13 to Agreement 2016-036 with Cerner Corporation, an independent contractor, for the period July 1, 2016 through November 1, 2024, for services related to the Cerner Millennium project, extending the term from November 1, 2024 to December 31, 2027, and increasing the maximum payable by \$2,200,000, to cover the implementation delay, effective June 19, 2019 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 035-2019  
**Pelz-Sistrunk: 6 Ayes: 1 Absent - Berjis**

CA

- 13) Proposed retroactive Amendment No. 2 to Agreement 20117 with LocumTenens.com, an independent contractor, for temporary physician staffing services for the period May 22, 2017 through May 22, 2019, extending the term for two years from May 23, 2019 through May 21, 2021, and increasing the maximum payable by \$2,250,000, from \$750,000 to \$3,000,000, to cover the extended term, effective May 23, 2019 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 036-2019  
**Pelz-Sistrunk: 6 Ayes: 1 Absent - Berjis**

CA

- 14) Proposed renewal and binding of insurance coverages for hospital professional liability, general liability and umbrella/excess liability, excess workers' compensation and employers liability, automobile liability, helipad liability, directors and officers liability, employment practices liability, crime, privacy and securing (cyber) liability, premises pollution liability, underground storage tank liability, property (building, equipment, business interruption, earthquake and flood), employed lawyers liability, and fiduciary liability from July 1, 2019 through June 30, 2020, with option to finance selected premiums through IPFS Corporation of California and CSAC-EIA in an amount not to exceed \$1,634,629 –  
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT 037-2019 AND CERTIFICATE OF INCUMBENCY  
**Pelz-Sistrunk: 6 Ayes: 1 Absent - Berjis**

- 15) Proposed Memorandum of Understanding with Kern Behavioral Health and Recovery Service, an independent contractor, containing nonstandard terms and conditions, for mental health services, effective July 1, 2019 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 038-2019  
**Pelz-McLaughlin: 6 Ayes: 1 Absent - Berjis**
  - 16) Report on 2019 Community Health Needs Assessment for Kern Medical Center –  
APPROVED; RECEIVED AND FILED  
**Brar-Sistrunk: 6 Ayes: 1 Absent - Berjis**
  - 17) Request to employ retired Kern County Hospital Authority employee Tina Anderson, as Extra Help Senior Paralegal, for the period ending June 30, 2020, or 960 hours, whichever occurs first, effective July 1, 2019 –  
APPROVED  
**McLaughlin-Alsop: 6 Ayes: 1 Absent - Berjis**
  - 18) Kern County Hospital Authority Chief Financial Officer report –  
RECEIVED AND FILED  
**Pelz-McLaughlin: 6 Ayes: 1 Absent - Berjis**
  - 19) Kern County Hospital Authority Chief Executive Officer report –  
RECEIVED AND FILED  
**Sistrunk-Brar: 6 Ayes: 1 Absent - Berjis**
- CA
- 20) Claims and Lawsuits Filed as of May 31, 2019 –  
RECEIVED AND FILED  
**Pelz-Sistrunk: 6 Ayes: 1 Absent - Berjis**

ADJOURNED TO CLOSED SESSION  
**Pelz-McLaughlin**

CLOSED SESSION

- 21) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Russell V. Judd, and designated staff – Unrepresented Employee: Chief Financial Officer (Government Code Section 54957.6) – SEE RESULTS BELOW
- 22) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), (e)(2).) Number of cases: Two (2) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the Authority and that are known to a potential plaintiff or plaintiffs – SEE RESULTS BELOW
- 23) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Resource Anesthesiology Associates of California, A Medical Corporation, a California corporation v. County of Kern, et al., Kern County Superior Court Case No. BCV-17-101504 DRL – SEE RESULTS BELOW



- 24) Request for Closed Session for the purpose of discussion or taking action on authority trade secrets (Health and Safety Code Section 101855(e)(1)) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION

**Brar-Alsop**

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 21 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Russell V. Judd, and designated staff – Unrepresented Employee: Chief Financial Officer (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 22 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), (e)(2).) Number of cases: Two (2) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the Authority and that are known to a potential plaintiff or plaintiffs – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 23 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Resource Anesthesiology Associates of California, A Medical Corporation, a California corporation v. County of Kern, et al., Kern County Superior Court Case No. BCV-17-101504 DRL – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 24 concerning Request for Closed Session for the purpose of discussion or taking action on authority trade secrets (Health and Safety Code Section 101855(e)(1)) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, JULY 17, 2019, AT 11:30 A.M.

**Alsop**



/s/ Mona A. Allen  
Authority Board Coordinator



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