



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, September 19, 2018

11:30 A.M.

BOARD RECONVENED

Directors Present: Berjis, Bigler, Brar, Lawson, McLaughlin, Sistrunk
Directors Absent: Pelz

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!**

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))

DIRECTOR BERJIS REPORTED ON THE MEETING WITH REPRESENTATIVES OF UCLA TO DISCUSS OPPORTUNITIES TO STRENGTHEN THE RELATIONSHIP BETWEEN KERN MEDICAL AND UCLA, INCLUDING FACULTY APPOINTMENTS, FELLOWSHIP PROGRAMS, AND JOINT RECRUITMENTS. THOSE ATTENDING FROM KERN MEDICAL INCLUDED DR. BERJIS, MR. JUDD, DR. GOLDIS, AND DR. COBOS; UCLA REPRESENTATIVES IN ATTENDANCE INCLUDED DEAN MARTIN, VICE DEAN BRADDOCK, AND VICE CHAIR OF SURGERY TILLOU. DRS. MARTIN AND BRADDOCK INTEND TO VISIT KERN MEDICAL IN THE NEAR FUTURE AND BOARD MEMBERS WILL RECEIVE AN INVITATION TO ATTEND

RECOGNITION

- 3) Presentation by the Chief Executive Officer recognizing Andrea Del Rio, Manager, Outpatient Clinic Registration and Ancillary Services as recipient of the California Association of Healthcare Admissions Management 2018 Carl Satterfield Award –
MADE PRESENTATION

ITEMS FOR CONSIDERATION

CA

- 4) Minutes for Kern County Hospital Authority Board of Governors regular meeting on August 15, 2018 –
APPROVED
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

CA

- 5) Proposed updated Conflict of Interest policy and Conflict of Interest Code for the Kern County Hospital Authority –
APPROVED; REFERED CONFLICT OF INTEREST CODE TO KERN COUNTY BOARD OF SUPERVISORS FOR APPROVAL
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

CA

- 6) Proposed retroactive Schedule No. 9 to Agreement 2016-036 with Cerner Corporation, an independent contractor, containing nonstandard terms and conditions, for purchase of registration modules for the Millennium Project, effective August 28, 2018, in an amount not to exceed \$89,476 over seven years –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 058-2018
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

CA

- 7) Proposed retroactive Schedule No. 10 to Agreement 2016-036 with Cerner Corporation, an independent contractor, containing nonstandard terms and conditions, for purchase of correctional medicine modules for the Millennium Project, effective August 31, 2018, for a term of 73 months, in an amount not to exceed \$3,816,000 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 059-2018
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

CA

- 8) Proposed Amendment No. 16 to Agreement 180-99 with 3M Company, an independent contractor, for purchase of physician coding software, reimbursement logic and encoder for integration with the electronic health record, effective September 19, 2018, extending the term two months from July 17, 2023 through September 18, 2023, and increasing the maximum payable by \$1,405,891 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 060-2018
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

CA

- 9) Proposed Amendment No. 2 to Agreement 06018 with Clarity Technology Partners, LLC, an independent contractor, for technology-related temporary staffing and contingent search services, increasing the maximum payable by \$370,000, from \$550,000 to \$920,000, effective September 24, 2018 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 061-2018
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

CA

- 10) Proposed Amendment No. 1 to Agreement 14818 with Healthcare Performance Group, Inc., an independent contractor, for professional consulting services for the electronic health record for the period June 11, 2018 through June 10, 2019, increasing the maximum payable by \$217,000, from \$233,000 to \$450,000, effective September 19, 2018 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 062-2018
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

CA

- 11) Proposed Statement of Work under the Agreement 00218 with Vector Resources, Inc. doing business as VectorUSA, an independent contractor, for the purchase of additional cabling, products and services for the Millennium Project, effective upon commencement of the project, in an amount not to exceed \$414,139 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 063-2018
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

CA

- 12) Proposed Statement of Work under the Agreement 00218 with Vector Resources, Inc. doing business as VectorUSA, an independent contractor, for the purchase of additional Wi-Fi products and services, effective upon commencement of the project, in an amount not to exceed \$282,701 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 064-2018
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

CA

- 13) Proposed Amendment No. 2 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, 2018, extending the term for one year from October 15, 2018 through October 14, 2019, and increasing the maximum payable by \$380,000, from \$760,000 to \$1,140,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 065-2018
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

CA

- 14) Proposed retroactive Agreement with Katayoun Sabetian, M.D., Inc., an independent contractor, for professional medical services in the Department of Medicine from September 1, 2018 through August 31, 2020, in an amount not to exceed \$610,000 –
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT 066-2018
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

CA

- 15) Proposed retroactive Amendment No. 1 to Agreement 2016-051 with Mission Linen Supply, an independent contractor, for linen supply and laundry services for the period August 1, 2016 through July 31, 2018, extending the term for two years from August 1, 2018 through July 31, 2020, and increasing the maximum payable by \$2,500,000, from \$1,880,000 to \$4,380,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 067-2018
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

- 16) Proposed Memorandum of Understanding with Service Employees International Union, Local 521, for bargaining units 1, 2, 3, 4, 5, and 6, effective September 19, 2018 through October 31, 2020, with changes to wages, hours, and terms and conditions of employment –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 068-2018;
AUTHORIZED CHIEF EXECUTIVE OFFICER, CHIEF FINANCIAL OFFICER, AND HUMAN RESOURCES TO IMPLEMENT CHANGES
Sistrunk-Brar: 6 Ayes; 1 Absent - Pelz

- 17) Kern County Hospital Authority Chief Financial Officer report –
RECEIVED AND FILED
Berjis-McLaughlin: 6 Ayes; 1 Absent - Pelz
 - 18) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED
Berjis-Sistrunk: 6 Ayes; 1 Absent - Pelz
- CA
- 19) Claims and Lawsuits Filed as of August 31, 2018 –
RECEIVED AND FILED
Lawson-Sistrunk: 6 Ayes; 1 Absent - Pelz

ADJOURNED TO CLOSED SESSION
McLaughlin-Berjis

CLOSED SESSION

- 20) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 21) 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
- 22) CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Kern County Assessor Parcel Number: 120-181-54; Property Owners: Mushtaq Ahmed and Rehmat Ahmed; Agency Negotiators: Russell V. Judd, Chief Executive Officer and Scott Thygerson, Chief Strategy Officer; Under Negotiation: Price and Terms of Payment (Government Code Section 54956.8) – SEE RESULTS BELOW
- 23) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code Section 54956.9(d)(1)) Name of case: Maria McCoy v. Kern Medical Center, Workers' Compensation Appeals Board Case No. ADJ7197264 – SEE RESULTS BELOW
- 24) 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

- 25) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Russell V. Judd, and designated staff - Employee organizations: Unrepresented Employees (Government Code Section 54957.6) – SEE RESULTS BELOW
- 26) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Vice President & General Counsel Karen S. Barnes and designated staff – Unrepresented Employee: Chief Executive Officer (Government Code Section 54957.6) – SEE RESULTS BELOW
- 27) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION
Berjis-Sistrunk

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 20 concerning 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, SECOND BY DIRECTOR MCLAUGHLIN; 1 ABSTENTION - DIRECTOR BERJIS; 1 ABSENT - DIRECTOR PELZ), THE BOARD APPROVED ALL PROVIDERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING; REQUEST FOR ADDITIONAL PRIVILEGES, VOLUNTARY RESIGNATION OF PRIVILEGES, AND AUTOMATIC TERMINATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 21 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

Item No. 22 concerning CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Kern County Assessor Parcel Number: 120-181-54; Property Owners: Mushtaq Ahmed and Rehmat Ahmed; Agency Negotiators: Russell V. Judd, Chief Executive Officer and Scott Thygerson, Chief Strategy Officer; Under Negotiation: Price and Terms of Payment (Government Code Section 54956.8) – 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: Maria McCoy v. Kern Medical Center, Workers' Compensation Appeals Board Case No. ADJ7197264 – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 24 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. 25 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Russell V. Judd, and designated staff - Employee organizations: Unrepresented Employees (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 26 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Vice President & General Counsel Karen S. Barnes and designated staff – Unrepresented Employee: Chief Executive Officer (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 27 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, OCTOBER 17, 2018, AT 11:30 A.M.

McLaughlin



/s/ Mona A. Allen
Authority Board Coordinator



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