



SUMMARY OF PROCEEDINGS

KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

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

Regular Meeting
Wednesday, January 18, 2023

11:30 A.M.

BOARD RECONVENED

Board Members: Alsop, Berjis, Bigler, Brar, McLaughlin, Pelz
Roll Call: 5 Present; 1 Absent - Alsop

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

NOTE: DIRECTOR ALSOP JOINED THE MEETING AFTER THE VOTE ON THE CONSENT AGENDA

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 REQUESTS

- 3) Request of Philip McLaughlin, representing Tri Counties Bank, to present an unrestricted donation in the amount of \$5,000 to Kern Medical Center Foundation –
PHILIP MCLAUGHLIN HEARD; PRESENTATION MADE

ITEMS FOR CONSIDERATION

CA

- 4) Minutes for the Kern County Hospital Authority Board of Governors regular meeting on December 14, 2022 –
APPROVED
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop

CA

- 5) Proposed Agreement with Arman G. Froush, D.O., a contract employee, for professional medical and administrative services in the Department of Radiology from February 1, 2023 through January 31, 2028, in an amount not to exceed \$5,300,000 plus applicable benefits –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 001-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop

CA

- 6) Proposed Cerner Sales Order OPT-0460783 with Cerner Corporation, an independent contractor, for professional consulting services to integrate the new radiology NOVARAD PACS imaging storage system, in an amount not to exceed \$57,253 plus travel expenses –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 002-2023; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN FOR RECEIPT OF DELIVERY
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop

CA

- 7) Proposed Cerner Sales Order OPT-0451356 with Cerner Corporation, an independent contractor, containing nonstandard terms and conditions, for professional and shared computing services to integrate the Atellica Chemistry Analyzer Laboratory Instrument, for a term of 60 months, effective January 18, 2023, in an amount not to exceed \$12,100 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 003-2023; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN FOR RECEIPT OF DELIVERY
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop

- CA
8) Proposed Schedule A-3 to Agreement 58122 with Healthcare Performance Group, Inc., an independent contractor, for the period October 1, 2022 through September 30, 2024, for professional consulting services to assist with the Oracle Cerner Code Upgrade, increasing the maximum payable by \$325,000, from \$164,910 to \$489,910, plus travel expenses – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 004-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop
- CA
9) Proposed Personal/Professional Services Agreement with RBB Architects, Inc., for a feasibility study and drawings for the proposed behavioral health tower expansion project, effective January 18, 2023, in an amount not to exceed \$297,500 plus travel expenses – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 005-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop
- CA
10) Proposed Amendment No. 4 to Agreement 08919 for Personal/Professional Services with Quality Floor Covering, an independent contractor, for the period December 1, 2018 through November 30, 2024, for flooring maintenance and repair services, effective January 18, 2023, extending the term for two years from December 1, 2024 through November 30, 2026, and increasing the maximum payable by \$750,000, from \$750,000 to \$1,500,000, to cover the extended term – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 006-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop
- CA
11) Proposed Engagement Letter to Agreement 2017-025 with Strata Decision Technology, LLC, an independent contractor, for the period March 16, 2022 through March 16, 2026, for software integration of clinical data from the Electronic Health Record into Stata for decision support, cost accounting and operating budget reporting, increasing the maximum payable by \$114,376, from \$4,162,124 to \$4,276,500, to cover the cost of the project – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 007-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop
- CA
12) Proposed Purchase Order Agreement with Accurate Surgical and Scientific Instruments, an independent contractor, containing nonstandard terms and conditions, for purchase of instruments and supplies for micro-tendon, vascular and breast reconstruction procedures, effective January 18, 2023, in an amount not to exceed \$12,360 plus taxes and shipping – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 008-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop
- CA
13) Proposed Master Subscription Agreement with ESO Solutions, Inc., an independent contractor, containing nonstandard terms and conditions, for software to link emergency medical services patient information to the Electronic Health Record, effective January 18, 2023, in an amount not to exceed \$23,500 per year – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 009-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop

CA

- 14) Proposed Price Agreement with Teleflex, LLC, an independent contractor, containing nonstandard terms and conditions, for purchase of surgical gastrointestinal dilators, effective January 18, 2023, in an amount not to exceed \$27,500 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 010-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop

CA

- 15) Proposed Certification of Medical Necessity for BD Alaris™ System Infusion Pump –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 011-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop

CA

- 16) Proposed Amendment No. 6 to Agreement 20119 with Juan M. Lopez, M.D., a contract employee, for professional medical and administrative services in the Department of Obstetrics and Gynecology, for the period July 1, 2019 through January 31, 2023, extending the term for one month from February 1, 2023 through February 28, 2023, and increasing the maximum payable by \$40,000, from \$1,620,000 to \$1,660,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 012-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop

CA

- 17) Proposed Third Amendment to Operating Agreement of Kern Medical Surgery Center, LLC, increasing the capital contribution by \$4,781,363, from \$2,000,000 to \$6,781,363, effective January 18, 2023 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 013-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop

CA

- 18) Proposed retroactive Agreement with Kern Medical Surgery Center, LLC, for management and administrative services, effective August 1, 2018, in an amount not to exceed \$13,005,450 for the period August 1, 2018 through December 31, 2022, and \$4,125,000 per calendar year, effective January 1, 2023 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 014-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop

CA

- 19) Proposed Resolution in the matter of creating an ad hoc committee of the Board of Governors for the limited, specific purpose of undertaking a public employee performance evaluation of the Chief Executive Officer, appointing Chairman Bigler, Director Berjis, and Director Pelz to the ad hoc committee, and directing the Vice President & General Counsel to assist the ad hoc committee in implementing the provisions of the Resolution, effective January 18, 2023 –
APPROVED; ADOPTED RESOLUTION 2023-001
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop

- CA
20) Proposed Amendment No. 3 to Agreement 871-2015 with Shahab Hillyer, M.D., a contract employee, for professional medical and administrative services in the Department of Surgery, for the period January 1, 2016 through December 31, 2025, increasing the maximum vacation accrual from 280 hours to 320 hours, effective January 18, 2023 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 015-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop
- CA
21) Proposed Amendment No. 3 to the License Agreement 04518 with Decision Resources Group, Inc., on behalf of its Healthcare Business Insights division, an independent contractor, for the period February 12, 2018 through February 11, 2023, for renewal of the Revenue Cycle Academy/E-Learning Membership, extending the term one year from February 12, 2023 through February 11, 2024, and increasing the maximum payable by \$29,330, from \$132,722 to \$162,052, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 016-2023
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop
- 22) Kern County Hospital Authority Chief Financial Officer report –
CHIEF FINANCIAL OFFICER ANDREW CANTU HEARD; RECEIVED AND FILED
Brar-Berjis: 6 Ayes
- 23) Kern County Hospital Authority Chief Executive Officer report –
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON HEARD; RECEIVED AND FILED
Pelz-Brar: 6 Ayes
- CA
24) Monthly report on What's Happening at Kern Medical Center –
RECEIVED AND FILED
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop
- CA
25) Claims and Lawsuits Filed as of December 31, 2022 –
RECEIVED AND FILED
Pelz-McLaughlin: 5 Ayes; 1 Absent - Alsop

ADJOURNED TO CLOSED SESSION
Berjis-McLaughlin

CLOSED SESSION

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

- 28) 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

RECONVENED FROM CLOSED SESSION
Pelz-McLaughlin

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 26 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 27 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Vice President & General Counsel Karen S. Barnes, and designated staff - Unrepresented Employee: Chief Financial Officer (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 28 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

ADJOURNED TO WEDNESDAY, FEBRUARY 15, 2023 AT 11:30 A.M.
Brar



/s/ Mona A. Allen
Authority Board Coordinator



/s/ Amir Berjis, M.D.
Secretary/Treasurer, Board of Governors
Kern County Hospital Authority