



## 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, February 21, 2024

11:30 A.M.

#### BOARD RECONVENED

Board Members: Berjis, Bigler, McLaughlin, Neal, Pelz, Pollard, Zervis  
Roll Call: 4 Present; 3 Absent - Bigler, Neal, Pollard

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

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH A "CA" OR "C" 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. 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!**

**DR. REBECCA RIVERA HEARD REGARDING A REQUEST TO INVESTIGATE DRS. JUAN LOPEZ AND GLENN GOLDIS FOR ABUSE OF POWER, CONFLICT OF INTEREST, FRAUDULENT BILLING, AND UNFAIR TREATMENT OF WOMEN**

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**

RECOGNITION

- 3) Presentation by the Chief Executive Officer recognizing James L. Zervis for his service on the Kern County Hospital Authority Board of Governors –  
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON MADE PRESENTATION; DIRECTOR ZERVIS HEARD

ITEMS FOR CONSIDERATION

CA

- 4) Minutes for the Kern County Hospital Authority Board of Governors regular meeting on January 17, 2024 –  
APPROVED  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 5) Proposed Second Amended and Restated Credit Agreement with PNC Bank, National Association (PNC Bank) for a revolving line of credit, increasing the maximum available principal amount of credit under the Line of Credit to \$30,000,000 and extending the maturity date of the Line of Credit to a date not later than February 28, 2025, amending and restating the Amended and Restated Credit Agreement (as previously approved by the Board of Governors) to include provisions for new interest rate setting procedures and certain administrative amendments necessary to comply with PNC Bank current policies, provided that the Line of Credit shall otherwise be substantially on the same terms set out in the Amended and Restated Credit Agreement and that any indebtedness incurred thereunder at any time shall be secured only by personal property, substantially the same as the personal property described in the previously executed General Security and Pledge Agreement, in favor of PNC Bank, and delegating authority to certain officers –  
APPROVED; ADOPTED RESOLUTION 2024-004; AUTHORIZED AND DIRECTED ANY TWO OF THE FOLLOWING OFFICERS (EACH, AN "AUTHORIZED OFFICER"), FOR AND IN THE NAME OF AND ON BEHALF OF THE AUTHORITY, TO EXECUTE THE SECOND AMENDED AND RESTATED CREDIT AGREEMENT 018-2024 AND AN AMENDMENT TO THE NOTE, OR A NEW NOTE IF THE AUTHORIZED OFFICERS DETERMINE THAT A NEW NOTE IS ADVISABLE, AS THE AUTHORIZED OFFICERS EXECUTING THE SAME, TOGETHER WITH THE VICE PRESIDENT & GENERAL COUNSEL OF THE AUTHORITY, SHALL APPROVE: CHAIRMAN OF THIS BOARD, VICE-CHAIRMAN OF THIS BOARD, CHIEF EXECUTIVE OFFICER OF THE AUTHORITY OR CHIEF FINANCIAL OFFICER OF THE AUTHORITY  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 6) Proposed retroactive acceptance of grant funds from Public Health Institute CA Bridge Program in the amount of \$625,000 to expand testing for syphilis, HIV and Hepatitis C virus in the Emergency Department, effective October 30, 2023 –  
APPROVED; ADOPTED RESOLUTION 2024-005; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENTS 019-2024 AND 020-2024  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 7) Proposed retroactive acceptance of donation of travel and related expenses from UKG for one Kern Medical Center employee to attend the UKG Industry Executive Summit West 2024 in San Diego, California, from February 5-7, 2024 –  
APPROVED; ADOPTED RESOLUTION 2024-006  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 8) Proposed retroactive Gold Service Plan Terms and Conditions with Astanza, LLC, an independent contractor, containing nonstandard terms and conditions, for service and maintenance of the tattoo removal laser from January 24, 2024 through January 25, 2025, in an amount not to exceed \$11,999 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 021-2024  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 9) Proposed Amendment No. 8 to Agreement 1048-2010 with Total Renal Care, Inc., an independent contractor, for acute dialysis services for the period December 1, 2010 through February 29, 2024, extending the term for two months from March 1, 2024 through April 30, 2024 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 022-2024  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 10) Proposed Amendment to Master Agreement 910-2015 with Elsevier, Inc., an independent contractor, for employee educational software for the period December 15, 2015 through December 31, 2026, adding the ClinicalKey for Nursing software licenses, and increasing the maximum payable by \$69,333, from \$757,224 to \$826,557, to cover the term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 023-2024  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 11) Proposed Quotation 2301380624 with Philips Healthcare, a division of Philips North America LLC, an independent contractor, containing nonstandard terms and conditions, for purchase of EKG upgrade kits, in an amount not to exceed \$3,362, plus applicable tax and shipping, effective February 21, 2024 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 024-2024  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 12) Proposed Agreement with Heredia Cabling Solutions, an independent contractor, for installation of an infant security system, in an amount not to exceed \$181,070, effective February 21, 2024 –

MADE FINDING THAT THE PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15301, 15302 AND 15061(b)(3) OF STATE CEQA GUIDELINES; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 025-2024; AUTHORIZED CHIEF EXECUTIVE OFFICER TO APPROVE FUTURE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED 10% OF \$164,609

**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 13) Proposed Amendment No. 2 to Personal/Professional Services Agreement 47621 with Arcardis, an independent contractor, for construction design services for the period July 29, 2021 through July 28, 2024, extending the term for three years from July 29, 2024 through July 28, 2027, increasing the maximum payable by \$250,000, from \$250,000 to \$500,000, to cover the extended term –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 026-2024

**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 14) Proposed Amendment No. 2 to Personal/Professional Services Agreement 057-2020 with Thyssenkrupp Elevator Corporation, an independent contractor, for design and construction upgrades to the D Wing elevators, increasing the maximum payable by \$71,931, from \$2,422,623 to \$2,494,554, to cover the term –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 027-2024

**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 15) Proposed Change Order No. 1 to Agreement 090-2023 with Mountain West Builders, Inc., an independent contractor, for construction services related to laboratory modifications, increasing the maximum payable by \$26,748, from \$134,564 to \$161,312, to cover the term –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 028-2024

**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 16) Proposed Amendment No. 1 to Agreement 59522 with DFI Enterprises, an independent contractor, for construction project inspection services for the period September 19, 2022 through September 18, 2025, extending the term for two years from September 19, 2024 through September 18, 2027, and increasing the maximum payable by \$250,000, from \$200,000 to \$450,000, to cover the extended term –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 029-2024

**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 17) Proposed retroactive Amendment No. 1 to Agreement 101-2023 with John B. Schlaerth, M.D., A Medical Corporation, an independent contractor, for professional medical services in the Department of Obstetrics and Gynecology for the period September 1, 2023 through August 31, 2025, deleting services as Chief, Division of Gynecologic Oncology, effective January 19, 2024 –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 030-2024

**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 18) Proposed retroactive Amendment No. 1 to Agreement 096-2022 with Amin Ahmed Ramzan, M.D., a contract employee, for professional medical services in the Department of Obstetrics and Gynecology, for the period August 17, 2022 through August 16, 2027, revising the job description to add services as Chief, Division of Gynecologic Oncology and Program Director for the Obstetrics and Gynecology residency program, adding an annual stipend of \$24,000 for services as Program Director, adding an annual retention bonus of \$25,000, and increasing the maximum payable by \$160,000, from \$3,090,000 to \$3,250,000, to cover the term, effective January 19, 2024 –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 031-2024

**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 19) Proposed Amendment No. 2 to Agreement 69022 with Wilbur Nelson Montana, D.O., an independent contractor, for professional medical services in the Department of Medicine for the period December 1, 2022 through February 29, 2024, extending the term for two years from March 1, 2024 through February 28, 2026, adding compensation for excess clinical hours, and increasing the maximum payable by \$2,000,000, from \$300,000 to \$2,300,000, to cover the term –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 032-2024

**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 20) Proposed Amendment No. 1 to Agreement 044-2023 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 March 15, 2023 through March 14, 2028, increasing the compensation for weekend day, holiday and weekday night call coverage, and increasing the maximum payable by \$250,000, from \$3,250,000 to \$3,500,000, to cover the term –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 033-2024

**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CA

- 21) Proposed Amendment No. 1 to Agreement 041-2023 with Tarun Rustagi, M.D., a contract employee, for professional medical and administrative services in the Department of Medicine for the period March 16, 2023 through March 15, 2024, extending the term for two years from March 16, 2024 through March 15, 2026, adding a signing bonus of \$50,000, increasing the expenditure for immigration expenses by \$15,000, from \$15,000 to \$30,000, and increasing the maximum payable by \$2,520,435, from \$1,340,000 to \$3,860,435, to cover the term –

**WITHDRAWN**

- 22) Proposed Agreement with McMurtrey Lince, Inc., an independent contractor, for construction of a new pediatric unit and fast track exam rooms in the Emergency Department, in an amount not to exceed \$3,012,900, effective February 21, 2024 until project completion –

CHIEF OPERATING OFFICER TYLER WHITEZELL MADE PRESENTATION; CHIEF EXECUTIVE OFFICER SCOTT THYGERSON RESPONDED TO QUESTIONS POSED BY DIRECTORS BERJIS AND PELZ; MADE FINDING THAT THE PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15301, 15302 AND 15061(b)(3) OF STATE CEQA GUIDELINES; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 034-2024; AUTHORIZED CHIEF EXECUTIVE OFFICER TO APPROVE FUTURE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED 10% OF \$2,739,000

**Berjis-Pelz: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

- 23) Kern County Hospital Authority Chief Financial Officer report –  
CHIEF FINANCIAL OFFICER ANDREW CANTU HEARD REGARDING THE DECEMBER  
FINANCIALS AND RESPONDED TO QUESTIONS POSED BY DIRECTOR MCLAUGHLIN;  
RECEIVED AND FILED  
**Zervis-Berjis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**
- 24) Kern County Hospital Authority Chief Executive Officer report –  
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON HEARD; RECEIVED AND FILED  
**Berjis-Pelz: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**
- CA  
25) Monthly report on What’s Happening at Kern Medical Center –  
RECEIVED AND FILED  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**
- CA  
26) Claims and Lawsuits Filed as of January 31, 2024 –  
RECEIVED AND FILED  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**
- CA  
27) Miscellaneous Correspondence as January 31, 2024  
RECEIVED AND FILED  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

ADJOURNED AS KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS;  
RECONVENED AS KERN MEDICAL SURGERY CENTER, LLC BOARD OF MANAGERS  
**Zervis-Pelz: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

- 28) Kern Medical Surgery Center, LLC, Administrative Report –  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

DIRECTOR ZERVIS REQUESTED THIS ITEM BE REMOVED FROM THE CONSENT  
AGENDA

**Zervis-Pelz: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

DIRECTORS BERJIS, MCLAUGHLIN, PELZ AND ZERVIS HEARD REGARDING THE  
SURGERY CENTER FINANCIALS; REFERRED TO STAFF TO BRING AN INFORMATIONAL  
ITEM TO THE NEXT BOARD OF MANAGERS MEETING REGARDING THE FINANCES OF  
THE SURGERY CENTER AND ITS FINANCIAL IMPACT ON THE OVERALL HOSPITAL  
AUTHORITY, TO INCLUDE DEMONSTRATING HOW OPERATING THE SURGERY  
CENTER SEPARATELY FROM THE HOSPITAL AUTHORITY IS FINANCIALLY  
ADVANTAGEOUS COMPARED TO PROVIDING THOSE SAME SERVICES DIRECTLY  
THROUGH THE HOSPITAL AUTHORITY OR NOT PROVIDING THEM AT ALL

**Zervis-Berjis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

C-29) Proposed retroactive 401(k) Profit Sharing Plan for Kern Medical Surgery Center, LLC employees and appointment of Shanan Mallard as the successor Authorized Representative – APPROVED; ADOPTED RESOLUTION 2024-001; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN; DIRECTED KERN COUNTY HOSPITAL AUTHORITY HUMAN RESOURCES TO IMPLEMENT  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

C-30) Proposed credentialing recommendations – APPROVED  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

C-31) Claims and Lawsuits Filed as of February 2024 RECEIVED AND FILED  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

ADJOURNED AS KERN MEDICAL SURGERY CENTER, LLC BOARD OF MANAGERS; RECONVENED AS KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS  
**Pelz-Berjis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

ADJOURNED TO CLOSED SESSION  
**Pelz-Zervis: 4 Ayes; 3 Absent - Bigler, Neal, Pollard**

CLOSED SESSION

32) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW

**NOTE: DIRECTOR POLLARD JOINED THE MEETING AFTER THE DISCUSSION AND VOTE ON ITEM 32**

33) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(e)(1)) 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: Facts and circumstances that might result in litigation against the Authority but which the Authority believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed – SEE RESULTS BELOW

34) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Scott Thygerson, and designated staff - Employee Organizations: Unrepresented Employees (Government Code Section 54957.6) – SEE RESULTS BELOW

35) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Scott Thygerson, and designated staff - Employee organizations: Service Employees International Union, Local 521 (Government Code Section 54957.6) – SEE RESULTS BELOW

- 36) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2) & (e)(2)) 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: 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. Facts and circumstances are as follows: Novarad Corporation – SEE RESULTS BELOW
- 37) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521, Charging Party, v. Kern County Hospital Authority, Respondent, Public Employment Relations Board Case No. LA-CE-1599-M – SEE RESULTS BELOW
- 38) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Farzin Tayefeh, M.D., et al. v. County of Kern, et al., Kern County Superior Court, Case No. BCV-15-100647 – SEE RESULTS BELOW
- 39) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-64581, Penalty No. 120019236 – SEE RESULTS BELOW
- 40) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-64581, Penalty No. 120019259 – SEE RESULTS BELOW
- 41) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-64581, Penalty No. 120019322 – SEE RESULTS BELOW
- 42) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-64580, Penalty No. 120019340 – SEE RESULTS BELOW
- 43) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-64581, Penalty No. 120019384 – SEE RESULTS BELOW
- 44) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-66389, Penalty No. 120019413 – SEE RESULTS BELOW
- 45) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-66388, Penalty No. 120019455 – SEE RESULTS BELOW

- 46) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-64573, Penalty No. 120019386 – SEE RESULTS BELOW
- 47) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521, Charging Party, v. Kern County Hospital Authority, Respondent, Public Employment Relations Board Case No. LA-CE-1573-M – SEE RESULTS BELOW

RECONVENE FROM CLOSED SESSION

**Berjis-Pollard**

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item 32 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 BERJIS, SECOND BY DIRECTOR ZERVIS); 3 ABSENT - DIRECTORS BIGLER, NEAL AND POLLARD), THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, VOLUNTARY RESIGNATION OF PRIVILEGES, AND AUTOMATIC TERMINATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item 33 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(e)(1)) 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: Facts and circumstances that might result in litigation against the Authority but which the Authority believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed – HEARD; NO REPORTABLE ACTION TAKEN

Item 34 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Scott Thygerson, and designated staff - Unrepresented Employees (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

Item 35 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Scott Thygerson, and designated staff - Employee organizations: Service Employees International Union, Local 521 (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

Item 36 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2) & (e)(2)) 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: 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. Facts and circumstances are as follows: Novarad Corporation – HEARD; NO REPORTABLE ACTION TAKEN

Item 37 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521, Charging Party, v. Kern County Hospital Authority, Respondent, Public Employment Relations Board Case No. LA-CE-1599-M – HEARD; NO REPORTABLE ACTION TAKEN

Item 38 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Farzin Tayefeh, M.D., et al. v. County of Kern, et al., Kern County Superior Court, Case No. BCV-15-100647 – HEARD; NO REPORTABLE ACTION TAKEN

Item 39 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-64581, Penalty No. 120019236 – HEARD; NO REPORTABLE ACTION TAKEN

Item 40 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-64581, Penalty No. 120019259 – HEARD; NO REPORTABLE ACTION TAKEN

Item 41 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-64581, Penalty No. 120019322 – HEARD; NO REPORTABLE ACTION TAKEN

Item 42 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-64580, Penalty No. 120019340 – HEARD; NO REPORTABLE ACTION TAKEN

Item 43 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-64581, Penalty No. 120019384 – HEARD; NO REPORTABLE ACTION TAKEN

Item 44 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-66389, Penalty No. 120019413 – HEARD; NO REPORTABLE ACTION TAKEN

Item 45 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-66388, Penalty No. 120019455 – HEARD; NO REPORTABLE ACTION TAKEN

Item 46 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Accusation in the Matter of the Appeal by Kern County Hospital Authority dba Kern Medical Center, CDPH Case No. 23-AL-LNC-64573, Penalty No. 120019386 – HEARD; NO REPORTABLE ACTION TAKEN

Item 47 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521, Charging Party, v. Kern County Hospital Authority, Respondent, Public Employment Relations Board Case No. LA-CE-1573-M – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, MARCH 20, 2024 AT 11:30 A.M.

**Pollard**



/s/ Mona A. Allen  
Authority Board Coordinator



/s/ Phillip McLaughlin  
Vice Chairman, Board of Governors  
Kern County Hospital Authority