



## SUMMARY OF PROCEEDINGS

### KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

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

Regular Meeting  
Wednesday, April 20, 2022

11:30 A.M.

#### BOARD RECONVENED

Board Members: Alsop, Berjis, Bigler, Brar, Kitchen, McLaughlin, Pelz  
Roll Call: 6 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 AND FOLLOWING ITEM 3

#### 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)) –

**DIRECTOR BERJIS REPORTED ON THE UPCOMING RESIDENT RESEARCH FORUM ON THURSDAY, MAY 26, 2022 AT BAKERSFIELD COLLEGE EVENT CENTER; DIRECTOR BERJIS REPORTED ON THE UPCOMING RESIDENT AND FELLOW RECOGNITION DINNER ON THURSDAY, JUNE 2, 2022 AT THE IRON LILY**

RECOGNITION

- 3) Presentation by the Chief Executive Officer recognizing Kern Medical Center certified nurses–  
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON MADE PRESENTATION
- 4) Presentation by the Chief Executive Officer recognizing Kern Medical Center employees who responded to the F Ward fire –  
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON MADE PRESENTATION; CHAIRMAN BIGLER EXPRESSED HIS APPRECIATION TO STAFF

ITEMS FOR CONSIDERATION

CA

- 5) Proposed Resolution in the matter of making findings pursuant to Government Code Section 54953, as amended by Assembly Bill 361, and authorizing the continued use of virtual meetings –  
APPROVED; ADOPTED RESOLUTION 2022-007  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 6) Minutes for the Kern County Hospital Authority Board of Governors regular meeting on March 16, 2022 –  
APPROVED  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 7) Proposed reappointments of Directors Russell Bigler and Philip McLaughlin to the Kern County Hospital Authority Board of Governors, terms to expire June 30, 2025 –  
REFERRED TO KERN COUNTY BOARD OF SUPERVISORS TO MAKE APPOINTMENTS  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 8) Proposed retroactive Amendment No. 1 to Master Services Agreement 002-2019 with CIOX Health, LLC, an independent contractor, for the period January 16, 2019 through January 15, 2022, for medical record reproduction services, extending the term for two years from January 16, 2022 through January 15, 2024, and increasing the maximum payable by \$250,000, from \$225,000 to \$475,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 046-2022  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 9) Proposed Master Terms and Conditions with BFLY Operations, Inc., an independent contractor, containing nonstandard terms and conditions, for portable ultrasound devices and software from April 20, 2022 through April 19, 2025, in an amount not to exceed \$206,786 plus applicable taxes –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 047-2022  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 10) Proposed Sales Order OPT-0276640 with Cerner Corporation, an independent contractor, for 21st Century CURES Professional Services platform to access prescription databases, effective April 20, 2022, in an amount not to exceed \$94,600 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 048-2022  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 11) Proposed Sales Order OPT-0302150 with Cerner Corporation, an independent contractor, containing nonstandard terms and conditions, for purchase of the Electronic Clinical Reporting Solution to comply with CURES reporting requirements, for a term of 60 months, effective April 20, 2022, in an amount not to exceed \$146,920 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 049-2022  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 12) Proposed retroactive Amendment No. 6 to Agreement 317-2012 with Ross University School of Medicine, an independent contractor, for the period September 3, 2012 through September 2, 2022, to revise the termination date from September 2, 2022 to July 31, 2022, and waive fees for unfilled clerkship positions, effective February 16, 2022 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 050-2022  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 13) Proposed retroactive Equipment Sale Agreement and Master Product Agreement with Siemens Healthcare Diagnostics, Inc., an independent contractor, containing nonstandard terms and conditions, for purchase of clinical laboratory chemistry testing equipment and reagents, for a term of five years, effective March 31, 2022, in an amount not to exceed \$640,000 –  
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT 051-2022  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 14) Proposed retroactive Lease Agreement with First American Commercial Bancorp, Inc., an independent contractor, containing nonstandard terms and conditions, for financing of clinical laboratory chemistry testing equipment, for a term of five years, effective March 31, 2022, in an amount not to exceed \$186,000 –  
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT 052-2022  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 15) Proposed Amendment No. 3 to Agreement 53119 with Rajinder P. Singh, M.D., an independent contractor, for professional medical services in the Department of Radiology, for the period October 7, 2019 through October 6, 2022, increasing the maximum payable by \$350,000, from \$750,000 to \$1,100,000, to cover the term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 053-2022  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 16) Proposed Amendment No. 1 to Agreement 038-2020 with Katayoun Sabetian, M.D., Inc., an independent contractor, for professional medical services in the Department of Medicine, for the period September 1, 2020 through August 31, 2022, extending the term for two years from September 1, 2022 through August 31, 2024, adding a stipend for Medical Student Clerkship Director services, and increasing the maximum payable by \$660,000, from \$610,000 to \$1,270,000, to cover the cost of additional services and extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 054-2022  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 17) Proposed retroactive Terms and Conditions of Service with TrueLearn, LLC, an independent contractor, containing nonstandard terms and conditions, for purchase of licenses for graduate medical education test preparation software, for a term of three years, effective March 31, 2022, in an amount not to exceed \$19,680 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 055-2022  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

CA

- 18) Proposed retroactive Substitute Equipment Agreement with Olympus America, Inc., an independent contractor, containing nonstandard terms and conditions, for purchase of an urology image processor, for a term of 60 days, effective April 14, 2022, in an amount not to exceed \$500 –  
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT 056-2022  
**Berjis-Pelz: 6 Ayes; 1 Absent - Alsop**

- 19) Proposed Affiliation Agreement with Western University Health Sciences/College of Osteopathic Medicine of the Pacific, and independent contractor, for clinical training of third- and fourth-year medical students for a term of three years from August 1, 2022 through July 31, 2025 –  
DIRECTOR BERJIS HEARD REGARDING THE DECISION TO PARTNER WITH A US-BASED MEDICAL SCHOOL; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 057-2022  
**Berjis-McLaughlin: All Ayes**

- 20) Kern County Hospital Authority Chief Financial Officer report –  
RECEIVED AND FILED  
**Pelz-McLaughlin: All Ayes**

- 21) Kern County Hospital Authority Chief Executive Officer report –  
RECEIVED AND FILED  
**Berjis-Pelz: All Ayes**

CA

- 22) Claims and Lawsuits Filed as of March 31, 2022 –  
RECEIVED AND FILED  
**Berjis-Pelz: 6 Ayes; 1 Absent – Alsop**

ADJOURNED TO CLOSED SESSION  
**Berjis-Pelz**

CLOSED SESSION

- 23) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 24) 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
- 25) CONFERENCE WITH LEGAL COUNSEL – FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: William Coughran v. Kern County Hospital Authority; and DOES 1 through 50, Inclusive, Kern County Superior Court Case No. BCV-21-100662 – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION  
**Berjis-McLaughlin**

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 23 concerning 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 PELZ, SECOND BY DIRECTOR KITCHEN), THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, REQUEST FOR CHANGE IN STAFF STATUS, VOLUNTARY RESIGNATION OF PRIVILEGES, AND AUTOMATIC TERMINATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 24 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 No. 25 concerning CONFERENCE WITH LEGAL COUNSEL – FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: William Coughran v. Kern County Hospital Authority; and DOES 1 through 50, Inclusive, Kern County Superior Court Case No. BCV-21-100662 – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, MAY 18, 2022 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