



SUMMARY OF PROCEEDINGS

KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

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

Regular Meeting
Wednesday, June 15, 2022

11:30 A.M.

BOARD RECONVENED

Board Members: Alsop, Berjis, Bigler, Brar, Kitchen, McLaughlin, Pelz
Roll Call: 4 Present; 3 Absent - Alsop, Berjis, Brar

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 PRIOR TO THE DISCUSSION AND VOTE ON ITEM 4

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

RECOGNITION

- 3) Presentation by the Chief Executive Officer recognizing Garth “Jon” Olango, M.D., for his outstanding leadership and service as President of Staff of the Medical Staff of Kern Medical Center from July 1, 2020 through June 30, 2022 –
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON MADE PRESENTATION; INCOMING PRESIDENT OF STAFF, RICK A. MCPHEETERS, D.O., INTRODUCED

ITEMS FOR CONSIDERATION

CA

- 4) 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 2022-010
Pelz-McLaughlin: 4 Ayes; 3 Absent - Alsop, Berjis, Brar

CA

- 5) Minutes for the Kern County Hospital Authority Board of Governors regular meeting on May 18, 2022 –
APPROVED
Pelz-McLaughlin: 4 Ayes; 3 Absent - Alsop, Berjis, Brar

CA

- 6) Proposed acceptance of donation from Safety National and MedPro for travel and related expenses for one Kern Medical Center employee to attend the American Society for Health Care Risk Management “ASHRM Express 2022” in Chicago, Illinois, from July 11-12, 2022 –
APPROVED; ADOPTED RESOLUTION 2022-011
Pelz-McLaughlin: 4 Ayes; 3 Absent - Alsop, Berjis, Brar

CA

- 7) Proposed Amendment No. 3 to Agreement 06816 with Health Advocates, LLC, an independent contractor, for accounts receivable and financial services for the period July 1, 2016 through June 30, 2022, extending the term for 90 days from July 1, 2020 through September 30, 2022, and increasing the maximum payable by \$1,050,000, from \$14,800,000 to \$15,850,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 065-2022
Pelz-McLaughlin: 4 Ayes; 3 Absent – Alsop, Berjis, Brar

CA

- 8) Proposed Agreement with Michael J. Eagan, M.D., a contract employee, for professional medical services in the Department of Surgery from June 24, 2022 through June 23, 2025, in an amount not to exceed \$3,300,000, plus applicable benefits –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 066-2022
Pelz-McLaughlin: 4 Ayes; 3 Absent - Alsop, Berjis, Brar

CA

- 9) Proposed Amendment No. 2 to Agreement 871-2015 with Shahab Hillyer, M.D., a contract employee, for professional services in the Department of Surgery, for the period January 1, 2016 through December 31, 2025, adding compensation for dual hospital coverage and services as Chief, Division of Urology, and increasing the maximum payable by \$667,200, from \$7,974,358 to \$8,641,558, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 067-2022
Pelz-McLaughlin: 4 Ayes; 3 Absent - Alsop, Berjis, Brar

CA

- 10) Proposed Agreement with Wong Moon, M.D., a contract employee, for professional medical services in the Department of Surgery from August 20, 2022 through August 19, 2025, in an amount not to exceed \$2,740,625, plus applicable benefits –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 068-2022
Pelz-McLaughlin: 4 Ayes; 3 Absent - Alsop, Berjis, Brar

CA

- 11) Proposed Amendment No. 1 to Agreement 032-2019 with M. Brandon Freeman, M.D., a contract employee, for professional services in the Department of Surgery, for the period July 17, 2019 through July 16, 2022, extending the term for 90 days from July 17, 2022 through October 21, 2022, and increasing the maximum payable by \$150,000, from \$1,800,000 to \$1,950,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 069-2022
Pelz-McLaughlin: 4 Ayes; 3 Absent - Alsop, Berjis, Brar

CA

- 12) Proposed Amendment No. 4 to Agreement 529-2018 with County of Kern, as represented by the Kern County Sheriff's Office – Coroner Section, for morgue and autopsy services, for the period July 1, 2018 through June 30, 2022, extending the term for one year from July 1, 2022 through June 30, 2023, and increasing the maximum payable by \$80,000, from \$200,000 to \$280,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 070-2022
Pelz-McLaughlin: 4 Ayes; 3 Absent - Alsop, Berjis, Brar

CA

- 13) Proposed renewal and binding of insurance coverages for hospital professional liability, general liability and umbrella/excess liability, workers' compensation and employers liability, automobile liability, heliport and non-owned aircraft liability, directors and officers liability, employment practices liability, healthcare regulatory liability, crime, privacy and security (cyber) liability, premises pollution liability, underground storage tank liability, employed lawyers professional liability, and fiduciary liability from July 1, 2022 through June 30, 2023, with option to finance selected premiums through PRISM and BankDirect Capital Finance in an amount not to exceed \$1,826,850 –
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN COMMERCIAL INSURANCE PREMIUM FINANCE AND SECURITY AGREEMENT 071-2022
Pelz-McLaughlin: 4 Ayes; 3 Absent - Alsop, Berjis, Brar

CA

- 14) Proposed Sales Order (OPT-0297289) with Cerner Corporation, an independent contractor, containing nonstandard terms and conditions, for purchase of the Cerner/Tonic Patient Intake Solution, for a term of 66 months, effective June 15, 2022, in an amount not to exceed \$879,978
–
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 072-2022
Pelz-McLaughlin: 4 Ayes; 3 Absent - Alsop, Berjis, Brar
- 15) Report on the status of Cerner Electronic Health Record implementation –
WITHDRAWN
- 16) Kern County Hospital Authority Chief Financial Officer report –
RECEIVED AND FILED
McLaughlin-Pelz: 5 Ayes; 2 Absent - Berjis, Brar
- 17) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED
Pelz-McLaughlin: 5 Ayes; 2 Absent - Berjis, Brar

CA

- 18) Claims and Lawsuits Filed as of May 31, 2022 –
RECEIVED AND FILED
Pelz-McLaughlin: 4 Ayes; 3 Absent - Alsop, Berjis, Brar

ADJOURNED TO CLOSED SESSION
McLaughlin-Alsop

CLOSED SESSION

- 19) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 20) Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 21) 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
- 22) CONFERENCE WITH LEGAL COUNSEL – FORMALLY INITIATED LITIGATION
(Government Code Section 54956.9(d)(1)) Name of case: Kern County Hospital Authority, a Governmental entity v. California Department of Corrections and Rehabilitation, et al., Kern County Superior Court Case No. BCV-20-102979 DRL – SEE RESULTS BELOW
- 23) 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

RECONVENED FROM CLOSED SESSION

Alsop - Pelz

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 19 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 PELZ, SECOND BY DIRECTOR ALSOP; 2 ABSENT - BERJIS, BRAR), THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING; AND VOLUNTARY RESIGNATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 20 concerning Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – THIS ITEM WAS NOT HEARD

Item No. 21 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 – THIS ITEM WAS NOT HEARD

Item No. 22 concerning CONFERENCE WITH LEGAL COUNSEL – FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Kern County Hospital Authority, a Governmental entity v. California Department of Corrections and Rehabilitation, et al., Kern County Superior Court Case No. BCV-20-102979 DRL – THIS ITEM WAS NOT HEARD

Item No. 23 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

ADJOURNED TO WEDNESDAY, JULY 20, 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