



SUMMARY OF PROCEEDINGS

KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

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

Regular Meeting
Wednesday, September 15, 2021

11:30 A.M.

BOARD RECONVENED

Directors Present: Berjis, Bigler, Brar, Kitchen, Pelz

Directors Absent: Alsop, McLaughlin

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

- 1) Introduction of Kern County Hospital Authority Board Member Jacqui Kitchen
MADE INTRODUCTION

PUBLIC PRESENTATIONS

- 2) 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

- 3) 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

- 4) Presentation by the President, Hospital and Clinic Operations recognizing the contributions of Kern Medical Center Revenue Cycle Team during the COVID-19 pandemic –
MADE PRESENTATION

ITEMS FOR CONSIDERATION

CA

- 5) Minutes for the Kern County Hospital Authority Board of Governors regular meeting on August 18, 2021 –
APPROVED
Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, McLaughlin

CA

- 6) Proposed Amendment No. 22 to Agreement 2016-036 with Cerner Corporation, an independent contractor, containing nonstandard terms and conditions, for purchase of the CareAware Upgrade for a term of 36 months, effective September 15, 2021, in an amount not to exceed \$107,038 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 052-2021
Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, McLaughlin

CA

- 7) Proposed retroactive Master Services Agreement with Stericycle, Inc., an independent contractor, containing nonstandard terms and conditions, for waste disposal services from August 15, 2021 through August 14, 2026, in an amount not to exceed \$942,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 053-2021-A, 053-2021-B, 053-2021-C, 053-2021-D
Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, McLaughlin

CA

- 8) Proposed Amendment No. 1 to Agreement 055-2019 with United Neuroscience, Inc., an independent contractor, for professional medical services in the Department of Medicine for the period October 1, 2019 through September 30, 2021, extending the term for one year from October 1, 2021 through September 30, 2022, and increasing the maximum payable by \$1,100,000, from \$1,940,000 to \$3,040,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 054-2021
Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, McLaughlin

- CA
9) Proposed Amendment No. 1 to Agreement 871-2015 with Shahab Hillyer, M.D., a contract employee, for professional medical in the Department of Surgery for the period January 1, 2016 through December 31, 2022, extending the term for three years from January 1, 2023 through December 31, 2025, and increasing the maximum payable by \$2,250,000, from \$5,724,358 to \$7,974,358, plus applicable benefits, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 055-2021
Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, McLaughlin
- CA
10) Proposed retroactive Rental Agreement with Mission Linen Supply, an independent contractor, for linen services from August 1, 2021 through July 31, 2024, in an amount not to exceed \$3,660,720 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 056-2021
Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, McLaughlin
- CA
11) Proposed Agreement with McMurtrey Lince, Inc., an independent contractor, for construction services related to the renovation of the Pediatric Clinic at 1111 Columbus, Suite 1000, in an amount not to exceed \$407,000, effective September 15, 2021 –
MADE FINDING 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 057-2021; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN FUTURE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED 10% OF THE TOTAL CONTRACT PRICE
Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, McLaughlin
- CA
12) Proposed Agreement with Redsson, Ltd., an independent contractor, containing non-standard terms and conditions, for cancer registry data retrieval services, from September 15, 2021 through September 14, 2022, in an amount not to exceed \$2,500 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 058-2021
Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, McLaughlin
- CA
13) Proposed retroactive Amendment No. 1 to Agreement 040-2020 with Autumn Enterprises, Inc., doing business as Freedom Healthcare Staffing, an independent contractor, for supplemental healthcare staffing services for the period August 19, 2020 through August 18, 2021, extending the term for two years from August 19, 2021 through August 18, 2023, and increasing the maximum payable by \$1,000,000, from \$1,684,800 to \$2,684,800, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 059-2021
Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, McLaughlin
- CA
14) Proposed approval of Medical Staff COVID-19 Vaccination Policy –
APPROVED
Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, McLaughlin

CA

- 15) Proposed acceptance of donation from Safety National and MagMutual for travel and related expenses for one Kern Medical Center employee to attend the HCCA "Healthcare Research Compliance Academy" in Las Vegas, Nevada, from December 13-16, 2021 – APPROVED; ADOPTED RESOLUTION 2021-008
Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, McLaughlin

- 16) Kern County Hospital Authority financial report – RECEIVED AND FILED
Berjis-Pelz: 5 Ayes; 2 Absent - Alsop, McLaughlin

- 17) Kern County Hospital Authority Chief Executive Officer report – RECEIVED AND FILED
Pelz-Kitchen: 5 Ayes; 2 Absent - Alsop, McLaughlin

CA

- 18) Claims and Lawsuits Filed as of August 30, 2021 – RECEIVED AND FILED
Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, McLaughlin

ADJOURNED TO CLOSED SESSION
Kitchen-Berjis

NOTE: DIRECTOR BRAR LEFT THE MEETING IMMEDIATELY AFTER THE BOARD ADJOURNED TO CLOSED SESSION AND DID NOT RETURN

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) CONFERENCE WITH LEGAL COUNSEL – FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Tyler Andrews, an individual v. Kern County Hospital Authority, a public agency that is a local unit of government, which owns and operates Kern Medical Center; and DOES 1 through 100, inclusive, Kern County Superior Court Case No. BCV-19-103529 TSC – SEE RESULTS BELOW
- 21) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(e)(2) (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
- 22) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Russell V. Judd, and designated staff - Employee organizations: Service Employees International Union, Local 521 (Government Code Section 54957.6) – SEE RESULTS BELOW

- 23) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – SEE RESULTS BELOW
- 24) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: President, Hospital and Clinic Operations (Government Code Section 54957) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION
Berjis-Kitchen

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 BERJIS, SECOND BY DIRECTOR PELZ; 3 ABSENT - DIRECTOR ALSOP, BRAR AND MCLAUGHLIN), THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, REVIEW/RELEASE OF PROCTORING, REQUEST ADDITIONAL PRIVILEGES, VOLUNTARY RESIGNATION OF PRIVILEGES, AND AUTOMATIC TERMINATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 20 concerning CONFERENCE WITH LEGAL COUNSEL – FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Tyler Andrews, an individual v. Kern County Hospital Authority, a public agency that is a local unit of government, which owns and operates Kern Medical Center; and DOES 1 through 100, inclusive, Kern County Superior Court Case No. BCV-19-103529 TSC – HEARD; NO REPORTABLE ACTION TAKEN

Item 21 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(e)(2) (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 22 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Russell V. Judd, and designated staff - Employee organizations: Service Employees International Union, Local 521 (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

Item 23 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

Item 24 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: President, Hospital and Clinic Operations (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, OCTOBER 20, 2021 AT 11:30 A.M.

Pelz



/s/ Mona A. Allen
Authority Board Coordinator



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