



SUMMARY OF PROCEEDINGS

KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

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

Regular Meeting
Wednesday, June 17, 2020

11:30 A.M.

BOARD RECONVENED

Board Members: Alsop, Berjis, Bigler, Brar, McLaughlin, Pelz, Sistrunk
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.

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM NO. 19A: MADE FINDING THAT THE NEED TO TAKE ACTION ON A NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED ON JUNE 12, 2020. ON JUNE 15, 2020, AFTER THE AGENDA WAS POSTED, THE KERN COUNTY HOSPITAL AUTHORITY AND SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 521, AGREED THAT AUTHORITY WILL CREDIT AN ADDITIONAL 80 HOURS OF EXTENDED ILLNESS BENEFIT OF EACH EMPLOYEE WHO TESTS POSITIVE FOR COVID-19, WHO MUST BE ABSENT FROM WORK DUE TO A POSITIVE DIAGNOSIS, AND WHO WORKED AT ONE OR MORE AUTHORIZED AUTHORITY LOCATIONS WITHIN 14 DAYS OF DIAGNOSIS. DUE TO THE ECONOMIC CONSEQUENCES TO EMPLOYEES OF NOT APPROVING THE SIDE LETTER OF AGREEMENT EMERGENTLY, IT IS NECESSARY FOR THE BOARD OF GOVERNORS TO CONSIDER THE AGREEMENT AT ITS REGULAR MEETING ON JUNE 17, 2020. THE NEXT REGULAR MEETING OF THE BOARD OF GOVERNORS IS SCHEDULED FOR JULY 15, 2020

Berjis-Pelz: 6 Ayes; 1 Absent - Alsop

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 NON-AGENDA ITEM AND BEFORE 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))

DIRECTOR BERJIS PROVIDED AN UPDATE ON GRADUATE MEDICAL EDUCATION. GRADUATION CEREMONY HAS BEEN CANCELED DUE TO COVID-19. GRADUATING RESIDENTS AND FELLOWS WILL RECEIVE A GIFT IN LEIU OF A CEREMONY. ONLINE ZOOM EVENTS BY CLINICAL DEPARTMENT WILL BE HELD FOR GRADUATES. FORTY NEW INTERN RESIDENTS AND FELLOWS WILL START MONDAY, JUNE 29, 2020

ITEMS FOR CONSIDERATION

CA

- 3) Minutes for Kern County Hospital Authority Board of Governors regular meeting on May 20, 2020 –
APPROVED
Berjis-Pelz: 7 Ayes

CA

- 4) Proposed Agreement with Winnie A. Palispis, M.D., a contract employee, for professional medical services in the Department of Surgery from August 1, 2020 through July 31, 2026, in an amount not to exceed \$3,490,000, plus applicable benefits –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 021-2020
Berjis-Pelz: 7 Ayes

CA

- 5) Proposed Agreement with Theingi Win, M.D., a contract employee, for professional medical services in the Department of Medicine from July 8, 2020 through July 7, 2023, in an amount not to exceed \$1,575,000, plus applicable benefits –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 022-2020
Berjis-Pelz: 7 Ayes

CA

- 6) Proposed Agreement with Mohammed A. S. Molla, M.D., a contract employee, for professional medical services in the Department of Psychiatry from July 14, 2020 through July 13, 2025, in an amount not to exceed \$2,289,766, plus applicable benefits –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 023-2020
Berjis-Pelz: 7 Ayes

CA

- 7) Proposed Engagement Letter from Moss-Adams, LLP, an independent contractor, regarding the audit of Kern Medical Center financial statements for the fiscal year ended June 30, 2020, in an amount not to exceed \$150,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 024-2020
Berjis-Pelz: 7 Ayes

CA

- 8) Proposed Amendment No. 6 to Agreement 472-2009 with Morrison Management Specialists, Inc., doing business as Morrison Healthcare, Inc., an independent contractor, for dietary and nutrition services for the period June 27, 2009 through June 30, 2023, adding dietary staff, increasing the salary for Registered Dietician services, and increasing the maximum payable by \$378,873, from \$6,419,663 to \$6,798,536, to cover the term, effective June 27, 2020 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 025-2020
Berjis-Pelz: 7 Ayes

CA

- 9) Proposed Amendment No. 2 to Agreement 2016-042 with Trans-West Security Services, Inc., an independent contractor, for security services for the period July 1, 2016 through June 30, 2020, extending the term for two years from July 1, 2020 through June 30, 2022, increasing the maximum payable by \$4,200,000, from \$5,612,834 to \$9,812,834, to cover the extended term, effective July 1, 2020 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 026-2020
Berjis-Pelz: 7 Ayes

CA

- 10) Proposed Amendment No. 6 to Agreement 1118-2009 with Healthcare Interpreter Network, an independent contractor, for language interpretation services for the period September 9, 2009 through June 30, 2020, extending the term for one year from July 1, 2020 through June 30, 2021, and increasing the amount payable by \$135,000, from \$857,391 to \$992,391, to cover the extended term, effective July 1, 2020 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 027-2020
Berjis-Pelz: 7 Ayes

CA

- 11) Proposed retroactive Amendment No. 9 to Agreement 14818 with Healthcare Performance Group, Inc., an independent contractor, for professional consulting services related to the Cerner Millennium project for the period June 11, 2018 through June 10, 2020, extending the term for two months from June 11, 2020 through August 10, 2020, and increasing the maximum payable by \$99,360, from \$2,844,824 to \$2,944,184, to cover the extended term, effective June 11, 2020 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 028-2020
Berjis-Pelz: 7 Ayes

CA

- 12) Request to employ retired Kern County Hospital Authority employee Tina Anderson, as Extra Help Senior Paralegal, for the period ending June 30, 2021, or 960 hours, whichever occurs first, effective July 1, 2020 –
APPROVED
Berjis-Pelz: 7 Ayes

CA

- 13) Proposed Amendment No. 2 to Agreement 2017-023 with AMN Healthcare, Inc., an independent contractor, for temporary staffing services for the period August 11, 2016 through August 10, 2020, extending the term for four years from August 11, 2020 through August 10, 2024, and increasing the maximum payable by \$12,000,000, from \$12,000,000 to \$24,000,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 029-2020
Berjis-Pelz: 7 Ayes

CA

- 14) Proposed renewal and binding of insurance coverages for hospital professional liability, general liability and umbrella/excess liability, excess workers' compensation and employers liability, automobile liability, helipad liability, directors and officers liability, employment practices liability, crime, privacy and security (cyber) liability, premises pollution liability, underground storage tank liability, employed lawyers liability, and fiduciary liability from July 1, 2020 through June 30, 2021, with option to finance selected premiums including property insurance (building, equipment, business interruption, and flood coverage renewed March 31, 2020) through IPFS Corporation of California and CSAC-EIA in an amount not to exceed \$1,068,873 –
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN PREMIUM FINANCE AGREEMENT 030-2020 AND CERTIFICATE OF INCUMBENCY
Berjis-Pelz: 7 Ayes

- 15) Request to employ retired Kern County Hospital Authority employee Manuel Acosta, as Extra Help PACS Administrator, for the period ending June 30, 2021, or 960 hours, whichever occurs first, effective July 1, 2020 –
APPROVED
Pelz-Sistrunk: 7 Ayes

- 16) Kern County Hospital Authority Financial report –
RECEIVED AND FILED
Berjis-Brar: 7 Ayes

- 17) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED
Berjis-Pelz: 7 Ayes

CA

- 18) Miscellaneous Correspondence as of May 31, 2020 –
RECEIVED AND FILED
Berjis-Pelz: 7 Ayes

CA

19) Claims and Lawsuits Filed as of May 31, 2020 –
RECEIVED AND FILED
Berjis-Pelz: 7 Ayes

19A) Proposed Side Letter of Agreement with Service Employees International Union, Local 521, crediting an additional 80 hours of extended illness benefit to the Extended Illness Bank of each employee who tests positive for COVID-19, who must be absent from work due to a positive diagnosis, and who worked at one or more authorized Authority locations within 14 days of diagnosis, effective June 17, 2020 through September 30, 2020 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 031-2020
Berjis-Sistrunk: 7 Ayes

ADJOURNED TO CLOSED SESSION
McLaughlin-Berjis

CLOSED SESSION

- 20) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 21) Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 22) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code Section 54956.9(d)(1)) Name of case: Kathryn A. Kodner, an individual, et al. v. Kern County Hospital Authority, et al., Kern County Superior Court Case No. BCV-18-102453 TSC – SEE RESULTS BELOW
- 23) Request for Closed Session for the purpose of discussion or taking action on authority trade secrets (Health and Safety Code Section 101855(e)(1)) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION
Pelz-Sistrunk

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 20 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 MCLAUGHLIN) THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, REVIEW/RELEASE OF PROCTORING, CHANGE IN STAFF STATUS, VOLUNTARY RESIGNATION OF PRIVILEGES, AND AUTOMATIC TERMINATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 21 concerning Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) - HEARD; NO REPORTABLE ACTION TAKEN

Item No. 22 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Kathryn A. Kodner, an individual, et al. v. Kern County Hospital Authority, et al., Kern County Superior Court Case No. BCV-18-102453 TSC – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 23 concerning Request for Closed Session for the purpose of discussion or taking action on authority trade secrets (Health and Safety Code Section 101855(e)(1)) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, JULY 15, 2020, AT 11:30 A.M.

Alsop



/s/ Mona A. Allen
Authority Board Coordinator



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