



SUMMARY OF PROCEEDINGS

KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

**Kern Medical
1700 Mount Vernon Avenue
Conference Room 1058
Bakersfield, California 93306**

Regular Meeting
Wednesday, January 17, 2018

11:30 A.M.

BOARD RECONVENED

Directors present: Berjis, Bigler, Lawson, McGauley, McLaughlin, Pelz

Directors absent: Sistrunk

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

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM NO. 23: MADE FINDING THAT THE NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED ON JANUARY 12, 2018. ON JANUARY 16, 2018, THE KERN COUNTY HOSPITAL AUTHORITY RECEIVED AN UPDATE REGARDING AN ONGOING PERSONNEL MATTER THAT REQUIRES THE IMMEDIATE ATTENTION OF THE BOARD OF GOVERNORS.

McLaughlin-McGauley: 6 Ayes; 1 Absent - Sistrunk

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH A "CA" 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. Also, 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 Michael J. Eagan, M.D. –
MADE PRESENTATION

ITEMS FOR CONSIDERATION

CA

- 4) Minutes for Kern County Hospital Authority Board of Governors regular meeting on December 13, 2017 –
APPROVED
Pelz-McGauley: 6 Ayes; 1 Absent - Sistrunk
- 5) Proposed presentation regarding Kern Medical sexual harassment policies and employee education –
MADE PRESENTATION; RECEIVED AND FILED
Berjis-McGauley: 6 Ayes; 1 Absent - Sistrunk

CA

- 6) Proposed Agreement with Matthew M. Malerich, M.D., Incorporated, an independent contractor, for professional medical services in the Department of Surgery from April 9, 2018 through April 8, 2021, in an amount not to exceed \$2,700,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 001-2018
Pelz-McGauley: 6 Ayes; 1 Absent - Sistrunk

CA

- 7) Proposed Agreement with Desert Hand and Plastic Surgery PC, an independent contractor, for professional medical services in the Department of Surgery from April 9, 2018 through April 8, 2021, in an amount not to exceed \$2,700,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 002-2018
Pelz-McGauley: 6 Ayes; 1 Absent - Sistrunk

CA

- 8) Proposed Agreement with Medtronic USA, Inc., an independent contractor, containing nonstandard terms and conditions, for the consigned purchase of Protégé carotid stent systems, effective January 17, 2018, in an annual amount estimated not to exceed \$52,320 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 003-2018
Pelz-McGauley: 6 Ayes; 1 Absent - Sistrunk

CA

- 9) Proposed retroactive Amendment No. 1 to Agreement 210-2016 with the County of Kern for employee benefit services, extending the provision of services, effective July 1, 2016 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 004-2018
Pelz-McGauley: 6 Ayes; 1 Absent - Sistrunk

CA

- 10) Proposed retroactive Resolution specifying the powers and duties of the Kern County Hospital Authority Chief Financial Officer, effective July 1, 2016 –
APPROVED; ADOPTED RESOLUTION 2018-001
Pelz-McGauley: 6 Ayes; 1 Absent - Sistrunk

CA

- 11) Proposed Agreement with HireRight, LLC, an independent contractor, containing nonstandard terms and conditions, for background screening products and services from January 17, 2018 through January 16, 2021, in an amount estimated not to exceed \$75,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN 005-2018
Pelz-McGauley: 6 Ayes; 1 Absent - Sistrunk

CA

- 12) Proposed acceptance of donation from CSAC EIA for travel and related expenses to cover all costs for one or more Kern Medical employees to attend the Division of Workers' Compensation "25th Annual DWC Educational Conference" in Los Angeles, California, from February 12-13, 2018 –
APPROVED; ADOPTED RESOLUTION 2018-002
Pelz-McGauley: 6 Ayes; 1 Absent - Sistrunk

- 13) Request to employ retired Kern County Hospital Authority employee Rose Bauer, as Extra Help Clinical Pharmacist, for the period ending June 30, 2018, or 960 hours, whichever occurs first, effective January 20, 2018 –
APPROVED
Lawson-Pelz: 6 Ayes; 1 Absent - Sistrunk
 - 14) Kern County Hospital Authority Chief Financial Officer report –
RECEIVED AND FILED
McLaughlin-Berjis: 6 Ayes; 1 Absent - Sistrunk
 - 15) Kern County Hospital Authority Chief Executive Officer report –
RECEIVE AND FILE
Pelz-Lawson: 6 Ayes; 1 Absent - Sistrunk
- CA
- 16) Claims and Lawsuits Filed as of December 31, 2017 –
RECEIVE AND FILE
Pelz-McGauley: 6 Ayes; 1 Absent - Sistrunk

ADJOURNED TO CLOSED SESSION
McGauley-McLaughlin

CLOSED SESSION

- 17) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 18) 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
- 19) 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
- 20) CONFERENCE WITH LEGAL COUNSEL - EXISTING 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 LHB – SEE RESULTS BELOW

- 21) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code Section 54956.9(d)(1)) Name of case: Kern Emergency Physicians Medical Group, a California general partnership v. County of Kern, et al., Kern County Superior Court, Case No. S-1500-CV-283225 LHB – SEE RESULTS BELOW
- 22) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code Section 54956.9(d)(1)) Name of case: Brandy Hernandez aka Brandy Desrocher, an individual v. County of Kern, et al., Kern County Superior Court, Case No. BCV-17-102820 SDS – SEE RESULTS BELOW
- 23) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957(b)) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION
McLaughlin-Berjis

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 17 concerning a Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 18 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. 19 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 No. 20 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING 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 LHB – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 21 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Kern Emergency Physicians Medical Group, a California general partnership v. County of Kern, et al., Kern County Superior Court, Case No. S-1500-CV-283225 LHB – 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: Brandy Hernandez aka Brandy Desrocher, an individual v. County of Kern, et al., Kern County Superior Court, Case No. BCV-17-102820 SDS – HEARD; NO REPORTABLE ACTION TAKEN

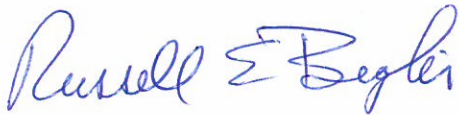
Item No. 23 concerning PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957(b)) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, FEBRUARY 21, 2018, AT 11:30 A.M.

McGauley



/s/ Mona A. Allen
Authority Board Coordinator



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