



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, December 14, 2016

11:30 A.M.

BOARD RECONVENED

Directors present: Berjis, Bigler, McGauley, McLaughlin, Nilon, Pelz, Sistrunk
Directors absent: None

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

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

NOTE: CHIEF EXECUTIVE OFFICER RUSSELL V. JUDD AND THE EMPLOYEES OF MERIDIAN HEALTHCARE PARTNERS, INC. ARRIVED AT 11:52 A.M., AFTER 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. 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))

DIRECTOR NILON ACKNOWLEDGED HIS IMPENDING RETIREMENT FROM THE COUNTY OF KERN AND THANKED THE BOARD AND STAFF FOR THEIR HARD WORK AND DEDICATION, AND ENCOURAGED STAFF TO CONTINUE IN THEIR EFFORTS TO MAKE KERN MEDICAL THE HOSPITAL OF CHOICE IN KERN COUNTY

DIRECTOR BERJIS ACKNOWLEDGED THE RIBBON-CUTTING CEREMONY AND EXPRESSED HIS GRATITUDE TO KERN MEDICAL FOR THE NEW JJ'S LEGACY COMFORT ROOM TO HELP THE FAMILIES OF ICU PATIENTS BY PROVIDING THEM WITH A COMFORTABLE, COMPASSIONATE SPACE

ITEMS FOR CONSIDERATION

CA

- 3) Minutes for Kern County Hospital Authority Board of Governors regular meeting on December 14, 2016 –
APPROVED
Nilon-McGauley: 7 Ayes

CA

- 4) Proposed Amendment No. 7 to Agreement 336-2012 with Ruby A. Skinner, M.D., APC, an independent contractor, for professional medical services in the Department of Surgery, extending the term for six months through June 30, 2017, and increasing the maximum payable by \$250,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2016-087
Nilon-McGauley: 7 Ayes

CA

- 5) Proposed retroactive Amendment No. 3 to Agreement 166-2012 with Press Ganey Associates, Inc., an independent contractor, for patient experience survey products, adding services, and increasing the maximum payable by \$585,678, to cover the cost of additional services –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2016-088
Nilon-McGauley: 7 Ayes

CA

- 6) Proposed Amendment No. 1 to Agreement 07916 with Teter, LLP, an independent contractor, for engineering and architectural services, increasing the maximum payable by \$200,000, to cover the cost of services –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2016-089
Nilon-McGauley: 7 Ayes

CA

- 7) Proposed Amendment No. 1 to Agreement 10416 with Crei Corporation, an independent contractor, for lease of suites 111 and 113 at the Heritage Professional Building located at 2201 Mount Vernon Avenue, Bakersfield, California, increasing the amount of leased space to include suites 209 and 213, and increasing the total rental consideration in an amount not to exceed \$8,300 per month –
MADE FINDING PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15301 AND 15061(b)(3) OF STATE CEQA GUIDELINES; APPROVED;
AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2016-090 SUBJECT TO APPROVAL AS TO FORM BY COUNSEL
Nilon-McGauley: 7 Ayes

CA

- 8) Proposed Amendment No. 1 to Agreement 2016-047 with the County of Kern, as represented by the Office of County Counsel, for the provision of legal services to the Kern County Hospital Authority, reflecting recent changes to the enabling ordinance, and adding a provision that provides for termination with six months' notice –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2016-091
Nilon-McGauley: 7 Ayes

CA

- 9) Proposed retroactive Amendment No. 7 to Agreement 911-2013 with Meridian Healthcare Partners, Inc., an independent contractor, for Chief Executive Officer and healthcare management services, revising the compensation methodology for the period July 1, 2016 through December 31, 2106 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 2016-092
Nilon-McGauley: 7 Ayes

CA

- 10) Proposed Resolution revising the delegation of authority of the Kern County Hospital Authority Chief Executive Officer –
APPROVED; ADOPTED RESOLUTION 2016-022
Nilon-McGauley: 7 Ayes

CA

- 11) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED
Nilon-McGauley: 7 Ayes

- 12) Kern County Hospital Authority Chief Financial Officer report -
RECEIVED AND FILED
Pelz-McLaughlin: 7 Ayes

ADJOURNED TO CLOSED SESSION
Nilon-McGauley

CLOSED SESSION

- 13) Request for Closed Session regarding peer review of health facilities
(Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 14) Request for Closed Session regarding peer review of health practitioners
(Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 15) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives:
Chief Deputy County Counsel Karen S. Barnes and designated staff - Unrepresented
Employee: Kern County Hospital Authority Chief Executive Officer (Government Code
Section 54957.6) – SEE RESULTS BELOW
- 16) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer
(Government Code Section 54957) – SEE RESULTS BELOW
- 17) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government
Code Section 54956.9(d)(1)) Name of case: County of Kern v. Don Howard
Wasserman, M.D., Kern County Superior Court Case No. BCV-15-101536 SPC –
SEE RESULTS BELOW
- 18) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government
Code Section 54956.9(d)(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 – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION
McLaughlin-Sistrunk

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 13 concerning a 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. 14 concerning a Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – HEARD; BY A UNANIMOUS VOTE (NILON-McGAULEY), THE BOARD APPROVED ALL PROVIDERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, ADDITIONAL PRIVILEGES, AND VOLUNTARY RESIGNATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 15 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Deputy County Counsel Karen S. Barnes and designated staff - Unrepresented Employee: Kern County Hospital Authority Chief Executive Officer (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 16 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 17 concerning CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9 (d)(1)) Name of case: County of Kern v. Don Howard Wasserman, M.D., Kern County Superior Court Case No. BCV-15-101536 SPC – HEARD; NO REPORTABLE ACTION TAKEN

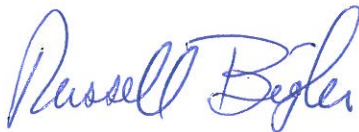
Item No. 18 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), e(3).) Number of cases: Two (2) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: Facts and circumstances that might result in litigation against the authority but which the authority believes are not yet known – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, JANUARY 18, 2017 AT 11:30 A.M.

Berjis



/s/ Raquel D. Fore
Authority Board Coordinator



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