



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 12, 2018

11:30 A.M.

BOARD RECONVENED

Directors Present: Berjis, Bigler, Brar, Lawson, McLaughlin, Pelz, Sistrunk
Directors Absent: None

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.

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!**

LARONDA DILLARD-SMITH, RN, HEARD REGARDING A NURSE PRACTITIONER WHO WAS RECENTLY TERMINATED DURING HER PROBATIONARY PERIOD

CARMEN MORALES-BOARD, RETIRED NP, HEARD REGARDING THE NURSING PRACTICE ACT

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 REPORTED ON THE UPCOMING MEETING AT KERN MEDICAL CENTER WITH THE DEAN AND VICE DEAN FOR EDUCATION OF DAVID GEFEN SCHOOL OF MEDICINE AT UCLA ON JANUARY 11, 2019

RECOGNITION

- 3) Presentation by the Chief Executive Officer recognizing Assistant County Administrative Officer Nancy Lawson for her service on the Kern County Hospital Authority Board of Governors –
MADE PRESENTATION; DIRECTOR LAWSON AND RUSSELL V. JUDD, CHIEF EXECUTIVE OFFICER, HEARD
- 4) Presentation by the Chief Executive Officer recognizing Kern Medical Center nursing graduates from other countries –
MADE PRESENTATION; RUSSELL V. JUDD, CHIEF EXECUTIVE OFFICER, TONI SMITH, CHIEF NURSING OFFICER, PATRICK SEVEGNY, RN, AND LATOYA GRAHAM, RN, HEARD

ITEMS FOR CONSIDERATION

- CA
5) Minutes for Kern County Hospital Authority Board of Governors regular meeting on November 14, 2018 –
APPROVED
Lawson-Pelz: 7 Ayes
- CA
6) Proposed Resolution establishing regular meeting dates of the Kern County Hospital Authority Board of Governors for calendar year 2019 –
APPROVED; ADOPTED RESOLUTION 2018-017
Lawson-Pelz: 7 Ayes

CA

- 7) Proposed retroactive Amendment No. 2 to Agreement 04416 with F. Rolin Inspection, an independent contractor, for OSHPD inspection services for the period of July 1, 2016 through June 30, 2019, extending the term for one year from July 1, 2019 through June 30, 2020, increasing the hourly rate from \$96 to \$98 per hour, and increasing the maximum payable by \$200,000, from \$249,000 to \$449,000, to cover the term, effective November 14, 2018 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 083-2018
Lawson-Pelz: 7 Ayes

CA

- 8) Proposed Amendment No. 1 to Agreement 07816 with Paul Dhanens Architect, Inc., an independent contractor, for engineering and architectural services for the period July 1, 2016 through June 30, 2019, extending the term for two years from July 1, 2019 through June 30, 2021, and increasing the maximum payable by \$200,000, from \$250,000 to \$450,000, to cover the term, effective December 12, 2018 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 084-2018
Lawson-Pelz: 7 Ayes

CA

- 9) Proposed acceptance of donation from Federal Emergency Management Agency Center for Domestic Preparedness for travel and related expenses to cover all costs for ten Kern Medical Center employees to attend the “Healthcare Leadership for Mass Casualty Incidents and Integrated Capstone Event” training in Anniston, Alabama, from January 13 through January 19, 2019 –
APPROVED; ADOPTED RESOLUTION 2018-018
Lawson-Pelz: 7 Ayes

NOTE: DIRECTOR BERJIS ANNOUNCED THAT, DUE TO HIS EMPLOYMENT WITH THE KERN COUNTY HOSPITAL AUTHORITY, HE WOULD RECUSE HIMSELF FROM THE VOTE ON ITEM 10 AND LEFT THE DAIS AT 11:46 A.M.

- 10) Proposed Agreement with Amir Berjis, M.D., a contract employee, for professional medical services in the Department of Surgery from January 4, 2019 through January 3, 2022, in an amount not to exceed \$1,905,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 085-2018
McLaughlin-Sistrunk: 6 Ayes; 1 Abstention - Berjis

NOTE: DIRECTOR BERJIS RETURNED TO THE DAIS AT 11:48 A.M. AFTER THE VOTE ON ITEM 10

CA

- 11) Proposed Amendment No. 2 to Agreement 30917 with Fowrooz S. Joolhar, M.D., a contract employee, for professional medical services in the Department of Medicine for the period September 30, 2017 through September 29, 2020, amending the job description to include a provision of invasive cardiology services, increasing the annual salary from \$425,000 to \$520,000 per year, and increasing the maximum payable by \$239,025, from \$1,297,500 to \$1,536,525, to cover the term, effective December 13, 2018 –

APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT
086-2018

Lawson-Pelz: 7 Ayes

- 12) Kern County Hospital Authority Chief Financial Officer report –
RECEIVED AND FILED

Berjis-Brar: 7 Ayes

- 13) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED

Pelz-Berjis: 7Ayes

CA

- 14) Claims and Lawsuits Filed as of November 30, 2018 –
RECEIVED AND FILED

Lawson-Pelz: 7 Ayes

CA

- 15) Miscellaneous Correspondence
RECEIVED AND FILED

Lawson-Pelz: 7 Ayes

ADJOURNED TO CLOSED SESSION

Sistrunk-McLaughlin

CLOSED SESSION

- 16) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 17) Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW

- 18) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), (e)(2).) 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, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the Authority and that are known to a potential plaintiff or plaintiffs – SEE RESULTS BELOW
- 19) 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
- 20) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – SEE RESULTS BELOW
- 21) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Vice President & General Counsel Karen S. Barnes and designated staff – Unrepresented Employee: Chief Executive Officer (Government Code Section 54957.6) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION

Berjis-Pelz

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 16 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 LAWSON, SECOND BY DIRECTOR PELZ), THE BOARD APPROVED ALL PROVIDERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, VOLUNTARY RESIGNATION OF PRIVILEGES, AND AUTOMATIC TERMINATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 17 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. 18 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), (e)(2).) 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, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the Authority and that are known to a potential plaintiff or plaintiffs – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 19 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

Item No. 20 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 21 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Vice President & General Counsel Karen S. Barnes and designated staff – Unrepresented Employee: Chief Executive Officer (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY JANUARY 16, 2019, AT 11:30 A.M.

Sistrunk



/s/ Mona A. Allen
Authority Board Coordinator



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