



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, September 20, 2017

11:30 A.M.

BOARD RECONVENED

Directors present: Berjis, Bigler, Lawson, McGauley, 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!**

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))

CHAIRMAN BIGLER REPORTED THAT KERN MEDICAL WILL SPONSOR 'MARVELOUS MONDAY' AT THE KERN COUNTY FAIR ON MONDAY, SEPTEMBER 25, 2017, FROM 3:00 P.M. TO 8:00 P.M. THAT WILL INCLUDE LIVE DEMONSTRATIONS OF THE DA VINCI SURGICAL ROBOT, CAR SEAT SAFETY, AND ARTIFACTS FROM KERN MEDICAL'S 150-YEAR HISTORY

RECOGNITION

- 3) Presentation by the Chief Nursing Officer recognizing the Clairvia Implementation Team at Kern Medical –
MADE PRESENTATION

ITEMS FOR CONSIDERATION

CA

- 4) Minutes for Kern County Hospital Authority Board of Governors regular meeting on August 16, 2017 –
APPROVED
Sistrunk-McGauley: 7 Ayes

CA

- 5) Proposed Agreement with Williams Scotsman, Inc., an independent contractor, for lease of a modular trailer to be located at 1111 Columbus Street for a term of 72 months commencing upon delivery, in an amount not to exceed \$260,000 –
APPROVED; MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA REVIEW PER SECTIONS 15301, 15302, AND 15061 (b)(3) OF STATE CEQA GUIDELINES;
AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 056-2017
Sistrunk-McGauley: All Ayes

CA

- 6) Proposed Agreement with Glooko, Inc., an independent contractor, containing nonstandard terms and conditions, for remote patient monitoring for diabetes, for a term of 12 months commencing on delivery of equipment, in amount not to exceed \$5,370 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 057-2017
Sistrunk-McGauley: All Ayes

CA

- 7) Proposed Resolution authorizing the Kern County Hospital Authority Chief Executive Officer to sign Whole Person Care Pilot Program Certifications of Lead Entity Reports as necessary, for any of the reports, invoice- or budget-related documents required in the Special Terms and Conditions of the California section 1115 Medi-Cal 2020 Demonstration Waiver specific to the Whole Person Care Pilot program and any other reports, invoice- or budget related documents requested by the California Department of Health Care Services specific to the Whole Person Care Pilot program –
APPROVED; ADOPTED RESOLUTION 2017-006
Sistrunk-McGauley: All Ayes

CA

- 8) Request to employ retired Kern County Hospital Authority employee Anabel Moreno, as Extra Help Program Specialist II, for the period ending June 30, 2018, or 960 hours, whichever occurs first, effective September 21, 2017 –
APPROVED
Sistrunk-McGauley: All Ayes

CA

- 9) Proposed retroactive Amendment No. 1 to Agreement 06816 with Health Advocates, LLC, an independent contractor, for accounts receivable and financial services, extending the term for three years from July 1, 2017 through June 30, 2020, and increasing the maximum payable by \$3,000,000, from \$1,000,000 to \$4,000,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 058-2017
Sistrunk-McGauley: All Ayes

CA

- 10) Report on quarterly expenditures authorized by Kern County Hospital Authority Chief Executive Officer for Fiscal Year 2016-2017 –
RECEIVED AND FILED
Sistrunk-McGauley: All Ayes

CA

- 11) Proposed Resolution revising the delegation of authority of the Kern County Hospital Authority Chief Executive Officer to enter into contracts and to secure and pay for certain professional and special services –
APPROVED; ADOPTED RESOLUTION 2017-007
Sistrunk-McGauley: All Ayes

CA

- 12) Proposed retroactive Agreement 17-94322 with the California Department of Health Care Services, an independent contractor, for funding the nonfederal share of the Public Hospital Redesign and Incentives in the Medi-Cal Learning Collaboratives of the California Medi-Cal 2020 Demonstration Project from July 1, 2017 through June 30, 2020, in an amount not to exceed \$10,800 –

APPROVED; AUTHORIZED CHIEF FINANCIAL OFFICER AND PRIME MANAGER TO SIGN AGREEMENT 059-2017

Sistrunk-McGauley: All Ayes

CA

- 13) Proposed retroactive Agreement with Pacific Gynecologic Specialists, an independent contractor, for professional medical services in the Department of Obstetrics and Gynecology from September 1, 2017 through August 31, 2019, in an amount not to exceed \$780,000 –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 060-2017

Sistrunk-McGauley: All Ayes

CA

- 14) Proposed retroactive Amendment No. 3 to Agreement 392-2015 with Armanino LLP, doing business as AMF Media Group, an independent contractor, for communication consulting services, extending the term through December 31, 2017, and increasing the maximum payable by \$500,000, from \$3,021,000 to \$3,521,000, to cover the extended term –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 061-2017

Sistrunk-McGauley: All Ayes

CA

- 15) Proposed Amendment No. 9 to Agreement 042-2015 with Cantu Management Group, Inc., an independent contractor, for Chief Financial Officer and healthcare financial management services, extending the term for an additional two years from February 9, 2019, through February 8, 2021, deleting seven positions, adding three positions, decreasing the monthly management fee by \$56,122, from \$318,666 to \$262,544, decreasing the monthly staffing fee by 5%, from 49% to 44%, revising the methodology for payment of the performance fee from quarterly to annually, incorporating performance measures for FY 2017-2018, modifying certain terms to comply with applicable law and authority policy, and increasing the maximum payable by \$13,157,552, from \$16,880,688 to \$30,038,240, effective October 1, 2017 –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 062-2017

Sistrunk-McGauley: All Ayes

CA

- 16) Proposed retroactive Agreements with File Recoup, an independent contractor, containing nonstandard terms and conditions, for diagnostic and data recovery services, in an amount not to exceed \$5,000, effective September 11, 2017 – APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENTS 063-2017 AND 064-2017
Sistrunk-McGauley: All Ayes

CA

- 17) Proposed Agreement with Jerry Cheriyan, M.D., a contract employee, for professional medical services in the Department of Surgery from November 11, 2017 through November 10, 2020, in an amount not to exceed \$1,850,400 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 065-2017 SUBJECT TO APPROVAL AS TO FORM BY COUNSEL
Sistrunk-McGauley: All Ayes

- 18) Proposed presentation by Moss-Adams LLP regarding the audit plan for the fiscal year ending June 30, 2017 – HEARD PRESENTATION; RECEIVED AND FILED
Pelz-McLaughlin: All Ayes

- 19) Kern County Hospital Authority Chief Financial Officer report – RECEIVED AND FILED
Berjis-McLaughlin: All Ayes

- 20) Kern County Hospital Authority Chief Executive Officer report – RECEIVED AND FILED
Pelz-Lawson: All Ayes

CA

- 21) Claims and Lawsuits Filed as of August 31, 2017 – RECEIVED AND FILED
Sistrunk-McGauley: All Ayes

CA

- 22) Proposed corrections to minutes for Kern County Hospital Authority Board of Governors regular meetings – APPROVED
Sistrunk-McGauley: All Ayes

ADJOURNED TO CLOSED SESSION
McGauley-Sistrunk

CLOSED SESSION

- 23) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 24) 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
- 25) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Government Code Section 54956.9(d)(2), (e)(3)) 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: The receipt of a claim pursuant to the Government Claims Act or some other written communication from a potential plaintiff threatening litigation, which non-exempt claim or communication is available for public inspection – SEE RESULTS BELOW
- 26) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521 v. County of Kern, et al., Public Employment Relations Board Case No. LA-CE-1084-M – SEE RESULTS BELOW
- 27) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521 v. County of Kern, et al., Public Employment Relations Board Case No. LA-CE-1096-M – SEE RESULTS BELOW
- 28) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521 v. Kern County Hospital Authority, Public Employment Relations Board Case No. LA-CE-1121-M – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION

Berjis-Pelz

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 23 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 (MOTION BY DIRECTOR LAWSON, SECONDED BY DIRECTOR SISTRUNK), THE BOARD APPROVED ALL PROVIDERS RECOMMENDED FOR REAPPOINTMENT, REVIEW AND RELEASE OF PROCTORING, AND VOLUNTARY RESIGNATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 24 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. 25 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(d)(2), (e)(3)) 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: The receipt of a claim pursuant to the Government Claims Act or some other written communication from a potential plaintiff threatening litigation, which non-exempt claim or communication is available for public inspection – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 26 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521 v. County of Kern, et al., Public Employment Relations Board Case No. LA-CE-1084-M – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 27 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521 v. County of Kern, et al., Public Employment Relations Board Case No. LA-CE-1096-M – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 28 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521 v. Kern County Hospital Authority, Public Employment Relations Board Case No. LA-CE-1121-M – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURN TO WEDNESDAY, OCTOBER 18, 2017, AT 11:30 A.M.

Berjis



/s/ Mona A. Allen
Authority Board Coordinator



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