



SUMMARY OF PROCEEDINGS

KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

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

Regular Meeting
Wednesday, January 19, 2022

11:30 A.M.

BOARD RECONVENED

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

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

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!**

GABRIEL GARCIA, BRANDEE COFFIA, GENEVIEVE TOMADA, LAKISA DOSS, CORINA ANDERSON, LAURA CHAVEZ, MARGARET MURO, GEORGE PFISTER, CHLOE ENGLISH, LOREAL JAMES, APRIL OETTING, GUADALUPE ULLOA, LIVIER VIDALES, MONICA GONZALEZ, MARISOL CASTRO, JAMIE BANKS, ALECIA, ALECIA ROSETTE, REBECCA RADICA, JENNIFER ARVIZU, CEASAR SANCHEZ, TABATHA LYONS, EVA HERNANDEZ, NYDIA MADERA OBIEDO, ANGELA AGUILAR, MA LEAH KOLENDO, JENNY SANTOS, LINNELL JAMERO, THERESA WILKINS, TINA ZAPATA, MIRIAM PINEDA, JOVITA BRAVO, PAIGE CRUMB, AND ASHLEY BAILEY HEARD REGARDING SEIU, LOCAL 521 CONTRACT NEGOTIATIONS; DIRECTOR BERJIS REQUESTED CHIEF EXECUTIVE OFFICER SCOTT THYGERSON RESPOND; SCOTT THYGERSON RESPONDED WITH AN UPDATE ON THE STATUS OF CONTRACT NEGOTIATIONS

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

INTRODUCTION

- 3) Introduction of Kern County Hospital Authority Chief Nursing Officer Dawn C. LeRoy, RN, MSN, CEN-BC –
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON MADE INTRODUCTION; DAWN C. LEROY HEARD

RECOGNITION

- 4) Presentation by the Chief Executive Officer recognizing the 'Association of Kern County Nurse Leaders 2022' nominees from Kern Medical Center –
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON MADE PRESENTATION; CHAIRMAN BIGLER CONGRATULATED THE NOMINEES

ITEMS FOR CONSIDERATION

CA

- 5) Proposed Resolution in the matter of making findings pursuant to Government Code Section 54953, as amended by Assembly Bill 361, and authorizing the continued use of virtual meetings –
APPROVED; ADOPTED RESOLUTION 2022-001
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

CA

- 6) Minutes for the Kern County Hospital Authority Board of Governors regular meeting on December 15, 2021 –
APPROVED
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

CA

- 7) Proposed retroactive Resolution reaffirming the prior appointments of Scott Thygerson, Andrew J. Cantu, Tyler S. Whitezell, and Glenn E. Goldis, M.D., and affirming the recent appointment of Dawn C. LeRoy, RN, MSN, CEN-BC, as Officers of the Kern County Hospital Authority, effective December 27, 2021 –
APPROVED; ADOPTED RESOLUTION 2022-002
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

CA

- 8) Proposed Kern County Hospital Authority Organizational Chart effective January 19, 2022 –
APPROVED
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

CA

- 9) Proposed Second Amendment to Operating Agreement of Kern Medical Surgery Center, LLC, appointing Renee Villanueva to the Board of Managers in place of Russell V. Judd, effective January 19, 2022 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 001-2022
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

CA

- 10) Proposed Purchase Order with TSI, Inc., an independent contractor, containing non-standard terms and conditions, for annual calibration services of PortaCount devices used for N95 respirator mask fit testing from January 19, 2022 through January 18, 2027, in an amount not to exceed \$10,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 002-2022
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

CA

- 11) Proposed Software Subscription Agreement with Rarestep, Inc., doing business as Fleetio, an independent contractor, containing non-standard terms and conditions, for an electronic fleet management tracking system from January 31, 2022 through January 30, 2023, in an amount not to exceed \$4,632 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 003-2022
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

CA

- 12) Proposed Amendment No. 6 to Agreement 1048-2010 with Total Renal Care, Inc., an independent contractor, for acute dialysis services for the period December 1, 2010 through January 29, 2022, extending the term from January 30, 2022 through November 30, 2023, and increasing the maximum payable by \$3,061,000, from \$4,525,000 to \$7,586,000, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 004-2022
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

CA

- 13) Proposed retroactive Business Associate Agreement with Varian Medical Systems, Inc., an independent contractor, containing non-standard terms and conditions, for the term of the underlying services agreement from November 5, 2021 through November 4, 2024 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 005-2022
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

- CA
14) Proposed retroactive Amendment No. 1 to Agreement 01317 with TALX Corporation, a provider of Equifax Workforce Solutions, an independent contractor, for employment verification and unemployment cost management services for the period January 1, 2017 through December 31, 2021, extending the term for three years from January 1, 2022 through December 31, 2024, in an amount not to exceed \$20,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 006-2022
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop
- CA
15) Proposed Professional Service Agreement and Telemedicine Credentialing and Privileging Agreement with Retina Vue, P.C., an independent contractor, containing non-standard terms and conditions, for remote ophthalmology and delegated credentialing services, from January 19, 2022 through January 18, 2027, in an amount not to exceed \$200,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 007-2022 AND 008-2022
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop
- CA
16) Proposed Amendment No. 1 to Agreement 014-2020 with Virtual Radiologic Professionals of California, P.A., an independent contractor, for remote radiology afterhours interpretation services for the period April 15, 2020 through April 14, 2022, increasing the maximum payable by \$218,000, from \$910,000 to \$1,128,000, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 009-2022
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop
- CA
17) Proposed Purchase Order Agreement with TIMS Medical by Foresight Imaging, LLC, an independent contractor, containing non-standard terms and conditions, for preventive maintenance, repairs and required software updates of fluoroscopy equipment in the Radiology Department from January 19, 2022 through January 18, 2026, in an amount not to exceed \$10,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENTS 010-2022, 010A-2022 AND 011-2022
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop
- CA
18) Proposed First Amendment to Enhanced Purchasing Agreement 2017-002A with Quorum Purchasing Advantage, LLC, an independent contractor, for access to group purchasing services, for the period February 1, 2017 through January 31, 2022, extending the term for five years from February 1, 2022 through January 31, 2027 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 012-2022
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop
- CA
19) Proposed Service Request with Presidio Networked Solutions Group LLC, an independent contractor, containing non-standard terms and conditions, for network remediation and technical support, effective January 19, 2022, in an amount not to exceed \$92,250 plus applicable taxes –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 013-2022
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

CA

- 20) Proposed retroactive Side Letter of Agreement with Service Employees International Union, Local 521, to implement minimum wage increase, effective January 1, 2022 – APPROVE; AUTHORIZE CHAIRMAN TO SIGN AGREEMENT SUBJECT TO APPROVAL AS TO FORM BY COUNSEL
WITHDRAWN

CA

- 21) 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, 2022, in an amount not to exceed \$203,000 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 014-2022
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

- 22) Presentation on Report of Independent Auditors from Moss Adams LLP regarding the audit of Kern Medical Center financial statements for the fiscal year ended June 30, 2021 – STELIAN DAMU, KIMBERLY SOKOLOFF AND KRISTIN OLKO, MOSS ADAMS LLP, HEARD; CHAIRMAN BIGLER THANKED CHIEF FINANCIAL OFFICER ANDREW CANTU AND HIS TEAM FOR THEIR WORK ON THE ANNUAL AUDIT; RECEIVED AND FILED; REFERRED TO KERN COUNTY BOARD OF SUPERVISORS
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

NOTE: DIRECTOR ALSOP JOINED THE MEETING AFTER THE DISCUSSION AND VOTE ON ITEM 22

- 23) Kern County Hospital Authority Chief Financial Officer report – CHIEF FINANCIAL OFFICER ANDREW CANTU HEARD; RECEIVED AND FILED
McLaughlin-Berjis: All Ayes
- 24) Kern County Hospital Authority Chief Executive Officer report – CHIEF EXECUTIVE OFFICER SCOTT THYGERSON HEARD; RECEIVED AND FILED
Pelz-Berjis: All Ayes

CA

- 25) Claims and Lawsuits Filed as of December 31, 2021 – RECEIVED AND FILED
Pelz-McLaughlin: 6 Ayes; 1 Absent - Alsop

ADJOURNED TO CLOSED SESSION
McLaughlin-Alsop

CLOSED SESSION

- 26) Request for Closed Session regarding per review of health facilities (Health and Safety Code Section 101855(j)(2)) –SEE RESULTS BELOW
- 27) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: William Coughran v. Kern County Hospital Authority; and DOES 1 through 50, Inclusive, Kern County Superior Court Case No. BCV-21-100662 – SEE RESULTS BELOW

- 28) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION
(Government Code Section 54956.9(d)(1)) Name of case: Kern County Hospital Authority, a Governmental entity v. California Department of Corrections and Rehabilitation, et al., Kern County Superior Court Case No. BCV-20-102979 DRL – SEE RESULTS BELOW
- 29) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED 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 – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION

Alsop-Brar

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 26 concerning Request for Closed Session regarding per review of health facilities (Health and Safety Code Section 101855(j)(2)) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 27 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: William Coughran v. Kern County Hospital Authority; and DOES 1 through 50, Inclusive, Kern County Superior Court Case No. BCV-21-100662 – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 28 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Kern County Hospital Authority, a Governmental entity v. California Department of Corrections and Rehabilitation, et al., Kern County Superior Court Case No. BCV-20-102979 DRL – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 29 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED 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 – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, FEBRUARY 16, 2022 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