



SUMMARY OF PROCEEDINGS

KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

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

Regular Meeting
Wednesday, January 20, 2021

11:30 A.M.

BOARD RECONVENED

Board Members: Alsop, Berjis, Bigler, Brar, McLaughlin, Pelz
Roll Call: 5 Present; 1 Absent - Brar

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!**
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 COMMENDED AND THANKED DR. GOLDIS FOR HIS KNOWLEDGE OF AND REPORTING ON COVID-19 DURING TELEVISED MORNING NEWS

ITEMS FOR CONSIDERATION

CA

- 3) Minutes for Kern County Hospital Authority Board of Governors regular meetings on November 18, 2020 and December 9, 2020 –
APPROVED
Berjis-Pelz: 5 Ayes; 1 Absent - Brar

CA

- 4) Proposed retroactive Resolution reaffirming the appointment of Russell V. Judd, Alton Scott Thygerson, Andrew J. Cantu, Glenn E. Goldis, M.D., and Antoinette C. Smith, RN, MSN, and affirming the appointment of Tyler S. Whitezell to serve as officers of the Kern County Hospital Authority, effective July 14, 2020 –
APPROVED; ADOPTED RESOLUTION 2021-001
Berjis-Pelz: 5 Ayes; 1 Absent - Brar

CA

- 5) Proposed retroactive Resolution in the matter of revising the extension of excess medical professional liability coverage for Kern Medical Center employed and independent contractor physicians, effective January 1, 2021 –
APPROVED; ADOPTED RESOLUTION 2021-002
Berjis-Pelz: 5 Ayes; 1 Absent - Brar

CA

- 6) Proposed retroactive Amendment No. 3 to Agreement 094-2017 with Kern Vascular Call Group, Inc., an independent contractor, for professional medical services in the Department of Surgery, for the period January 15, 2018 through January 14, 2021, extending the term for one year from January 15, 2021 through January 14, 2022, and increasing the maximum payable by \$565,000, from \$1,350,000 to \$1,915,000, to cover the extended term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 001-2021
Berjis-Pelz: 5 Ayes; 1 Absent - Brar

CA

- 7) Proposed Sales Order OPT-0008295 to Agreement 2016-036 with Cerner Corporation, an independent contractor, for purchase of the Patient Portal Scheduled Visits application from January 20, 2021 through January 19, 2024, in an amount not to exceed \$172,417 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 002-2021
Berjis-Pelz: 5 Ayes; 1 Absent - Brar

CA

- 8) Proposed Second Amendment to Agreement 011-2019 with PNC Bank, National Association (PNC Bank) for a revolving line of credit for the period March 1, 2019 through February 28, 2021, extending the maturity date of the line of credit on substantially the same terms set out in the Credit Agreement and the General Security and Pledge Agreement for one year from March 1, 2021 to March 1, 2022, and delegating authority to certain officers – APPROVED; ADOPTED RESOLUTION 2021-003; AUTHORIZED AND DIRECTED ANY TWO OF THE FOLLOWING OFFICERS (EACH, AN “AUTHORIZED OFFICER”) OF THE AUTHORITY, FOR AND IN THE NAME OF AND ON BEHALF OF THE AUTHORITY, TO EXECUTE THE SECOND AMENDMENT TO CREDIT AGREEMENT AND BANK NOTE (AGREEMENT 003-2021), SUBSTANTIALLY IN THE FORM PRESENTED TO THIS BOARD, WITH SUCH CHANGES AS THE AUTHORIZED OFFICERS EXECUTING THE SAME, TOGETHER WITH THE VICE PRESIDENT & GENERAL COUNSEL OF THE AUTHORITY, SHALL APPROVE: CHAIRMAN OF THIS BOARD, VICE-CHAIRMAN OF THIS BOARD, CHIEF EXECUTIVE OFFICER OF THE AUTHORITY, PRESIDENT, HOSPITAL & CLINIC OPERATIONS OF THE AUTHORITY OR CHIEF FINANCIAL OFFICER OF THE AUTHORITY
Berjis-Pelz: 5 Ayes; 1 Absent - Brar

CA

- 9) Proposed Engagement Letter and Agreement with Moss Adams LLP, an independent contractor, for the provision of external auditing services of Kern County Hospital Authority Deferred Compensation Plan for Physician Employees for the plan years ended December 31, 2020, 2019, 2018, 2017 and 2016, in an amount not to exceed \$100,000 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 004-2021
Berjis-Pelz: 5 Ayes; 1 Absent - Brar

CA

- 10) Proposed retroactive Agreement with Moss Adams LLP, an independent contractor, for the provision of external auditing services of Kern Medical Center financial statements for the fiscal years ended June 30, 2021, June 30, 2022, and June 30, 2023, from January 1, 2021 through March 31, 2024, in an amount not to exceed \$622,000 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 005-2021
Berjis-Pelz: 5 Ayes; 1 Absent - Brar

CA

- 11) Proposed retroactive ratification of signature on Certification of Medical Necessity for BD Alaris™ System Infusion Pump – RATIFIED SIGNATURE OF CHIEF EXECUTIVE OFFICE
Berjis-Pelz: 5 Ayes; 1 Absent - Brar
- 12) Proposed Report of Independent Auditors from Moss Adams LLP regarding the audit of Kern Medical Center financial statements for the fiscal year ended June 30, 2020 – STELIAN DAMU AND KIMBERLY SOKOLOFF, MOSS ADAMS LLP, HEARD; RECEIVED AND FILED; REFERED TO KERN COUNTY BOARD OF SUPERVISORS
McLaughlin-Pelz: 5 Ayes; 1 Absent - Brar
- 13) Kern County Hospital Authority financial report – RECEIVED AND FILED
Pelz-McLaughlin: 5 Ayes; 1 Absent - Brar

- 14) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED
Berjis-Pelz: 5 Ayes; 1 Absent - Brar

CA

- 15) Claims and Lawsuits Filed as of December 31, 2020 –
RECEIVED AND FILED
Berjis-Pelz: 5 Ayes; 1 Absent - Brar

ADJOURNED TO CLOSED SESSION

Alsop-Pelz

NOTE: DIRECTOR BRAR JOINED THE MEETING AFTER THE VOTE TO ADJOURN TO CLOSED SESSION

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) 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
- 18) CONFERENCE WITH LEGAL COUNSEL - EXISTING 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
- 19) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: President, Hospital and Clinic Operations (Government Code Section 54957) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION

Alsop-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, NO REPORTABLE ACTION TAKEN

Item No. 17 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. 18 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING 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

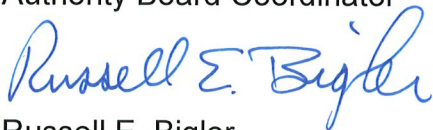
Item No. 19 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: President, Hospital and Clinic Operations (Government Code Section 54957) – HEARD, NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, FEBRUARY 17, 2021 AT 11:30 A.M.

Pelz



/s/ Mona A. Allen
Authority Board Coordinator



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