



## SUMMARY OF PROCEEDINGS

### KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

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

Regular Meeting  
Wednesday, February 17, 2021

11:30 A.M.

#### BOARD RECONVENED

Board Members: Alsop, Berjis, Bigler, Brar, McLaughlin, Pelz  
Roll Call: 4 Present; 2 Absent - Alsop, Berjis

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 REMARKED ON A RECENT ARTICLE IN THE BAKERSFIELD CALIFORNIAN FOLLOWING RECEIPT BY KERN MEDICAL CENTER OF GRANT FUNDS FROM CalMedForce TOTALING APPROXIMATELY \$1.2 MILLION TO IMPROVE THREE OF ITS POSTGRADUATE TRAINING PROGRAMS**

ITEMS FOR CONSIDERATION

CA

- 3) Minutes for Kern County Hospital Authority Board of Governors regular meetings on January 20, 2021 –  
APPROVED  
**Brar-Pelz: 4 Ayes; 2 Absent - Alsop, Berjis**

CA

- 4) Proposed Agreement with James E. Thompson, Inc., doing business as JTS Construction, an independent contractor, for construction management services related to the 4th Floor Pediatric and Postpartum Renovation Phase II project, in an amount not to exceed \$1,539,536, effective February 17, 2021 –  
MADE FINDING PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW PER SECTIONS 15301, 15302 AND 15061(b)(3) OF STATE CEQA GUIDELINES; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 006-2021; AUTHORIZED CHIEF EXECUTIVE OFFICER TO APPROVE ANY FUTURE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED 10% OF THE TOTAL CONTRACT PRICE  
**Brar-Pelz: 4 Ayes; 2 Absent - Alsop, Berjis**

CA

- 5) Proposed retroactive Amendment No. 1 to Agreement 006-2020 with Neurodiagnostic Workforce LLC, an independent contractor, for neurodiagnostic monitoring services for the period February 12, 2020 through February 11, 2021, extending the term for one year from February 12, 2021 through February 11, 2022, and increasing the maximum payable by \$376,000, from \$376,000 to \$752,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 007-2021  
**Brar-Pelz: 4 Ayes; 2 Absent - Alsop, Berjis**

CA

- 6) Proposed Agreement with Arturo Gomez, M.D., a contract employee, for professional medical services in the Department of Surgery, Division of Orthopedic Surgery from March 16, 2021 through March 15, 2024, in an amount not to exceed \$3,690,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 008-2021  
**Brar-Pelz: 4 Ayes; 2 Absent - Alsop, Berjis**

CA

- 7) Proposed Amendment No. 1 to Agreement 017-2020 with Eugene H. Roos, D.O., an independent contractor, for professional medical services in the Department of Radiology for the period April 1, 2020 through March 31, 2021, extending the term for one year from April 1, 2021 through March 31, 2022, and increasing the maximum payable by \$375,000, from \$375,000 to \$775,000, to cover the extended term, effective February 17, 2021 – APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT 009-2021  
**Brar-Pelz: 4 Ayes; 2 Absent - Alsop, Berjis**

CA

- 8) Proposed Amendment No. 3 to Agreement 27716 with Hill-Rom Company, Inc., an independent contractor, for annual software upgrade, technical support and preventive maintenance services related to the 2C nurse call system project for the period November 17, 2016 until project completion, increasing the maximum payable by \$10,929, from \$646,107 to \$657,037, to cover the cost of additional services, effective February 17, 2021 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 010-2021  
**Brar-Pelz: 4 Ayes; 2 Absent - Alsop, Berjis**

CA

- 9) Proposed Product Sale Agreement with Medtronic USA, Inc., an independent contractor, for the purchase of implantable cardiac devices from February 17, 2021 through February 16, 2023, in an amount not to exceed \$3,000,000 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 011-2021  
**Brar-Pelz: 4 Ayes; 2 Absent - Alsop, Berjis**

CA

- 10) Proposed retroactive 340B Pharmacy Services Agreement with Optum Pharmacy 702, LLC, an independent contractor, containing non-standard terms and conditions, for 340B drug pricing on compounded pharmaceuticals from January 15, 2021 through January 14, 2024 – APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT 012-2021  
**Brar-Pelz: 4 Ayes; 2 Absent - Alsop, Berjis**

CA

- 11) Proposed Amendment No. 3 to Agreement 36719 with Sepideh Babaei, M.D., a contract employee, for professional medical services in the Department of Radiology for the period July 7, 2018 through July 6, 2021, increasing the maximum payable by \$255,000, from \$1,495,000 to \$1,750,000, to cover the term, effective February 17, 2021 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 013-2021  
**Brar-Pelz: 4 Ayes; 2 Absent - Alsop, Berjis**

CA

- 12) Request to employ retired Kern County Hospital Authority employees during the COVID-19 pandemic in compliance with Executive Order N-25-20 issued by Governor Gavin Newsome on March 4, 2020 – APPROVED  
**Brar-Pelz: 4 Ayes; 2 Absent - Alsop, Berjis**

CA

- 13) Proposed retroactive Agreement with the State of California, as represented by the California Emergency Medical Services Authority, an independent contractor, for supplemental contracted healthcare workers during the COVID-19 pandemic from February 5, 2021 until terminated, in an amount not to exceed \$760,000 – APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT 014-2021

**Brar-Pelz: 4 Ayes; 2 Absent - Alsop, Berjis**

- 14) Kern County Hospital Authority financial report – RECEIVED AND FILED

**Pelz-Brar: 4 Ayes; 2 Absent - Alsop, Berjis**

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

**McLaughlin-Brar; 4 Ayes; 2 Absent - Alsop, Berjis**

CA

- 16) Claims and Lawsuits Filed as of January 31, 2021 – RECEIVED AND FILED

**Brar-Pelz: 4 Ayes; 2 Absent - Alsop, Berjis**

ADJOURNED TO CLOSED SESSION

**Pelz - McLaughlin**

CLOSED SESSION

- 17) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 18) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Government Code Section 54956.9(d)(1)) Name of case: Shine Villanueva, an individual v. Kern County Hospital Authority, et al., Kern County Superior Court Case No. BCV-19-101706 TSC – SEE RESULTS BELOW
- 19) 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
- 20) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Government Code Section 54956.9(d)(1)) Name of case: In the Matter of the Accusation Against County of Kern, California, DBA Kern Medical Center Campus Pharmacy, et al., Respondents, Case No. 7026 – SEE RESULTS BELOW
- 21) 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

RECONVENED FROM CLOSED SESSION

**Brar - McLaughlin**

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 17 concerning Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – HEARD; BY A UNANIMOUS VOTE OF THOSE DIRECTORS PRESENT (MOTION BY DIRECTOR PELZ, SECOND BY DIRECTOR BRAR; 2 ABSENT - DIRECTORS ALSOP AND BERJIS), THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, AND REVIEW/RELEASE OF PROCTORING; NO OTHER REPORTABLE ACTION TAKEN

Item No. 18 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Shine Villanueva, an individual v. Kern County Hospital Authority, et al., Kern County Superior Court Case No. BCV-19-101706 TSC – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 19 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. 20 concerning CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: In the Matter of the Accusation Against County of Kern, California, DBA Kern Medical Center Campus Pharmacy, et al., Respondents, Case No. 7026 – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 21 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

ADJOURNED TO WEDNESDAY, MARCH 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