



SUMMARY OF PROCEEDINGS

KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

**Kern Medical Center
1700 Mount Vernon Avenue
Conference Room 1058
Bakersfield, California 93306**

Regular Meeting
Wednesday, May 17, 2023

11:30 A.M.

BOARD RECONVENED

Board Members: Alsop, Berjis, Bigler, Brar, McLaughlin, Pelz, Pollard
Roll Call: 6 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!**

LARONDA DILLARD SMITH, RN, ICU, HEARD REGARDING SUPPORT FOR COWORKER CHRISTOPHER HARKINS; MS. DILLARD SMITH PRESENTED CHIEF EXECUTIVE OFFICER SCOTT THYGERSON WITH A BANNER SIGNED BY OVER 100 EMPLOYEES WHO SUPPORT REINSTATEMENT OF MR. HARKINS TO HIS POSITION IN THE EMERGENCY DEPARTMENT; MS. DILLARD SMITH ASKED THE BOARD TO LOOK INTO THE DECISION TO TRANSFER MR. HARKINS FROM THE EMERGENCY DEPARTMENT TO AN OUTPATIENT CLINIC, WHEN THE EMERGENCY DEPARTMENT IS SHORT STAFFED; MR. THYGERSON THANKED MS. DILLARD SMITH FOR THE BANNER AND HER COMMENTS

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

ITEMS FOR CONSIDERATION

CA

- 3) Minutes for the Kern County Hospital Authority Board of Governors regular meeting on April 19, 2023 –
APPROVED
Berjis-Pelz: 6 Ayes; 1 Absent - Brar

CA

- 4) Proposed reappointment of Director Stephen Pelz to the Kern County Hospital Authority Board of Governors, term to expire June 30, 2026 –
REFERRED TO KERN COUNTY BOARD OF SUPERVISORS TO MAKE APPOINTMENT
Berjis-Pelz: 6 Ayes; 1 Absent - Brar

CA

- 5) Proposed Amendment No. 3 to Agreement 06222 with Tri M. Ngo, M.D., an independent contractor, for professional medical services in the Department of Radiology, for the period January 3, 2022 through January 2, 2024, increasing the maximum payable by \$1,000,000, from \$750,000 to \$1,750,000, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 058-2023
Berjis-Pelz: 6 Ayes; 1 Absent - Brar

CA

- 6) Proposed Engagement Letter and Professional Services Agreement with Moss Adams LLP, an independent contractor, regarding the audit of Kern County Hospital Authority Deferred Compensation Plan for Physician Employees financial statements and net assets available for benefits as of December 31, 2021 and 2022, in an amount not to exceed \$55,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 059-2023
Berjis-Pelz: 6 Ayes; 1 Absent - Brar

CA

- 7) Proposed Non-State Entity Service Policy and Agreement for California Network and Telecommunications Program (CALNET) with the California Department of Technology, an independent contractor, for continued participation in the NextGen CALNET program, from May 17, 2023 through May 16, 2027, in an amount estimated not to exceed \$2,000,000 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 060-2023; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN ANY NECESSARY SUBCONTRACT DOCUMENTS
Berjis-Pelz: 6 Ayes; 1 Absent - Brar

CA

- 8) Proposed retroactive Master Agreement with FinThrive Revenue Systems, LLC, an independent contractor, containing nonstandard terms and conditions, for professional services providing revenue cycle proof of concept from July 1, 2021 through June 30, 2027 – APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT 061-2023
Berjis-Pelz: 6 Ayes; 1 Absent - Brar

CA

- 9) Proposed Amendment No. 1 to Master Software and Services Agreement 025-2023 with 3M Health Information Systems, Inc., an independent contractor, for the period August 28, 2023 through August 27, 2028, adding a case management interface to the Electronic Health Record, as required by the state of California, increasing the maximum payable by \$163,473, from \$3,546,763 to \$3,710,236, to cover the term – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 062-2023
Berjis-Pelz: 6 Ayes; 1 Absent - Brar

CA

- 10) Proposed Service Contract with Sciton, Inc., an independent contractor, containing nonstandard terms and conditions, for laser device repairs, in an amount not to exceed \$22,454 for a term of one-year, effective May 17, 2023 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 063-2023
Berjis-Pelz: 6 Ayes; 1 Absent - Brar

CA

- 11) Proposed appointments of Kristi Brownfield as Director of Infection Prevention and Tuesday Ochoa as Infection Preventionist – MADE APPOINTMENTS
Berjis-Pelz: 6 Ayes; 1 Absent - Brar

CA

- 12) Proposed Mayfield 2 Cranial Stabilization System IntegraLink Protection Service Agreement with Integra LifeSciences Sales, LLC, an independent contractor, containing nonstandard terms and conditions, for purchase of a Mayfield headrest for craniotomy procedures, effective May 17, 2023, in an amount not to exceed \$35,532 plus applicable tax – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 064-2023
Berjis-Pelz: 6 Ayes; 1 Absent - Brar

- 13) Report on Kern Medical Center Nurse Staffing and Recruitment – RECEIVED AND FILED
Berjis-McLaughlin: 6 Ayes; 1 Absent - Brar

- 14) Report on Kern Medical Center Information Technology –
RECEIVED AND FILED
Pelz-Pollard: 6 Ayes; 1 Absent - Brar
- 15) Kern County Hospital Authority Chief Financial Officer report –
RECEIVED AND FILED
Alsop-McLaughlin: 6 Ayes; 1 Absent - Brar
- 16) Proposed Kern County Hospital Authority operating and capital budget for Fiscal Year 2023-2024 –
APPROVED; REFERRED TO KERN COUNTY BOARD OF SUPERVISORS FOR APPROVAL
Pelz-Pollard: 6 Ayes; 1 Absent - Brar
- 17) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED
Berjis-Pollard: 6 Ayes; 1 Absent - Alsop
- CA
18) Monthly report on What's Happening at Kern Medical Center –
RECEIVED AND FILED
Berjis-Pelz: 6 Ayes; 1 Absent - Brar
- CA
19) Miscellaneous Correspondence –
RECEIVED AND FILED
Berjis-Pelz: 6 Ayes; 1 Absent – Brar
- CA
20) Claims and Lawsuits Filed as of April 30, 2023 –
RECEIVED AND FILED
Berjis-Pelz: 6 Ayes; 1 Absent - Brar

ADJOURNED TO CLOSED SESSION
Alsop-Pelz

CLOSED SESSION

- 21) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 22) 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
- 23) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Scott Thygerson, and designated staff - Employee organizations: Service Employees International Union, Local 521 (Government Code Section 54957.6) – SEE RESULTS BELOW

- 24) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – SEE RESULTS BELOW
- 25) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521, Charging Party, v. Kern County Hospital Authority, Respondent, Public Employment Relations Board Case No. LA-CE-1580-M – SEE RESULTS BELOW
- 26) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521 Plaintiff/Petitioner, v. Kern County Hospital Authority, Kern Medical Surgery Center, LLC, and DOES 1-25, Defendants/ Respondents, Kern County Superior Court Case No. BCV-22-101782 JEB – SEE RESULTS BELOW
- 27) 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
- 28) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Vice President & General Counsel Karen S. Barnes, and designated staff - Unrepresented Employee: Chief Financial Officer (Government Code Section 54957.6) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION

Pelz-Pollard

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 21 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 ALSOP, SECOND BY DIRECTOR BERJIS; 1 ABSENT - BRAR) THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, REQUEST FOR ADDITIONAL PRIVILEGES; REQUEST CHANGE IN STAFF STATUS; VOLUNTARY RESIGNATION OF PRIVILEGES, AND AUTOMATIC TERMINATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 22 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. 23 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Scott Thygerson, and designated staff - Employee organizations: Service Employees International Union, Local 521 (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 24 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 25 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521, Charging Party, v. Kern County Hospital Authority, Respondent, Public Employment Relations Board Case No. LA-CE-1580-M – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 26 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Service Employees International Union, Local 521 Plaintiff/Petitioner, v. Kern County Hospital Authority, Kern Medical Surgery Center, LLC, and DOES 1-25, Defendants/ Respondents, Kern County Superior Court Case No. BCV-22-101782 JEB – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 27 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

Item No. 28 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Vice President & General Counsel Karen S. Barnes, and designated staff - Unrepresented Employee: Chief Financial Officer (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, JUNE 21, 2023 AT 11:30 A.M.

Pollard



/s/ Mona A. Allen
Authority Board Coordinator



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