



## SUMMARY OF PROCEEDINGS

### KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

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

Regular Meeting  
Wednesday, September 21, 2022

11:30 A.M.

#### BOARD RECONVENED

Board Members: Alsop, Berjis, Bigler, Brar, Kitchen, McLaughlin, Pelz  
Roll Call: 5 Present; 2 Absent - Alsop, 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!**

**CORRESPONDENCE DATED SEPTEMBER 20, 2022, RECEIVED FROM SYDNEE GALUSHA CONCERNING COMMENTS AND QUESTIONS FOR THE SEPTEMBER 21, 2022 BOARD MEETING, A COPY OF WHICH MAY BE OBTAINED UPON REQUEST BY CONTACTING THE AUTHORITY BOARD COORDINATOR AT (661) 326-2000**

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)) –

**DIRECTOR BERJIS ANNOUNCED THAT THE INFECTIOUS DISEASE FELLOWSHIP PROGRAM RECEIVED CONTINUED ACCREDITATION AND HAS BEEN APPROVED FOR TWO FELLOWS**

RECOGNITION

- 3) Presentation by the Chief Executive Officer recognizing Kern Medical Center nurses Cathy Badgley, Brock Beeney, Jemma Clouden, Laura Cunanan, Eva Flanigan, Dawn C. LeRoy and Shalom Sakowski for their hard work and dedication –  
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON MADE PRESENTATION

ITEMS FOR CONSIDERATION

CA

- 4) 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 2022-017  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

CA

- 5) Minutes for the Kern County Hospital Authority Board of Governors regular meeting on August 17, 2022 and Board of Governors special meeting on August 31, 2022 –  
APPROVED  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

- 6) Proposed updated Conflict of Interest Policy and Conflict of Interest Code for the Kern County Hospital Authority –  
CORRESPONDENCE DATED SEPTEMBER 20, 2022, RECEIVED FROM SYDNEE GALUSHA CONCERNING COMMENTS AND QUESTIONS RELATED TO ITEM 6 WERE PRESENTED TO THE BOARD DURING MEETING, A COPY OF WHICH MAY BE OBTAINED UPON REQUEST BY CONTACTING THE AUTHORITY BOARD COORDINATOR AT (661) 326-2000; KAREN S. BARNES, VICE PRESIDENT & GENERAL COUNSEL, KERN COUNTY HOSPITAL AUTHORITY, HEARD; APPROVED; REFERRED TO KERN COUNTY BOARD OF SUPERVISORS FOR APPROVAL  
**Berjjs-Pelz: 5 Ayes; 2 Absent - Alsop, Brar**

CA

- 7) Letter from Moss Adams LLP, an independent contractor, regarding the Kern Medical Center financial statement audit for the fiscal year ended June 30, 2022 –  
RECEIVED AND FILED  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

CA

- 8) Proposed retroactive Agreement with Trans-West Security Services, Inc., an independent contractor, for security services from July 1, 2022 through June 30, 2025, in an amount not to exceed \$9,818,826 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 100-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

CA

- 9) Proposed Amendment No. 4 to Agreement 06816 with Health Advocates, LLC, an independent contractor, for accounts receivable and financial services for the period July 1, 2016 through September 30, 2022, extending the term for three years from October 1, 2022 through September 30, 2025, increasing the maximum payable by \$10,800,000, from \$15,850,000 to \$26,650,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 101-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

CA

- 10) Proposed Amendment No. 10 to Agreement 947-2008 with Toyon Associates, Inc., an independent contractor, for third-party reimbursement services, for the period October 14, 2008 through October 13, 2022, extending the term for two years from October 14, 2022 through October 13, 2024, updating the service pricing, and increasing the maximum payable by \$950,000, from \$4,290,000 to \$5,240,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 102-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

CA

- 11) Proposed Agreement with Jack C. Hou, M.D., a contract employee, for professional medical services in the Department of Surgery from September 22, 2022 through September 21, 2023, in an amount not to exceed \$890,000, plus applicable benefits –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 103-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

CA

- 12) Proposed Amendment No. 4 to Agreement 20119 with Juan M. Lopez, M.D., a contract employee, for professional medical and administrative services in the Department of Obstetrics and Gynecology, for the period July 1, 2019 through September 30, 2022, extending the term for 90 days from October 1, 2022 through December 31, 2022, and increasing the maximum payable by \$115,000, from \$1,465,000 to \$1,580,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 104-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

CA

- 13) Proposed Amendment No. 2 to Agreement 055-2019 with United Neuroscience, Inc., an independent contractor, for professional medical services in the Department of Medicine, for the period October 1, 2019 through September 30, 2022, extending the term for two years from October 1, 2022 through September 30, 2024, and increasing the maximum payable by \$2,250,000, from \$3,040,000 to \$5,290,000, to cover the extended term – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 105-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

CA

- 14) Proposed Lease Schedule with Presidio Technology Capital, LLC, an independent contractor, containing nonstandard terms and conditions, for the lease of equipment, software and services for radiological information technology infrastructure for a term of 36 months, in an amount not to exceed \$289,894, plus applicable taxes – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 106-2022; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN RECEIPT FOR EQUIPMENT UPON DELIVERY  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

CA

- 15) Proposed Agreement with McMurtrey Lince, Inc., an independent contractor, for construction services for construction of a new isolation and anteroom in the Emergency Department, effective September 21, 2022, in an amount not to exceed \$498,500 – MADE A FINDING THE 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 107-2022; AUTHORIZED CHIEF EXECUTIVE OFFICER TO APPROVE FUTURE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED 10% OF \$498,500  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

CA

- 16) Proposed Amendment No. 4 to Agreement 27716 with Hill-Rom Company, Inc., an independent contractor, for software upgrades and additional materials related to the 2nd Floor and 4th Floor C wing nurse call system project, for the period November 17, 2016 until project completion, with total project costs not to \$420,078, effective September 21, 2022 – MADE A FINDING THE 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 108-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

CA

- 17) Proposed Agreement with Rajinder P. Singh, M.D., an independent contractor, for professional medical services in the Department of Radiology from October 7, 2022 through October 6, 2023, in an amount not to exceed \$500,000 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 109-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

- CA  
18) Proposed Agreement with Naheedy and Zarandy Medical Group, Inc., an independent contractor, for professional medical services in the Department of Radiology from November 1, 2022 through October 31, 2024, in an amount not to exceed \$800,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 110-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**
- CA  
19) Proposed Amendment No. 1 to Agreement 073-2019 with Arman G. Froush, D.O., a contract employee, for professional medical services in the Department of Radiology, for the period December 11, 2019 through December 10, 2022, increasing the maximum payable by \$300,000, from \$2,850,000 to \$3,150,000, to cover the term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 111-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**
- CA  
20) Proposed Amendment No. 2 to Agreement 23316 with The Board of Trustees of the Leland Stanford Junior University, on behalf of California Maternal Quality Care Collaborative, for participation in the Maternal Data Center, for the period October 1, 2016 through September 30, 2022, extending the term for three years from October 1, 2022 through September 30, 2025, and increasing the maximum payable by \$35,000, from \$70,000 to \$105,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 112-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**
- CA  
21) Proposed acceptance of donation of travel and related expenses from Cerner Corporation for up to seven Kern Medical Center employees to attend the “Oracle Cerner Annual Health Conference” in Kansas City, Missouri, from October 17-19, 2022 –  
APPROVED; ADOPTED RESOLUTION 2022-018  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**
- CA  
22) Proposed First Amendment to Agreement 074-2021 with Adventist Health Physicians Network, an independent contractor, for professional medical services of Kern Medical Center physicians, for the period January 1, 2022 through December 31, 2031, adding the specialties of urology and plastic surgery and compensation for the professional services provided by Kern Medical physicians effective September 21, 2022 –  
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT 113-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**
- CA  
23) Proposed Resolution in the matter of revising the extension of excess medical professional liability coverage for Kern Medical Center employed and independent contractor physicians, effective September 21, 2022 –  
APPROVED; ADOPTED RESOLUTION 2022-019  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

- CA  
24) Proposed retroactive Master Service Agreement with Signature Performance, Inc., doing business as Signature Performance Healthcare LLC, an independent contractor, for medical records coding services from September 1, 2022 through August 31, 2023, in an amount not to exceed \$5,490,000 –  
APPROVED; AUTHORIZEE CHAIRMAN TO SIGN AGREEMENT 114-2022  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**
- 25) Response to Board referral for a trending analysis report of Kern Medical Center births (from August 17, 2022) –  
RECEIVED AND FILED  
**Berjis-Pelz: 5 Ayes; 2 Absent - Alsop, Brar**
- 26) Kern County Hospital Authority Chief Financial Officer report –  
RECEIVED AND FILED  
**Pelz-Berjis: 5 Ayes; 2 Absent - Alsop, Brar**
- 27) Kern County Hospital Authority Chief Executive Officer report –  
RECEIVED AND FILED  
**Berjis-Pelz: 5 Ayes; 2 Absent - Alsop, Brar**
- CA  
28) Monthly report on What's Happening at Kern Medical Center –  
RECEIVED AND FILED  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**
- CA  
29) Proposed correction to minutes for Kern County Hospital Authority Board of Governors regular meeting on July 20, 2022 –  
APPROVE  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**
- CA  
30) Claims and Lawsuits Filed as of August 31, 2022 –  
RECEIVE AND FILE  
**Pelz-McLaughlin: 5 Ayes; 2 Absent - Alsop, Brar**

ADJOURNED TO CLOSED SESSION  
**Pelz-Berjis**

CLOSED SESSION

- 31) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 32) Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) –

- 33) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Patricia Smith v. Kern Medical Center, and DOES 1 through 10, Kern County Superior Court Case No. BCV-18-101315 – SEE RESULTS BELOW
- 34) 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
- 35) CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Scott Thygerson, and designated staff - Unrepresented Employee: Chief Financial Officer (Government Code Section 54957.6) – SEE RESULTS BELOW
- 36) 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

RECONVENED FROM CLOSED SESSION

**Berjis-McLaughlin**

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 31 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 BERJIS; 2 ABSENT - ALSOP, BRAR), THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, AND VOLUNTARY RESIGNATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 32 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. 33 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Patricia Smith v. Kern Medical Center, and DOES 1 through 10, Kern County Superior Court Case No. BCV-18-101315 – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 34 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. 35 concerning CONFERENCE WITH LABOR NEGOTIATORS - Agency designated representatives: Chief Executive Officer Scott Thygerson, and designated staff - Unrepresented Employee: Chief Financial Officer (Government Code Section 54957.6) – HEARD; NO REPORTABLE ACTION TAKEN

Item No. 36 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

ADJOURNED TO WEDNESDAY, OCTOBER 19, 2022 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