



## SUMMARY OF PROCEEDINGS

### KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNORS

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

Regular Meeting  
Wednesday, November 16, 2022

11:30 A.M.

#### BOARD RECONVENED

Board Members: Alsop, Berjis, Bigler, Brar, Kitchen, McLaughlin, Pelz  
Roll Call: 6 Present; 1 Absent - Kitchen

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

NOTE: AGENDA ITEM 7 WAS TAKEN OFF THE CONSENT AGENDA

#### 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 RECEIVED NOVEMBER 15, 2022, FROM SYDNEE GALUSHA CONCERNING COMMENTS AND QUESTIONS FOR THE NOVEMBER 16, 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 REPORTED ON RECRUITMENT EFFORTS FOR RESIDENCY AND FELLOWSHIP PROGRAMS FOR THE NEXT ACADEMIC YEAR**

RECOGNITION

- 3) Presentation by the Chief Executive Officer recognizing Joshua Plunkett, CPhT-Adv, upon his receipt of the California Society of Health-System Pharmacists 2022 Technician Achievement Award –  
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON MADE PRESENTATION; JEFF JOLLIFF, DIRECTOR OF PHARMACY PROGRAMS AND EDUCATION, HEARD

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 2022-023  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**
- CA  
5) Minutes for the Kern County Hospital Authority Board of Governors regular meeting on October 19, 2022 –  
APPROVED  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**
- CA  
6) Proposed acceptance of donation of travel and related expenses from Safety National and MedPro for one Kern Medical Center employee to attend California Hospital Association's "2022 Behavioral Health Care Symposium" and "Emergency Services Forum" from December 5-7, 2022, in Riverside, California –  
APPROVED; ADOPTED RESOLUTION 2022-024  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**
- 7) Proposed appointment of Mohammad A. S. Molla, M.D., as Joint Chair and Director of the Department of Psychiatry for Kern Medical Center and Kern County Behavioral Health and Recovery Services, effective November 16, 2022 –  
DIRECTOR BERJIS AND RUSSELL V. JUDD HEARD; RATIFIED APPOINTMENT  
**Berjis-Pelz: 6 Ayes; 1 Absent - Kitchen**



CA

- 8) Proposed Amendment No. 2 to Master Services Agreement 002-2019 with CIOX Health, LLC, an independent contractor, for medical record reproduction services, for the period January 16, 2019 through January 15, 2023, extending the term for three years from January 16, 2023 through January 15, 2026, in an amount not to exceed \$375,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 129-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**

CA

- 9) Proposed Purchase Agreement with GE Precision Healthcare, LLC, a GE Healthcare business, an independent contractor, for purchase of an Optima 660 CT Scanner, effective November 16, 2022, in an amount not to exceed \$373,540, plus applicable taxes –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 130-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**

CA

- 10) Proposed Amendment No. 2 to Agreement 073-2019 with Arman G. Froush, D.O., a contract employee, for professional medical and administrative services in the Department of Radiology, for the period December 11, 2019 through December 10, 2022, extending the term through January 31, 2023, and increasing the maximum payable by \$150,000, from \$3,150,000 to \$3,300,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 131-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**

CA

- 11) Proposed Cloud Services Agreement and Business Associate Agreement with Qualtrics, LLC, an SAP America Inc. company, an independent contractor, containing nonstandard terms and conditions, for patient experience services from November 16, 2022 through November 15, 2025, in an amount not to exceed \$200,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 132-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**

CA

- 12) Proposed Agreement with Igor Garcia-Pacheco, M.D., a contract employee, for professional medical and administrative services in the Department of Medicine from December 2, 2022 through December 1, 2025, in an amount not to exceed \$1,860,000, plus applicable benefits –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 133-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**

CA

- 13) Proposed Amendment No. 2 to Agreement 43819 with Helen A. Davis, M.D., a contract employee, for professional medical services in the Department of Surgery, for the period December 2, 2019 through December 1, 2022, extending the term two years from December 2, 2022 through December 1, 2024, and increasing the maximum payable by \$925,000, from \$1,365,000 to \$2,290,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 134-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**

- CA  
14) Proposed Amendment No. 5 to Agreement 07020 for Personal/Professional Services with American Incorporated dba MD Concrete Cutting & Demolition, an independent contractor, for maintenance and repair of HVAC units and air handlers, for the period December 2, 2019 through December 1, 2022, extending the term three years from December 2, 2022 through December 1, 2025, at no additional cost –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 135-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**
- CA  
15) Proposed Renewal of Agreement 012-2020 with Advanced Technologies Group, Inc., an independent contractor, for subscription services to the Environment of Care Rounding Solution, for the period January 1, 2020 through December 31, 2022, extending the term for three years from January 1, 2023 through December 31, 2025, and increasing the maximum payable by \$20,000, from \$12,000 to \$32,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 136-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**
- CA  
16) Proposed Agreement for Personal/Professional Services with Mesa Energy Systems, Inc., dba Emcor Services Hillcrest, an independent contractor, for labor, materials and equipment for HVAC repairs and maintenance, controls and new installation from December 2, 2022 through December 1, 2025, in an amount not to exceed \$1,000,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 137-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**
- CA  
17) Proposed Amendment No. 2 to Agreement 56219 for Personal/Professional Services with R.F. MacDonald Co., Inc., an independent contractor, for boiler system maintenance and repair, for the period December 13, 2019 through December 12, 2022, extending the term for three years from December 13, 2022 through December 12, 2025, and increasing the maximum payable by \$600,000, from \$400,000 to \$1,000,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 138-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**
- CA  
18) Proposed Amendment No. 3 to Memorandum of Understanding 61320 with Kern Health Systems, an independent contractor, for translation services for Kern Medical Center patients, for the period December 14, 2020 through December 31, 2022, extending the term for one year from January 1, 2023 through December 31, 2023, and increasing the maximum payable by \$600,000, from \$1,025,000 to \$1,625,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 139-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**
- CA  
19) Proposed Cerner Sales Order OPT-0352599 with Cerner Corporation, an independent contractor, containing nonstandard terms and conditions, for the purchase of professional and shared computing laboratory services from November 16, 2022 through November 15, 2027, in an amount not to exceed \$15,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 140-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**



- CA  
20) Proposed Amendment No. 2 to Agreement 041-2021 with Jeffry L. Huffman, M.D., a contract employee, for professional medical services in the Department of Surgery, for the period July 31, 2021 through July 30, 2026, reducing the annual compensation by \$300,000, from \$750,000 to \$450,000, effective November 16, 2022 –  
WITHDRAWN
- CA  
21) Proposed Agreement with QCERA, Inc., an independent contractor, containing nonstandard terms and conditions, for access to LeaveSource® SaaS Software for employee leave and absence administration, effective November 16, 2022, in an amount not to exceed \$40,220 during the initial term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 141-2022  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**
- CA  
22) Public hearing regarding proposed closure of the pediatric clinic at 6001 Truxtun Avenue, Suite 210-B, Bakersfield, and relocation of pediatrics services from 6001 Truxtun Avenue, Suite 210-B to 9330 Stockdale Highway, Suite 500, Bakersfield –  
OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; APPROVED  
CLOSURE OF PEDIATRIC CLINIC AT 6001 TRUXTUN AVENUE, SUITE 210-B, BAKERSFIELD; DIRECTED STAFF TO RELOCATE PEDIATRIC SERVICES FROM 6001 TRUXTUN AVENUE, SUITE 210-B, BAKERSFIELD TO 9330 STOCKDALE HIGHWAY, SUITE 500, BAKERSFIELD  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**
- CA  
23) Proposed Resolution regarding acceptance of grant funds from California Department of Health Care Access and Information in the amount of \$2,915,162.60 –  
APPROVED; ADOPTED RESOLUTION 2022-025  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**
- 24) Kern County Hospital Authority Chief Financial Officer report –  
CHIEF FINANCIAL OFFICER ANDREW CANTU HEARD; RECEIVED AND FILED  
**Berjis-Pelz: 6 Ayes; 1 Absent - Kitchen**
- 25) Kern County Hospital Authority Chief Executive Officer report –  
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON HEARD; RECEIVED AND FILED  
**McLaughlin-Berjis: 6 Ayes; 1 Absent - Kitchen**
- CA  
26) Monthly report on What's Happening at Kern Medical Center –  
RECEIVED AND FILED  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**
- CA  
27) Claims and Lawsuits Filed as of October 31, 2022 –  
RECEIVED AND FILED  
**Pelz-McLaughlin: 6 Ayes; 1 Absent - Kitchen**

ADJOURNED TO CLOSED SESSION  
**Pelz-Berjis**

CLOSED SESSION

- 28) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855, subdivision (j)(2)) – SEE RESULTS BELOW
- 29) Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 30) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9, subdivision (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
- 31) CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Brian Snellgrove and Jennifer Snellgrove v. Kern Medical Center; Kern County Hospital Authority Board of Governors and DOES 1 through 100, Inclusive, Kern County Superior Court Case No. BCV-20-102881-TSC – SEE RESULTS BELOW
- 32) 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
- 33) 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
- 34) 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  
**Alsop-Pelz**

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item No. 28 concerning Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855, subdivision (j)(2)) – HEARD; BY A UNANIMOUS VOTE OF THOSE DIRECTORS PRESENT (MOTION BY DIRECTOR MCLAUGHLIN, SECOND BY DIRECTOR PELZ; 1 ABSTENTION - BERJIS; 1 ABSENT - KITCHEN), THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, VOLUNTARY



RESIGNATION OF PRIVILEGES, AND AUTOMATIC TERMINATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item No. 29 concerning Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – THIS MATTER WAS NOT HEARD

Item No. 30 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9, subdivision (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 – THIS MATTER WAS NOT HEARD

Item No. 31 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Brian Snellgrove and Jennifer Snellgrove v. Kern Medical Center; Kern County Hospital Authority Board of Governors and DOES 1 through 100, Inclusive, Kern County Superior Court Case No. BCV-20-102881-TSC – THIS MATTER WAS NOT HEARD

Item No. 32 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) – THIS MATTER WAS NOT HEARD

Item No. 33 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

Item No. 34 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, DECEMBER 14, 2022 AT 11:30 A.M.

**Berjis**



/s/ Mona A. Allen  
Authority Board Coordinator



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