



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, December 13, 2023

11:30 A.M.

BOARD RECONVENED

Board Members: Berjis, Bigler, McLaughlin, Pelz, Pollard, Zervis
Roll Call: 4 Present; 2 Absent – Bigler, Pollard

NOTE: The vote is displayed in bold below each item. For example, Zervis-McLaughlin denotes Director Zervis made the motion and Director McLaughlin seconded the motion.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH A "CA" OR "C" WERE 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)) –
NO ONE HEARD

ITEMS FOR CONSIDERATION

CA

- 3) Minutes for the Kern County Hospital Authority Board of Governors regular meeting on November 15, 2023 –
APPROVED
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 4) Proposed Amendment No. 1 to Personal/Professional Services Agreement 102-2023 with Aspen Street Architects, Inc., an independent contractor, from August 16, 2023 through August 15, 2026, for additional design services, and increasing the maximum payable by \$250,000, from \$550,000 to \$800,000, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 161-2023
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 5) Proposed Medical Managed Care Medical Services Agreement with Blue Cross of California and Anthem Blue Cross, an independent contractor, containing nonstandard terms and conditions, for the provision of hospital and other facility services to Medi-Cal beneficiaries enrolled in Anthem's Medi-Cal managed care program for an initial term of two years from January 1, 2024 through December 31, 2025 (Rates Confidential per Health and Safety Code section 101855(f)) –
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT 162-2023
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 6) Proposed First Amendment to Health Information Integration Master Services Agreement 139-2023 with Virtual Radiologic Professionals of California, P.A., an independent contractor, for the period October 18, 2023 through October 17, 2025, updating the scope of work to include services to the outpatient clinics location on Stockdale Highway, effective December 13, 2023 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 163-2023
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 7) Proposed First Amendment to Agreement 138-2023 with Virtual Radiologic Professionals of California, P.A., an independent contractor, for the period October 18, 2023 through October 17, 2025, expanding coverage for teleradiology interpretation services, effective December 13, 2023, and increasing the maximum payable by \$1,000,000, from \$2,000,000 to \$3,000,000, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 164-2023
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 8) Proposed Agreement with Tri M. Ngo, M.D., an independent contractor, for professional medical services in the Department of Radiology from January 3, 2024 through January 2, 2026, in an amount not to exceed \$1,500,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 165-2023
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 9) Proposed Agreement with William H. Taylor, M.D., a contract employee, for professional medical services in the Department of Radiology from December 16, 2023 through December 15, 2026, in an amount not to exceed \$2,400,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 166-2023
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 10) Proposed Amendment to Master Agreement 910-2015 with Elsevier Inc., an independent contractor, for the period December 15, 2015 through December 31, 2023, extending the term for three years from December 13, 2023 through December 30, 2026, and increasing the maximum payable by \$173,905, from \$583,319 to \$757,224, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 167-2023
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 11) Proposed Quote 2003223313324-02 with Presidio Networked Solutions Group, LLC, an independent contractor, for networking hardware and router services, for a term of five years effective December 13, 2023, in an amount not to exceed \$363,502 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 168-2023
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 12) Proposed Spectrum Enterprise Service Agreement with Charter Communications Operating, LLC, an independent contractor, containing nonstandard terms and conditions, for cable television services from December 13, 2023 through December 12, 2026, in an amount not to exceed \$99,000 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 169-2023;
AUTHORIZED CHIEF EXECUTIVE OFFICER TO EXECUTE ANY SUPPORTING ORDERS
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 13) Proposed Ordering Document CPQ-3201369 with Oracle America, Inc., an independent contractor, to design, build and deliver an interface for service desk software, for a project term of three months, in an amount not to exceed \$26,700 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 170-2023;
AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN FOR RECEIPT OF DELIVERY
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 14) Proposed Quote with CDW Government, LLC and Enterprise Agreement with Microsoft Corporation, an independent contractor, containing nonstandard terms and conditions, for third-party Microsoft Office 365 Enterprise Licensing from January 1, 2024 through December 31, 2026, in an amount not to exceed \$4,011,000, plus associated taxes and fees –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 171-2023
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 15) Proposed Ordering Document CPQ-3180912 with Oracle America, Inc., an independent contractor, for integration of an interface between the Sysmex UN2000N Urine Analysis Laboratory instrument and the electronic health record, for a project term of six months effective December 13, 2023, in an amount not to exceed \$13,326 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 172-2023;
AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN FOR RECEIPT OF DELIVERY
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 16) Proposed Amendment No. 2 to Agreement 06823 with Adam Z. Ahmadi, M.D., a contract employee, for professional medical services in the Department of Surgery, for the period January 8, 2024 through January 7, 2027, adding compensation for excess call coverage and the interpretation of diabetic eye exams, and increasing the maximum payable by \$180,000, from \$1,500,000 to 1,680,000, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 173-2023
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 17) Proposed retroactive Amendment No. 3 to Agreement 43819 with Helen A. Davis, M.D., a contract employee, for professional medical services in the Department of Surgery, from December 2, 2019 through December 1, 2024, effective November 1, 2023, adding compensation for the interpretation of diabetic eye exams, and increasing the maximum payable by \$60,000, from \$2,290,000 to \$2,350,000, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 174-2023
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 18) Proposed Agreement with Imtiaz A. Malik, M.D., an independent contractor, for professional medical services in the Department of Medicine from January 2, 2024 through January 1, 2026, in an amount not to exceed \$1,900,000 –
WITHDRAWN

CA

- 19) Proposed Annual Performance Improvement Plan for Kern Medical Center –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

- 20) Public hearing regarding the meet and confer impasse between representatives of Kern County Hospital Authority and Service Employees International Union, Local 521, and Resolution implementing rate range increases for the Surgical Technologist II and OR Materials Clinical Technician job classifications and rate range increases and changes to the job title and job description for the Surgical Robotics Technician (to Surgical Technologist Coordinator) job classification set forth in the Authority's last, best and final offer, effective December 28, 2023 –
OPENED HEARING; NO ONE HEARD; CLOSED HEARING; APPROVED; ADOPTED RESOLUTION 2023-018; DIRECTED STAFF TO IMPLEMENT
Berjis-Pelz: 4 Ayes; 2 Absent - Bigler, Pollard

- 21) Kern County Hospital Authority Chief Financial Officer report –
RECEIVED AND FILED
Zervis-Berjis: 4 Ayes; 2 Absent - Bigler, Pollard

- 22) Kern County Hospital Authority Chief Executive Officer report –
RECEIVED AND FILED
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 23) Monthly report on What's Happening at Kern Medical Center –
RECEIVED AND FILED
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

CA

- 24) Claims and Lawsuits Filed as of November 30, 2023 –
RECEIVED AND FILED
Pelz-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

ADJOURNED AS KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNERS;
RECONVENED AS KERN MEDICAL SURGERY CENTER, LLC BOARD OF MANAGERS
Berjis-Zervis: 4 Ayes; 2 Absent - Bigler, Pollard

- C-25) Kern Medical Surgery Center, LLC, Administrative Report –
RECEIVED AND FILED
Pelz-Berjis: 4 Ayes; 2 Absent - Bigler, Pollard

C-26) Proposed credentialing recommendations –
APPROVED

Pelz-Berjis: 4 Ayes; 2 Absent - Bigler, Pollard

ADJOURNED AS KERN MEDICAL SURGERY CENTER, LLC BOARD OF MANAGERS;
RECONVENED AS KERN COUNTY HOSPITAL AUTHORITY BOARD OF GOVERNERS

Zervis-Pelz: 4 Ayes; 2 Absent - Bigler, Pollard

ADJOURNED TO CLOSED SESSION

Berjis-Pelz

CLOSED SESSION

- 27) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 28) Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 29) 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
- 30) 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
- 31) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION

Zervis-Berjis

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item 27 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 BERJIS, SECOND BY DIRECTOR ZERVIS); 2 ABSENT - DIRECTORS BIGLER AND POLLARD), THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, REQUEST FOR ADDITIONAL PRIVILEGES, AND VOLUNTARY RESIGNATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

Item 28 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 29 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 30 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 31 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, JANUARY 17, 2024 AT 11:30 A.M.

Pelz



/s/ Mona A. Allen
Authority Board Coordinator



/s/ Phillip McLaughlin
Vice Chairman, Board of Governors
Kern County Hospital Authority