



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, July 17, 2024

11:30 A.M.

BOARD RECONVENED

Board Members: Berjis, Martinez, McLaughlin, Merz, Neal, Pelz, Pollard
Roll Call: 6 Present; 1 Absent - Neal

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

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 special meeting on June 26, 2024 –
APPROVED
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

CA

- 4) Proposed appointment of Thiagarajan Nandhagopal, M.D., as Chief, Division of Pediatrics, effective July 17, 2024 –
MADE APPOINTMENT
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

NOTE: DIRECTOR MARTINEZ ANNOUNCED THAT, DUE TO HER EMPLOYMENT WITH THE COUNTY OF KERN, SHE WOULD ABSTAIN FROM VOTING ON ITEM 5

CA

- 5) Proposed rescission of Amendment No. 2 (Agreement 097-2024) to Agreement 554-2021 with the County of Kern, as represented by the Administrative Office and Kern County Sheriff's Office, and retroactive approval of Amendment No. 2 to Agreement 554-2021 with the County of Kern, as represented by the Administrative Office and Kern County Sheriff's Office, for the provision of health care services to in-custody adult inmates at Kern Justice Facility, extending the term for two years from July 1, 2024 through June 30, 2026, and amending the subordination provision –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 119-2024
Pelz-Pollard: 5 Ayes; 1 Abstention - Martinez; 1 Absent - Neal

CA

- 6) Proposed Amendment No. 2 to Personal/Professional Services Agreement 137-2022 with Mesa Energy Systems, Inc., doing business as Emcor Services Hillcrest, an independent contractor, for HVAC maintenance and repair services for the period December 2, 2022 through December 1, 2025, increasing the maximum payable by \$250,000, from \$1,500,000 to \$1,750,000, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 120-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

CA

- 7) Proposed Change Order No. 2 to Agreement 076-2023 with James E. Thompson, Inc., doing business as JTS Construction, an independent contractor, for installation of additional devices for the temporary nurse call system in the Emergency Department, increasing the maximum by \$5,384, from \$148,470 to \$153,854, to cover project costs –
MADE FINDING THAT 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 121-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

CA

- 8) Proposed Agreement with Mission Linen Supply, an independent contractor, for linen supply services from August 1, 2024 through July 31, 2027, in an amount not to exceed \$3,672,480 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 122-2024
Pelz-Pollard: 6 Ayes; 1 Absent – Neal

CA

- 9) Proposed First Amendment to Lease Agreement 2016-013 with the County of Kern for lease of a portion of the Multi-Use Warehouse at the Mount Vernon Complex, for a rental credit in the amount of \$6,678 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 123-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

CA

- 10) Proposed Amendment No. 2 to Personal/Professional Services Agreement 55521 with Skarphol/Frank Associates, doing business as Skarphol Associates, an independent contractor, for architectural and engineering services for major maintenance and capital projects, for the period November 19, 2021 through November 18, 2024, extending the term for three years from November 19, 2024 through November 18, 2027 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 124-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

CA

- 11) Proposed Amendment No. 4 to Personal/Professional Services Agreement 21218 with Thyssenkrupp Elevator Corporation, an independent contractor, for elevator repair services for the period August 3, 2018 through June 30 2024, extending the term for four months from July 1, 2024 through October 30, 2024, and increasing the maximum payable by \$49,178, from \$730,000 to \$779,178, to cover the term –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 125-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

CA

- 12) Proposed Personal/Professional Services Agreement with Patton Sheet Metal Works, Inc., doing business as Patton Air Conditioning, an independent contractor, for installation of steam lines, effective July 17, 2024, in an amount not to exceed \$263,202 –
MADE FINDING THAT 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 126-2024; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN FUTURE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED 10% OF THE TOTAL CONTRACT PRICE
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

CA

- 13) Proposed Ordering Document CPQ-3488140 with Oracle America, Inc., an independent contractor, containing nonstandard terms and conditions, for purchase of equipment, software, and maintenance for management of vital signs devices, effective July 17, 2024, in an amount not to exceed \$3,948, plus taxes and fees –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 127-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

CA

- 14) Proposed Ordering Document CPQ-3488331 with Oracle America, Inc., an independent contractor, containing nonstandard terms and conditions, for purchase of equipment, software, and maintenance for management of vital signs devices, effective July 17, 2024, in an amount not to exceed \$3,948, plus taxes and fees –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 128-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

- CA
15) Proposed Ordering Document CPQ-3488385 with Oracle America, Inc., an independent contractor, containing nonstandard terms and conditions, for purchase of equipment, software, and maintenance for management of vital signs devices, effective July 17, 2024, in an amount not to exceed \$3,948, plus taxes and fees –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 129-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal
- CA
16) Proposed Ordering Document CPQ-3488412 with Oracle America, Inc., an independent contractor, containing nonstandard terms and conditions, for purchase of equipment, software, and maintenance for management of vital signs devices, effective July 17, 2024, in an amount not to exceed \$3,948, plus taxes and fees –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 130-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal
- CA
17) Proposed Ordering Document CPQ-3488445 with Oracle America, Inc., an independent contractor, containing nonstandard terms and conditions, for purchase of equipment, software, and maintenance for management of vital signs devices, effective July 17, 2024, in an amount not to exceed \$3,948, plus taxes and fees –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 131-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal
- CA
18) Proposed Sales Terms with Utah Medical Products, an independent contractor, containing nonstandard terms and conditions, for purchase of umbilical catheters, in an amount not to exceed \$7,500 –
APPROVED AGREEMENT 132-2024; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN FUTURE SALES ORDERS
Pelz-Pollard: 6 Ayes; 1 Absent - Neal
- CA
19) Proposed Quote Q-00316807 with Philips Healthcare, a division of Philips North America LLC, an independent contractor, containing nonstandard terms and conditions, for telemetry software upgrades and additional telemetry monitors in the Diagnostic Treatment Center, in an amount not to exceed \$12,022 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 133-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal
- CA
20) Proposed IBE SMA Standard Software Maintenance Agreement with Philips Healthcare, a division of Philips North America LLC, an independent contractor, containing nonstandard terms and conditions, for telemetry software upgrades and maintenance, from August 1, 2024 through July 31, 2028, in an amount not to exceed \$30,120 –
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 134-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

- CA
21) Proposed Quote 2301406246 with Philips Healthcare, a division of Philips North America LLC, an independent contractor, containing nonstandard terms and conditions, for purchase of telemetry equipment for 2 Center, in an amount not to exceed \$13,934 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 135-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal
- CA
22) Proposed Quote Q-00326625 with Philips Healthcare, a division of Philips North America LLC, an independent contractor, containing nonstandard terms and conditions, for purchase of telemetry equipment for the Operating Room, in an amount not to exceed \$100 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 136-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal
- CA
23) Proposed Schedule A-9 to Agreement 039-2021 with Healthcare Performance Group, Inc., an independent contractor, for electronic health record consulting services, from August 5, 2024 through September 6, 2024, increasing the maximum payable by \$22,400, from \$315,360 to \$337,760, plus expenses – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 137-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal
- CA
24) Proposed Memorandum of Understanding with Committee of Interns and Residents/Service Employees International Union, Local 1957, from July 17, 2024 through June 30, 2027, in an amount not to exceed \$4,429,196 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 138-2024; AUTHORIZED HUMAN RESOURCES STAFF TO IMPLEMENT CHANGES
Pelz-Pollard: 6 Ayes; 1 Absent - Neal
- CA
25) Proposed Side Letter of Agreement to Memorandum of Understanding 089-2022 with Service Employees International Union, Local 521, amending Article VI, Section 6, adding premium pay for registered nurses who are assigned the role of high-risk delivery nurse, effective July 17, 2024
WITHDRAWN
- CA
26) Proposed Master Service Agreement with PatientNow, Inc., an independent contractor, containing nonstandard terms and conditions, for purchase of electronic medical record software from August 1, 2024 through July 31, 2025, in an amount not to exceed \$4,656 plus taxes and fees – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 139-2024
Pelz-Pollard: 6 Ayes; 1 Absent - Neal
- CA
27) Proposed acceptance of donation of travel and related expenses from Decision Resource, Inc., doing business as Clarivate, for two Kern Medical Center employees to attend the 2024 Member Retreat, “Resilience: Navigating from Recovery to High-Functioning Innovation,” from August 14-15, 2024, in Austin, Texas – APPROVED; ADOPTED RESOLUTION 2024-020
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

- 28) Kern County Hospital Authority Chief Financial Officer report –
CHIEF FINANCIAL OFFICER ANDREW CANTU HEARD; RECEIVED AND FILED
Berjis-Merz: 6 Ayes; 1 Absent - Neal
- 29) Kern County Hospital Authority Chief Executive Officer report –
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON HEARD; DIRECTOR MARTINEZ
HEARD REGARDING IMPLEMENTATION OF SB 43; DIRECTOR POLLARD HEARD
REGARDING MARKETING STRATEGIES
RECEIVED AND FILED
Pelz-Pollard: 6 Ayes; 1 Absent - Neal
- CA
30) Monthly report on What’s Happening at Kern Medical Center –
RECEIVED AND FILED
Pelz-Pollard: 6 Ayes; 1 Absent - Neal
- CA
31) Claims and Lawsuits Filed as of June 30, 2024 –
RECEIVED AND FILED
Pelz-Pollard: 6 Ayes; 1 Absent - Neal

ADJOURNED TO CLOSED SESSION
Martinez-Merz

CLOSED SESSION

- 32) Request for Closed Session regarding peer review of health practitioners (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW
- 33) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Government Code Section 54956.9(e)(3)) Number of cases: Three (3) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: The receipt of a claim pursuant to the Government Claims Act or some other written communication from a potential plaintiff threatening litigation, which non-exempt claim or communication is available for public inspection – SEE RESULTS BELOW
- 34) Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION
Pollard-Merz

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item 32 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 POLLARD, SECOND BY DIRECTOR PELZ; 1 ABSENT - DIRECTOR NEAL), THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, REQUEST FOR ADDITIONAL CLINICAL PRIVILEGES, AND AUTOMATIC TERMINATION OF PRIVILEGES; NO OTHER REPORTABLE ACTION TAKEN

NOTE: CHIEF EXECUTIVE OFFICER SCOTT THYGERSON LEFT THE ROOM PRIOR TO THE DISCUSSION ON AGENDA ITEM 33

Item 33 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(e)(3)) Number of cases: Three (3) Significant exposure to litigation in the opinion of the Board of Governors on the advice of legal counsel, based on: The receipt of a claim pursuant to the Government Claims Act or some other written communication from a potential plaintiff threatening litigation, which non-exempt claim or communication is available for public inspection – HEARD; NO REPORTABLE ACTION TAKEN

NOTE: CHIEF EXECUTIVE OFFICER SCOTT THYGERSON RETURNED TO THE MEETING FOLLOWING THE DISCUSSION ON AGENDA ITEM 33

Item 34 concerning Request for Closed Session regarding peer review of health facilities (Health and Safety Code Section 101855(j)(2)) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, AUGUST 21, 2024 AT 11:30 A.M.

Pollard



/s/ Mona A. Allen
Authority Board Coordinator



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