



## 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, August 21, 2024

11:30 A.M.

#### BOARD RECONVENED

Board Members: Berjis, Martinez, McLaughlin, Merz, Neal, Pelz, Pollard  
Roll Call: 5 Present; 2 Absent - Martinez, Pollard

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

NOTE: DIRECTOR MARTINEZ JOINED THE MEETING AFTER THE VOTE ON THE CONSENT AGENDA AND PRIOR TO THE DISCUSSION AND VOTE ON ITEM 22

#### RECOGNITION

- 1) Presentation by the Chief Executive Officer recognizing August as Valley Fever Awareness Month –  
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON MADE PRESENTATION;  
ROYCE JOHNSON, M.D., MEDICAL DIRECTOR, VALLEY FEVER INSTITUTE AND  
ROB PURDIE, PATIENT/PROGRAM DEVELOPMENT COORDINATOR, VALLEY  
FEVER INSTITUTE, HEARD

PUBLIC PRESENTATIONS

- 2) 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

- 3) 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 NEAL THANKED THE BOARD FOR THEIR PATIENCE DURING HER ABSENCE**

**DIRECTOR MARTINEZ ANNOUNCED THE APPOINTMENT OF NANCY ANDERSON AS CHIEF ADMINISTRATIVE OFFICER FOR KERN COUNTY STARTING SEPTEMBER 9, 2024; DIRECTOR MARTINEZ INDICATED SHE IS UNCERTAIN WHETHER SHE WILL CONTINUE ON THE BOARD AS THE COUNTY ADMINISTRATIVE OFFICER EX-OFFICIO DESIGNEE**

ITEMS FOR CONSIDERATION

- CA  
4) Minutes for the Kern County Hospital Authority Board of Governors regular meeting on July 17, 2024 –  
APPROVED

**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

- CA  
5) Proposed updated Conflict of Interest Policy and Code for Kern County Hospital Authority –  
APPROVED; REFERRED TO KERN COUNTY BOARD OF SUPERVISORS FOR APPROVAL  
**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

- CA  
6) Proposed retroactive 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 –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 140-2024; AUTHORIZED HUMAN RESOURCES STAFF TO IMPLEMENT CHANGES

**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

CA

- 7) Proposed Amendment No. 5 to Agreement 2016-066 with Regional Anesthesia Associates, Inc., an independent contractor, for professional medical services in the Department of Anesthesia for the period November 9, 2016 through November 8, 2025, adding hourly rates for per diem coverage in the operating room, and increasing the maximum payable by \$300,000, from \$24,504,801 to \$24,804,801, to cover the term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 141-2024  
**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

CA

- 8) Proposed Amendment No. 3 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, 2024, extending the term for three years from October 1, 2024 through September 30, 2027, and increasing the maximum payable by \$3,710,000, from \$5,290,000 to \$9,000,000, to cover the extended term –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 142-2024  
**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

CA

- 9) Proposed Agreement with Katayoun Sabetian, M.D., Inc., an independent contractor, for professional medical services in the Department of Medicine from September 1, 2024 through August 31, 2027, in an amount not to exceed \$1,200,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 143-2024  
**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

CA

- 10) Proposed Agreement with Antonio L. Garcia, M.D., a contract employee, for professional medical and administrative services in the Department of Obstetrics and Gynecology from October 1, 2024 through September 30, 2027, in an amount not to exceed \$1,650,700, plus applicable benefits –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 144-2024  
**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

CA

- 11) Proposed Agreement with Frank W. Sabatelli, M.D., a contract employee, for professional medical services in the Department of Radiology from August 28, 2024 through August 27, 2027, in an amount not to exceed \$2,800,000, plus applicable benefits –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 145-2024  
**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

CA

- 12) Proposed Personal/Professional Services Agreement with RS Studio, an independent contractor, for design and construction services from August 21, 2024 through August 20, 2027, in an amount not to exceed \$1,000,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 146-2024  
**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

CA

- 13) Proposed Change Order No. 4 to Agreement 006-2024 with Heredia Cabling Solutions, Inc., an independent contractor, for installation of additional nurse call devices on the 3C and 4D nursing units, and increasing the maximum payable by \$41,905, from \$271,162 to \$313,067,



to cover the term –

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 147-2024

**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

CA

14) Proposed Personal/Professional Services Agreement with CBCM Services, Inc., an independent contractor, for installation of an emergency sewer line in an amount not to exceed \$308,859, effective August 21, 2024, until project completion –

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 148-2024; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN FUTURE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED 10% OF THE TOTAL CONTRACT PRICE

**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

CA

15) Proposed Change Order No. 4 to Agreement 107-2022 with McMurtrey Lince, Inc., an independent contractor, for construction services related to the Emergency Department isolation room, increasing the maximum payable by \$58,153, from \$607,609 to \$665,762, to cover additional 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 149-2024

**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

CA

16) Proposed retroactive First Amendment to Agreement 540-2021 with the County of Kern for Medi-Cal administrative activities for the period July 1, 2019 through June 30, 2024, extending the term for five years from July 1, 2024 through June 30, 2029 –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 150-2024

**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

CA

17) Proposed acceptance of donation of travel and related expenses from Healthfuse, LLC, for one Kern Medical Center employee to attend the Healthfuse Fall Client Summit on September 19, 2024 in Milwaukee, Wisconsin –

APPROVED; ADOPTED RESOLUTION 2024-021

**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

CA

18) Proposed Ordering Document CPQ-3522005 with Oracle America, Inc., an independent contractor, containing nonstandard terms and conditions, to secure equipment, software, and support for the management of vital signs devices from August 21, 2024 through December 31, 2027, in an amount not to exceed \$5,969, plus applicable fees and taxes –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 151-2024

**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

- CA  
19) Proposed Engagement Letter from Moss Adams LLP, an independent contractor, regarding the audit of Kern Medical Center financial statements for the fiscal year ended June 30, 2024, in an amount not to exceed \$198,750 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN  
**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**
- CA  
20) Proposed Amendment to Customer Agreement 10043609 with CareFusion Solutions, LLC, an independent contractor, for the return of two unused automated dispensing cabinets (Pyxis) –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 152-2024  
**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**
- CA  
21) Proposed Agreement with Moh'd Akram Sbeih, M.D., a contract employee, for professional medical services in the Department of Surgery from September 23, 2024 through September 22, 2027, in an amount not to exceed \$2,100,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 153-2024  
**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**
- 22) Proposed retroactive Agreement with Patton Sheet Metal Works, Inc., doing business as Patton Air Conditioning, an independent contractor, for emergency design and installation of two temporary air handlers, effective June 21, 2024, in an amount not to exceed \$624,292 –  
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON HEARD REGARDING THE RETROACTIVITY OF ITEM 22; 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 154-2024; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN FUTURE CHANGE ORDERS IN AN AMOUNT NOT TO EXCEED 10% OF THE TOTAL CONTRACT PRICE  
**Martinez-Merz: 6 Ayes; 1 Absent - Pollard**
- 23) Proposed retroactive Amendment 1 to Agreement 100-2023 with Mohammed A. S. Molla, M.D., a contract employee, for professional medical and administrative services in the Department of Psychiatry for the period August 16, 2023 through August 15, 2028, revising the payout date for the annual retention bonus from August 16, 2024 to August 16, 2027, effective August 15, 2024 –  
VICE PRESIDENT, STRATEGIC DEVELOPMENT NATALEE GARRETT HEARD REGARDING RETROACTIVITY OF ITEM 23; APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 155-2024  
**Berjis-Pelz: 6 Ayes; 1 Absent - Pollard**
- 24) Kern County Hospital Authority Chief Financial Officer report –  
CHIEF FINANCIAL OFFICER ANDREW CANTU HEARD; DIRECTOR MARTINEZ HEARD REGARDING THE THE CHARGE DESCRIPTION MASTER UPDATE AND THE FINANCIAL STATEMENTS REGARDING FUND BALANCE AND RETAINED EARNINGS; RECEIVED AND FILED  
**Neal-Martinez: 6 Ayes; 1 Absent - Pollard**
- 25) Kern County Hospital Authority Chief Executive Officer report –  
CHIEF EXECUTIVE OFFICER SCOTT THYGERSON HEARD; RECEIVED AND FILED  
**Merz-Pelz: 6 Ayes; 1 Absent - Pollard**

- CA  
26) Monthly report on What's Happening at Kern Medical Center –  
RECEIVED AND FILED  
**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

- CA  
27) Claims and Lawsuits Filed as of July 31, 2024 –  
RECEIVED AND FILED  
**Pelz-Berjis: 5 Ayes; 2 Absent - Martinez, Pollard**

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

- C-28) Kern Medical Surgery Center, LLC, Administrative Report –  
RECEIVED AND FILED  
**Pelz-Berjis: 6 Ayes; 1 Absent - Pollard**

- C-29) Proposed Master Services Agreement with Press Ganey Associates LLC, doing business as a Press Ganey Associates, Inc., an independent contractor, containing nonstandard terms and conditions, for regulatory reporting services from October 1, 2024 through September 30, 2027, in an amount not to exceed \$11,711 –  
APPROVED; AUTHORIZE CHAIRMAN TO SIGN AGREEMENT 156-2024  
**Pelz-Berjis: 6 Ayes; 1 Absent - Pollard**

- C-30) Proposed credentialing recommendations –  
APPROVED  
**Pelz-Berjis: 6 Ayes; 1 Absent - Pollard**

- 31) Proposed retroactive Engagement Letter with Brown Armstrong Accountancy Corporation, an independent contractor, for Employee Retirement Income Security Act of 1974 (ERISA) audit for the 401(k) Profit Sharing Plan and Trust for calendar years ending 2021, 2022, and 2023 –  
VICE PRESIDENT, HUMAN RESOURCES LISA HOCKERSMITH HEARD REGARDING RETROACTIVITY OF ITEM 31; APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN  
**Pelz-Merz: 6 Ayes; 1 Absent - Pollard**

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

ADJOURNED TO CLOSED SESSION  
**Martinez-Pelz**

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 - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Maria Saenz, Applicant v. Kern Medical Center, Defendant, Workers' Compensation Appeals Board Case Numbers ADJ8168690, ADJ9837188, ADJ8911633 – SEE RESULTS BELOW
- 34) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(e)(3)) Number of cases: One (1) 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

RECONVENED FROM CLOSED SESSION  
**Neal-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 MERZ, SECOND BY DIRECTOR NEAL; 1 ABSENT - DIRECTOR POLLARD; 1 ABSTENTION - BERJIS), THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, AND VOLUNTARY RESIGNATION OF PRIVILEGES, NO OTHER REPORTABLE ACTION TAKEN

Item 33 concerning CONFERENCE WITH LEGAL COUNSEL - FORMALLY INITIATED LITIGATION (Government Code Section 54956.9(d)(1)) Name of case: Maria Saenz, Applicant v. Kern Medical Center, Defendant, Workers' Compensation Appeals Board Case Numbers ADJ8168690, ADJ9837188, ADJ8911633 – HEARD; NO REPORTABLE ACTION TAKEN

Item 34 concerning CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(e)(3)) Number of cases: One (1) 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

ADJOURNED TO WEDNESDAY, SEPTEMBER 18, 2024 AT 11:30 A.M.  
**Pelz**



/s/ Mona A. Allen  
Authority Board Coordinator



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