



## 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, October 16, 2024

11:30 A.M.

#### BOARD RECONVENED

Board Members: Anderson, Berjis, McLaughlin, Merz, Pelz, Pollard  
Roll Call: 4 Present; 2 Absent - McLaughlin, Pelz

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**

#### 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 HEARD REGARDING THE INCREASED INTEREST IN AND NUMBER OF APPLICATIONS RECEIVED FOR THE KERN MEDICAL CENTER RESIDENCY AND FELLOWSHIP PROGRAMS FOR THE ACADEMIC YEAR BEGINNING JULY 1, 2025**

ITEMS FOR CONSIDERATION

CA

- 3) Minutes for the Kern County Hospital Authority Board of Governors regular meeting on September 18, 2024 –  
APPROVED  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 4) Proposed Resolution establishing regular meeting dates of the Kern County Hospital Authority Board of Governors for calendar year 2025 –  
APPROVED; ADOPTED RESOLUTION 2024-025  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 5) Proposed rescission of Agreement 134-2024 and approval of Quote 0088604-3 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 174-2024  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 6) Proposed Change Order No. 2 to Agreement 025-2024 with Heredia Cabling Solutions, an independent contractor, for installation of electrical wiring related to the infant security system, increasing the maximum payable by \$4,640, from \$176,701 to \$181,341, 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 175-2024  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 7) Proposed Agreement with Leiters Health, an independent contractor, containing nonstandard terms and conditions, for purchase of sterile compound ophthalmic medications for a term of three years from October 16, 2024 through October 15, 2027, in an amount not to exceed \$150,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 176-2024  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 8) Proposed Master Purchase Agreement with Qiagen, LLC, an independent contractor, containing nonstandard terms and conditions, for purchase of Amnisure fetal test kits for a term of two years from October 16, 2024 through October 15, 2026, in an amount not to exceed \$30,000 –  
APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 177-2024  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 9) Proposed Quotation 136305245 with Draeger, Inc., an independent contractor, containing nonstandard terms and conditions, for repair of a jaundice meter, effective October 16, 2024, in an amount not to exceed \$2,145, plus applicable tax and shipping – APPROVED AGREEMENT 178-2024  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 10) Proposed Amendment No. 5 to Personal/Professional Services Agreement 21218 with Thyssenkrupp Elevator Corporation, an independent contractor, for elevator repair and maintenance services for the period August 3, 2018 through October 30, 2024, extending the term for three months from October 30, 2024 through January 31, 2025, and increasing the maximum payable by \$36,884, from \$779,178 to \$816,062, to cover the extended term – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 179-2024  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 11) Proposed Agreement with Charles D. Wong, D.O., Medical Corporation, an independent contractor, for professional medical services in the Department of Surgery from November 1, 2024 through October 31, 2027, in an amount not to exceed \$1,800,000 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 180-2024  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 12) Proposed retroactive Amendment No. 1 to Agreement 153-2024 with Moh'd Akram Sbeih, M.D., a contract employee, for professional medical services in the Department of Surgery, amending the commencement date from September 23, 2024 to October 1, 2024 – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 181-2024  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 13) Proposed Agreement with Rizal Lim, M.D., a contract employee, for professional medical services in the Department of Surgery from February 10, 2025 through February 9, 2028, in an amount not to exceed \$3,000,000, plus applicable benefits – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 182-2024  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 14) Proposed Support Renewal to the Personal/Professional Services Agreement 33618 with JB Developers, Inc., an independent contractor, for timekeeping support and scheduling services from November 1, 2018 through October 31, 2024, extending the term for three years from November 1, 2024 through October 31, 2027, and increasing the maximum payable by \$90,480, from \$150,960 to \$246,400, to cover the extended term including any costs associated with hardware upgrades and software integration – APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 183-2024; AUTHORIZED CHIEF EXECUTIVE OFFICER TO APPROVE PURCHASES NOT TO EXCEED \$20,000  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 15) Proposed Order Form to Master Subscription 00522 with Voluware, Inc., doing business as Valer, an independent contractor, for prior authorization and referral management services for

the period January 1, 2022 through October 31, 2024, extending the term for three years from November 1, 2024 through October 31, 2027, and increasing the maximum payable by \$530,398, from \$336,000 to \$898,998, to cover the extended term –

APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 184-2024

**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 16) Proposed acceptance of donation of travel and related expenses from Experian Health, Inc., for two Kern Medical Center employees to attend the Experian Health High-Performance Summit | 2024 in San Antonio, Texas, from November 10-13, 2024 –  
APPROVED; ADOPTED RESOLUTION 2024-026

**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 17) Kern County Hospital Authority Chief Executive Officer report –  
RECEIVED AND FILED

**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 18) Proposed payment of incentive compensation in the amount of \$15,493.60, less all applicable federal and state taxes and withholdings, pursuant to Agreement 099-2023 with Alton Scott Thygeson, a contract employee, for Chief Executive Officer services for the period July 19, 2023 through July 19, 2026, for completion of certain annual performance-based metrics for Fiscal Year Ended June 30, 2024 –  
APPROVED

**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

- 19) Report on the status of the Kern Medical Center Electronic Health Record –  
GLENN GOLDIS, M.D., CHIEF MEDICAL OFFICER AND CHIEF MEDICAL INFORMATION OFFICER, AND SANDRA BAKICH, INTERIM CO-CHIEF INFORMATION OFFICER, MADE PRESENTATION; APPROVED; DIRECTED STAFF TO ISSUE REQUESTS FOR INFORMATION TO EPIC, MEDITECH AND ORACLE HEALTH; RECEIVED AND FILED

**Pollard-Anderson: 4 Ayes; 2 Absent - McLaughlin, Pelz**

- 20) Kern County Hospital Authority Chief Financial Officer report –  
CHIEF FINANCIAL OFFICER ANDREW CANTU HEARD; DIRECTOR ANDERSON HEARD REGARDING THE STATUS OF CASH FLOW PROJECTIONS; CHIEF EXECUTIVE OFFICER SCOTT THYGERSON AND MR. CANTU RESPONDED REGARDING PROGRESS ON THE DEVELOPMENT OF A CASH RESERVES PLAN; RECEIVED AND FILED

**Merz-Pollard: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 21) Monthly report on What's Happening at Kern Medical Center –  
RECEIVED AND FILED

**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 22) Claims and Lawsuits Filed as of September 30, 2024 –  
RECEIVED AND FILED

**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

CA

- 23) Miscellaneous Correspondence as of September 30, 2024 –  
RECEIVED AND FILED  
**Anderson-Merz: 4 Ayes; 2 Absent - McLaughlin, Pelz**

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

- C-24) Kern Medical Surgery Center, LLC, Administrative Report –  
RECEIVED AND FILED  
**Anderson-Pollard: 4 Ayes; 2 Absent - McLaughlin, Pelz**

- C-25) Proposed Resolution establishing regular meeting dates of the Kern Medical Surgery Center,  
LLC Board of Managers for calendar year 2025 –  
APPROVED; ADOPTED RESOLUTION 2024-002  
**Anderson-Pollard: 4 Ayes; 2 Absent - McLaughlin, Pelz**

- C-26) Proposed Conflict of Interest Policy and Code for Kern Medical Surgery Center, LLC –  
APPROVED; REFERRED TO KERN COUNTY BOARD OF SUPERVISORS FOR APPROVAL  
**Anderson-Pollard: 4 Ayes; 2 Absent - McLaughlin, Pelz**

- C-27) Proposed retroactive MTAC Directed Trustee Agreement with Mid Atlantic Trust Company, an  
independent contractor, containing nonstandard terms and conditions, for the 401(k) Profit  
Sharing Plan to appoint Mid Atlantic Trust Company as the Directed Trustee of the Plan,  
effective September 10, 2024 –  
APPROVED; AUTHORIZED CHIEF EXECUTIVE OFFICER TO SIGN AGREEMENT 186-  
2024  
**Anderson-Pollard: 4 Ayes; 2 Absent - McLaughlin, Pelz**

- C-28) Proposed credentialing recommendations –  
APPROVED  
**Anderson-Pollard: 4 Ayes; 2 Absent - McLaughlin, Pelz**

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

ADJOURNED TO CLOSED SESSION  
**Pollard-Merz**

CLOSED SESSION

- 29) Request for Closed Session regarding peer review of health practitioners (Health and Safety  
Code Section 101855(j)(2)) – 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,  
Charging Party, v. Kern County Hospital Authority, Respondent, Public Employment Relations  
Board Case No. LA-CE-1670-M – SEE RESULTS BELOW

- 31) 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-1695-M – SEE RESULTS BELOW
- 32) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – SEE RESULTS BELOW

RECONVENED FROM CLOSED SESSION

**Merz-Pollard**

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

Item 29 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 ANDERSON; 2 ABSENT - MCLAUGHLIN, PELZ), THE BOARD APPROVED ALL PRACTITIONERS RECOMMENDED FOR INITIAL APPOINTMENT, REAPPOINTMENT, RELEASE OF PROCTORING, REVISED PRIVILEGE REQUESTS, VOLUNTARY RESIGNATION OF PRIVILEGES, AND AUTOMATIC TERMINATION OF PRIVILEGES; NO OTHER 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, Charging Party, v. Kern County Hospital Authority, Respondent, Public Employment Relations Board Case No. LA-CE-1670-M – HEARD; NO REPORTABLE ACTION TAKEN

Item 31 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-1695-M – HEARD; NO REPORTABLE ACTION TAKEN

Item 32 concerning PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Chief Executive Officer (Government Code Section 54957) – HEARD; NO REPORTABLE ACTION TAKEN

ADJOURNED TO WEDNESDAY, NOVEMBER 20, 2024 AT 11:30 A.M.

**Pollard**



/s/ Mona A. Allen  
Authority Board Coordinator



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