



THE BOARD OF TRUSTEES MEETING

9:00 A.M.

Thursday, December 5, 2019

BOARD ROOM

2525 Holly Hall Drive, Houston, Texas 77054

Mission

Harris Health is a community-focused academic healthcare system dedicated to improving the health of those most in need in Harris County through quality care delivery, coordination of care, and education.

AGENDA

- I. **Call to Order and Record of Attendance** Anne Clutterbuck, Chair

- II. **Approval of the Minutes of Previous Meetings** Anne Clutterbuck
 - Special Call Board Meeting – November 7, 2019
 - Special Call Board Meeting – November 14, 2019

- III. **Announcements/Special Presentations** Anne Clutterbuck
 - A. **Special Recognition** – Ms. Anne Clutterbuck, Board Chair, will recognize the CEO Search Committee Members.

 - B. **Special Announcement** – Ms. Anne Clutterbuck, Board Chair, will announce the appointment of Dr. Esmail Porsa as the new President and Chief Executive Officer for Harris Health System.

 - C. **Board Member Announcements** regarding Board member advocacy and community engagement.

- IV. **Public Comment** Anne Clutterbuck

- V. **Consent Agenda Items** Anne Clutterbuck

A. Recommended Committee Approvals

1. Consideration of Purchasing Recommendations Requiring Board Approval (Items A(1)a. through A(1)iii.) – *Mr. DeWight Dopslauf*
2. Consideration of Approval of Twelve (12) New and/or Renewed Lease Agreements – *Mr. David Attard*
 - **Sareen Healthcare Center:** Second Year of a 5-Year Lease With Five (5) Year Renewal Options With India House, Inc. at 8888 West Bellfort, Houston, Texas 77031
 - TERM:** December 1, 2019 – November 30, 2020
 - AMOUNT:** Monthly Rate of \$11,577.98 (\$138,935.76/Yr.)
 - **Robindell Clinic:** Second Year of a 5-Year Lease With Five (5) Year Renewal Options With Ridgeline Bellaire MOB LP. at 5420 Dashwood, Houston, Texas 77081
 - TERM:** December 1, 2019 – November 30, 2020
 - AMOUNT:** Monthly Rate of \$10,892.66 (\$130,711.89/Yr.)
 - **9420 – 9250 Kirby Office and Warehouse:** Fifth Year of a 7-Year Lease With Two (2) 5-Year Options With Fuller Realty Partners, LLC. at 9240 – 9250 Kirby Drive, Houston, Texas 77054
 - TERM:** January 1, 2020 – December 31, 2020
 - AMOUNT:** Monthly Rate of \$237,106.20 (\$2,845,274.43/Yr.)
 - **Monroe Same Day Clinic:** Second Year of a 5-Year Lease With Five (5) Year Renewal Options With Monroe Casco, Ltd. at 8539 Gulf Freeway, Houston, Texas 77017
 - TERM:** January 1, 2020 – December 31, 2020
 - AMOUNT:** Monthly Rate of \$16,913.84 (\$202,966.08/Yr.)
 - **Dental Center:** Fifth Year of a 10-Year Lease With Houston Business Development, Inc. at 5220 – 5250 Griggs Road, Houston, Texas 77021
 - TERM:** February 1, 2020 – January 31, 2021
 - AMOUNT:** Monthly Rate of \$15,140.98 (\$181,691.80/Yr.)
 - **East Mount Houston Eligibility Center:** Third Year of a 5-Year Lease (Final Renewal Option Exercised) With EM Center, Inc. at 12340 11737-C Eastex Freeway, Houston, Texas 77039
 - TERM:** February 1, 2020 – January 31, 2021
 - AMOUNT:** Monthly Rate of \$9,394.93 (\$112,739.10/Yr.)
 - **Riverside Dialysis Center:** Third Year of a 3-Year Lease With Five (5) Automatic 1-Year Renewal Options With City of Houston at 3315 Delano Street, Houston, Texas 77004
 - TERM:** March 1, 2020 – February 28, 2021
 - AMOUNT:** Monthly Rate of \$7,839.83 (\$94,077.83/Yr.)

- **C.E. Odom Pediatric and Adolescent Health Center:** Fifth Year of a 5-Year Lease With One (1) 5-Year Renewal Options With 5516 Lockwood LLC. at 5516 Lockwood, Houston, Texas 77026

TERM: March 1, 2020 – February 1, 2021
AMOUNT: Monthly Rate of \$17,085.36 (\$205,024.34/Yr.)

- **Pasadena Pediatric and Adolescent Health Center:** Fifth Year of a 10-Year Lease With Pasadena Realty Partners, LLC. at 3925 Fairmont Parkway, Pasadena, Texas 77504

TERM: March 1, 2020 – February 28, 2021
AMOUNT: Monthly Rate of \$20,833.33 (\$249,999.96/Yr.)

- **Strawberry Health Center:** Fifth Year of a 5-Year Lease With Twenty-Nine (29) One-Year Renewal Option With City of Pasadena at 927 East Shaw Road, Pasadena, Texas 77506

TERM: March 1, 2020 – February 28, 2021
AMOUNT: Monthly Rate of \$11,775.25 (\$141,303.00/Yr.)

- **Sunset Heights Clinic:** Third Year of a 5-Year Lease With One (1) 5-Year Renewal Option With Benjamin Wu at 1623 Airline, Houston, Texas 77009

TERM: April 1, 2020 – March 31, 2021
AMOUNT: Monthly Rate of \$10,037.69 (\$120,452.33/Yr.)

- **Central Fill Pharmacy:** Third Year of a 5-Year Lease With One (1) 5-Year Renewal Option With Fuller Realty Partners, LLC. at 9230 Kirby Drive, Houston, Texas 77054

TERM: June 1, 2020 – May 31, 2021
AMOUNT: Monthly Rate of \$30,815.71 (\$369,788.52/Yr.)

3. Consideration of Approval of Affiliation Agreements Between Harris County Hospital District d/b/a Harris Health System and Three (3) Educational Institutions – *Mr. Omar Reid*

- Galveston College
Certificate and Associate of Applied Science in Radiation Therapy
4015 Avenue Q
Galveston, Texas 77550
- Texas Woman's University
Doctor of Physical Therapy
6700 Fannin Street
Houston, Texas 77030
- Texas Woman's University
Master of Occupational Therapy
P.O. Box 425648
Denton, Texas 76204

4. Notice of Appointments and Selection of New Service Chiefs
– *Dr. Yvonne Chu*
5. Consideration of Acceptance of the Harris Health System Third Quarter Calendar Year 2019 Pension Plan Report – *Mr. Michael Norby*
6. Consideration of Approval of a First Amendment to the Interlocal Affiliation Agreement to Provide Data to Texas Health and Human Services Commission Between Harris County Hospital District d/b/a Harris Health System and the University of Texas Health Science Center at Houston – *Ms. Karen Tseng*

{*End of Consent Agenda*}

VI. Miscellaneous Items

Anne Clutterbuck

1. Consideration of Approval of the Proposed 2020 Harris Health System Board of Trustees Committee and Board Meetings Calendar – *Ms. Anne Clutterbuck*
2. Consideration of Approval to Ratify Community Health Choice Texas, Inc.’s Commencement of Litigation in Community Health Choice Texas, Inc. v. Texas Health and Human Services Commission, Cause No. D-1-GN-19-007758
– *Ms. Catherine Mitchell*
3. Consideration of Approval to Ratify Renewal of a Grant Award From the United States Department of Health and Human Services Health Resources and Services Administration (HRSA) to Harris County Hospital District d/b/a Harris Health System in an Amount Not Less Than \$256,938, Funded Under the Ryan White HIV/AIDS Treatment Extension Act of 2009 Part D, to Provide Outpatient Family Centered Care for Women, Infants, Children and Youth Living with HIV/AIDS for the Term August 1, 2019 Through July 31, 2020
– *Dr. Glorimar Medina*
4. Consideration of Approval to Ratify an Addendum to a Grant Agreement in a Prorate Amount of \$87,500.00 Between Harris County Hospital District d/b/a Harris Health System and The Houston Regional HIV/AIDS Resource Group (TRG) Funded by the Texas Department of State Health Services to Provide an AIDS Drug Assistance Program (ADAP) Enrollment Worker at Harris Health System for the Term September 1, 2019 Through March 31, 2020
– *Dr. Glorimar Medina*
5. Consideration of Approval to Ratify a Second Amendment to an Agreement Between Harris County Hospital District d/b/a Harris Health System and the City of Houston Health Department/Bureau of HIV/STD and Viral Hepatitis Prevention in the Amount of \$72,552.00, Funded by the Centers for Disease Control and Prevention to Provide Routine HIV Screening Services at Harris Health System for the Extended Term January 1, 2018 through March 31, 2020
– *Dr. Glorimar Medina*
6. Consideration of Approval to Ratify an Existing Grant Agreement Between Harris County Hospital District d/b/a Harris Health System and Baylor College of Medicine in the Amount Not to Exceed \$69,288.00 to Provide Prevention of Hepatocellular Carcinoma (HCC) for the Extended Term August 31, 2018 Through February 29, 2020 – *Dr. Glorimar Medina*

7. Consideration of Approval to Ratify an Existing Grant Agreement Between Harris County Hospital District d/b/a Harris Health System and Baylor College of Medicine in the Amount Not to Exceed \$445,624.00 to Expand Cancer Prevention for the Extended Term August 31, 2018 Through August 30, 2020 – *Dr. Glorimar Medina*
8. Consideration of Approval to Ratify an Existing Grant Agreement Between Harris County Hospital District d/b/a Harris Health System and Baylor College of Medicine in the Amount Not to Exceed \$137,991.00 to Increase HPV Vaccine Uptake and Completion for the Extended Term August 31, 2018 Through February 29, 2020 – *Dr. Glorimar Medina*
9. Consideration of Approval to Renew a Grant Agreement in the Amount of \$345,000 Between Harris County Hospital District d/b/a Harris Health System and the Texas Department of State Health Services (DSHS) to Provide an HIV Transmission Prevention Program Throughout the State of Texas and a Centering Parenting and Pregnancy Program to Harris Health System Patients and Congenital Syphilis Project Throughout Harris County for the Term January 1, 2020 Through December 31, 2020 – *Dr. Glorimar Medina*
10. Consideration of Approval of a Grant Agreement in the Amount of \$20,000 Between Harris County Hospital District d/b/a Harris Health System and The University of Texas Health Science Center of Houston School of Public Health to Provide the We Can Do More (WCDM) Houston Project for the Term January 1, 2020 Through December 31, 2020 – *Ms. Patricia Darnauer*
11. Consideration of Approval to Accept An Award Between Harris County Hospital District d/b/a Harris Health System and The University of Texas MD Anderson in the Amount of \$111,587.84 for Community Farm at LBJ Hospital – *Ms. Patricia Darnauer*
12. Consideration of Approval of a Secure Sockets Layer (SSL) Certificate Subscriber Agreement Between the Harris County Hospital District d/b/a Harris Health System and Surescripts, LLC. – *Mr. David Webb*
13. Review and Discussion Regarding Grants Less Than \$50,000 From Harris County Hospital District Foundation to Harris County Hospital District d/b/a Harris Health System Executed By the Harris Health System President and CEO [Quarterly Report] – *Mr. Jeffrey Baker*

VII. Strategic Discussion

Anne Clutterbuck

A. Review of the Harris Health System Organizational Structure

George V. Masi

B. Harris Health System Legislative Initiatives

R. King Hillier

1. Update, Discussion and Possible Action Regarding Activities in Austin Relating to Legislative/Regulatory Issues Impacting Harris Health System, the 86th Legislative Session, and the Harris Health System Legislative Platform.
2. Update, Discussion and Possible Action Regarding Pending Federal Legislative and Policy Issues Affecting Harris Health System.

VIII. General Action Items

Anne Clutterbuck

A. Item(s) Related to Joint Conference Committee

Elena Marks

1. Consideration of Acceptance of the Medical Executive Board Report for November 2019 – *Dr. Joseph Garcia-Prats*
2. Consideration of Approval Regarding Credentialing Changes for Members of the Harris Health System Medical Staff (November 2019) Subject to Review of Files for Discussion – *Dr. Joseph Garcia-Prats*
3. Consideration of Approval of the Revised Harris Health System Medical Staff Bylaws – *Dr. Joseph Garcia-Prats*
4. Consideration of Approval of the Harris Health System Medical Staff Rules and Regulations – *Dr. Joseph Garcia-Prats*

B. Item(s) Related to Quality Committee

Dr. Kimberly Monday

1. Review and Discussion Regarding the Harris Health System Executive Quality Scorecard – *Dr. Ann Barnes*
2. Review and Discussion Regarding the Harris Health System Quarterly Restraint and Seclusion Report – *Dr. Ann Barnes*
3. Presentation Regarding a High Reliability Vision and Commitment to Zero Harm – *Dr. Michael Shabot, Founding Partner, Relia Healthcare Advisors*
4. Review and Discussion Regarding the Harris Health System Staffing Advisory Committee's Semi-Annual Evaluation of the Nurse Staffing Plan and Aggregate Staffing Variance [**Annual Accountability**] – *Dr. Maureen Padilla*
5. Consideration of Approval of the Harris Health System Fiscal Year 2020 Nurse Staffing Plans for Ben Taub and Lyndon B. Johnson Hospitals – *Dr. Maureen Padilla*
6. Consideration of Approval of the Harris Health System Nursing Services Policies, Plans, and Reports Requiring Governing Body Approval – *Dr. Maureen Padilla*
7. Consideration of Approval of the Revised Harris Health System Nursing Services Bylaws – *Dr. Maureen Padilla*

C. Item(s) Related to Budget & Finance Committee

Art Morales

1. Consideration of Approval to Appoint Ms. Kari McMichael as a Committee Member to the Harris County Hospital District 401K and 457(b) Administrative Committee and the Pension and Disability Administrative Committee Effective as of February 4, 2020 – *Mr. Omar Reid*
2. Consideration of Approval of the Third Amendment to Harris County Hospital District 401K Plan – *Mr. Omar Reid*

3. Consideration of Acceptance of the Harris Health System October 2019 Financial Report Subject to Audit – *Mr. Michael Norby*
4. Consideration of Approval of the Addition of a Pension Plan Funding Statement to Policy No. 6.28 Retirement Plans for Eligible Employees – *Mr. Michael Norby*
5. Consideration of Approval of a Resolution Setting the Rate of Mandatory Payment for the Harris County Hospital District Local Provider Participation Fund – *Mr. Michael Norby*
6. Consideration of Approval of Subsidy Payments to Community Health Choice, Inc. for the Health Insurance Marketplace Non-Federal Premium Payments for Eligible Harris Health Patients for CY2020 – *Mr. Michael Norby*
7. Presentation Regarding the Year-End (Q3) 2019 National Association of Insurance Commissioners (NAIC) Filing for Community Health Choice, Inc. – *Mr. Brian Maude and Ms. Catherine Mitchell*
8. Presentation Regarding the Year-End (Q3) 2019 National Association of Insurance Commissioners (NAIC) Filing for Community Health Choice, Texas – *Mr. Brian Maude and Ms. Catherine Mitchell*

IX. Item(s) Related to the Health Care For the Homeless Program

Dr. Kimberly Monday

1. Consideration of Approval of the Following Reports for the Health Care for the Homeless Program as Required by the United States Department of Health and Human Services, Which Provides Funding to the Harris County Hospital District d/b/a Harris Health System to Provide Health Services to Persons Experiencing Homelessness Under Section 330(h) of the Public Health Service Act Health Care for the Homeless Program – *Dr. Glorimar Medina*
 - 3rd Quarter Quality/Patient Satisfaction
 - 3rd Quarter Budget Expense Report
 - Sliding Fee Scale Discount Evaluation

X. Item(s) Related to the Harris Health System Nursing Ad Hoc Committee

Linda Morales

1. Review and Discussion of the Proposed Harris Health System Ad Hoc Nursing Recruitment and Retention Committee Charter – *Ms. Anne Clutterbuck*

XI. Executive Session

Anne Clutterbuck

- A. Discussion Regarding Financial Planning Information Related to the Negotiation Between Harris County Hospital District d/b/a Harris Health System and Baylor College of Medicine and The University of Texas Health Science Center at Houston for the Arrangement or Provision of Medical Services, Pursuant to Texas Gov't Code Ann. §551.085, and Possible Action Regarding This Matter Upon Return to Open Session – *Mr. Michael Hill*
- B. Consultation with the County Attorney Regarding *United States and State of Texas ex. rel. Vaughn v. Harris County Hospital District, et al.*, Case No. 4:17-CV-02749; in the United States District Court for the Southern District of Texas Pursuant to Tex. Gov't Code Ann. §551.071, and Possible Action Regarding This Matter Upon Return to Open Session – *Ms. Sara Thomas*

- C. Consultation with the County Attorney Regarding Board of Trustees Members Conflict of Interest Policy Pursuant to Tex. Gov't Code Ann. §551.071, and Possible Action Regarding This Matter Upon Return to Open Session
– *Ms. Sara Thomas*
- D. Report by the Chief Medical Officer Regarding Quality of Medical and Health Care, Pursuant to Texas Health & Safety Code Ann. §161.032, Texas Occupations Code Ann. §160.007, and Texas Occupations Code Ann. §151.002 to Receive Peer Review and/or Medical Committee Report in Connection with the Evaluation of the Quality of Medical and Health Care Services, and Possible Action Regarding This Matter Upon Return to Open Session – *Dr. Ann Barnes*
- E. Report by the Senior Vice President of Corporate Compliance Regarding Compliance with Medicare, Medicaid, HIPAA and Other Federal and State Health Care Program Requirements and a Status of Fraud and Abuse Investigations, Pursuant to Texas Health & Safety Code §161.032, and Possible Action Regarding This Matter Upon Return to Open Session – *Ms.Carolynn Jones*
- F. Consultation with the County Attorney and Discussion with the Senior Vice President of Corporate Compliance Regarding the Second Amendment to the Agreement Between Harris Health System and Alvarez & Marsal Healthcare Industry Group LLC, Pursuant to Texas Health & Safety Code §161.032 and Texas Gov't Code §551.071, and Possible Action Regarding This Matter Upon Return to Open Session – *Ms. Carolynn Jones*
- G. Consultation with the County Attorney Regarding Settlement Pertaining to the Reimbursement of Claims Pursuant to a Contract with OptumRx Administrative Services, LLC, Pursuant to Tex. Gov't Code Ann. §551.071, and Possible Action Regarding This Matter Upon Return to Open Session –*Ms. Ebon Swofford*
- H. Consultation with the County Attorney Regarding Civil Action No. 4:18-CV-4572; *Sean P. Reilly v. Harris Health System*; in the United States District Court for the Southern District of Texas, Houston Division Pursuant to Tex. Gov't Code Ann. §551.071, and Possible Action Regarding This Matter Upon Return to Open Session –*Ms. Ebon Swofford*
- I. Consultation with the County Attorney Regarding HRSA Compliance Matters Pursuant to Tex. Gov't Code Ann. §551.071, and Possible Action Regarding This Matter Upon Return to Open Session – *Ms. Sara Thomas*
- J. Consultation with the County Attorney Regarding Joint Engagement Proposal for Physicians Fee-For-Service and Managed Care Incremental Payment Opportunity Pursuant to Tex. Gov't Code Ann. §551.071, and Possible Action Regarding This Matter Upon Return to Open Session – *Ms. Cecilia Tolboom*

XII. Reconvene

Anne Clutterbuck

XIII. Adjournment

Anne Clutterbuck