

# HARRIS HEALTH SYSTEM

## HARRIS HEALTH SYSTEM

### MINUTES OF THE BOARD OF TRUSTEES MEETING

Thursday, September 26, 2019

Board Room – Administration Building

#### Members Present:

Dr. Kimberly Monday, Vice Chair  
Ms. Linda Morales, Secretary (12:07 p.m. departure)  
Dr. Arthur Bracey (9:02 a.m. arrival)  
Mr. Lawrence Finder  
Dr. Ewan Johnson  
Ms. Elena Marks  
Mr. Art Morales

#### Members Absent:

Ms. Anne Clutterbuck, Chair  
Ms. Alicia Reyes

#### Others Present:

Mr. George Masi, President & Chief Executive Officer  
Mr. Michael Hill, Senior Executive Vice President & Chief Operating Officer  
Mr. Omar Reid, Senior Vice President, Human Resources  
Ms. Victoria Nikitin, Senior Vice President, Finance  
Ms. Karen Tseng, Senior Vice President, Population Health Transformation  
Dr. Ann Barnes, Senior Vice President, Health System Integration  
Mr. David Webb, Interim Senior Vice President & Chief Information Officer  
Dr. Yvonne Chu, General Director, Affiliated Medical Services  
Dr. Joseph Garcia-Prats, Chair, Medical Executive Board  
Dr. Kenneth Mattox, Chief of Staff, Ben Taub Hospital  
Dr. Mohammad Zare, Chief of Staff, Ambulatory Care Services  
Dr. Jennifer Small, Vice President & Associate Administrator, Ambulatory Care Services  
Dr. Elizabeth “Pepe” Greenlee, Associate Administrator of Quality Programs & Accreditation  
Ms. Catherine Mitchell, Interim Chief Executive Officer, Community Health Choice, Inc.  
Mr. R. King Hillier, Vice President, Public Policy and Government Relations  
Ms. Nicole Streeter, Vice President, Chief Governance Officer  
Ms. Linda Kinchen, Director, Health Care for the Homeless Program  
Mr. Anthony Williams, Administrative Director, Deputy Compliance Officer  
Ms. Sara Thomas, Attorney, Harris County Attorney’s Office  
Mr. DeWight Dopslauf, Purchasing Agent, Harris County Purchasing  
Ms. Peggy Boice, Harris County Judge Lina Hidalgo’s Office  
Ms. Carole Lamont, Commissioner Steve Radack’s Office  
Mr. Paul Shanklin, Commissioner Jack Cagle’s Office  
Ms. Amber Weed, Commissioner Ellis’s Office  
Mr. Mohammed Jamal, Commissioner Adrian Garcia’s Office  
Administrative Staff  
Guests  
(Sign-in Sheets attached to permanent record)

## **I. Call to Order and Record of Attendance**

Dr. Kimberly Monday, Vice Chair, called the meeting to order at 9:00 a.m., and noted that a quorum was present. The attendance was recorded.

## **II. Approval of the Minutes of Previous Meeting**

### **Motion 19.09-87**

Moved by Mr. Lawrence Finder, seconded by Ms. Linda Morales, and unanimously passed that the Board approve the minutes of the August 8, 2019 Special Called Board of Trustees meeting and the August 29, 2019 regular Board of Trustees meeting.

## **III. Announcements / Special Presentations**

**A. Special Announcement** – Mr. George Masi, President and Chief Executive Officer, announced the executive administrative appointment of Dr. Ann Smith Barnes as the new Senior Vice President of Health System Integration for Harris Health System. Dr. Barnes introduced herself and stated that this appointment is a return to Harris Health since she began her career in internal medicine at Baylor College of Medicine in 1999. She stated that her goal is to improve quality of care, and transitions of care for patients within Harris Health and across external health systems and social service agencies.

**B. Board Member Announcements** regarding Board member advocacy and community engagement.

No Board member announcements were conducted.

## **IV. Hear from Citizens**

No citizens appeared to speak.

## **V. Consent Agenda Items**

### **A. Recommended Committee Approvals**

#### **Motion 19.09-88**

Moved by Dr. Ewan Johnson, seconded by Mr. Art Morales, and passed that the Board approve agenda items V.A(1)a. through V.A(1) ww. Mr. Lawrence Finder recused from the following purchasing items: A(1)c., A(1)f., A(1)i., A(1)j., A(1)n., A(1)q., A(1)r., A(1)t., A(1)u., A(1)v., A(1)w., A(1)x., A(1)y., A(1)z., A(1)aa., A(1)bb., A(1)cc., A(1)dd., A(1)ff., A(1)gg., A(1)hh., A(1)ii., A(1)jj., A(1)kk., A(1)ll., A(1)pp., A(1)qq., A(1)rr., A(1)uu., A(1)vv., and A(1)ww.

Mr. DeWight Dopslauf, Purchasing Agent, Harris County Purchasing, stated that he will present the Board with a list of procurements related to the Centers for Medicare & Medicaid Services (CMS) site visit for review at the October 31, 2019 Board meeting.

1. Consideration of Purchasing Recommendations Requiring Board Approval (Items A(1)a. through A(1)ww.)

- a. approve the second of four (4) renewal options for Johnston, LLC to provide professional architectural and engineering services for various projects in the estimated amount of \$3,500,000 for the term September 29, 2019 through September 28, 2020.
- b. approve the second of four (4) renewal options for Page Southerland Page, Inc. to provide professional architectural and engineering services for various projects in the estimated amount of \$3,000,000 for the term October 13, 2019 through October 12, 2020.
- c. approve the fourth and final renewal option for The Brandt Companies, LLC to provide job order contracting for small and large plumbing and/or plumbing-related projects in the estimated amount of \$2,000,000 for the term October 23, 2019 through October 22, 2020.
- d. approve award on the basis of lowest-priced proposal meeting requirements for O'Donnell/Snider Construction to provide renovation and construction at Danny Jackson Health Center in the amount of \$1,636,800 (\$1,488,000 project price / \$148,800 owner contingency).
- e. approve the second of four (4) renewal options for Smith Seckman Reid, Inc. to provide professional architectural and engineering services for various projects in the estimated amount of \$1,500,000 for the term October 5, 2019 through October 4, 2020.
- f. approve the second of four (4) renewal options for HDR Architecture, Inc. to provide professional architectural and engineering services for various projects in the estimated amount of \$1,000,000 for the term September 29, 2019 through September 28, 2020.
- g. approve the second of four (4) renewal options for Philo Wilke Partnership to provide professional architectural and engineering services for various projects in the estimated amount of \$1,000,000 for the term October 13, 2019 through October 12, 2020.
- h. approve the second of four (4) renewal options for FireTron, Inc. to provide inspection and service of fire protection systems, equipment, and related items in the estimated amount of \$653,838 for the term October 1, 2019 through September 30, 2020.
- i. approve purchase on the basis of single-source ASCEND contract for Stryker Corporation [AS-OR-1617] to provide orthopedic power tools and accessories in the amount of \$500,494.
- j. approve purchase on the basis of product standardization for Hologic, Inc. [PP-IM-295] to provide mammography products for the Aldine Health Center in the amount of \$305,294.
- k. approve the second of four (4) renewal options for WYLIE Consulting Engineers to provide professional architectural and engineering services for various projects in the estimated amount of \$250,000 for the term October 5, 2019 through October 4, 2020.
- l. approve award on the basis of lowest-priced proposal meeting requirements for Westway Construction Services, LLC to provide renovation of computerized tomography scan suite and equipment replacement in the emergency center at Lyndon B. Johnson

Hospital in the amount of \$200,100 (\$174,000 project price / \$26,100 owner contingency).

- m. approve the second of four (4) renewal options for EFI Global, Inc. to provide professional architectural and engineering services for various projects in the estimated amount of \$200,000 for the term October 5, 2019 through October 4, 2020.
- n. approve the second of four (4) renewal options for STERIS Corporation to provide support services for sterilization equipment in the estimated amount of \$122,951 for the term October 1, 2019 through September 30, 2020.
- o. approve the second of four (4) renewal options for Walter P. Moore and Associates, Inc. to provide professional architectural and engineering services for various projects in the estimated amount of \$100,000 for the term October 27, 2019 through October 26, 2020.
- p. approve the second of four (4) renewal options for Ward, Getz & Associates, LLP to provide professional architectural and engineering services for various projects in the estimated amount of \$100,000 for the term October 5, 2019 through October 4, 2020.
- q. approve additional funds for Clean Harbors Environmental Services, Inc. [PP-FA-544] to provide integrated medical waste services in the additional amount of \$429,552 for the term December 1, 2018 through November 30, 2019 (Board previously approved funds in the amount of \$1,086,101 for the term December 1, 2018 through November 30, 2019).
- r. approve renewal for Harris County to continue utilization of the cooperative purchasing program with the Harris County Hospital District Foundation for the term October 12, 2019 through October 11, 2020.
- s. approve second-year funding for the GPO contract for Standard Textile Co., Inc. [AS-FA-709] to provide reusable textiles and textile services in the estimated amount of \$1,090,270 for the term December 1, 2019 through November 30, 2020.
- t. approve third-year funding for the GPO contract for Bard Systems Inc. [AS-NS-1104] through Cardinal Health to provide peripherally-inserted central catheter and midline access products in the estimated amount of \$572,073 for the term December 1, 2019 through November 30, 2020.
- u. approve third-year funding for the GPO contract for Ecolab, Inc. [AS-NS-1084] through Cardinal Health to provide soaps, lotions, and waterless hand rinses in the estimated amount of \$389,439 for the term October 1, 2019 through September 30, 2020.
- v. approve the second and final renewal option for Arthrex, Inc. to provide arthroscopic implants in the estimated amount of \$318,000 for the term October 1, 2019 through September 30, 2020.
- w. approve first-year funding on the basis of single-source ASCEND contract for Cardinal Health 200, LLC [AS-NS-1173] to provide suction canisters, yankauers, and tubing in the estimated amount of \$286,357 for the term November 1, 2018 through October 31, 2019.

- x. approve second-year funding for the GPO contract for Cardinal Health 200, LLC [AS-NS-1187] through Cardinal Health to provide disposable non-sterile protective apparel in the estimated amount of \$281,618 for the term December 1, 2019 through November 30, 2020.
- y. approve the first of four (4) renewal options for W.L. Gore & Associates, Inc. to provide endoprosthesis stents in the estimated amount of \$261,217 for the term November 1, 2019 through October 31, 2020.
- z. approve first-year funding on the basis of lowest-price GPO contract for Medline Industries, Inc. [PP-NS-1237] through Cardinal Health to provide bag-based patient cleansing and skin care products in the estimated amount of \$260,642 for the term June 1, 2019 through May 31, 2020.
- aa. approve additional funds for Stryker Sales Corporation [PP-OR-1106] to provide surgical sponge detection systems in the additional amount of \$127,748 for the term October 27, 2017 through October 26, 2020 (Board previously approved funds in the amount of \$1,150,000 for the term October 27, 2017 through October 26, 2020).
- bb. approve first-year funding on the basis of single-source ASCEND contract for S2S Global [AS-NS-1195] through Cardinal Health to provide orthopedic soft goods in the estimated amount of \$111,134 for the term December 1, 2018 through November 30, 2019.
- cc. approve third-year funding for the GPO contract for Medela LLC [PP-NS-1097] through Cardinal Health to provide neonatal specialty products in the estimated amount of \$102,879 for the term November 1, 2019 through October 31, 2020.
- dd. approve the fifth of ten (10) renewal options for the City of Houston to purchase hospital supplies and related items utilizing Harris County Hospital District d/b/a Harris Health System's contracts and cooperative purchasing program for the term November 10, 2019 through November 9, 2020.
- ee. approve renewal for the State of Texas Department of Motor Vehicles to provide remote electronic access to the State's Vehicle Title and Registration database for motor vehicle inquiry services in the estimated amount of \$560 for the term October 23, 2019 through October 22, 2020.
- ff. ratify the second of four (4) renewal options on the basis of sole source for KARL STORZ Endoscopy-America, Inc. to provide preventative maintenance and repair services for KARL STORZ endoscopy equipment in the estimated amount of \$494,018 for the terms July 26, 2019 through July 25, 2020, July 24, 2019 through July 23, 2020 (Ben Taub) and July 24, 2019 through July 23, 2020 (Lyndon B. Johnson).
- gg. approve additional funds for Laboratory Corporation of America to provide reference laboratory testing services in the additional amount of \$344,804 for the term January 22, 2019 through January 21, 2020 (Board previously approved funds in the amount of \$3,724,111 for the term January 22, 2019 through January 21, 2020).

- hh. approve the second of four (4) renewal options for Becton, Dickinson and Company d/b/a BD Biosciences to provide an automated flow cytometry testing system, including analyzer(s), reagents, consumables, and services in the estimated amount of \$305,375 for the term October 1, 2019 through September 30, 2020.
- ii. approve the First Amendment to the Agreement for Amegy Bank, a division of ZB, N.A., to provide depository bank services for Harris County Hospital District d/b/a Harris Health System, Community Health Choice, Inc. and Community Health Choice Texas, Inc. in the additional (budgeted) amount of \$252,742 for the term March 23, 2019 through March 22, 2020 (Board previously approved funds in the amount of \$0 for the term March 23, 2019 through March 22, 2020).
- jj. approve purchase on the basis of only quote for Kronos Incorporated [OMNIA Partners USC #18220] to provide time, attendance, and scheduling system migration in the estimated amount of \$531,116 for a one-year initial term with four (4) one-year renewal options.
- kk. ratify purchase on the basis of single-source contract for Stryker Sales Corporation [PPPH20SKR01] to provide a Cactus controlled-substance waste management system and related consumables for the secure disposal of pharmaceutical waste in the estimated amount of \$116,277.
- ll. approve additional funds for Becton, Dickinson and Company f/k/a Carefusion Solutions, LLC [PPPH20CFS01] to provide a pharmacy carousel system and support in the additional amount of \$503,306 for the term February 15, 2019 through February 14, 2020 (Board previously approved funds in the amount of \$514,490 for the term February 15, 2019 through February 14, 2020).
- mm. approve the first of four (4) renewal options for Resource Corporation of America to provide certification of pending Medicaid cases and other related third-party sources in the estimated amount of \$1,500,000 for the term November 9, 2019 through November 8, 2020.
- nn. approve additional funds and an extension for National Research Corporation to provide patient satisfaction, CAHPS, employee, and medical staff surveys in the additional amount of \$482,000 for the extended term March 26, 2020 through September 30, 2020 (Board previously approved funds in the amount of \$951,817 for the term March 26, 2019 through March 25, 2020).
- oo. approve the fourth and final renewal option for the City of Houston through the Houston Parks and Recreation Department to provide the utilization of public indoor swimming pools for aquatic therapy in the estimated amount of \$2,001 for the term October 26, 2019 through October 25, 2020.
- pp. approve additional (budgeted) funds for Husch Blackwell LLP to provide legal services for general healthcare and compliance matters and government law matters in the additional (budgeted) amount of \$100,000 for the term January 1, 2019 through December 31, 2019 (Board previously approved funds in the amount of \$45,000 for the term January 1, 2019 through December 31, 2019).

- qq. approve additional funds for 314e Corporation [Category 2], Accudata Systems, Inc. [Categories 4,7,11], CenturyLink Communications [Categories 3,11], COGENT Infotech Corporation [Category 9], Computer Task Group, Inc. [Categories 1,2,6], Cynosure Technologies, LLC [Category 10], Elite Computer Consultants, L.P. d/b/a ECOM [Category 2], ERP Analysts, Inc. [Categories 9,10], General Datatech, L.P. [Categories 2,3], Impact Advisors, LLC [Categories 1,6], Indigo Beam, LLC [Categories 2,8], Infolob Solutions Inc. [Category 1], Mark III Systems [Category 5], Netsync Network Solutions [Category 3], Pivot Point Consulting, a Vaco Company [Categories 1,2], Presidio Networked Solutions Group, LLC [Categories 7,11], Protiviti Inc. [Categories 1,2,5,7], Resource Data, Inc. [Category 8], Sequel Data Systems, Inc. [Category 4], and The CSI Companies, Inc. d/b/a CSI Healthcare IT [Category 2] to provide information technology consulting, implementation, and staff augmentation services in the additional multi-vendor amount of \$3,779,290 for the term February 28, 2019 through February 27, 2020 (Board previously approved funds in the amount of \$2,000,000 for the term February 28, 2019 through February 27, 2020).
- rr. approve the fourth and final renewal on the basis of sole source for FUJIFILM Medical Systems USA, Inc. to provide license and maintenance services for the synapse picture archiving and communication system in the estimated amount of \$688,900 for the term November 1, 2019 through October 31, 2020.
- ss. ratify additional funds and an extension for Fisk Electric Company (Primary) and Network Cabling Services, Inc. (Secondary) to provide a Systimax Prestige Partner Program for cable labor, parts, materials, and related equipment in the additional multi-vendor amount of \$200,000 for the extended term August 20, 2019 through December 31, 2019 (Board previously approved funds in the amount of \$900,000 for the term May 20, 2018 through August 19, 2019).
- tt. approve purchase on the basis of low quote for Zones, Inc. [PP-IT-165] to provide barcode scanners in the estimated amount of \$169,001.
- uu. approve the second and final renewal option on the basis of sole source for FUJIFILM Medical System USA, Inc. to provide maintenance for cardiovascular system software in the estimated amount of \$114,881 for the term November 1, 2019 through October 31, 2020.
- vv. approve the first of four (4) renewal options for Infor (US), Inc. [GS-35F-0265X] to provide interface engine software, services, and maintenance in the estimated amount of \$103,046 for the term October 12, 2019 through October 11, 2020.
- ww. approve provision for Harris County Hospital District d/b/a Harris Health System, Harris County through Harris County Public Health Services, the Harris Center for Mental Health and IDD f/k/a Mental Health, Mental Retardation Authority of Harris County, and the City of Houston to participate in a Quad Agency eligibility project for a sixty (60) month initial term beginning the effective date and continuing until terminated by all parties.

*{End of Consent Agenda}*

## **VI. Strategic Discussions**

### **A. Harris Health System and MD Anderson Cancer Center Partnership Update**

Mr. George Masi, President and Chief Executive Officer (CEO), led the discussion regarding the Harris Health System and MD Anderson Cancer Center (MD Anderson) Partnership Update. He explained that while Harris Health and MD Anderson have partnered since 1995 to provide oncology services to Harris Health's patients, Harris Health continues to experience challenges in meeting the needs of the underserved community in northeast Harris County. Mr. Masi stated that Harris Health expanded its cancer care services by opening the radiation therapy center at Smith Clinic and by outsourcing patients to other facilities for care but that these efforts were still insufficient to satisfy the needs of the community. Mr. Masi and Dr. Peter Pisters, President and CEO, MD Anderson, agreed to strengthen the partnership between the organizations by creating a proposal to develop a more comprehensive oncology program at Lyndon B. Johnson Hospital (LBJ) to include radiation therapy, infusion therapy, and expanded clinic services. Mr. Masi reported that the cost of this proposal is \$41M, which will be paid for by MD Anderson. He announced that MD Anderson presented the proposal to The University of Texas Board of Regents on August 14, 2019 and that the Board of Regents unanimously endorsed it. Mr. Masi stated that he will present a pro-forma business plan for the Harris Health Board of Trustees' consideration at the October 10th Committee meetings and, if recommended, for ultimate approval at the October 31st Board meeting. Discussion ensued.

### **B. Ben Taub Hospital: Internal Disaster Response and Recovery Report**

Mr. Masi reported that on September 8, 2019, Ben Taub experienced the catastrophic failure of a sprinkler line on the 6th Floor of Ben Taub Hospital (BTH), which resulted in eleven (11) minutes of continuous flooding that affected Floors 2-6 of the hospital. He stated that once the engineering department closed the fire water valves, a state of internal disaster was declared at BTH, which closed the hospital to all ambulance traffic. Mr. Masi further stated that the internal disaster status was extended to LBJ on September 9th since LBJ accommodated a much greater number of patients than normal due to BTH's limited capacity. He explained that a total of ninety-one (91) beds at BTH were impacted by water damage and eighty-two (82) patients required relocation to other areas of the hospital. Mr. Masi stated that on September 9th, the BTH Incident Command Team converted from Response to Recovery Mode and began the remediation/recovery process in the affected hospital units. He predicted that most beds will be back in service with the exception of nineteen (19) beds by September 30th. Dr. Ewan Johnson commended the Harris Health staff for its quick response and for ensuring continuity of care to patients during this disaster. Dr. Monday requested that the staff be informed of the Board's gratitude for their hard work and commitment to service. A copy of the report is available in the permanent record.

### **C. A Cross-Continuum Approach to Address the Root Cause of Avoidable Emergency Center Utilization by High-Risk Patients**

Ms. Karen Tseng, Senior Vice President, Population Health Transformation, and Dr. Barnes led the discussion regarding a cross-continuum approach to address the root cause of avoidable emergency center (EC) utilization by high-risk patients. Ms. Tseng reported that 1% of the United States population accounts for 22% of health expenditures and that 5% of



the population accounts for 50% of health expenditures due to the complexity of care that is required to treat these patients. She stated that these patients are referred to as multi-visit patients (MVPs) and that their chronic clinical and behavioral health conditions include diabetes mellitus, sickle cell disease, congestive heart failure, chronic obstructive pulmonary disease, mood disorders, schizophrenia, and alcohol-related disorders. Ms. Tseng reported that of the 5,000 homeless patients who were treated in Harris Health's ECs in 2018, 22% were MVPs. She stated that to effectively address emergency center utilization, it is fundamental to identify and track MVPs, determine their drivers of utilization, and develop a plan of response to these drivers. Ms. Tseng noted that the plan may include a clinical approach such as connecting MVPs to a medical home or a non-traditional approach such as utilizing community health workers and social workers. She stated that Harris Health has an opportunity to reduce chronic EC visits by addressing the drivers of utilization to improve patient outcomes and decrease the EC patient load. Ms. Tseng reported that Harris Health developed a cross-continuum action team which utilizes an integrated care approach that includes the following factors: 1) assessing patient needs, 2) training care coordinators, 3) identifying barriers to care, 4) evaluating outcomes, and 5) linking MVPs to appropriate alternative social service organizations. Discussion ensued. A copy of the presentation is available in the permanent record.

#### **D. Harris Health System Ambulatory Care Services Access and Operations Report – Specialty Care Access Report**

##### **Motion 19.09-89**

Moved by Dr. Ewan Johnson, seconded by Mr. Lawrence Finder, and unanimously passed that the Harris Health System Ambulatory Care Services Access and Operations Report be **DEFERRED** to the October 2019 Board meeting.

#### **E. Why Compliance Programs Are Essential and the Seven Elements of an Effective Compliance Program – Part 1 of 3 [Board Compliance Education]**

Mr. Anthony Williams, Administrative Director, Deputy Compliance Officer, delivered the presentation regarding 2019 Compliance Education – Why Compliance Programs Are Essential and the Seven Elements of an Effective Compliance Program – Part 1 of 3. He stated that compliance programs are essential for various reasons, including to raise awareness of ethical business practices, to reduce the risk of exclusion from governmental programs, and to reduce the threat of fines, sentences, and lawsuits. Mr. Williams reported that an effective compliance program must include the following seven (7) elements: 1) the implementation of written policies, procedures, and standards of conduct; 2) the designation of a compliance officer and a compliance committee; 3) the provision of effective training and education; 4) the development of effective lines of communication; 5) the implementation of internal monitoring and auditing; 6) the enforcement of standards through well-publicized disciplinary guidelines; and 7) a prompt response to offenses and taking corrective action. He noted that the United States Office of Inspector General added an eighth element, which states that an effective compliance program must be evaluated annually to ensure that all elements of the program are satisfied. Discussion ensued. A copy of the presentation is available in the permanent record.

## **F. Harris Health System Legislative Initiatives**

1. Update, Discussion and Possible Action Regarding Activities in Austin Relating to Legislative/Regulatory Issues Impacting Harris Health System, the 86<sup>th</sup> 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.  
Dr. Monday delivered a brief overview of the state and federal legislative updates. The Trump administration proposed maintaining the \$4B Disproportionate Share Hospital cliff reduction from Fiscal Year 2020 to 2029, with an \$8B reduction in 2021. A United States District Court Judge invalidated a Centers for Medicare & Medicaid Services (CMS) policy that would have implemented a \$380M payment reduction to off-campus provider-based departments that were previously exempted from CMS' site-neutral reductions. This policy would have cost Harris Health \$4.3M in 2019. The Delivery System Reform Incentive Payment Program (DSRIP) Transition Plan that must be submitted to CMS on October 1, 2019 fails to address many of the funds and services that targeted Low Income Uninsured patients, which represented 65% of Harris Health's DSRIP population and 57% of the population in Regional Healthcare Partnership 3. A copy of the report is available in the permanent record.

## **VII. General Action Items**

### **A. Item(s) Related to Joint Conference Committee**

1. Notice of Appointments and Selection of New Service Chiefs.  
There were no new service chief appointments to report.

#### **Motion 19.09-90**

Moved by Dr. Ewan Johnson, seconded by Ms. Linda Morales, and unanimously passed that the Board accept agenda item VII.A.2.

2. Acceptance of the Medical Executive Board Report for September 2019.

Dr. Joseph Garcia-Prats, Chair, Medical Executive Board, presented the Medical Executive Board (MEB) Report for September 2019. He stated that the Pharmacy & Therapeutics committee deliberated whether the EMS standing orders generated by Dr. Bradley are subject to review by the Evidence Based committee. Dr. Garcia-Prats reported that the committee voted to table the issue until the members receive clarification from the Harris County Attorney's Office. He stated that Dr. John Foringer, Chief of Medicine, LBJ, and Dr. Stephen Greenberg, Chief of Medicine, BTH, addressed the Medication Usage Safety committee regarding the frequency of errors in dispensing medication that lead to overdosing. Dr. Garcia-Prats reported that the issue will be discussed by the Patient Safety committee. A copy of the report is available in the permanent record.

**Motion 19.09-91**

Moved by Ms. Elena Marks, seconded by Dr. Ewan Johnson, and passed that the Board approve agenda item VII.A.3. Dr. Monday and Dr. Arthur Bracey recused from discussion and decision regarding this agenda item.

3. Approval Regarding the Credentialing Changes for Members of the Harris Health System Medical Staff (September 2019) Subject to Review of Files for Discussion.

Dr. Garcia-Prats presented the September 2019 credentialing changes for the members of the Harris Health System medical staff. He reported that there were twenty-two (22) initial appointments, 128 reappointments, thirty-one (31) resignations, eleven (11) change/add privileges, and zero (0) files for discussion in Executive Session. A copy of the report is available in the permanent record.

**B. Item(s) Related to Budget & Finance Committee**

**Motion 19.09-92**

Moved by Ms. Elena Marks, seconded by Dr. Ewan Johnson, and unanimously passed that the Board approve agenda item VII.B.1., subject to amendment by replacing “initial” mandatory payment with “quarterly” mandatory payment.

1. Approval of a Resolution Setting the Rate of Mandatory Payment for the Harris County Hospital District Local Provider Participation Fund.

Ms. Victoria Nikitin, Senior Vice President, Finance, presented the resolution setting the rate of mandatory payment for the Harris County Hospital District Local Provider Participation Fund (LPPF). She explained that according to the LPPF model, which was implemented by the Texas legislature in 2019, private hospitals will now conduct intergovernmental transfers (IGTs) to participate in Uncompensated Care and other Medicaid supplemental payment programs. Ms. Nikitin stated that Harris Health was appointed as the administrator of the LPPF in Harris County, and that in this role Harris Health approves the provider participation fee rate and collects the mandatory payments from the more than sixty (60) healthcare providers in Harris County to be deposited in the LPPF.

Harris Health, by and through its Board of Trustees, authorizes the amount of the quarterly mandatory payment to be collected in October 2019 as 0.57 percentage of the net patient revenue of an institutional health care provider located in the district pursuant to Tex. Health and Safety Code 299.151(c). A copy of the resolution is available in the permanent record.

**Motion 19.09-93**

Moved by Dr. Ewan Johnson, seconded by Dr. Arthur Bracey, and unanimously passed that the Board accept agenda item VII.B.2.

2. Acceptance of the Harris Health System August 2019 Financial Report Subject to Audit.

Ms. Nikitin presented the Harris Health System August 2019 Financial Report subject to audit. She reported that revenue totaled \$127.6M, which was \$4.3M greater than budget,

and that expenses totaled \$133.2M, which was \$6.9M greater than budget for the month. A copy of the report is available in the permanent record.

3. Presentation Regarding the Year-End (Q2) 2019 National Association of Insurance Commissioners Filing for Community Health Choice, Inc.

Mr. Brian Maude, Chief Financial Officer, Community Health Choice, Inc. (CHC, Inc.), presented the Year-End (Q2) 2019 National Association of Insurance Commissioners Filing for Community Health Choice, Inc. He stated that CHC, Inc. reported a total of \$25.4M in net income and a total of \$73M in capital as of the 2nd quarter ending June 30, 2019. Mr. Maude reported that CHC, Inc. had an average membership of 104,167 through the 2nd quarter. A copy of the report is available in the permanent record.

4. Presentation Regarding the Year-End (Q2) 2019 National Association of Insurance Commissioners Filing for Community Health Choice Texas, Inc.

Mr. Maude presented the Year-End (Q2) 2019 National Association of Insurance Commissioners Filing for Community Health Choice Texas, Inc. (CHCT, Inc.) He stated that CHCT, Inc. reported a net loss of \$12.7M and a total of \$85.8M in capital as of the 2nd quarter ending June 30, 2019. Mr. Maude explained that CHC, Inc. transferred \$10.8M to CHCT, Inc. to increase CHCT, Inc.'s overall capital amount. He reported that CHCT, Inc. had an average membership of 273,113 through the 2nd quarter. A copy of the report is available in the permanent record.

### **C. Item(s) Related to Quality Committee**

1. Review and Discussion Regarding Harris Health System Executive Quality Scorecard.

Dr. Elizabeth "Pepe" Greenlee, Associate Administrator of Quality Programs, Accreditation, Infection Prevention, and Risk & Patient Safety, led the discussion regarding the Harris Health System Executive Quality Scorecard for the months of June and July 2019. She reported that Harris Health achieved the benchmark regarding survey of patient experience metrics in all categories system-wide with the exception of "nursing communication" and "discharge communication." Dr. Greenlee stated that corrective action plans were implemented at each pavilion to improve these metrics. She reported that regarding clinical care outcomes, LBJ had one (1) heart failure mortality in June and BTH had one (1) acute myocardial infarction mortality in July. Dr. Greenlee stated that both cases were reviewed and that opportunities for improvement were addressed. She reported that Harris Health experienced challenges regarding colon and hysterectomy surgical site infections and that post-operative and pre-operative procedures were examined to identify opportunities for improvement. Dr. Greenlee stated that Ambulatory Care Services (ACS) achieved its benchmarks for June and July with the exception of colorectal cancer screenings, HbA1c metrics for diabetic patients, and high blood pressure control. She reported that although ACS patient satisfaction metrics have been trending upward during 2019, they fall below the benchmark on a monthly basis because the metric goals were increased earlier in the year. A copy of the scorecard is available in the permanent record.

#### **D. Item(s) Related to CEO Search Committee**

##### 1. CEO Search Committee Update.

Dr. Kimberly Monday presented the CEO Search Committee update. She stated that the committee and the search firm conducted two (2) rounds of candidate selections to narrow down the search pool. Dr. Monday announced that the remaining candidates will be interviewed over the next several weeks and estimated that the committee will present a finalist to the Board within six (6) weeks.

#### **E. Miscellaneous Items**

##### **Motion 19.09-94**

Moved by Dr. Ewan Johnson, seconded by Ms. Elena Marks, and unanimously passed that the Board approve agenda item VII.E.1.

1. Approval of an Agreement in an Amount Valued at Over \$50M Between Harris Health System and Novartis Patient Assistance Program, Inc. to Participate in the Novartis Patient Assistance Program.

Ms. Nikitin presented the Agreement valued at over \$50M between Harris Health System and Novartis Patient Assistance Program, Inc. to participate in the Novartis Patient Assistance Program. A copy of the Agreement is available in the permanent record.

##### **Motion 19.09-95**

Moved by Dr. Ewan Johnson, seconded by Dr. Arthur Bracey, and unanimously passed that the Board approve agenda item VII.E.2.

2. Approval of an Agreement in an Amount Valued at \$200,494.52 Between Harris Health System and Merck Patient Assistance Program, Inc. to Participate in the Merck Patient Assistance Program.

Ms. Nikitin presented the Agreement valued at \$200,494.52 between Harris Health System and Merck Patient Assistance Program, Inc. to participate in the Merck Patient Assistance Program. A copy of the Agreement is available in the permanent record.

##### 3. **PULLED**

Consideration of Approval of a Non-Disclosure Agreement Between Harris Health System and Dial Pad Inc. to Support the Completion of the Harris Health System Risk Assessment.

##### **Motion 19.09-96**

Moved by Dr. Ewan Johnson, seconded by Ms. Linda Morales, and unanimously passed that agenda item VII.E.4. be **PULLED** and resubmitted with additional information for consideration at the October 31, 2019 Board meeting.

4. **PULLED**

Consideration of Approval of the Expansion of Community Health Choice, Inc.'s Federal Health Insurance Marketplace into Ten (10) Additional Counties.

**Motion 19.09-97**

Moved by Ms. Linda Morales, seconded by Dr. Ewan Johnson, and unanimously passed that the Board approve agenda item VII.E.5.

5. Approval of Harris Health System Policy 6.12 - Employment.

Dr. Jennifer Small, Vice President and Associate Administrator, ACS, presented the Harris Health System Policy 6.12 - Employment. She explained that according to the Health Resources and Services Administration (HRSA) corrective action plan for Harris Health, this policy was amended to include the requirements regarding background checks, licensure, and credentialing for employees who work with the Health Care for the Homeless Program. A copy of the policy is available in the permanent record.

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

**Motion 19.09-98**

Moved by Dr. Ewan Johnson, seconded by Dr. Arthur Bracey, and unanimously passed that the Board approve agenda item VIII.A.

A. 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.

1. Revision of Policy 7.38.01: Eligibility for Financial Assistance for the Health Care for the Homeless Program
2. Proposed 2020 Budget
3. Quality and Patient Satisfaction Scorecard
4. Program Director's Performance Appraisal

Dr. Small presented the revised Policy 7.38.01: Eligibility for Financial Assistance for the Health Care for the Homeless Program (HCHP), the proposed 2020 budget, the quality and patient satisfaction scorecard, and the program director's performance appraisal. She stated that Policy 7.38.01 was revised as follows: 1) the definitions were updated to match the definitions listed in the Public Health Act 330(h), 2) the category classes were modified to Categories A-D for patients who are eligible for financial assistance through the HCHP, and 3) the language regarding the evaluation of the sliding fee discount program was modified. Dr. Small reported that the HCHP treated approximately 1700 patients in August 2019 in a variety of locations, including the clinics, the mobile van, shelters, or under bridges and overpasses. Dr. Ewan Johnson inquired whether the HCHP is sufficient to satisfy the medical needs of homeless patients so that they are less likely to present at the emergency centers (ECs) for treatment. Dr. Small stated that HCHP staff are present at BTH and LBJ to navigate homeless patients to services outside of the ECs. Ms. Linda Kinchen, Director,

HCHP, stated that the approximately 1700 homeless patients who were treated by HCHP in August did not include patients treated in the ECs. She explained that HCHP receives a list of EC homeless patients and attempts to connect with them to encourage them to go to the HCHP clinics for EC follow-up visits. Ms. Tseng stated that she is collaborating with Ms. Kinchen to determine how Harris Health may be more effective at identifying MVPs who may be homeless and can be referred to the HCHP and thereby relieve some of the burden on the ECs. Discussion ensued.

Dr. Small reported that HCHP projects a proposed budget of \$4.5M in 2020, which will be a 6% increase over the 2019 budget. She explained that the increase is due to personnel and patient care supply costs. Dr. Small stated that regarding the HCHP quality scorecard, the HCHP sets its metric goals higher than the HRSA quality goals, and as a result, Harris Health's HCHP regularly receives monetary awards from HRSA in recognition of its quality achievements. She reported that patient satisfaction continues to rank highly, with scores measuring between "good" and "very good" regarding ease of care, the facility, the intake staff, and the providers. Dr. Small delivered a brief overview of the HCHP sliding fee discount program. She explained that according to HRSA requirements, the HCHP must operate in a manner so that no patient is denied service due to the patient's inability to pay and the HCHP must establish a schedule of fees that covers its reasonable costs of operation and provides a corresponding schedule of discounts for its services. Dr. Small stated that the sliding fee discount program will be evaluated every three (3) years to ensure that the HCHP is treating patients in all four (4) category classes A-D and to determine whether the HCHP can make adjustments to decrease barriers and improve access to care for these patients. Copies of the reports are available in the permanent record.

#### **IX. Executive Session**

At 10:48 a.m., Dr. Monday stated that the Board would enter into Executive Session under Texas Health & Safety Code §161.032, Texas Occupations Code Ann. §160.007, Texas Occupations Code Ann. §151.002, Texas Gov't Code Ann. §551.071, Texas Gov't Code Ann. §551.085.

#### **X. Reconvene**

At 12:20 p.m., Dr. Monday reconvened the meeting and stated that no action was taken in Executive Session.

- 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.

No action was taken. Dr. Monday and Dr. Arthur Bracey recused from the discussion of this item.

- B. Report by the Interim 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.

No action was taken.

- C. Consultation with the County Attorney Regarding Qui Tam Matters Pursuant to Tex. Gov't Code Ann. §551.071, and Possible Action Regarding This Matter Upon Return to Open Session.

No action was taken.

- D. Consultation with the County Attorney Regarding Civil Action No. 4:18-CV-4572; *Sean P. Reilly v. Harris Health System*; in the U.S. 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.

No action was taken.

- E. Consultation with the County Attorney Regarding Cause No. 2019-52874; *Ivonne Duncan v. Harris County Hospital District d/b/a Harris Health System*; in the 157th Judicial District Court of Harris County, Texas Pursuant to Tex. Gov't Code Ann. §551.071, and Possible Action Regarding This Matter Upon Return to Open Session.

No action was taken.

- F. Consultation with the County Attorney Regarding Update in Law Applicable to Hospital Districts Pursuant to Tex. Gov't Code Ann. §551.071, and Possible Action Regarding This Matter Upon Return to Open Session.

No action was taken.

- G. 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.

No action was taken.

- H. Discussion with the Senior Vice President of Corporate Compliance and Alvarez & Marsal Healthcare Industry Group LLC Regarding Compliance with Medicare Program, Pursuant to Texas Health & Safety Code §161.032, and Possible Action Regarding This Matter Upon Return to Open Session.

No action was taken.



**XI. Adjournment**

Moved by Dr. Arthur Bracey, seconded by Mr. Lawrence Finder, and unanimously accepted to adjourn the meeting.

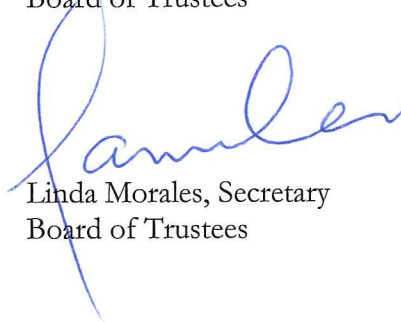
There being no further business, the meeting adjourned at 12:20 p.m.

I certify that the foregoing are the Minutes of the meeting of the Board of Trustees of the Harris County Hospital District d/b/a Harris Health System held at the Administration Building in Houston, Texas on September 26, 2019.

Respectfully submitted,



Kimberly Monday, MD, Vice Chair  
Board of Trustees



Linda Morales, Secretary  
Board of Trustees

Recorded by Ashley Francis