



**HARRIS COUNTY HOSPITAL DISTRICT
MINUTES OF THE BOARD OF MANAGERS MEETING**

Thursday, June 12, 2008

Board Room – Administration Building

BOARD MEMBERS PRESENT

Mr. Stephen DonCarlos, Chair
Ms. Carolyn Truesdell, Vice Chair
Mr. E. Dale Wortham, Secretary
Mr. Danny Jackson, Asst. Secretary
Mr. Elvin Franklin, Jr.
Mr. Michael Jhin
Dr. George Santos
Ms. Daisy Stiner

BOARD MEMBERS ABSENT

Ms. Mary Spinks

OTHERS PRESENT

Mr. David Lopez, President & Chief Executive Officer
Mr. George Masi, COO
Mr. Kelly Johnson, Harris County Purchasing
Attorney Mercedes Leal, County Attorney's Office
Ms. Peggy Boice, Judge Ed Emmett's Office
Ms. Gloria Moreno, Commissioner Sylvia Garcia's Office
Ms. Elizabeth Neal, Commissioner Jerry Eversole's Office
Mr. Mark Fury, Commissioner Steve Radack's Office
Administrative Staff
Guests
(Sign-in Sheets attached to permanent record)

I. Call to Order and Record of Attendance

Mr. Stephen DonCarlos, Chair, called the meeting to order at 9:05 A.M. and noted that a quorum was present. The attendance was recorded.

II. Approval of Minutes of Previous Meeting

Motion 08.6-313

Moved by Ms. Truesdell, seconded by Mr. Franklin, and unanimously passed, that the Board approve the minutes of the April 24, 2008 regular meeting of the Board of Managers.

III. Hear from Citizens

There were no citizens to address the Board.

IV. Consideration of Approval to Amend the Bylaws of the Board of Managers of the Harris County Hospital District

Motion 08.6-314

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve amending the Bylaws of the Board of Managers as included in the packet.

Ms. Truesdell requested that the bylaws as revised be distributed to the Board members.

V. Special Recognition of the Harris County Hospital District's Breast and Health and Mobile Mammography Program as Recipient of the "2008 National Minority Cancer Awareness Week Community Award"

Dr. Margo Hilliard presented to the Board the accomplishments of the 1996 through 2007 Breast Health & Mobile Mammography Program. A copy of the handout is located in the permanent file. Highlights include:

- Increased total breast imaging procedures from 6000 in 1995 to 29,000 by 2007.
- Increased cancer detection rates from 5/1000 to > 9/1000.
- Increased percent detected at earlier stages from 37% in 1990's to 51% in 2007.
- Today three case managers follow and coordinate care for more than 900 patients referred for biopsy each year.

VI. President/Chief Executive Officer's Report to Include: (1) Balanced Scorecard; (2) Behavioral Health Capacity; (3) Obstetric Services Volume; and (4) Riverside Dialysis Center

Individuals presented updates as listed below:

Jason Kunnacherry – Balanced Scorecard

Mr. David Lopez – Behavioral Health Capacity

Mr. George Masi – Obstetric Services Volume & Riverside Dialysis Center

VII. Items Related to Purchasing

Mr. DonCarlos called on Mr. Danny Jackson to present items related to purchasing.

A(1). Consideration of Purchasing Recommendations Requiring Board Approval:

a. **Motion 08.6-315**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve an award on the basis of best proposals meeting specifications to Cymetrix Corporation for Initiative I in the amount of \$1,500,000 and Initiative III in the amount of \$1,000,000 and Perot Systems Revenue Cycle Solutions, Inc. for Initiative II in the amount of \$150,000 for a total amount not to exceed \$2,650,000 for the entire project to provide accounts receivable collection resources during the transition from Healthquest to Epic, for the term July 1, 2008 through June 30, 2009 with four one year renewal options.

b. **Motion 08.6-316**

Moved by Mr. Jackson, seconded by Mr. Wortham, and passed, that the Board approve an award to St. Luke's Episcopal Health System in the estimated amount of \$54,154 for on call healthcare services on an as scheduled basis.

The vote passed 7 ayes, 0 nays, with Mr. Michael Jhin abstaining due to his connection with St. Luke's Episcopal Health System.

c. **Motion 08.6-317**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve an award on the basis of only bid meeting specifications to Abbott Laboratories, Inc. in the estimated amount of \$149,886 to provide point-of-care (POC) analyzers for testing of Coumadin care patients at clinics for the term June 1, 2008 through May 31, 2009.

d. **Motion 08.6-318**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve an award on the basis of sole source to Alert Logic, Inc. in the amount of \$183,780 for maintenance for threat manager & active watch intrusion detection and vulnerability scanning system for the term June 1, 2008 through May 31, 2009.

e. **Motion 08.6-319**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve an award on the basis of sole source to Hologic Limited Partnership (Hologic LP) in the estimated amount of \$167,200 to provide treatment for menorrhagia via endometrial ablation therapy using bipolar RF energy for the term June 1, 2008 through May 31, 2010 with continuous renewal options.

f. **Motion 08.6-320**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve a purchase on the basis of sole source of software for surgery management from Surgical Information Systems, LLC in the amount of \$234,345 subject to the execution of the agreement.

g. **Motion 08.6-321**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve additional funds for additional services with Devolve Corp. (Primary Class 1) in the amount of \$291,983 for Systimax VAR program for telephone and data cable labor, parts, materials and related items for the term January 1, 2008 through December 31, 2008. (The Board previously approved funds in the amount of \$300,000 for the term January 1, 2008 through December 31, 2008; these additional funds bring the total funded amount to \$591,983.)

h. **Motion 08.6-322**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve additional funds for Sodexo Services of Texas Limited Partnership to provide room service ordering capacity to inpatients through the AT YOUR REQUEST ROOM SERVICE DINING[®] program for Lyndon Baines Johnson Hospital beginning October 2008 in the amount of \$7,500 for the term March 7, 2008 through March 6, 2009. (The Board previously approved funds in the amount of \$3,290,286 for the term March 7, 2008 through March 6, 2009; these additional funds bring the total funded amount to \$3,297,786.)

i. **Motion 08.6-323**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve an award on the basis of best bid to Gem Refrigerator Company for seven pharmacy refrigerators in the amount of \$67,887.

j. **Motion 08.6-324**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve the purchase of 141 physiological patient monitors from Philips Medical Systems North America Company in the amount of \$1,952,495.

k. **Motion 08.6-325**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve an award to SBC Global Services dba AT&T Global Services to provide long distance services in the minimum annual commitment amount of \$135,000 for the term June 4, 2008 through June 3, 2009.

l. **Motion 08.6-326**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve an award to Cardinal Health Medical Products and Services for suction canisters, yankauers and tubing in the estimated amount of \$214,050 for the term June 1, 2008 through May 31, 2009.

m. **Motion 08.6-327**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve an award to Cardinal Health 301, Inc. for lease/maintenance of supply distribution cabinets (235 ea.) in the amount of \$514,680 for the term July 1, 2008 through June 30, 2009 with four one-year renewal options.

n. **Motion 08.6-328**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve the second of four renewal options for Craven and Plummer, Inc. for operation of dental facilities in the estimated amount of \$5,036,183 for the term July 1, 2008 through June 30, 2009.

o. **Motion 08.6-329**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve the first of four renewal options for Nurses Night & Day, Inc. for comprehensive home health care in the estimated amount of \$597,972 for the term May 1, 2008 through April 30, 2009.

p. **Motion 08.6-330**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve the third of four renewal options for Sodexho Services of Texas Limited Partnership to provide housekeeping services in the estimated amount of \$10,906,030 for the term July 1, 2008 through June 30, 2009.

Mr. Wortham voiced concerns regarding the comparison of providing this service in house or contracting it out. He requested the District have a plan in place to bring housekeeping services in house within six months of this renewal.

Mr. Franklin agreed to approve the renewal for Sodexho Services for one year and he requested that the District be prepared to bring housekeeping services in house within one year of this contract term.

q. **Motion 08.6-331**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve the first of four renewal options for bioMerieux, Inc. for automated blood culture in the estimated amount of \$321,234 for the term May 1, 2008 through April 30, 2009.

r. **Motion 08.6-332**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board approve an award to The Advisory Board Company for the following memberships:

(1) Health Care Advisory Board in the amount of \$53,800 for the term October 31, 2008 through October 30, 2009; (2) Nursing Executive Center in the amount of \$22,700 for the term June 26, 2008 through June 25, 2009; (3) Financial Leadership Council in the amount of \$24,900 for the term March 24, 2008 through March 23, 2010; (4) Human Resources Investment Center in the amount of \$22,700 for the term March 19, 2009 through March 18, 2010; and (5) Marketing & Planning Leadership Council in the amount of \$22,000 for the term June 30, 2008 through June 29, 2009.

s. **Motion 08.6-333**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board ratify termination of an award to Universal Fidelity LP for collection services for overdue patient accounts (term September 1, 2007 through August 31, 2008) effective May 16, 2008.

t. **Motion 08.6-334**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board ratify termination of an award to River Oaks Imaging and Diagnostic, L.P. for imaging services (term March 1, 2008 through February 28, 2009) effective April 30, 2008.

u. **Motion 08.6-335**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board ratify additional funds and an extension to The University of Texas Health Science Center at Houston for expanded operating room services for elective general and orthopedic surgery at LBJ General Hospital in the amount of \$40,000 for the extended term of April 9, 2008 through June 3, 2008. (The Board previously approved funds in the amount of \$60,000 for the term January 16, 2008 through April 8, 2008; these additional funds bring the total funded amount to \$100,000.)

v. **Motion 08.6-336**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board ratify additional funds and an extension for Medical Advocacy Services for Healthcare, Inc. (MASH) in the amount of \$350,000 and NCO Financial Systems, Inc. (NCO) in the amount of \$300,000 for third party specialists to assist with certification of pending Medicaid cases and other related third party sources for a multi-vendor total of \$650,000 for the extended term of January 1, 2008 through May 15, 2008. (The Board previously approved funding in the amount of \$4,177,094 for the terms October 7, 2006 through December 31, 2007 and October 23, 2006 through December 31, 2007; these additional funds bring the total funded amount to \$4,827,094.)

w. **Motion 08.6-337**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board ratify additional funds and an extension for Iron Mountain Health Information Services for off-site storage and maintenance of medical records, X-ray film and retrieval services in the amount of \$190,500 for the extended term of January 1, 2008 through April 30, 2008. (The Board previously approved funds in the amount of \$1,523,408 for the term January 1, 2007 through December 31, 2007; these additional funds bring the total funded amount to \$1,713,908.)

x. **Motion 08.6-338**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board ratify the third of four renewal options for Underwriters at Lloyd's London through John L. Wortham & Son, L.P. for all risk property insurance in the estimated amount of \$2,264,686 for the term April 1, 2008 through April 1, 2009.

A(2). Transmittal of Completed Purchases under \$100,000

(For Informational Purposes Only)

- a. Transmittal of an award on the basis of lowest proposal meeting specifications for Milliman, Inc. for actuarial services in the amount of \$38,500 subject to execution of the agreement.
- b. Transmittal of a purchase on the basis of lowest contract for hand carried ultrasound system to provide physicians at the Lyndon B. Johnson General Hospital the capability of performing bedside diagnostic for rapid evaluation of patients without transporting patient to Radiology Department from GE Healthcare in the amount of \$35,300.00.
- c. Transmittal of an award on the basis of low bid to Tejas Office Products, Inc. for computer paper in the amount of \$42,563.00.
- d. Transmittal of an award on the basis of best overall contract to Tyco Healthcare Group, LP The Kendall Company for medical nutrition products in the estimated amount of \$98,226 for the term March 1, 2008 through February 28, 2009.
- e. Transmittal of award to Abbott Laboratories, Inc. to provide pilot study for obtaining test results using point-of-care analyzers as opposed to using laboratory analyzers to determine the most efficient processing of patients in an amount not to exceed \$25,000 for the term April 14, 2008 through May 9, 2008.
- f. Transmittal of an award on the basis of best contract meeting specifications to GE Healthcare for ultrasonic probes (4 ea.) in the amount of \$30,800.00.
- g. Transmittal of an award to Cardinal Health Medical Products and Services to provide disposable oxygen delivery products in the estimated amount of \$44,423 for the term June 1, 2008 through May 31, 2009.
- h. Transmittal of an award to Ambu Inc. to provide resuscitation bags in the estimated amount of \$27,041 for the term June 1, 2008 through May 31, 2009.
- i. Transmittal of an award to dj Orthopedics LLC to provide orthopedic soft good products such as braces, slings and immobility products in the estimated amount of \$74,107 for the term June 1, 2008 through May 31, 2009.
- j. Transmittal of an award to Cardinal health Medical Products and Services to provide bouffants, surgeon's caps and shoe covers in the estimated amount of \$48,215 for the term June 1, 2008 through May 31, 2009.
- k. Transmittal of an award to Smiths Medical Asd, Inc. (fka Portex) (PP-NS-325) through Cardinal Healthcare to provide arterial blood gas kits in the estimated amount of \$32,981 for the term May 1, 2008 through April 30, 2009.

- l. Transmittal of an award to Rauland-Borg Corporation through Halco Life Safety Systems, Inc. for nurse call systems and related products in the amount of \$27,982.00.
- m. Transmittal of an award to Phillips Medical Systems North America Company for data base server for the patient monitoring system in the 4B nursing area at Ben Taub General Hospital in the amount of \$63,756.00.
- n. Transmittal of a renewal to Harris County for financial investment services in the amount of \$30,616 for the term February 6, 2008 through February 5, 2009.
- o. Transmittal of utilization of Harris County contract for facsimile machines from Century Business Equipment – Categories I and III and Bob Peckham & Associates Inc. dba Office Systems of Texas – Category II in the estimated amount of \$58,000 for the term May 1, 2008 through April 30, 2009.
- p. Transmittal of award for purchase on the basis of lowest contract priced items for lobby seating for E.A. Squatty Lyons Community Health Center in the amount of \$39,631.00
- q. Transmittal of an award on the basis of contract priced items to OFS Brands, Inc. for office furniture upgrade for executive administration, Holly Hall rooms, 132, 134, 140, 143, 144, 145 and reception office in the amount of \$52,337.00.
- r. Transmittal of an award to AT&T for of hardware and software needed to upgrade the existing security infrastructure of a wireless project and to update existing Cisco ACS servers in the amount of \$27,435.00.
- s. Transmittal of exemption from the competitive bid requirements for award to Lynn R. Clark, Beverly Roberts and C. Stephen Byrum, PhD through the Spiritual Leadership Institute for training and use of Hartman Value Profile: Standard Version – Byrum Method in the amount of \$28,000 for the term April 24, 2008 through April 23, 2009.
- t. Transmittal of an award on the basis of sole source to Q-MATIC Corporation to provide extended warranty on the ticketing machines used in the pharmacies in the amount of \$42,395.00 for the term March 1, 2008 through February 28, 2009.
- u. Transmittal of an item on the basis of sole source to Joint Commission Resources for payment of annual fees for the accreditation/certification programs associated with the Joint Commission Survey in the amount of \$26,635.00.
- v. Transmittal of an award on the basis of sole source to Dictaphone Corporation for Dictaphone hardware/software maintenance, service and support in the amount of \$53,581.00 for the term April 1, 2008 through March 31, 2009.

- w. Transmittal of an award on the basis of sole source to Compliance Data Systems, Inc. for Epic Interface (API and HL7) to upgrade T-Pass software in the amount of \$44,163.00.
- x. Transmittal of an award on the basis of only proposal received to Travelers Lloyd's Insurance Company through John L. Wortham & Son, L.P. for physical damage coverage for mobile health units, microwave disposal unit, and catastrophe coverage for vehicles in the estimated amount of \$40,962 for the term April 1, 2008 through April 1, 2009 with four one-year renewal options.
- y. Transmittal of an award on the basis of only bid received to Nova Biomedical for two whole blood (STAT) analyzers including testing reagents in the estimated amount of \$68,473 for the term May 1, 2008 through April 30, 2009 with four one-year renewal options.
- z. Transmittal of an award on the basis of only bid received to Monogram Biosciences, Inc. to provide tropism assay tests in the estimated amount of \$94,080 for the term June 1, 2008 through January 31, 2009 (8 months) with two one-year renewal options.
- aa. Transmittal of an award on the basis of only bid received to O.R. Solutions, Inc. for surgical slush machine in the amount of \$45,750.00.

VIII. Reports of the Committees

A. Joint Conference Committee

1. Report of the Board of Managers Joint Conference Committee
Informational report requiring no action.
2. OR Expansion Initiative at Lyndon B. Johnson General Hospital
Dr. Tien C. Ko presented the OR Expansion Initiative. A copy of the PowerPoint presentation is located in permanent file. Highlights include:
 - Waiting lists for elective surgery at LBJGH – 9/11/07 vs. 6/2/08
 - OR Case Turnover Time – May 07-April 08
 - First OR Case on time start – Aug 07-March 08
 - Average Length of Stay for non-elective Laparoscopic Cholecystectomy
 - Benefits of LBJGH OR Expansion Project
 - Credits for LBJGH OR Expansion Project

3. Motion 08.6-339

Moved by Mr. Franklin, seconded by Mr. Jackson, and unanimously passed, that the Board approve the May 2008 credentialing changes for members of the HCHD Medical Staff. (Appendix "A").

4. **Motion 08.6-340**

Moved by Ms. Truesdell, seconded by Mr. Franklin, and unanimously passed, that the Board accept the Medical Board Report as included in the packet. (Appendix "B").

Mr. DonCarlos called on Mr. Ferdinand Gaenzel to present agenda items relative to Budget and Finance Committee.

B. Budget and Finance Committee

1. **Motion 08.6- 341**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board accept the April 30, 2008 Financial Report subject to final audit.

2. **Motion 08.6-342**

Moved by Ms. Truesdell, seconded by Mr. Wortham, and unanimously passed, that the Board accept the April 30, 2008 Pension Plan Report subject to final audit.

3. **Motion 08.6-343**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and the Texas Health and Human Services Commission (HHSC) to extend the CHIP Education Project contract and the assignment of the contract to Gateway to Care effective September 1, 2008

4. **Motion 08.6-344**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously passed, that the Board approve an amendment to a contract between the Harris County Hospital District and the Department of State Health Services for Breast and Cervical Cancer Control Services for a mid-year funding adjustment in the amount of \$10,000 for the term July 1, 2007 through June 31, 2008.

5. Presentation of March 2008 Financial Statements of Community Health Choice, Inc.

Mr. Richard Lee presented the April 2008 Financial Statements of Community Health Choice, Inc. Highlights for the month of February include:

- ✓ Net income \$803,894
- ✓ STAR Member months were 7% below budget
- ✓ CHIP Member months were 10% above budget
- ✓ CHIP Perinate Member months were 21% above budget
- ✓ Total Revenue was 6% below budget

Mr. DonCarlos called on Mr. Franklin to present agenda items relative to the Planning and Operations Committee.

C. Planning and Operations Committee

1. Items related to Specialty and Primary Clinics and other Facilities

a. Motion 08.6-345

Moved by Mr. Franklin, seconded by Ms. Stiner, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District/Health Care Homeless Program and Baylor College of Medicine, Department of Family and Community Medicine for the provision of medical supervision to the family nurse practitioner at the Health Care for the Homeless Program, Harmony House shelter clinic in an amount not to exceed \$10,000 for the term April 1, 2008 through March 31, 2009.

b. Motion 08.6-346

Moved by Mr. Franklin, seconded by Ms. Stiner, and unanimously passed, that the Board ratify an amended agreement between the Harris County Hospital District and Dallas County Hospital District, The Parkland Foundation for Texas/Oklahoma AIDS Education and Training Center funded by Ryan White CARE Act to provide state-of-the-art education on treatment, training, and consultation and support to healthcare professionals treating HIV+ patients increasing the amount by \$35,303 to the original amount of \$78,800 for a total amount of \$114,103 for the term October 1, 2007 through June 30, 2008.

c. Motion 08.6-347

Moved by Mr. Franklin, seconded by Ms. Stiner, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and Baylor College of Medicine funded through the City of Houston Department of Health and Human Services to provide medical direction and program evaluation services in the amount of \$24,384 for the term May 1, 2008 through December 31, 2008.

d. Motion 08.6-348

Moved by Mr. Franklin, seconded by Ms. Stiner, and unanimously passed, that the Board ratify a Facilities Use Agreement between the Harris County Hospital District and Houston Volunteer Lawyers for use of space at Thomas Street Health Center to provide legal consultation to eligible HIV-infected individuals for the term March 1, 2008 through February 28, 2009.

e. Motion 08.6-349

Moved by Mr. Franklin, seconded by Ms. Stiner, and unanimously passed, that the Board ratify a Facilities Use Agreement between the Harris County Hospital District and AIDS Foundation of Houston to provide child monitoring services to eligible HIV-infected individuals at Thomas Street Health Center for the term March 1, 2008 through February 28, 2009.

f. **Motion 08.6-350**

Moved by Mr. Franklin, seconded by Ms. Stiner, and unanimously passed, that the Board ratify a Facilities Use Agreement between the Harris County Hospital District and Harris County to provide HIV prevention education to eligible HIV-infected individuals at Thomas Street Health Center for the term March 1, 2008 through February 28, 2009.

g. **Motion 08.6-351**

Moved by Mr. Franklin, seconded by Ms. Stiner, and unanimously passed, that the Board ratify a Facilities Use Agreement between the Harris County Hospital District and Legacy Community Health Services to provide group-level intervention to eligible HIV-infected individuals at Thomas Street Health Center for the term May 1, 2008 through April 30, 2009.

2. Items Related to Personnel

a. **Motion 08.6-352**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously passed, that the Board ratify the revised Payment of Wages Policy# 6.21, which provides guidelines for the payment of wages effective immediately.

b. **Motion 08.6-353**

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously passed, that the Board ratify the revised Neutral Absence Policy# 6.31, which establishes a procedure for terminating employees effective immediately.

c. **Motion 08.6-354**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously passed, that the Board approve the installation of a second free-standing ATM at Ben Taub General Hospital within the confines of the basement cafeteria area under the terms of our existing Facilities Use Agreement with the Houston Municipal Employees Federal Credit Union as soon as administratively feasible following Board approval.

3. Items Related to Buildings and Properties

a. **Motion 08.6-355**

Moved by Mr. Franklin, seconded by Mr. Jackson, and unanimously passed, that the Board of Managers authorize the Hospital District to enter into a new lease agreement, drafted and approved by the County Attorney's Office, with Warehouse Associates Corporate Centre Kirby III, LTD, for space located at 9240 and 9250 Kirby, Houston, Texas 77054 for the period December 1, 2008 to December 1, 2015. The initial term of the lease will commence on December 1, 2008 to December 1, 2009 at a yearly rate of \$6,844,595.20 which includes \$4,865,992 termination clause.

b. **Motion 08.6-356**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously passed, that the Board of Managers authorize the Hospital District to enter into a new Inter-local agreement with Harris County to provide Wage Rate Compliance Services for the Hospital District's capital improvement constructions projects for the term March 1, 2008 through February 28, 2009 at a fixed fee of \$45,678.00.

Mr. DonCarlos called on Ms. Carolyn Truesdell to present agenda items relative to Performance Improvement and Patient Safety Committee.

D. Performance Improvement and Patient Safety Committee

The Performance Improvement and Patient Safety Committee met May 15, 2008 and brings forth the following:

1. **Motion 08.6-357**

Moved by Ms. Truesdell, seconded by Mr. Franklin, and unanimously passed, that the Board accept the Harris County Hospital District (HCHD) 2007 Infection Control Program Annual Report as included in the packet.

Mr. Michael Jhin was not present when this vote was taken.

2. **Motion 08.6-358**

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously passed, that the Board approve the Harris County Hospital District (HCHD) Patient Safety Plan as included in the packet.

Mr. Michael Jhin was not present when this vote was taken.

3. **Motion 08.6-359**

Moved by Ms. Truesdell, seconded by Dr. Santos, and unanimously passed, that the Board approve the revised Harris County Hospital District Patient Identification Policy# 7.11, developed to assure proper identification of all patients accessing healthcare at any HCHD facility, effective May 29, 2008.

E. Legislative Committee

The Legislative Committee did not meet and brings directly to the Board the following:

1. Update, Discussion and Possible Action regarding Activities in Austin relating to Regulatory Issues Impacting HCHD, the 80th Legislative Session and the HCHD Legislative Platform
2. Update, Discussion and Possible Action regarding Pending Federal Legislative, Line Items and Policy Issues Affecting HCHD

Mr. Hillier presented a brief update on Iraq Supplemental Appropriation Bill and the OIG and Medicare/Medicaid settlement. He informed the Board that the Legislative priorities will be brought to the Board in September.

Mr. DonCarlos called on Mr. Dale Wortham to present agenda items relative to Corporate Compliance Committee.

F. Corporate Compliance Committee

The Corporate compliance Committee did not meet and brings directly to the Board the following:

Motion 08.6-360

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously passed, that the Board approve an agreement with Mir • Fox & Rodriguez, P.C. to assist the HCHD Corporate Compliance Officer in conducting compliance auditing and monitoring services in an amount not to exceed \$200,000 for the term June 1, 2008 through May 31, 2009.

IX. Items Related to Policies

The following policies did not go to any committee and come directly to the Board:

A. Motion 08.6-361

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve rescission of the Harris County Hospital District Policy# 2230 “Continued Stay Review-Medicare/Medicaid”, effective May 29, 2008.

B. Motion 08.6-362

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the Harris County Hospital District Policy# 4515 “Referral of Patients to Rehabilitation Facilities”, updated to meet the established standards and current practice related to the process of HCHD patient placement or referral to a rehabilitation facility, effective May 29, 2008.

X. Miscellaneous Agenda Items

A. Motion 08.6-363

Moved by Ms. Truesdell, seconded by Mr. Franklin, and unanimously passed, that the Board approve service agreement between the Harris County Hospital District and the Education with Industry (EWI) Program with the United States Air Force for the term September 2, 2008 through June 30, 2009, at no cost to the District.

B. Presentation of IT Quarterly Update

Mr. Tindle presented the IT Quarterly Update. Copy of the report located in the permanent file. Highlights include:

- PeopleSoft ERPS Implementation
- Operating Efficiency
- Epic Clinical Systems
- PACs (Picture Archival Communication System)

- New Epic Program Governance
- Epic Business Project Scope and Rollout Schedule
- Information Technology Project Assessment

Mr. Franklin departed the meeting at approximately 11:20 A.M., prior to the entering of executive session.

XI. Executive Session

At 11:45 A.M., Mr. DonCarlos stated that the Board would go into Executive Session under Section 161.032 of the Texas Health & Safety Code and Chapter 551 of the Texas Government Code Section 071. Mr. DonCarlos stated that the regular meeting of the Board would reconvene at the close of Executive Session.

Mr. Michael Jhin departed the meeting prior to the reconvening of regular session.

XII. Reconvene

At 1:15 P.M., Mr. DonCarlos reconvened the meeting and asked if there were further input to the agenda.

- A. Discussion regarding the Acquisition of Real Property in Connection with the Hospital District's 2015 Strategic Plan, pursuant to Tex. Gov't Code Ann. §551.072 and Possible Action Regarding this Matter Upon Return to Open Session

No action taken.

- B. Consultation with the County Attorney regarding *Cause No. 857,492; Harris County Hospital District v. Sherresh Enterprises, L.P., a Texas Limited Partnership; K.B. Hogan, L.L.C., a Texas Limited Liability Company; City of Houston; Harris County; Houston Independent School District; Houston Community College; Greater Northside Management District No. 13*; in the County Civil Court at Law No. Two (2), of Harris County, Texas, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action Regarding this Matter Upon Return to Open Session

Motion 08.6-364

Moved by Ms. Truesdell, seconded by Ms. Stiner, and unanimously passed, that the Harris County Hospital District, by and through its Board of Managers, approves and hereby authorizes the payment of additional interest to settle claims related to *Cause No. 857,492; Harris County Hospital District v. Sherresh Enterprises, L.P., a Texas Limited Partnership; K.B. Hogan, L.L.C., a Texas Limited Liability Company; City of Houston; Harris County; Houston Independent School District; Houston Community College; Greater Northside Management District No. 13*; in the County Civil Court at Law No. Two (2), of Harris County, Texas. In addition to those sums authorized by the Board to be paid on January 31, 2008 the District will pay an additional sum for interest at the rate of 4 percent per annum on \$557,785.00 from February 8, 2008 until paid. The same shall be made by payment to Shemesh Enterprises, L.P. and Barron & Adler, L.L.P. The total sum to be paid under this resolution shall not exceed \$10,650.00. David S. Lopez,

President/CEO is authorized to execute any agreement, release or other necessary documents to effect this settlement.

The Harris County Hospital District, by and through its Board of Managers, also approves and hereby authorizes the correction of legal description on the property to be acquired under the above referenced condemnation case such that the property to be acquired shall be that described on Exhibit A attached hereto and made a part hereof for all purposes.

Mr. Jhin was not present when this vote was taken.

- C. Consultation with the County Attorney regarding *Cause No. 816,923; Harris County Hospital District v. Textac Partners I, a Texas General Partnership, Houston ISD, Houston Community College, City of Houston, Harris County, Texas*; in County Civil Court at law No. Two (2), 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 taken.

- D. Consultation with the County Attorney regarding *Cause No. 2008-21484 – Imelda Martinez and Azucena Rivera, Individually and as Representatives of the Estate of Nereida Trujillo, Deceased, and Rodolfo Carbajal, as Next Friend of Daniel Carbajal, Caroline Carbajal and Catherine Carbajal vs. Harris County Hospital District, Ben Taub General Hospital, Baylor College of Medicine, Dr. Amy Hassan, M.D. and Quadr Samera*; in the 164th 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

Motion 08.6-365

Moved by Ms. Truesdell, seconded by Mr. Santos, and unanimously passed, that the Harris County Hospital District, by and through its Board of Managers, approve the settlement and release of all claims related to *Cause No. 2008-21484 – Imelda Martinez and Azucena Rivera, Individually and as Representatives of the Estate of Nereida Trujillo, Deceased, and Rodolfo Carbajal, as Next Friend of Daniel Carbajal, Caroline Carbajal and Catherine Carbajal vs. Harris County Hospital District, Ben Taub General Hospital, Baylor College of Medicine, Dr. Amy Hassan, M.D. and Quadr Samera*; in the 164th District Court of Harris County, Texas by payment of the total sum of \$67,500.00, David S. Lopez, President/CEO is authorized to execute any agreement, release or other necessary documents to effect this settlement. This motion supersedes the previous Motion 08.1-091 approved by the Board of managers at the January 31, 2008 Board of Managers' meeting.

Mr. Jhin was not present when this vote was taken.

- E. Consultation with the County Attorney regarding a Claim by David Joya, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action Regarding this Matter Upon Return to Open Session

No action taken.

- F. Consultation with the County Attorney regarding *Cause No. 2006-43929; Sara Dorsey v. Harris County Hospital District*, in the 280th Judicial 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 taken.

- G. Consultation with the County Attorney regarding *Cause No. 2006-10167; Eugene Dale Harris, et al. v. Harris County Hospital District and Cause No. 2006-15321; Sonja Scott, et. v. Harris County Hospital District*, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action Regarding this Matter Upon Return to Open Session

No action taken.

- H. Consultation with the County Attorney regarding the Corporate Compliance Department, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action Regarding this Matter Upon Return to Open Session

No action taken.

- I. Report by 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 Section 161.032 of the Texas Health & Safety Code.

Presented as information only requiring no action.

- J. Consultation with Outside Legal Counsel Regarding Harris County Hospital District's Participation in the Harris County UPL Program Pursuant to Tex. Gov't Code Ann. Section 551.071 and Possible Action Regarding this Matter Upon Return to Open Session

Motion 08.6-366

Moved by Ms. Truesdell, seconded by Mr. Santos, and unanimously passed, that the Harris County Hospital District, by and through its Board of Managers, approve the Harris County Hospital District's participation in the Harris County UPL Program.

Mr. Jhin was not present when this vote was taken.

XIII. Adjournment

There being no further business, the meeting adjourned at 1:17 P.M.

I certify that the foregoing are the Minutes of the Meeting of the Board of Managers of the Harris County Hospital District held at the Administration Building in Houston, Texas on May 29, 2008.

Mr. Stephen DonCarlos, Chair
Board of Managers

E. Dale Wortham, Secretary

Recorded by Charlaa Hunter &
Anne McCowan