



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

**Thursday, March 26, 2009**

**Board Room – Administration Building**

**BOARD MEMBERS PRESENT**

Ms. Carolyn Truesdell, Acting Chair  
Mr. Danny Jackson, Asst. Secretary  
Ms. Mary Spinks  
Mr. Elvin Franklin, Jr.  
Dr. George Santos

**BOARD MEMBERS ABSENT**

Mr. Stephen DonCarlos, Chair  
Mr. E. Dale Wortham, Secretary  
Dr. Atul Varadhachary  
Ms. Daisy Stiner

**OTHERS PRESENT**

Mr. David Lopez, President & Chief Executive Officer  
Mr. Kelly Johnson, Harris County Purchasing Agent  
Ms. Vivian Groce, Harris County Assistant Purchasing Agent  
Attorney Rose Garcia, County Attorney's Office  
Ms. Peggy Boice, Judge Ed Emmett's Office (9:55 a.m.)  
Ms. Gloria Moreno, Commissioner Sylvia Garcia's Office  
Ms. Elizabeth Neal, Commissioner Jerry Eversole's Office (9:46 a.m.)  
Mr. Mark Fury, Commissioner Steve Radack's Office  
Administrative Staff  
Guests  
Media

(Sign-in Sheets attached to permanent record)

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

Ms. Carolyn Truesdell, Acting Chair, called the meeting to order at 9:06 A.M. and noted that a quorum was present. The attendance was recorded.

**II. Approval of Minutes of Previous Meetings**

**Motion 09.3-29**

Moved by Dr. Santos, seconded by Ms. Spinks, and unanimously passed, that the Board approve the minutes of the February 26, 2009 Board of Managers meeting and the March 9, 2009 Called Board meeting.

### **III. Hear from Citizens**

Dr. Katherine King addressed the Board regarding pediatric services provided at Ben Taub General Hospital.

Dr. Claire Bocchini addressed the Board regarding pediatric services provided at Ben Taub General Hospital.

Dr. Alison Niebanck addressed the Board regarding pediatric services provided at Ben Taub General Hospital.

Dr. Lucila Marquez addressed the Board regarding pediatric services provided at Ben Taub General Hospital.

Ms. Karla Sageth addressed the Board regarding pediatric services provided at Ben Taub General Hospital.

Mr. Lopez noted that the issue of pediatric services in the District will be on the agenda for the April meeting for further discussion. Dr. Santos stated that it would be helpful to have data and other options to review before any decisions are made.

### **IV. Consideration of Appointments to Board of Managers' Committees**

Ms. Truesdell presented a revised Board of Managers' committee membership list.

#### **Motion 09.3-30**

Moved by Ms. Spinks, seconded by Mr. Franklin, and unanimously passed that the Board approve the following appointments to the Board of Managers' Committees: Budget & Finance, Joint Conference, Performance Improvement & Patient Safety – Dr. Atul Varadhachary; Corporate Compliance – Mr. Elvin Franklin, Jr.; and Chair of Audit Committee – Ms. Daisy Stiner.

### **V. Consideration of Approval to Name the Newly Constructed Clinic in the Alief Area as the El Franco Lee Health Center**

Mr. Lopez stated that it was recommended by Commissioner Radack that the new Alief facility be named the El Franco Lee Health Center. Commissioner Lee accepts and feels honored by the naming of the facility.

#### **Motion 09.3-31**

Moved by Dr. Santos, seconded by Ms. Spinks, and unanimously passed that the Board approve to name the newly constructed clinic in the Alief area the El Franco Lee Health Center.

Dr. Trenchel noted that the planned opening for the Health Center is May 18, 2009.

### **VI. Consideration of Approval of Recommendations and Acceptance of Agenda Items Identified as Consent Agenda Items**

#### **Motion 09.3-32**

Moved by Mr. Franklin, seconded by Dr. Santos, and unanimously passed, that the Board approve the Consent Agenda of the March 26, 2009 meeting of the Board of Managers

as presented pending approval of the budget by Commissioner's Court with the exception of VI.A(2).

A. Items related to Purchasing

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

- a. Purchase of roof replacement at Lyndon B. Johnson General Hospital from CentiMark Corporation in the estimated amount of \$306,075.00.
- b. Exemption from the competitive bid requirements for Lisa Murtha, Judy Ringholz, Aysha Sommasundaram and Rebecca Stewart through Huron Consulting Services LLC for compliance risk assessment in the amount of \$227,200 for the term four months upon execution of agreement.
- c. Funding for year four of a five year agreement for Masimo Americas, Inc. through Cardinal Health for pulse oximeter monitoring in the estimated amount of \$769,384 for the term April 12, 2009 through April 11, 2010.
- d. Additional funds for LabCorp in the amount of \$157,865 for reference laboratory testing services for the term 12/1/06 – 3/31/09. (The Board previously approved funds in the amount of \$2,268,057 for the term 12/11/06 – 3/31/09; these additional funds bring the total funded amount to \$2,425,922).
- e. Additional funds and an extension for Cardinal Health for pharmaceutical prime vendor distributor in the estimated amount of \$41,829,800 for the extended term of 4/1/09 – 9/30/09. (The Board previously approved funds in the amount of \$76,687,968 for the term 5/1/08 – 3/31/09; these additional funds bring the total funded amount to \$118,517,768).
- f. Additional funds for DynaGene – A LabCorp Company in the estimated amount of \$114,649 for special reference bone marrow testing services for the term 5/1/08 – 4/30/09. (The Board previously approved funds in the amount of \$129,732 for the term 5/1/08 – 4/30/09; these additional funds bring the total funded amount to \$244,381).
- g. Additional funds as an exception to the Hospital District Purchasing Manual bid requirements for Gulf Coast Regional Blood Center in the estimated amount of \$2,093,342 for the term 6/1/08 – 5/31/09. (The Board previously approved funds in the amount of \$4,731,883 for the term 6/1/08 – 5/31/09; these additional funds bring the total funded amount to \$6,825,225).
- h. Award as an exception to the Harris County Hospital District Purchasing Manual for The Poseidon Group, Inc. for template charting systems for emergency center physicians and nurses in the amount of \$49,440 for the term December 1, 2008 through November 30, 2009.
- i. Award on the basis of best proposal meeting requirements for Eclipsys Corporation for financial decision support software system in the estimated

amounts of \$834,329 (year one) and \$1,259,417 (five year period) for the term one-year upon execution of agreement with four one-year renewal options.

- j. Award on the basis of best proposal meeting requirements for KGriff Investigations Inc. for pre- and post-employment background screening in the estimated amount of \$110,000 for the term one-year upon execution of agreement with two one-year renewal options.
- k. Award on the basis of best proposal meeting requirements for High Tech Systems & Fujitsu Computer Products of America for biometrics identification system in the amount of \$703,229 (year one) and \$1,007,413 (five year) for the term one year upon execution of agreement with four one-year renewal options.
- l. Award on the basis of best proposal meeting requirements for Elliott Data Systems, Inc. (Proposal A) for mobile computing and medication administration carts in the amount of \$1,345,500 (300 carts) for the term one year upon approval with four one-year renewal options.
- m. Award on the basis of best proposal for Kaufman Hall and Associates for strategic planning consulting and facilitation services in the amounts of \$445,000 (professional fees) and \$66,350 (expenses) for a total of \$511,350 for the term April 1, 2009 through March 31, 2010.
- n. Award on the basis of best bid meeting requirements for Qiagen, Inc. for fully automated nucleic acid extraction unit and related consumables in the amount of \$94,212.00.
- o. Award on the basis of sole source for a purchase of a radiology detector from Philips Medical Systems, N.A. in the amount of \$190,309.00.
- p. Award on the basis of sole source for Epic Systems Corporation for maintenance for Epic Clinical and Business software in the estimated amount of \$1,936,298 for the term April 1, 2009 through March 31, 2010.
- q. Award on the basis of only bid received for Ethicon Endo-Surgery for ultrasonic surgical units (2) in the amount of \$169,852.00.
- r. Award on the basis of low bid per item for Security General Ltd.: \$1,553, Communication Supply Corp. (CSC): \$2,922, Anixter, Inc.: \$29,006, Graybar: \$32,494, and MNJ Technologies Direct Inc.: \$123,581, in a multi-vendor estimated total of \$189,556 for telephone and data cable for the term March 1, 2009 through February 28, 2010 with one one-year renewal option.
- s. Award on the basis of low bid for Gowan, Inc. to furnish, deliver and install a chiller at the Thomas Street Health Center in the estimated amount of \$277,100.00
- t. Award on the basis of low bid for Leica Microsystems, Inc. for neurosurgical microscope with fluorescence system for the Operative

Services Department at Ben Taub General Hospital in the amount of \$228,554.00.

- u. Purchase of office furniture on the basis of lowest quote per item for Southwest Eligibility Center Project from Southwest Solution Group through Facility Interiors: \$2,918 (Item V), Krueger International through Corporate Express \$4,447 (Item IV), Corporate Express (installation only for IV) \$11,785 (Items III & IV), HBI Office Solutions \$34,924 (Item I), Vanguard Environments \$60,029 (Item VI), and Facility Interiors \$81,440 (Item II).
- v. Award for DIR through INX, Inc. (DIR-SDD-239) for maintenance and support for Cisco Equipment in the amount of \$375,467 for the term March 1, 2009 through February 28, 2010.
- w. Purchase of computers, monitors and printers from DIR through Dell Marketing L.P. (DIR-SDD-890) in the amount of \$1,612,435 subject to acceptance of the agreement.
- x. Approve the second of four renewal options for bioMerieux, Inc. (PP-LA-220) for automated blood culture system in the estimated amount of \$321,234 for the term May 1, 2009 through April 30, 2010.
- y. Approve the second of four renewal options for Nurses Night & Day, Inc. for comprehensive home health care in the estimated amount of \$600,000 for the term May 1, 2009 through April 30, 2010.
- z. Approve the second of three renewal options for Gulf Coast II Lithotripsy, LP for lithotripsy services in the estimated amount of \$200,000 for the term May 1, 2009 through April 30, 2010.
- aa. Funding for the fifth and final year of a five year agreement for Baxa Corporation (PP-IV-041 fka PP-NS-126) for compounders and accessories in the estimated amount of \$167,677 for the term February 1, 2009 through January 31, 2010.
- bb. Ratify additional funds and an extension for Cardinal Health 200 Inc. (Medical/Surgical Distribution PP-DS-027) for prime vendor services for distribution of med-surg and laboratory products in association with the Hospital District Just-In Time (JIT) Program in the amount of \$142,259 for the extended term of 2/1/09 – 4/30/09. (The Board previously approved funds in the amount of \$758,714 for the term 10/1/07 – 1/31/09; these additional funds bring the total funded amount to \$900,973).
- cc. Ratify an award on the basis of best bid meeting specification by class for Takeda Pharmaceuticals America, Inc. for outpatient pharmaceutical products (Proton Pump Inhibitor) in the estimated amount of \$905,836 for the term March 1, 2009 through February 28, 2010.

- dd. Ratify the third of four renewal options for National Research Corporation dba NRC+Picker for patient satisfaction and HCAHPS, employee and physician surveys in the estimated amount of \$553,588 for the term March 1, 2009 through February 28, 2010.
- ee. Ratify the second of four renewal options for The University of Texas M.D. Anderson Cancer Center for colposcopy and other professional medical services in the estimated amount of \$100,000 for the term March 1, 2009 through February 28, 2010 contingent upon execution of the amendment.
- ff. Ratify assignments for Vanguard Environments (assignor) and Executive Office Concepts (assignee) for waiting room seating for Alief Health Center in the amount of \$177,689.00.

A(2). Transmittal of Competitive Awards:

**(For Informational Purposes Only)**

- a. Transmittal of purchase on the basis of sole source for Nihon Kohden America, Inc. for electroencephalograph (EEG) unit in the amount of \$26,610.00.
- b. Transmittal of purchase on the basis of sole source for GE Healthcare for stress test systems (2) in the amount of \$63,894.00.
- c. Transmittal of an award on the basis of sole source for OraSure Technologies, Inc. for OraQuick Advance Rapid HIV-1/2 Antibody Test in the estimated amount of \$57,000 for the term January 1, 2009 through December 31, 2011 subject to annual funding.
- d. Transmittal of a purchase on the basis of sole source for Q-MATIC Corporation for Q-MATIC extended warranty in the amount of \$44,981 for the term March 1, 2009 through February 28, 2010.
- e. Transmittal of renewal of an award on the basis of sole source for Diagnostic Hybrids for mixed cell cultures in the estimated amount of \$45,313 for the term May 1, 2009 through April 30, 2010.
- f. Transmittal of renewal of an award on the basis of sole source for Imprivata, Inc. for maintenance for OneSign software in the amount of \$36,000 for the term March 10, 2009 through March 9, 2010.
- g. Transmittal of renewal of an award on the basis of sole source for Allen Systems Group, Inc. for maintenance for ASG-TMON<sup>®</sup> Software in the amount of \$27,059 for the term April 14, 2009 through April 13, 2010.
- h. Transmittal of an assignment for GE Betz (assignor) and ChemCal (assignee) for water treatment chemicals and services in the amount of \$66,037 for the term October 1, 2008 through September 30, 2009.

- i. Transmittal of an award on the basis of only bid received for BTE Technologies, Inc. for simulation and enhancement analyzer for body motion (simulator II) in the amount of \$35,150.00.
- j. Transmittal of exemption from the competitive bid requirements for Michael Spivey and Jeff Harris through Spivey/Harris Health Policy Group for consulting services for Medicaid Disproportionate Share Hospital and Upper Payment Limit Program (DSH/UPL) in the amount of \$62,670 for the term September 1, 2008 through August 31, 2009.
- k. Transmittal of award on the basis of low bid for Life Time Fitness for employee health screenings in the amount of \$87,000 for the term April 1, 2009 through March 31, 2010, with two one-year renewal options.
- l. Transmittal of award on the basis of low bid for Surgical Imaging Specialists, Inc. for vascular surgical imaging table in the amount of \$56,420.00.
- m. Transmittal of award on the basis of low bid for Coleman Technologies for survey and assessment of post-wireless network installation in the amount of \$20,000.00.
- n. Transmittal of award on the basis of low bid for IBA Dosimetry America Inc. for test equipment for linear accelerators in the amount of \$29,125.00.
- o. Transmittal of purchase on the basis of lowest priced contract for a computed radiography reader from Philips Medical Systems N.A. in the amount of \$56,279.00.
- p. Transmittal of purchase on the basis of lowest priced contract for Midwest Medical Supply Company through GE Medical Systems for multi-channel electrocardiographs (8) in the amount of \$93,036.00.
- q. Transmittal of an award on the basis of lowest quote to DIR through Dell Marketing for Fujitsu fi-6130 scanners (116) for the NSI Eligibility System for the Quad Agency Project in the amount of \$95,584.00.
- r. Transmittal of purchase on the basis of lowest quote for Cima Solutions Group for VMWare Software Licenses (5) in the amount of \$30,406.00.
- s. Transmittal of purchase on the basis of best contract for GE Medical Systems for magnetic resonance imaging (MRI) surface coil upgrade in the amount of \$37,878.00.
- t. Transmittal of an award for DIR through Set Solutions, Inc. (DIR-SDD-229) for maintenance and support of ironport anti-spam and anti-virus software in the amount of \$92,170 (3/31/09 – 3/30/10) for the term March 31, 2009 through March 30, 2012 subject to fiscal funding each year.
- u. Transmittal of purchase of chairs (71) and Storage Pedestals (9) for Alief Health Center from McCoy Incorporated in the amount of \$27,133.00.

- v. Transmittal of renewal for DIR through Gartner Research (DIR-SDD-204) for IT and business strategy research resource in the amount of \$63,597 for the term April 1, 2009 through March 31, 2010.
  - w. Transmittal of an award for Dottie Mae Water Service LLC to furnish and deliver emergency bulk supply of portable drinking water in the estimated amount of \$25,200 for the term April 1, 2009 through March 31, 2010 with four one-year renewal options.
  - x. Transmittal of purchase on the basis of best overall contract of multiparameter analysis review station (MARS) holter system from GE Medical Systems Information Technologies, Inc. in the amount of \$65,283.00.
- B. Ratification of a fee-for-services grant agreement between the Texas Department of State Health Services and the Harris County Hospital District for providing tuberculosis services in the amount of \$35,000 for the term 9/1/08 to 8/31/09.
  - C. Acceptance of the Harris County Auditor's School Based Clinics and Mobile Health Program Point-of-Service Cash Report for the period ending February 28, 2008.
  - D. Ratification of an agreement between the Harris County Hospital District and City of Houston Department of Health and Human Services funded under the Center for Disease Control and Prevention in the amount of \$150,000, to provide HIV health education and risk reduction services at District facilities for the term January 1, 2009 through December 31, 2009.
  - E. Ratification of an agreement between the Harris County Hospital District and Baylor College of Medicine funded under the Center for Disease Control and Prevention in the amount of \$29,384, to provide medical director and program evaluator consultation services to the HIV health education and risk reduction program for the term January 1, 2009 through December 31, 2009.
  - F. Ratification of an agreement between the Harris County Hospital and Baylor College of Medicine, Department of Medicine funded under Ryan White Modernization Act Part A in the amount of \$571,367, to provide primary care services to eligible HIV-infected individuals who are patients of the Harris County Hospital District for the term March 1, 2009 through February 28, 2010.
  - G. Ratification of an agreement between the Harris County Hospital District and University of Texas Health Science Center funded under Ryan White Modernization Act Part A in the amount of \$452,190, to provide primary care services to eligible HIV-infected individuals who are patients of the Harris County Hospital District for the term March 1, 2009 through February 28, 2010.
  - H. Ratification of an agreement between the Harris County Hospital District and Baylor College of Medicine, Department of Obstetrics and Gynecology funded under Ryan White Modernization Act Part A in the amount of \$61,755, to provide physician



services to eligible HIV-infected females who are patients of the Harris County Hospital District for the term March 1, 2009 through February 28, 2010.

- I. Ratification of an agreement between the Harris County Hospital District and Baylor College of Medicine, Department of Family & Community Medicine funded under Ryan White Modernization Act Part C in the amount of \$70,160, to provide physician services to eligible HIV-infected individuals who are patients of the Harris County Hospital District for the term January 1, 2009 through December 31, 2009.
- J. Authorize the Hospital District to enter into a professional services agreement with PSI for one year with three annual renewals to provide materials testing for FY 2010 construction projects at designated sites throughout the Hospital District for an estimated not-to-exceed amount of \$200,000.00.
- K. Authorize the Hospital District to enter into two professional services agreements with EFI Global, Inc. for one year with three annual renewals each to provide asbestos consulting & bidding/reporting/monitoring services at designated Hospital District facilities/sites in the estimated amount of \$150,000 and environmental & indoor air quality services at designated Hospital District facilities/sites in the estimated amount of \$75,000.00.

## VII. Reports of the Committees

### A. Joint Conference Committee

#### 1. Motion 09.3-33

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the credentialing changes for March for members of the HCHD Medical Staff.

Dr. Peter Doyle presented the Medical Board Report. He stated that the electronic referral process will begin on April 15, 2009. It was stated that a central line infection bundle initiative has been developed to reduce the number of central line infections.

#### 2. Motion 09.3-34

Moved by Mr. Jackson, seconded by Dr. Santos, and unanimously passed, that the Board accept the Medical Board Report as included in the packet.

### B. Budget and Finance Committee

Mr. Gaenzel presented the February 2009 Financial Report. A copy is available in the permanent record.

#### 1. Motion 09.3-35

Moved by Ms. Spinks, seconded by Mr. Franklin, and unanimously passed, that the Board accept the February 2009 Financial Report subject to final audit.

Mr. Gaenzel presented the February 2009 Pension Plan Report. A copy is available in the permanent record.

2. **Motion 09.3-36**

Moved by Mr. Jackson, seconded by Mr. Franklin, and unanimously passed, that the Board accept the February 2009 Pension Plan Report subject to audit.

Mr. Gaenzel presented the Fourth Quarter FY 2009 Investment Report. A copy is available in the permanent record.

3. **Motion 09.3-37**

Moved by Mr. Jackson, seconded by Mr. Franklin, and unanimously passed, that the Board accept the Fourth Quarter FY 2009 Investment Report.

Mr. Ken Janda presented the CHC Financial Report. A copy is available in the permanent record.

4. Presentation of February 2009 Financial Statements of Community Health Choice, Inc.

**C. Legislative Committee**

Ms. Schneider presented the Legislative Committee Report.

1. Update, discussion and possible action regarding activities in Austin relating to regulatory issues impacting HCHD, the 80<sup>th</sup> Legislative Session and the HCHD legislative platform

On the state level, there is a close watch on how funds are used as they move out of committee or how other funds are supplemented with a decrease in revenue.

2. Update, discussion and possible action regarding pending federal legislative, line items and policy issues affecting HCHD

The House Budget Committee adopted the 2010 budget. There is a decrease in discretionary spending again this year. There has been a decrease in the number of earmarks filed from the Harris County area. A Health & Human Services Secretary will hopefully be approved by the April recess.

Ms. Truesdell announced that agenda item VIII will be deferred until after Executive Session.

**VIII. President/Chief Executive Officer's Report to Include: 1) Federally Qualified Health Centers: Collaborative Opportunities; and 2) Maximizing Bed Utilization and Services: Strategies**

This item was taken out of order.

Mr. Lopez presented the President/Chief Executive Officer's Report. He addressed the Federally Qualified Health Centers in the community, stating that much of the funding for them is suspect with the status of the economy. Dr. Trenchel stated that the FQHCs are a viable resource throughout the country, but they are productivity driven and cannot grow beyond their financial means.

## **IX. Executive Session**

At 10:12 a.m., Ms. Truesdell stated that the Board would go into Executive Session under Texas Government Code Section 551.071. Ms. Truesdell stated that the regular meeting of the Board would reconvene at the close of Executive Session.

## **X. Reconvene**

At 10:56 a.m., Ms. Truesdell reconvened the meeting and stated that no action was taken in Executive Session. She stated that the meeting would return to the order of the agenda beginning with item VIII.

A. Consultation with the County Attorney regarding Case No. 2008-20216; *Rebecca J. Young v. Harris County Hospital District*; In the 157<sup>th</sup> 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 taken.

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

No action taken.

## **XI. Adjournment**

Moved by Dr. Santos, seconded by Ms. Spinks, and unanimously accepted to adjourn the meeting.

There being no further business, the meeting adjourned at 11:04 A.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 March 26, 2009.

Ms. Carolyn Truesdell, Acting Chair  
Board of Managers

Mr. Danny Jackson, Asst. Secretary

Recorded by Christie Reno