



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

**Thursday, December 1, 2011**

**Board Room – Administration Building**

**BOARD MEMBERS PRESENT**

Mr. Stephen DonCarlos, Chair (left at 9:11 a.m.)  
Ms. Carolyn Truesdell, Vice Chair  
Mr. E. Dale Wortham, Secretary  
Mr. Elvin Franklin, Jr.  
Dr. George Santos  
Ms. Daisy Stiner

**BOARD MEMBERS ABSENT**

Dr. Atul Varadhachary  
Ms. Mary Spinks  
Mr. Lawrence Finder

**OTHERS PRESENT**

Commissioner Jack Morman (left at 9:10 a.m.)  
Mr. David Lopez, President & Chief Executive Officer  
Mr. George Masi, Chief Operating Officer  
Mr. Kelly Johnson, Harris County Purchasing Agent  
Ms. Vivian Groce, Harris County Assistant Purchasing Agent  
Mercedes Leal, County Attorney's Office  
Dr. Matthew Wall, Chairman, Medical Executive Board (left at 11:00 a.m.)  
Dr. John Burruss, M.D., AMS (left at 11:00 a.m.)  
Ms. Peggy Boice, Judge Ed Emmett's Office (9:09 a.m.)  
Mr. Mark Fury, Commissioner Steve Radack's Office  
Ms. Elizabeth Neal, Commissioner Jack Cagle's Office (9:13 a.m.)  
Ms. Nikki Caffey, Commissioner Jack Morman's Office (left at 9:10 a.m.)  
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 9:06 a.m. and noted that a quorum was present. The attendance was recorded.

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

### **Motion 11.12-143**

Moved by Ms. Truesdell, seconded by Mr. Franklin, and unanimously passed, that the Board approve the minutes of the October 27, 2011 Board of Managers Meeting.

## **III. Oath of Office**

County Commissioner Jack Morman gave the oath of office to Mr. Stephen DonCarlos.

## **IV. Special Presentation**

Dr. Ann Smith Barnes gave a presentation on the Healthy Harvest Program.

Ms. Cloyd recognized Linda Keenan, Dr. Julie Thompson, and Joy Akhigbe as winners with the Good Samaritan Foundation. Ms. Keenan was a gold medal winner and Dr. Thompson and Ms. Akhigbe were silver medal winners. She noted that this is the third year in a row for the District to be awarded with a gold medal. All were recognized by the Board.

Ms. Cloyd also recognized Dr. Phyllis Waters and Sharon Land for being recognized for nursing excellence from the Texas Nurses Association for Region 9. Dr. Waters and Ms. Land were recognized by the Board.

Dr. Roux recognized members of the Drug Replacement Program within the Department of Pharmacy. This program was recently brought in house and the team has had a net positive of \$1 million over the current drug budget year-to-date. The team was recognized by the Board.

## **V. Hear from Citizens**

*Mr. Walter Protheroe* addressed the Board regarding issues at Ben Taub General Hospital.

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

It was stated that item A1h will be addressed later in the agenda (VII.B.) and items A1rr, A1vv, A1yy, and A1zz were pulled.

### **Motion 11.12-144**

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously passed, that the Board approve items V.A1a to V.A1xx (with the exception of A1h, A1rr and A1vv).

#### **A. Items related to Purchasing**

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

- a. approve purchase for Sanofi-Pasteur, GlaxoSmithKline, and Novartis Vaccines for influenza vaccine for the 2011-2012 season in the estimated amount of \$488,490.
- b. ratify awards on the basis of best bids meeting specifications by class for Mead Johnson & Company, LLC (\$539) and Nestle HealthCare Nutrition, Inc. (\$178,688) for infant and adult nutritional/disease specific formulas in the estimated amount of \$179,227 for the term November 1, 2011 through July 31, 2012 with two one-year renewal options.
- c. award on the basis of low bid meeting specifications for Lone Star Uniforms, Inc. for dress uniforms and related items for the Department of Public Safety in the estimated amount of \$199,120 for the term December 1, 2011 through November 30, 2012 with four one-year renewal options.
- d. award on the basis of low bid meeting specifications for Lone Star Uniforms, Inc. for uniforms and related items in the estimated amount of \$104,810 for the term January 1, 2012 through December 31, 2012 with four one-year renewal options.
- e. approve additional funds for Hellmuth, Obata + Kassabaum, L.P. for professional architectural and engineering design services, consultation, and construction oversight for the construction of the Radiation Therapy and Diagnostic Imaging Center and Parking Garage in the estimated additional amount of \$293,565 (Board previously approved funds in the amount of \$4,485,476).
- f. approve additional funds for HDR Architecture, Inc. for professional architectural and engineering design services for renovation/reactivation of six floors, penthouse, and basement of the old Ben Taub General Hospital in the estimated additional amount of \$123,375 (Board previously approved funds in the amount of \$3,579,380).
- g. approve additional funds for Fugro Consultants, Inc. for professional engineering services for construction material testing and inspecting services in the estimated additional amount of \$189,823 (Board previously approved funds in the amount of \$73,372).
- h. *Addressed in Section VII.B.4.*
- i. approve the final renewal option for JI Specialty Services for workers' compensation third party administration and associated services in the estimated amount of \$3,112,000 for the term January 1, 2012 through December 31, 2012.

- j. award on the basis of best proposal meeting requirements for Language Line Services, Inc. for language interpretation services in the amount of \$484,000 for a one-year initial term with four one-year renewal options.
- k. approve the fourth and final renewal option for Dunbar Armored for armored car services for automated parking collection units in the estimated amount of \$114,000 for the term January 1, 2012 through December 31, 2012.
- l. ratify an exemption from the competitive bid requirements for Mary Schneider for liaison for intergovernmental affairs in the amount of \$150,000 for the term November 3, 2011 through November 2, 2012.
- m. approve purchase on the basis of product standardization for Dell Marketing L.P. (DIR-SDD-890) for Dell IT equipment in the estimated amount of \$1,191,229.
- n. approve funding for the third and final year of a three-year agreement for Dell Marketing, LP (DIR-SDD-1014) to provide Microsoft software licenses, upgrades, downloads, training, and license compliance protection in the estimated amount of \$1,222,987 for the term January 1, 2012 through December 31, 2012.
- o. approve renewal on the basis of sole source for Surgical Information Systems, LLC (SIS) for maintenance and support for surgery management software in the estimated amount of \$183,177 for the term January 1, 2012 through December 31, 2012.
- p. approve purchase on the basis of lowest priced contract for International Business Solutions Alliance, LLC through Ekahau for real-time location system in the estimated amount of \$338,664.
- q. ratify additional funds and an extension for Texas Medical Center Laundry for linen processing, cart building and linen distribution services in the estimated additional amount of \$700,000 for the extended term of September 1, 2011 through December 31, 2011 (Board previously approved funds in the amount of \$2,785,183 for the term August 1, 2010 through August 31, 2011).
- r. ratify additional funds and an extension for DePuy Orthopaedics, Smith & Nephew, Inc., and Stryker Howmedica Osteonics for orthopaedic implants in the additional amount for \$3,000,000 for the extended term October 1, 2011 through March 31, 2012

(Board previously approved funds in the amount of \$6,422,000 for the term October 1, 2010 through September 30, 2011).

- s. approve additional funds and an extension for IRIS Diagnostics, Inc. (PP-LA-269 fka PP-LA-210) for urinalysis analyzers, reagents, consumables and service in the estimated additional amount of \$95,000 for the extended term February 1, 2012 through July 31, 2012 (Board previously approved funds in the amount of \$280,751 for the term August 11, 2010 through January 31, 2012).
- t. approve the third of four renewal options for Roche Diagnostics, Inc. to provide training, instrumentation, reagents and consumables for various testing in the estimated amount of \$1,224,130 for the term January 23, 2012 through January 22, 2013.
- u. approve the fourth and final renewal option for Becton Dickinson Company for GC/Chlamydia testing in the estimated amount of \$399,500 for the term February 4, 2012 through February 3, 2013.
- v. approve funding on the basis of product standardization for Becton Dickinson and Company (PP-LA-243) for safety phlebotomy in the estimated amount of \$353,050 for the term January 1, 2012 through December 31, 2012.
- w. approve funding on the basis of product standardization for Vital Signs Inc. (PP-OR-549) for disposable anesthesia products in the estimated amount of \$227,000 for the term November 1, 2011 through October 31, 2012.
- x. approve purchase on the basis of lowest priced contract for Tyco Healthcare Group, LP The Kendall Co. for incontinence products in the estimated amount of \$226,134 for the term December 1, 2011 through November 30, 2012.
- y. ratify funding on the basis of product standardization for Cardinal Health 200, LLC (PP-NS-571) for disposable non-sterile protective apparel in the estimated amount of \$149,970 for the term October 1, 2011 through September 30, 2012.
- z. ratify the first of four renewal options for A-1 Personnel of Houston, Inc., Elite Personnel Consultants, Inc. dba Evins Temporaries, Also Temps, Inc., ExecuTeam Staffing, and Resource Staffing Houston, Inc. for temporary personnel in the estimated amount of \$200,000 for the term October 12, 2011 through October 11, 2012.
- aa. ratify the second of four renewal options for All Health Staffing, Medical Staffing Network, On Assignment Staffing Services, Inc.

dba On Assignment Healthcare Staffing, Elite Personnel Consultants, Inc. dba Evins Temporaries, Pulse Staffing, and Supplemental Health Care for temporary therapist personnel in the estimated amount of \$240,000 for the term November 1, 2011 through October 31, 2012.

- bb. approve the second of four renewal options for Advanced Health Education Center dba MEDRelief Staffing, Advance'd Temporaries, Inc., All Health Staffing, Crdentia Corporation, JWS Health Consultants, Inc. dba UltraStaff, Protouch Nurses dba Protouch Staffing, Pulse Staffing, RTG Medical, Rad-Link Staffing, Inc., and TexMed Staffing, LC for temporary nursing personnel in the estimated amount of \$2,500,000 for the term January 1, 2012 through December 31, 2012.
- cc. approve an award on the basis of best proposal meeting requirements for Collection Services for Overdue Patient Accounts to First Source Solutions USA, LLC (Early-Out Services); UCB, Inc. (Early-Out Services); FMA Alliance, Ltd (Bad Debt Services) and NCO Financial Systems, Inc. (Bad Debt Services) each in the estimated amount of \$500,000 for a multi-vendor estimated amount of \$2,000,000.00.
- dd. award on the basis of best proposal meeting requirements for Letter Logic, Inc. for patient billing services in the estimated amount of \$600,000 for a one-year initial term with four one-year renewal options.
- ee. award on the basis of sole source for The SSI Group, Inc. for electronic claims processing system in the estimated amount of \$111,520 for the term January 1, 2012 through December 31, 2012.
- ff. approve the third and final renewal option for DynaGene – A LabCorp Company for special reference laboratory testing services in the estimated amount of \$616,542 for the term February 1, 2012 through January 31, 2013.
- gg. purchase on the basis of sole source for Apria Healthcare, Inc. for negative pressure wound therapy products in the estimated amount of \$500,000 for a one-year initial term with four one-year renewal options.
- hh. approve exemption for the competitive bid requirements for Spring Branch Radiation oncology for radiation oncology and general surgery in the estimated amount of \$1,000,000 for a one-year initial term with four one-year renewal options.

- ii. approve award on the basis of best proposal meeting requirements for Hologic, Inc. to provide three full field digital mammography systems for the Smith Clinic in the estimated amount of \$2,782,670.
- jj. ratify purchase on the basis of best contracts for advanced wound care dressings for 1) Hartmann-Conco, Inc. (PP-NS-645) line items 9 & 10 in the amount of \$1,965; 2) DermaScience (Local Pricing) line items 48 & 49 in the amount of \$11,226; 3) Systagenix Wound Management (PP-NS-654) line items 7 & 8 in the amount of \$16,123; 4) Hollister Incorporated (PP-NS-646) line items 45 – 47 in the amount of \$23,034; 5) Conva Tec Inc. (PP-NS-644) line items 1 – 6 in the amount of \$34,135; 6) 3M Company (PP-NS-643) line items 34 – 44 in the amount of \$56,202; 7) Smith & Nephew, Inc. (PP-NS-649) line items 29 – 33 in the amount of \$67,113; and 8) Molnlyche Health Care (PP-NS-648) line items 11-28 in the amount of \$144,438 in the total estimated multi-vendor amount of \$354,236 for the term September 1, 2011 through August 31, 2012.
- kk. ratify funding on the basis of product standardization for Cardinal Health 200, LLC (PP-OR-481) for custom procedure trays/packs, gowns and related products including procedure-based delivery systems (PBDS) in the estimated amount of \$3,036,468 for the term November 1, 2011 through October 31, 2012.
- ll. approve additional funds and an extension for Diamedix Corporation for fully automated microplate analyzer and reagents for Ben Taub General Hospital in the estimated additional funds of \$82,731 for the extended term January 1, 2012 through June 30, 2012. (Board previously approved funds in the amount of \$434,722 for the term June 1, 2009 through December 31, 2011.
- mm. ratify funding on the basis of product standardization for bandages, dressings, gauzes, sponges and other disposable bandaging products for Amd-Ritmed, Inc. (PP-NS-608) in the amount of \$112,446 and Tyco Healthcare Group, L.P. The Kendall Company in the amount of \$158,723 in the multi-vendor estimated amount of \$271,169 for the term November 1, 2011 through October 31, 2012.
- nn. approve funding on the basis of product standardization for Cardinal Health, Medical Products and Services (PP-OR-627) for surgeon gloves in the estimated amount of \$262,296 for the term December 1, 2011 through November 30, 2012.

- oo. approve award on the basis of low bid for DataVox, Inc. for reconfiguration and upgrade of information technology equipment rooms in the amount of \$134,356.
- pp. approve purchasing on the basis of best contract for Getinge USA, Inc. for two washer/disinfectors (Model 8666) for Lyndon B. Johnson General Hospital labor and delivery department and one washer/disinfectors (Model 46-4) for Ben Taub General Hospital ENT area in the amount of \$168,118.
- qq. approve award on the basis of best proposal meeting requirements for Mizuho Orthopedic Systems, Inc. to replace the current orthopedic operating table at Ben Taub General Hospital in the amount of \$166,042.
- rr. WITHDRAWN
- ss. approve funding for Cardinal Health 200 LLC (PP-OR-708) for surgical and isolation masks for the estimated amount of \$210,421 for the term January 1, 2012 through December 31, 2012.
- tt. approve the second of four renewal options for DMS Imaging, Inc. for mobile medical imaging systems contingency support in the estimated amount of \$418,760 for the term January 26, 2012 through January 25, 2013.
- uu. ratify termination of an agreement for RX.com Partners, L.P. effective November 29, 2011.
- vv. WITHDRAWN
- ww. approve award on the basis of best proposal meeting requirements for Carefusion Solutions, LLC for large volume infusion pumps and disposables in the estimated amounts of \$5,059,912 (Year 1) and \$12,709,400 (Five-year period) for the one-year initial term with four one-year renewal options.
- xx. approve award on the basis of best proposal meeting requirements for Scheidt & Bachmann USA, Inc. for parking garage revenue control equipment located at Ben Taub General Hospital in the amount of \$542,918.00.
- yy. WITHDRAWN
- zz. WITHDRAWN

A (2). Transmittals of Completed Items **(For Informational Purposes)**

- a. transmittal of funding for Beckman Coulter, Inc. (PP-LA-255) to provide reagents for small chemistry analyzers for the Community Health Program clinics in the estimated amount of \$44,125 for the term November 1, 2011 through October 31, 2012.



- b. transmittal of funding on the basis of product standardization for Atrium Medical Corporation (PP-OR-513) for chest drainage products in the estimated amount of \$63,078 for the term November 1, 2011 through October 31, 2012.
- c. transmittal of funding on the basis of product standardization for Kimberly-Clark Corp. (PP-NS-569) for closed ventilation suction products in the estimated amount of \$57,299 for the term December 1, 2011 through November 30, 2012.
- d. transmittal of funding on the basis of product standardization for 3M Company (PP-OR-679) for casting and splinting products in the estimated amount of \$63,000 for the term November 1, 2011 through October 31, 2012.
- e. transmittal of funding on the basis of lowest priced contract for Johnson Controls, Inc. to provide inspection and maintenance of centravac chiller units at various locations in the amount of \$66,042.00.
- f. transmittal of an award on the basis of low bid for Processor & Chemical Services, Inc., dba P & C X-Ray Services to provide repair services for GE radiology equipment in the amount of \$29,750 for the term October 15, 2011 through October 14, 2012 with four one-year renewal options.
- g. transmittal of renewal on the basis of sole source for EBSCO Industries – EBSCO Publishing for nursing reference database access in the estimated amount of \$93,314 for the term January 1, 2012 through December 31, 2012.
- h. transmittal of additional funds for Fulbright & Jaworski, L.L.P. for special counsel to represent the Harris County Hospital District in connection with Pension Plan, 401(k) Plan, and other employee benefit matters in the additional amount of \$50,000 for the term January 1, 2011 through December 31, 2011. (Board previously approved funds in the amount of \$100,000 for the term January 1, 2011 through December 31, 2011).
- i. transmittal of the third and final renewal option for Marsh USA, Inc. to provide an actuarial valuation, workers' compensation claims audit and other actuarial and general risk management services related to the Self-Insured Workers' Compensation Program in the estimated amount of \$50,500 for the term January 1, 2012 through December 31, 2012.
- j. transmittal of additional funds and an extension for Lepow Podiatric Medical Associates, LLP to provide services until a new

agreement is executed for \$49,007 additional funds for the extended term October 1, 2011 through October 31, 2011. (Board previously approved funds in the amount of \$833,132 for the term May 1, 2010 through September 30, 2011).

- k. transmittal of funding on the basis of product standardization for CareFusion 2200, Inc. (PP-NS-588) for bedside procedure trays in the estimated amount of \$89,686 for the term November 1, 2011 through October 31, 2012.
- l. transmittal of funding on the basis of product standardization for Tyco Healthcare Group, LP The Kendall Company (PP-OR-553) for OR accessory products in the estimated amount of \$61,000 for the term November 1, 2011 through October 31, 2012.
- m. transmittal of funding on the basis of product standardization for Smiths Medical, ASD, Inc. (PP-OR-581) for temperature monitoring products in the estimated amount of \$58,396 for the term November 1, 2011 through October 31, 2012.
- n. transmittal of exemption from the competitive bid requirements and additional funds for Apria Healthcare, Inc. for negative pressure wound therapy (NPWT) equipment, supplies and services for outpatients for \$59,000 estimated additional funds for the term July 1, 2011 through August 31, 2011 or until a new agreement is in place. (Board previously approved funds in the amount \$35,000 for the term June 1, 2011 through June 30, 2011).
- o. transmittal of purchase on the basis of lowest priced contract for Office Max to provide ten specialized laptops and supporting accessories to be used by the EMS Department for the EMS Electronic Medical Records and Clinical Documentation projects in the amount of \$59,640.00.
- p. transmittal of purchase on the basis of low quote for Texas Electronic Information and Computer Corporation to provide HP Blade servers in the amount of \$72,315.00.
- q. transmittal of additional grant funds and an extension for Craven & Plummer, Inc. to provide at least one additional day of dental services per week to eligible homeless individuals and families as part of the Hospital District Healthcare for the Homeless Program in the additional grant funds amount of \$81,775 for the extended term of November 1, 2011 through January 31, 2012. (Board previously approved grant funds in the amount of \$163,400 for the term November 1, 2010 through October 31, 2011).

- r. transmittal of purchase on the basis of best contract for GE Healthcare to provide replacement ultrasound system for Ben Taub General Hospital Vascular Laboratory in the amount of \$80,974.00.

**Motion 11.12-145**

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously passed, that the Board approve agenda items VI.B. – VI.O.

- B. Approval of Policy #6.41 Employee Latex Allergy.
- C. Approval of Payment to the Harris County Healthcare Alliance for 2011 – 2012 Membership Dues in the amount of \$50,000.00.
- D. Approval of a Domestic Custody Agreement between JPMorgan Chase Bank, N.A., Community Health Choice, Inc. and Harris County Hospital District. The Board further authorizes David S. Lopez, President/CEO of the Harris County Hospital District to execute the aforesaid Domestic Custody Agreement with JPMorgan Chase Bank, N.A.
- E. Ratification of Third Amendment to the Third Amended Administrative Services Agreement between the Harris County Hospital District and the Community Health Choice, Inc. effective July 1, 2010.
- F. Ratification of Fourth Amendment to the Third Amended Administrative Services Agreement between the Harris County Hospital District and the Community Health Choice, Inc. effective December 1, 2011.
- G. Approval of the Revised National Disaster Medical System (NDMS) Definitive Care Memorandum of Agreement (MOA). This MOA includes Ben Taub General Hospital, Quentin Mease Community Hospital, and Lyndon B. Johnson General Hospital for the term five years once the agreement is signed by both HCHD and one of the NDMS Federal Partners.
- H. Approval of the Memorandum of Understanding between the Harris County Hospital District and San Jose Clinic, located in Harris County.
- I. Approval to enter into lease option 3 of the lease agreement with Kynto Ventures, LLC for the leasing of 50 parking spaces at Peoples Health Center. Lease option 3 of the lease agreement is from January 1, 2012 to December 31, 2012 at a rate of \$40 per parking space (\$2,000/month).
- J. Approval of authorization of intent to enter into 7<sup>th</sup> term of the lease agreement between the Harris County Hospital District and the City of Houston for space located at the Riverside Health Center. The 7<sup>th</sup> term of the lease agreement is from February 1, 2012 through January 31,

2013. The total payment is \$10,001/year, which includes rent (\$1.00) plus a common area maintenance fee (\$10,000).

- K. Approval of authorization of intent to enter into lease option 4 of the lease agreement with Mount Houston CCG Partners LP for the District's East Mount Houston Eligibility Center. Lease option 4 of the lease agreement is for the period of February 1, 2012 to January 31, 2013 at a monthly rate of \$8,426.67.00.
- L. Approval of the First Amendment to the Agreement with FosterQuan, LLP for legal services relating to immigration matters to extend the term to January 31, 2012.
- M. Approval of the Second Amendment to the Agreement with Fulbright & Jaworski, L.L.P. for legal services relating to employee pension and other employee benefit matters to extend the term to January 31, 2012.
- N. Approval of Amendment to the Agreement with King & Spalding, LLP for legal services to extend the term to January 31, 2012 and to allocate an additional \$15,000 to the agreement.
- O. Approval of continuation of an Inter-local Agreement between the Harris County Hospital District and Mental Health and Mental Retardation Authority of Harris County to enable the sharing of patient information.

Item IX(1) (President/Chief Executive Officer's Report-Patient Access Report) was addressed out of order.

## **VII. Reports of the Committees**

### **A. Joint Conference Committee**

Dr. Matthew Wall presented the credentialing changes for members of the HCHD medical staff for December 2011. Dr. Santos addressed those physicians who had DEA waivers, noting that these were not all pathology doctors. He asked if there was some agreement or monitors in place that they would not be writing for any controlled substances. Discussion ensued. It was stated that there is an understanding that these practitioners would not write for controlled substances until the license was obtained or renewed. Ms. Truesdell asked how they know if these practitioners are in fact prescribing. Ms. Jones stated that they do not have a monitor in place. Significant discussion ensued. Dr. Santos recommended that this set of physicians be approved, but that no physicians (with the exception of pathology and radiology except for interventional radiology) be allowed to practice without their DEA/DPS license effective December 31, 2011. Discussion ensued. A copy of the report is available in the permanent record.

1. **Motion 11.12-146**

Moved by Dr. Santos, seconded by Mr. Wortham, and unanimously passed, that the Board approve the December 2011 credentialing changes for members of the HCHD Medical Staff and that no physicians (with the exception of pathology and radiology except for interventional radiology) be allowed to practice without their DEA/DPS license effective December 31, 2011.

Moved by Mr. Franklin, seconded by Ms. Stiner, and unanimously passed, that the Board approve items VII.A.2-VII.A.5.

2. Approval of the replacement of Radiology Clinical Privileges Forms for the Harris County Hospital District.
3. Approval of the replacement of Plastic Surgery Clinical Privileges Forms for the Harris County Hospital District.
4. Approval of the replacement of Internal Medicine Clinical Privileges Forms for the Harris County Hospital District.
5. Approval of the replacement of Psychology Clinical Privileges Forms for the Harris County Hospital District.

Agenda item X. (Executive Session) was addressed out of order.

**B. Budget and Finance Committee**

Mr. Norby presented the October 2011 Financial Report. A copy of the report is available in the permanent record.

1. **Motion 11.12-150**

Moved by Mr. Franklin, seconded by Dr. Santos, and unanimously passed, that the Board accept the October 2011 Financial Report subject to audit.

Mr. Norby presented the October 2011 Pension Plan Report. A copy of the report is available in the permanent record.

2. **Motion 11.12-151**

Moved by Ms. Stiner, seconded by Mr. Franklin, and unanimously passed, that the Board accept the October 2011 Pension Plan Report subject to audit.

Mr. Norby presented the HCHD Financial Assistance Program Policy. Information requested at the committee meeting was distributed to the Board.

**3. Motion 11.12-152**

Moved by Mr. Franklin, seconded by Dr. Santos, and unanimously passed, that the Board approve the HCHD Financial Assistance Program Policy #5.02.

Agenda Item VII.B.5 was addressed out of order.

Mr. Ron Johnson presented item VII.B.4. The presentation will be sent to Board members.

**4. Motion 11.12-154**

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously passed, that the Board approve the Guaranteed Maximum Price for J.T. Vaughn Construction Company, LLC for Construction Manager at Risk for building construction, expansion and remodeling in the total amount of \$21,947,424 (construction price-\$20,947,424; owner contingency-\$1,000,000).

**5. Motion 11.12-153**

Moved by Dr. Santos, seconded by Mr. Wortham, and unanimously passed, that the Board approve an exemption from competitive bid requirements for Health Management Associates for development of a Community Regional Health Partnership and the Delivery System Reform Incentive Payment Plan in the amount of \$500,000 for the term of one-year upon approval of HHSC Section 1115 Waiver.

Agenda item VII.B.6 was pulled from the agenda

6. Approval of Harris Health System as the “dba” for the Harris County Hospital District .

7. Presentation of the October 2011 Financial Statements of Community Health Choice, Inc.

The October 2011 Financial Statements of Community Health Choice, Inc. will be presented at the January Board Meeting.

Agenda Items VII.C and VII.D were postponed.

**C. PI & Patient Safety Committee**

Review, Discussion and Possible Action regarding the Harris County Hospital District (HCHD) Quality Scorecard

**D. Legislative Committee**

1. Update, discussion and possible action regarding activities in Austin relating to regulatory issues impacting HCHD, the 82<sup>nd</sup> Legislative Session and the HCHD legislative platform

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

## **VIII. Reports**

Staffing Advisory Committee's Semi-Annual Evaluation of the Nurse Staffing Plan & Aggregate Staffing Variance

The Staffing Advisory Committee's Semi-Annual Evaluation of the Nurse Staffing Plan & Aggregate Staffing Variance was presented to the Board. Discussion ensued. A copy of the report is available in the permanent record.

## **IX. President/Chief Executive Officer's Report to Include: 1) Patient Access Report and 2) 1115 Medicaid Waiver: Update**

### **Patient Access Report**

Dr. Trenchel gave a presentation on primary care access. He addressed current status (panel size per physician, current total panel capacity, current panel status, current panel saturation, HCHD average visits per year, national average visits per year). He presented the challenges to the Board. Significant discussion ensued. Mr. Franklin stated that he would like to see numbers showing the addition of five additional patients per day above the current twenty. This would help improve productivity within current available resources. He addressed the appointment system, stating that he does not understand how they are going to run a more effective system when patients call and are put in a situation where they have to keep calling back until an appointment is available. Discussion ensued. Dr. Trenchel stated that they do run reports to look at each provider not meeting the standard. From these reports, approximately 1,300 patients per month were impacted by physicians not meeting the standard. Dr. Zare has put together an excellent physician compensation plan, which takes this into account. Dr. Trenchel referred to the report, presenting solutions to the Board. Significant discussion ensued. A copy of the report is available in the permanent record

### **1115 Medicaid Waiver: Update**

The 1115 Medicaid Waiver Update was postponed.

## **X. Executive Session**

At 10:33 a.m., Ms. Truesdell 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 Sections 071 and 072. Ms. Truesdell stated that the regular meeting of the Board would reconvene at the close of Executive Session.

## **XI. Reconvene**

At 11:18 a.m., Ms. Truesdell reconvened the meeting and stated that no action was taken in Executive Session.

- A. 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.

- B. Report by the Executive Vice President/Chief Medical Officer regarding Medical Executive Committee Report, pursuant to Tex. Health & Safety Code Ann. §161.032.

No action taken.

- C. Discussion regarding the Acquisition of Real Property in Connection with the Harris County 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.

- D. Consultation with the County Attorney regarding Entering into Indigent Care Affiliation Agreements with Private Hospitals in connection with the Medicaid 1115 Waiver, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter upon Return to Open Session.

No action taken.

- E. Consultation with the County Attorney regarding Civil Action No. 4:10-cv-05180, *Edith Ibegword, et al v. Harris County Hospital District*; 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.

**Motion 11.12-148**

Moved by Mr. Wortham, seconded by Ms. Stiner, and unanimously passed, that the Board approve the additional funding of \$150,000 to Haynes and Boone LLP for the *Edith Ibegword* case.

- F. Consultation with the County Attorney regarding Cause No. 2011-29096; *Matl Construction Corporation v. Harris County Hospital District*; In the 281<sup>st</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.

**Motion 11.12-149**

Moved by Mr. Franklin, seconded by Dr. Santos, and unanimously passed, that the Board approve the additional funding of \$50,000 to Winstead P.C. for the *Matl Construction Corporation* case.



G. Consultation with the County Attorney regarding Cause No. 2010-00231; *Raymond Michael Lee v. Harris County Hospital District*; In the 80<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.

## **XII. Adjournment**

Moved by Mr. Franklin, seconded by Dr. Santos, and unanimously accepted to adjourn the meeting.

There being no further business, the meeting adjourned at 11:49 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 December 1, 2011.

Mr. Stephen DonCarlos, Chair  
Board of Managers

Ms. Carolyn Truesdell, Vice Chair  
Board of Managers

Mr. E. Dale Wortham, Secretary  
Board of Managers

Recorded by Christie Reno