



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

Thursday, April 26, 2012

Board Room – Administration Building

BOARD MEMBERS PRESENT

Mr. Stephen DonCarlos, Chair
Ms. Carolyn Truesdell, Vice Chair
Mr. E. Dale Wortham, Secretary
Mr. Elvin Franklin, Jr.
Dr. George Santos (left at 11:50 a.m.)
Ms. Daisy Stiner
Dr. Atul Varadhachary (left at 12:15 p.m.)
Mr. TJ Tijerina, Jr.
Mr. Lawrence Finder

BOARD MEMBERS ABSENT

OTHERS PRESENT

Mr. Michael Norby, Chief Financial Officer
Mr. Kelly Johnson, Harris County Purchasing Agent
Ms. Vivian Groce, Harris County Assistant Purchasing Agent
Attorney Mercedes Leal, County Attorney's Office
Ms. Peggy Boice, Judge Ed Emmett's Office
Mr. Mark Fury, Commissioner Steve Radack's Office
Ms. Elizabeth Neal, Commissioner Jack Cagle's Office (9:22 a.m.)
Dr. John Burruss, AMS
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 12.4-43

Moved by Mr. Franklin, seconded by Mr. Finder, and unanimously passed, that the Board approve the minutes of the March 29, 2012 Board of Managers Meeting and the February 23, 2012 Public Budget Hearing.

III. Special Presentations

Mr. DonCarlos presented a resolution recognizing National Hospital Week.

Moved by Ms. Stiner, seconded by Mr. Tijerina, and unanimously passed that the Board endorse the proclamations for National Hospital Week.

IV. Hear from Citizens

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

Ms. Harriet Latimer addressed the Board regarding the end of the capital campaign to raise monies for Smith Tower. Mr. DonCarlos stated that the Board appreciated all the work that has been done for the Foundation Campaign.

Mr. Thomas Webb addressed the Board regarding the post-employment benefit plan.

V. Consideration of Approval of Recommendations and Acceptance of Agenda Items Identified as Consent Agenda Items

Motion 12.4-45

Moved by Mr. Tijerina, seconded by Dr. Varadhachary, and unanimously passed, that the Board approve items V.A1a to V.A1l.

A. Items related to Purchasing

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

- a. ratify an exemption from the competitive bid requirements and renewal for Baylor College of Medicine for physician services for school based teen clinic program in Precinct 2 in the estimated amount of \$150,000 for the term April 14, 2012 through April 13, 2013.
- b. approve an exemption from the competitive bid requirements and renewal for Baylor College of Medicine for physician services for school based teen clinic program in Precinct 3 in the estimated amount of \$150,000 for the term July 1, 2012 through June 30, 2013.

- c. approve the first of four renewal options for The Lanair Company dba City Brace Company Inc. for prosthetic, orthotic and pedorthotic devices and services in the estimated amount of \$175,160 for the term May 1, 2012 through April 30, 2013.
- d. ratify an award 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, 2012 through February 28, 2013 with four one-year renewal options.
- e. approve the fourth and final renewal option for Dictaphone, a division of Nuance for software license, support and maintenance of hardware/software for speech (voice) recognition system in the estimated amount of \$148,590 for the term May 19, 2012 through May 18, 2013.
- f. approve additional budgeted 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 budget funds in the amount of \$108,900. (Board previously approved funds in the amount of \$4,880,441).
- g. approve exemption from the competitive bid requirements for Inventure Design for professional architectural services in the estimated amount of \$100,000.
- h. approve the third and final renewal option for Emporos Systems Corporation for pharmacy cashiering system in the estimated amount of \$147,123 for the term June 16, 2012 through June 15, 2013.
- i. award on the basis of only quote for Oracle USA, Inc. (DIR-VPC-03-018) for oracle database maintenance and support in the estimated amount of \$141,726 for the term May 24, 2012 through May 23, 2013.
- j. award on the basis of best proposal meeting requirements for St. Jude Medical, S.C., Inc. for cardiac rhythm management (CRM) products and devices in the estimated amounts of \$1,149,168 (new implants) and \$200,000 (replacement components and accessories) for a total estimated amount of \$1,349,168.
- k. award on the basis of lowest priced contract for Owens & Minor Distribution, Inc. for general medical equipment in the amount of \$507,622.

- l. award on the basis of lowest priced contract for Philips Healthcare for vital signs monitors for the new Smith Clinic in the amount of \$130,237.
- m. approve the third of four renewal options for Hologic, Inc. for preventative maintenance and repair services for Hologic Mammography units in the estimated amount of \$396,406 for the term June 1, 2012 through May 31, 2013.
- n. award on the basis of lowest priced proposal for Hologic, Inc. for mammographic stereotactic biopsy system for the Smith Clinic in the amount of \$142,000.
- o. award on the basis of lowest priced contract for GE Healthcare for ultrasonic scanning systems for the Smith Clinic Ob/GYN Center in the amount of \$222,630.
- p. award on the basis of best contract for Philips Healthcare for seven ultrasonic scanning systems for the Smith Clinic Ultrasound Department in the amount of \$1,434,380.
- q. approve the third of four renewal options for Draeger Medical Inc. for preventative maintenance and repair services for Draeger anesthesia equipment in the estimated amount of \$124,984 for the term May 1, 2012 through April 30, 2013.
- r. award on the basis of best contract for Invivo Corporation for physiological monitoring systems for Smith Clinic in the amount of \$138,304.
- s. approve additional budgeted funds and an extension for The University of Texas Health Science Center at Houston for anatomical pathology reference testing services for Lyndon B. Johnson General Hospital in the amount of \$54,249 for the extended term of May 1, 2012 through October 31, 2012. (Board previously approved funds in the amount of \$176,321 for the term November 1, 2010 through April 30, 2012).
- t. approve additional budgeted funds and an extension for Baylor College of Medicine for anatomical pathology reference testing services for Ben Taub General Hospital in the amount of \$67,301 for the extended term of May 1, 2012 through October 31, 2012. (Board previously approved funds in the amount of \$247,179 for the term November 1, 2010 through April 30, 2012).
- u. approve funding for the fifth year of a five-year agreement for Xerox Corporation (PP-IT-048 fka PP-IT-211) for operation of the copy center in the estimated amount of \$296,570 for the term July 1, 2012 through June 30, 2013.

- v. ratify an award on the basis of lowest priced contract for Triad Isotopes for radiopharmaceutical products in the estimated amount of \$961,815 for the term April 1, 2012 through March 31, 2013.
- w. approve additional budgeted funds and an extension for bioMerieux, Inc. for automated blood culture system in the estimated amount of \$126,635 for the extended term of May 1, 2012 through October 31, 2012. (Board previously approved funds in the amount of \$321,234 for the term May 1, 2011 through April 30, 2012).
- x. award on the basis of only bid received for MicroVention, Inc. for second generation embolization coils in the estimated amount of \$226,000 for the term June 1, 2012 through May 31, 2013 with four one-year renewal options.
- y. approve the first of four renewal options for Hill-Rom Company, Inc. for rental of therapeutic and bariatric beds, surfaces, various accessories and services in the estimated amount of \$709,782 for the term June 1, 2012 through May 31, 2013.
- z. award on the basis of only bid received for Nationwide Laboratory Services for laboratory testing services for Riverside Dialysis Clinic in the estimated amount of \$386,394 for the term May 1, 2012 through April 30, 2013 with four one-year renewal options.
- aa. approve the first of four renewal options for TH Healthcare Ltd. dba Park Plaza Hospital (\$465,454), Chopra Imaging Centers, Inc. dba Advanced Diagnostics (\$564,580) and One Step Diagnostic (\$600,000) for ultrasound services for an estimated multi-vendor amount of \$1,630,034 for the term July 1, 2012 through June 30, 2013.
- bb. award on the basis of best proposal meeting requirements for GE Healthcare for three ultrasonic scanning systems with dedicated breast software for the Smith Clinic Breast Center in the amount of \$267,298.
- cc. approve the second and final renewal option for GE Healthcare Inc. for pharmaceutical products (contrast media) in the estimated amount of \$579,023 for the term May 1, 2012 through April 30, 2013.
- dd. ratify an award for The University of Texas Health Science Center at Houston (Department of General Medicine) to provide outpatient and ambulatory care services to eligible HIV-infected

patients at Hospital District facilities in the amount of \$468,235 (Ryan White grant funds) for the term March 1, 2012 through February 28, 2013.

- ee. renewal as an exception to the Hospital District Purchasing Manual requirements for Gulf Coast Regional Blood Center for blood products and components in the estimated amount of \$8,225,932 for the term June 1, 2012 through May 31, 2013.
- ff. approve additional budgeted funds as an exception to the Hospital District Purchasing Manual requirements for Gulf Coast Regional Blood Center for blood products and components in the estimated amount of \$712,426 for the term June 1, 2011 through May 31, 2012. (Board previously approved funds in the amount of \$7,513,506 for the same term).
- gg. approve additional grant funds for Cenikor Foundation, Inc. for substance abuse treatment and on-site dental health care services to homeless individuals of the Health Care for the Homeless Program in the estimated amount of \$29,000 for the term November 1, 2011 through October 31, 2012. (Board previously approved grant funds in the amount of \$55,000 for the same term).
- hh. approve additional budgeted funds for GE Medical Systems (PP-IM-087) for radiology and fluoroscopic x-ray systems in the amount of \$462,310. (Board previously approved funds in the amount of \$11,093,108).
- ii. approve award on the basis of best contract to Medrad, Inc. for contrast media injectors in the amount of \$242,687.
- jj. approve the third of four renewal options for Texas Access Controls to provide maintenance services for automatic doors in the estimated amount of \$200,000 for the term May 1, 2012 through April 30, 2013.
- kk. ratify an award on the basis of best contracts for Edwards LifeSciences Corporation \$13,381 (Items 1 – 2); Terumo Cardiovascular Systems \$22,589 (Items 10 – 24); Medtronic USA, Inc. \$169,601 (Items 4-9, 25) for an estimated multi-vendor amount of \$205,571 for the term April 1, 2012 through March 31, 2013.
- ll. award on the basis of sole source for ev3, a Division of Covidien for Pipeline® Embolization device in the estimated amount of \$269,820.

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

- a. transmittal of the second of four renewal options for Smith Seckman Reid, Inc. to provide engineering and consulting services for life safety and fire protection for Ben Taub General Hospital, Lyndon B. Johnson General Hospital and Quentin Mease Community Hospital in the amount of \$80,213 for the term July 2, 2012 through July 1, 2013.
- b. transmittal of the first of four renewal options for Acceletronics Services, Inc. for preventative maintenance for linear accelerators in the estimated amount of \$56,000 for the term May 1, 2012 through April 30, 2013.
- c. transmittal of purchase on the basis of best contract for Johnson & Johnson Healthcare Systems, Inc. for auto endoscopic reprocessor for the Smith Clinic in the amount of \$55,886.
- d. transmittal of purchase on the basis of sole source for CA, Inc. for CA database performance software application in the amount of \$73,440 for the term March 5, 2012 through March 4, 2013 with two one-year renewal terms.
- e. transmittal of purchase on the basis of low quote for Carahsoft Technology Corporation for SAP web intelligence and business objects software in the amount of \$99,641.
- f. transmittal of additional budgeted funds for Burns DeLatte & McCoy, Inc. for professional architecture and engineering services in the estimated amount of \$21,000. (Board previously approved funds in the amount of \$150,700).

Mr. Finder asked how the District identified homeless individuals. Ms. Ricci Sanchez stated that the criteria is defined by HRSA. Dr. Varadhachary asked about the total dollar amount of the HRSA Grant. Ms. Sanchez stated that she would get that information to the Board.

Motion 12.4-46

Moved by Mr. Franklin, seconded by Ms. Wortham, and unanimously passed, that the Board approve agenda items V.B. – V.J.

- B. Approval of continuation of an agreement between the Harris County Hospital District and Lord of the Street Episcopal Church to provide on-site health care and eligibility services to eligible homeless individuals of the Health Care for the Homeless Program in an amount not to exceed \$70,000 for the term of May 1, 2012 through April 20, 2013.
- C. Approval of a settlement agreement in the amount of \$24,000 funded by Lord of the Streets, Inc. between the Harris County Hospital District

Health Care for the Homeless Program and Baylor College of Medicine for physician services provided November 1, 2010 through October 31, 2011.

- D. Ratification of an agreement between the Harris County Hospital District and Harmony House to provide on-site health care services to homeless individuals residing at Harmony House in a not to exceed amount of \$75,000 for the term April 1, 2012 through March 31, 2013.
- E. Approval of the terms and conditions for the provision of underground electric service by CenterPoint Houston Electric LLC and authorize the conveyance of an easement for overhead and underground utilities to be located on District owned property to CenterPoint Energy Houston Electric, LLC for the construction of the LBJGH Westland Specialty Clinic and Parking Garage.
- F. Acceptance of an additional award of \$208,528 to the Harris County Hospital District from the Department of State Health Services for Breast and Cervical Cancer Services (BCCS) for FY 2011-2012.
- G. Acceptance of an award of \$634,655 to the Harris County Hospital District to participate in the study entitled “Developing a Comprehensive Cervical Cancer Screening Program for Uninsured and Underinsured Women in Harris County as a sub-award from Baylor College of Medicine for a Cancer Prevention Research Institute of Texas (CPRIT) collaborative prevention project for cervical and colorectal cancer for the term March 1, 2012 through February 28, 2015.
- H. Approval of a participation agreement for Electronic Reporting System between the Harris County Hospital District and the City of Houston through its Houston Department of Health and Human Services (HDHHS).
- I. Approval to authorize the President/CEO to execute an amendment to a Memorandum of Understanding with Healthcare for the Homeless – Houston to authorize the sharing of electronic medical record information between the District and Healthcare for the Homeless – Houston.
- J. Ratification of an amendment to the Agreement between the Harris County Hospital District and the Texas Department of State Health Services for the Tuberculosis Prevention and Control Grant.

VI. Reports of the Committees

A. Joint Conference Committee

- 1. Acceptance of the Medical Executive Board Report.

Dr. Burruss presented the Medical Executive Board Reports for November 2011 and January 2012 – April 2012. Ms. Truesdell addressed the November 2011 Report, which stated that a study was done at LBJ showing that residents were responsible for 85% of the errors related to medication reconciliation. She also asked to be sent copies of the Advance Directives Policy and the End of Life Care Decisions Policy. Dr. Santos addressed the medication reconciliation, stating that he would be interested to see how this is reflected in the PI data. Significant discussion ensued. Discussion ensued regarding chronic renal dialysis patients. Ms. Cloyd stated that this report should be coming to Joint Conference in June or July. Dr. Varadhachary requested additional detail regarding the medication reconciliation study, suggesting that it be sent to PI Committee. It was stated that the Medical Executive Board Report addressed the Admissions Policy that was presented to the Board in March 2012. Dr. Santos stated that this policy needs to come back to the Joint Conference Committee in May. Dr. Santos stated that he would like to receive a periodic list of approved policies and/or policy status. Dr. Varadhachary suggested that they receive this list at least twice per year.

Dr. Santos addressed the credentialing applications, asking if there was a mechanism to monitor when a practitioner's ACLS expires. Ms. Jones stated that this is monitored through the credentialing system. She noted that this is identified before expiration. Ms. Jones stated that they also stopped putting ACLS certification into the system unless it was truly needed for privileges. A copy of the report is available in the permanent record.

Motion 12.4-47

Moved by Mr. Wortham, seconded by Ms. Truesdell, and unanimously passed, that the Board accept the Medical Executive Board Reports.

2. Approval regarding the Credentialing Changes for Members of the HCHD Medical Staff (April 2012).
3. Approval regarding the Credentialing Changes for Members of the HCHD Medical Staff (Pending Items, April 2012).

Dr. Burruss presented the credentialing changes for members of the HCHD medical staff for April 2012. Discussion ensued. Dr. Santos stated that the Board needs some assurance that there is an effective approval system in place for those that have critical elements expiring soon. Dr. Varadhachary agreed, asking for a monthly list of those that are having critical elements expire and assurance that it has been taken care of. Mr. Franklin suggested that a group get together to discuss the

issue of developing a system for reporting of accurate data. Copies of the reports are available in the permanent record.

Motion 12.4-48

Moved by Mr. Franklin, seconded by Ms. Stiner, and unanimously passed, that the Board approve item VI.A.2. and VI.A.3.

4. Approval of Recommendation regarding Replacement of Pediatric Cardiology Clinical Privileges Forms for the Harris County Hospital District.
5. Approval of Recommendation regarding Replacement of Pediatric Infectious Disease Clinical Privileges Forms for the Harris County Hospital District.

Motion 12.4-49

Moved by Dr. Santos, seconded Mr. Franklin, and unanimously passed, that the Board approve items VI.A.4 and VI.A.5.

B. Budget and Finance Committee

Mr. Norby presented the March 2012 Financial Report. A copy of the report is available in the permanent record.

1. Motion 12.4-50

Moved by Mr. Tijerina, seconded by Mr. Wortham, and unanimously passed, that the Board accept the March 2012 Financial Report subject to audit.

Mr. Norby presented the March 2012 Pension Plan Report. A copy of the report is available in the permanent record.

2. Motion 12.4-51

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously passed, that the Board accept the March 2012 Pension Plan Report subject to audit.

3. Motion 12.4-52

Moved by Mr. Franklin, seconded by Dr. Varadhachary, and unanimously passed, that the Board approve an award on the basis of only proposal received for The Zurich/American Guarantee & Liability Insurance through John L. Wortham & Son, L.P. for all risks property insurance and boiler and machinery coverage in the estimated amount of \$2,365,789 for the term May 1, 2012 through May 1, 2013 with four one-year renewal options.

4. Motion 12.4-53

Moved by Mr. Wortham, seconded by Mr. Finder, and unanimously passed, that the Board ratify funds for Langrand and Company for the new branding and marketing campaign in the estimated amount of \$383,600 for the term August 1, 2011 through July 31, 2012. (Funding provided by the Hospital District Foundation).

5. Presentation of March 2012 Financial Statements and Background and Strategic Priorities of Community Health Choice, Inc.

Mr. Janda presented the March 2012 Financial Statements of Community Health Choice, Inc. Net income was \$839,693 for March 2012. Total revenue was 3% above budget and medical loss ratio was 1.7% favorable for the month. Administrative expenses were 8% below budget for the month. A copy of the report is available in the permanent record.

C. PI & Patient Safety Committee

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

Ms. Hardy-Decuir reviewed the Harris County Hospital District Quality Scorecard with the Board. She reviewed those areas below benchmark, noting that this was discussed in detail at the committee meetings. Dr. Santos stated that an issue that came up in PI Committee was the need for a clear definition of readmission. Data presented via email changed four days later, which revealed that there is an issue with how staff is defining readmission. This issue needs to be clarified. A copy of the report is available in the permanent record.

D. Planning & Operations Committee

Agenda Item VI.D.1. was pulled.

- 1. Approval of a Memorandum of Understanding between the Harris County Hospital District and the University of Phoenix to provide College Credits to Employees for certain District related Training Classes.**
- 2. Approval of the proposed changes to the Hospital District's Post-Employment Health Benefit Plan effective June 1, 2012.**

Mr. Norby addressed the proposed changes to the Hospital District's Post-Employment Health Benefit Plan effective June 1, 2012. Mr. Franklin stated that the ad hoc committee has worked very hard in trying to develop fair and reasonable decisions and final answers. No solution will be perfect, but the group worked very hard to represent District employees. Mr. Wortham noted that some of the minor changes made since the last time were not done to circumvent anything done in

committee. None of the changes will adversely impact what the committee wants to do. Also, it has been clarified that the employees should have ample time to have this explained to them.

Mr. Norby referred to the report, stating that the report was discussed in great detail at the committee level. He stated that the District is one of the few employers that continue to offer this benefit and it does set them apart from other healthcare providers. They are not proposing to eliminate the post-employment health benefits for current employees, but rather make changes that will result in savings to the organization. The first proposed change is to eliminate the current eligibility exception for age 65 with one year of service. This clause will be eliminated and everyone will be moved into a standard eligibility requirement. Currently, the standard is age 55 and 10 years of service. The proposal is to modify to a rule of 80 with a minimum age of 55. The third proposal is to discourage early retirement. They will not take away an individual's choice to retire early, but the health premium for early retirees will be higher than the current retiree premium. Discussion ensued regarding current retiree premium.

There are approximately 900 active employees who meet the current plan eligibility criteria of age 55 with ten years of service or 65 with at least one year of service. It is being proposed that this population be grandfathered with the current rates until February 2017. There are also a number of people that are not yet age 55, but have at least 25 years of service. The proposal is to consider grandfathering this population as well. This does impact a minimum number of people.

Mr. Wortham stated that there cannot be communication with employees without a final product. Ms. Stiner asked if current employees will be met with. Mr. Norby stated that they will go out and meet with all District employees. He reiterated that the plan is unchanged from what it is today once someone meets Medicare retirement age. The major impact is the early retirement premium. Significant discussion ensued regarding other possible options. A copy of the report is available in the permanent record.

Motion 12.4-54

Moved by Mr. Wortham, seconded by Dr. Santos, and passed that the Board approve the proposed changes to the Hospital District's Post-Employment Health Benefit Plan effective June 1, 2012. Eight in favor. One opposed. Motion carried.

3. Discussion and Possible Action regarding the Changes to the Harris County Hospital District Post-Employment Health Benefit Plan for

New Hires. A copy of the presentation is available in the permanent record.

It was stated that agenda item VI.D.3 would be going back to the committee level. Mr. Wortham stated that there needs to be discussion regarding whether there should be an avenue for new hires to opt into a retiree health program at no cost to the District, if they choose to. Mr. Wortham stated that he would agree to approve the proposed changes for new hires as long as there is a commitment to look into options for them to opt in after so many years of service. Mr. DonCarlos asked the committee to work with Administration and develop a specific proposal for the Board.

Agenda Item VI.F. was addressed out of order.

Agenda Item VII. was addressed out of order.

E. Corporate Compliance Committee

Presentation of video, Provider Compliance Training by the Department of Health and Human Services Office of Inspector General: Introduction by Daniel Levinson and Video regarding Exclusion Authority and Effects of Exclusion.

Agenda Item VI.E was postponed to a future meeting.

F. Legislative Committee

1. Update, discussion and possible action regarding activities in Austin relating to regulatory issues impacting HCHD, the 82nd 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 the legislative report. A status report was given on the 1115 Waiver and 1115 Waiver Committee. Mr. Hillier addressed the federal side, stating that the House Energy and Commerce Committee began marking up legislation this week to complete reconciliation instructions established by the House-passed FY 2013 budget resolution. The committee is working to save \$97 billion over ten years from mandatory spending, including \$25 billion from the Medicaid Program. The following reductions are being considered over the next ten years:

- Limitations on state use of Medicaid provider taxes (\$10 billion)
- Elimination of Medicaid's maintenance of effort requirement (\$2.1 billion)
- Cutting Medicaid Disproportionate Share payments in 2022 (\$4.1 billion)

A copy of the report is available in the permanent record.

VII. Miscellaneous Agenda Items

Motion 12.4-55

Moved by Mr. Wortham, seconded by Dr. Santos, and unanimously passed, that the Board approve the following naming opportunities for the Smith Clinic Tower:

- Creation of donor wall honoring all donors who provided a minimum of \$50,000
- The 3rd floor of the Smith Clinic to be named the Cullen Healthcare Clinics in recognition of the Cullen Foundation's contribution of \$3.5 million
- The OB/Gyn Clinic in the Smith Tower be named the Houston Endowment OB/Gyn Clinic in recognition of the Houston Endowment's contribution of \$2 million.

VIII. President/Chief Executive Officer's Report to Include: 1) Status Report: Disproportionate Share Hospital (DSH) Intergovernmental Transfers (IGT); and 2) Status Report: Regional Health Partnership (RHP)

Status Report: Disproportionate Share Hospital (DSH) **Intergovernmental Transfers (IGT)**

This agenda item was addressed in earlier discussion.

Status Report: Regional Health Partnership (RHP)

This agenda item was addressed in earlier discussion.

Drs. Varadhachary and Santos left prior to reconvening from Executive Session.

IX. Executive Session

At 11:23 a.m., Mr. DonCarlos stated that the Board would go into Executive Session under Section 161.032 of the Texas Health & Safety Code, Texas Occupations Code 160.007, 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.

X. Reconvene

At 12:15 p.m., Mr. DonCarlos 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 Chief Medical Officer regarding Quality of Medical and Health Care, pursuant to Tex. Health & Safety Code Ann. §161.032 and Tex. Occupations Code Ann. §160.007 to receive Peer Review and/or Medical Committee Report in Connection with the Evaluation of the Quality of Medical and Health Care Services.

No action taken.

- C. Consultation with the County Attorney regarding an Automobile Claim filed by Kyle Herring, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter upon Return to Open Session.

Motion 12.4-56

Moved by Ms. Truesdell, seconded by Mr. Franklin, and unanimously passed that the Board approve the following resolution:

The Harris County Hospital District, by and through its Board of Managers, approves and hereby authorizes the settlement of an automobile claim filed by Kyle Herring in the amount of \$7,734.58. The amounts of \$1,000 and \$825.38 are payable to Dave Massey and the \$5,909.20 is payable to Nationwide Insurance Company. David S. Lopez, President/CEO, is authorized to execute any agreement, release or other necessary documents to effect this settlement.

- D. Consultation with the County Attorney regarding a Settlement Agreement with the United States Department of Health and Human Services ("HHS"), the Secretary of Health and Human Services, and the Centers for Medicare and Medicaid Services, regarding the Calculation by HHS of the Rural Floor Budget Neutrality Adjustment for the Medicare Program's Inpatient Prospective Payment System, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter upon Return to Open Session.

Motion 12.4-57

Moved by Ms. Truesdell, seconded by Mr. Franklin, and unanimously passed that the Board approve the following resolution:

The Harris County Hospital District, by and through its Board of Managers, approves and ratifies the Settlement Agreement with the United States Department of Health and Human Services, the Secretary of Health and Human Services, and the Centers for Medicare and Medicaid Services regarding the calculation of the rural floor budget neutrality adjustment during the period FFY 1998 through and including FFY 2012, according to the terms stated in the attached Settlement Agreement which is incorporated and made a part of this Resolution. The District's Chief Financial Officer is authorized to execute and/or approve any release or other necessary documents needed to effect this settlement.

- E. Consultation with the County Attorney regarding Settlement of Enforcement Action by the Texas Commission on Environmental Quality, Docket No. 2012-05020-PST-E; Enforcement Case No. 43706, pursuant to Tex. Gov't Code Ann. §551.071, and Possible Action regarding this Matter upon Return to Open Session.

Motion 12.4-58

Moved by Ms. Truesdell, seconded by Mr. Franklin, and unanimously passed that the Board approve the following resolution:

The Harris County Hospital District, by and through its Board of Managers, approves and hereby authorizes the settlement in the amount of \$1,500 to be paid to the Texas Commission on Environmental Quality. Stephen H. DonCarlos, Chairman of the Board, is authorized to execute any agreement, release or other necessary documents to effect this settlement.

XI. Adjournment

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

There being no further business, the meeting adjourned at 12:17 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 April 26, 2012.

Mr. Stephen DonCarlos, Chair
Board of Managers

Mr. E. Dale Wortham, Secretary
Board of Managers

Recorded by Christie Reno