



**HARRIS COUNTY HOSPITAL DISTRICT**

**REGULAR MEETING OF THE  
BOARD OF MANAGERS**

**9:00 A.M.**

**May 31, 2007**

**Board Room**

**Harris County Hospital District Administration Building  
2525 Holly Hall Drive  
Houston, Texas 77054**

**AGENDA**

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- I. Call to Order and Record of Attendance – *J. Evans Attwell***
- II. Approval of the Minutes of Previous Meeting – *J. Evans Attwell***  
Regular Board Meeting – March 29, 2007
- III. Hear from Citizens – *J. Evans Attwell***
- IV. Approval of Correction to the Minutes of the December 7, 2006 Board of Managers Meeting – *Carolyn Truesdell***
- V. Purchasing – *Danny Jackson***  
The Budget and Finance Committee did not meet and brings directly to the Board the following:
  - A(1). Consideration of Recommendations regarding Purchases Requiring Board Ratification:
    - a. Job 07/0033: Revision of Term Date for Nortel Telephones and Equipment Contract – *Enterprise Systems Corporation*
    - b. Premier Contract: Additional Funds and Extension for Office Supplies and Office Paper – *OfficeMax*
    - c. Job 01/0308: Additional Funds and Extension for Medical Transcription Services – *MedQuist Inc. – Transcriptions Ltd.*
    - d. Job 03/0190: Additional Funds and Extension for Special Reference Testing Services – *Dynagene*

- e. Premier Contract: Additional Funds and Extension for Vacuum Assisted Wound Closure – *KCI USA, Inc.*
  - f. Premier Contract: Additional Funds and Extension for Premier Healthpak Reagent Rental Agreement (Blood Gas) – *Siemens Medical Solutions Diagnostics fka Bayer Corporation Diagnostics Division*
  - g. Premier Contract: Additional Funds and Extension for Exam Gloves and Surgical Gloves – *Cardinal Health Medical Products and Services*
  - h. Premier Contract: Funding for Year Two of a Five Year Agreement for Pulse Oximeter Monitoring – *Masimo Americas, Inc. through Cardinal Health*
  - i. Purchase of Remote Service and Diagnostics on Radiology Equipment – *GE Healthcare*
  - j. (TASB): Purchase of a Ford F750 Truck (2008) – *Philpott Motors Ltd.*
  - k. Premier Contract: Purchase of Computed Tomography Scanner – *Philips Medical Systems N.A., Company*
  - l. Job 04/0339: Renewal for Orthopaedic Implants – *DePuy Orthopaedics, Inc.; Smith & Nephew, Inc., Orthopaedic Division; Stryker Orthopaedics; and Synthes (USA)*
  - m. Job 02/0446: Renewal for Employee Recruitment Advertising – *Harger Howe & Associates, Ltd.*
  - n. Renewal for Maintenance for Healthquest 2000 Software – *McKesson Information Solutions*
  - o. Job 04/0459: Ratification of Second Renewal for All Risk Property Insurance – *Underwriters at Lloyd's London through John L. Wortham & Son, L.P.*
  - p. Insurance Broker of Record: Ratification of Purchase of Excess Named Windstorm Coverage – *ACE Bermuda Insurance Ltd./Lancashire Insurance Company Ltd./Underwriters at Lloyd's London through RK Harrison Insurance Brokers Limited and John L. Wortham & Son, L.P.*
- A(2). Consideration of Purchasing Recommendations Requiring Board Approval:
- a. (CISV): Award for Software License and Maintenance Agreement – *Alert Logic, Inc.*
  - b. Job 07/0088: Award for lithotripsy Services – *Bayou Country Lithotripsy, L.P.*

- c. Job 07/0087: Award for Comprehensive Home Health Care – *Nurses Night & Day, Inc.*
  - d. Premier Contract: Purchase of Computed Tomography Scanner – *Philips Medical Systems NA Company*
  - e. Job 07/0123: Award for Supplemental non-Professional Temporary Healthcare Personnel – *See attached*
  - f. Job 07/0098: Award for Vascular Closure Devices – *St. Jude Medical, Inc.*
  - g. Job 07/0086: Award for Periodic Maintenance and Service of Elevators/Lift Equipment – *Schindler Elevator Corporation*
  - h. Job 02/0108: Additional Funds for Third Party Specialists to Assist with Certification of Pending Medicaid Cases and other Related Third Party Sources – *Medical Advocacy Services for Healthcare, Inc. (MASH)*
  - i. Premier Contract: Additional Funds and an Extension for Maintenance and Service of Elevator/Lift Equipment – *Schindler Elevator Corporation*
  - j. Premier Contract: Pharmaceutical Prime Vendor Distribution Agreement – *Cardinal Health*
  - k. Professional Services: Ratify an Exemption from the Competitive Bid Requirements for an Award for Physician Services (Grant Subcontract) – *Baylor College of Medicine*
  - l. Professional Services: Approval of Exemption from the Competitive Bid Requirements and a Renewal: Award for Blood Products and Components – *Gulf Coast Regional Blood Center*
  - m. Premier Contract: Renewal of the First of Five Renewal Options and a Revision of Term: Award for Hematology Analyzers, Reagents, Consumables and Service – *Abbott Laboratories, Inc.*
  - n. Premier Contract: Term Revision for Automatic Microbiology Blood Culture – *bioMerieux, Inc. (PP-LA-151)*
- A(3). Transmittal of Completed Purchases Under \$100,000  
**(For Informational Purposes)**
- a. Job 06/0351: Purchase of Automobiles, Trucks and Related Items – *Philpott Ford*
  - b. Premier Contract: Purchase of Chart Paper and Related Products – *Tyco Healthcare Group LP The Kendall Company*

- c. Job 05/0121: Renewal of Award for Fully Automated Microplate Analyzer and Reagents – *Diamedix Corporation*
- d. Job 03/0326: Renewal of Award for Desilvering X-rays – *Jasco/Kool X-Consultants T.C.*
- e. Job 06/0111: Renewal of Award for Medical Records Patient Chart Folders – *The Perfect Promotion Inc.*
- f. Premier Contract: Additional Funds and an Extension for Automated Blood Culture Contract – *bioMerieux, Inc. (PP-LA-151)*
- g. Job 01/0207: Additional Funds for Analyzer and Reagents for GC/Chlamydia Testing – *Gen-Probe*
- h. Job 01/0137: Additional Funds and Extension for PCR Genotyping System Analyzer and Reagents – *Roche Diagnostics Company*
- i. Premier Contract: Additional Funds and Extension for Hemostasis Analyzers, Reagents, Consumables and Services – *Dade Behring, Inc. (PP-LA-129)*
- j. Premier Contract: Additional Funds and Extension for Automated Microbiology ID and Susceptibility Testing (MicroScan Equipment Today) – *Dade Behring, Inc. (PP-LA-032)*
- k. Premier Contract: Additional Funds and Extension for Plasma Protein Analyzers – *Dade Behring, Inc. (PP-LA-115)*
- l. Premier Contract: Award for Lease/Maintenance of Supply Distribution Cabinets (28 ea.) – *Cardinal Health 301, Inc.*
- m. Job 07/0095: Award for Physical Damage Coverage for Mobile Health Units and Microwave Disposal Units and Catastrophe Coverage for Vehicles – *Travelers Lloyds Insurance Company through John L. Wortham & Son, L.P. Insurance*
- n. Professional Services Exemption: Award for Special Reference Testing – *Texas Children's Hospital*
- o. Professional Services Exemption: Award for Consulting Services – *Vinson & Elkins, LLP*
- p. Job 07/0112: Award for Plastic Identification Cards for Patients – *The Iris Companies*
- q. Job 03/0179: Utilize County Contract for Computer Paper – *The Enterprise Group, a Weyerhaeuser Business*
- r. Purchases for Various Categories of Goods and/or Services: *(See attached letter)*

- s. Personal Services Exemption: Award for Training and Use of Hartman Value Profile: Standard Version – Byrum Method – *Lynn R. Clark, Beverly Roberts and C. Stephen Byrum, PhD through The Spiritual Leadership Institute*
- t. Job 07/0162: Award for Craniotomy Drills (4 ea.) and Term Contract for Consumables – *Aesculap, Inc.*
- u. Job 07/0092: Award for Search Firm for IT Personnel – *I.T. Staffing, Inc.*
- v. Job 07/0148: Award for Temporary Social Workers – *Maxim Staffing Solutions*
- w. Job 07/0128: Award for Medicare/Medicaid Cost Report Review – *Deloitte & Touche LLP*
- x. Job 06/0152: Renewal for Transportation Services for Patients and Packages – *Greater Houston Transportation Company dba Yellow Cab*
- y. Job 04/0341: Renewal for Armored Car Services – *Brink's U.S.*
- z. Job 03/0215: Renewal for Computer Output Microfiche Services – *Zytron, Inc.*
- aa. Job 04/0354: Renewal for Consultant for 401(k) and Pension Plan – *Callan Associates, Inc.*
- bb. (CISV): Renewal for Hardware and Software Maintenance for the Enterprise Express System – *Dictaphone Corporation*
- cc. Job 01/0207: Additional Funds and an Extension for Analyzer and Reagents for GC/Chlamydia Testing – *Gen-Probe*
- dd. Premier Contract: Award for Arterial Blood Gas Kits – *Smiths Medical ASD Inc.*
- ee. Premier Contract: Award for Ballard Medical products (PP-NS-293) – *Ballard Medical Products*
- ff. Transmittal of Purchases for Various Categories of Goods and/or Services: (1) *US Communities – (Furniture for Nine Offices): Steelcase through Rockford Business Interiors* and (2) *DIR: Cable Locks for Laptops – Dell Marketing LP*

## **VI. Reports of the Committees**

### **A. Joint Conference – *Stephen DonCarlos***

The Joint Conference Committee met May 17, 2007 and brings forth the following:

1. Report of the Board of Managers Joint Conference Committee – *Stephen DonCarlos*

2. Consideration of Approval that the Joint Conference Committee Monitor and Streamline a Memorandum of Understanding between the Harris County Hospital District and the University of Texas Health Science Center-Houston concerning Review and Approval of Research by the University of Texas Health Science Center-Houston's Institutional Review Board – *Stephen DonCarlos*
3. Consideration of Approval of a Memorandum of Understanding between the Harris County Hospital District and the University of Texas Health Science Center-Houston concerning Review and Approval of Research by the University of Texas Health Science Center-Houston's Institutional Review Board – *Beth Cloyd & Julie Thompson*
4. Consideration of Approval of the 2007 HCHD Charity Care Program Schedule of Benefits and Service Exclusions – *Beth Cloyd*

The Following items did not go to Joint Conference Committee and come directly to the Board:

5. Consideration of Ratification of the April 2007 Credentialing Changes for Members of the HCHD Medical Staff – *Stephen B. Greenberg, M.D.*
6. Consideration of Recommendation regarding the May 2007 Credentialing Changes for Members of the HCHD Medical Staff – *Stephen B. Greenberg, M.D.*
7. Consideration of Acceptance of the April 2007 and May 2007 Medical Board Reports – *Stephen B. Greenberg, M.D.*

**B. Budget and Finance Committee – *Danny Jackson***

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

1. Discussion regarding the Restructuring of the Hospital District's Outstanding Bonds and Other Debt – *Gwen Huskey*
2. Consideration to Accept the March 2007 Financial Report Subject to Audit – *Gwendolyn Huskey*
3. Consideration to Accept the April 2007 Financial Report Subject to Audit – *Gwendolyn Huskey*
4. Consideration to Accept the March 2007 Pension Plan Report Subject to Audit – *Gwendolyn Huskey*
5. Consideration to Accept the April 2007 Pension Plan Report Subject to Audit – *Gwendolyn Huskey*

6. Consideration of Approval that Expenditures for the Alief and MLK Community Health Center Projects be Funded through the Commercial Paper Line of Credit – *Ronald C. Johnson*
7. Consideration of a Recommendation for the Harris County Hospital District to Accept Final Indirect Cost Rates and Provisional Indirect Cost Rates for Grants and Contracts with the Federal Government from the Department of Health & Human Services – *Beth Cloyd*
8. Consideration of Ratification of an Agreement between the Harris County Hospital District and the Department of State Health Services for the Demonstration to Maintain Independence and Employment (DMIE) Grant – *Beth Cloyd*
9. Consideration of Approval of an Amendment to an Agreement between the Harris County Hospital District and the Department of State Health Services for Breast and Cervical Cancer Control (BCCC) Services for a Mid-Year Funding Adjustment in the Amount of \$6,430 – *Loretta Hanser*
10. Consideration of Ratification of an Agreement between the Harris County Hospital District, Baylor College of Medicine, and the Harris County Hospital District Foundation regarding the Donation to and Acceptance by the Harris County Hospital District of Hologic Selenia Digital Mammography Medical Equipment and Three Barco Digital Mammography Workstations – *Loretta Hanser*
11. Presentation of March 2007 Financial Statements of Community Health Choice, Inc. – *Glen R. Johnson, M.D.*
12. Presentation of April 2007 Financial Statements of Community Health Choice, Inc. – *Glen R. Johnson, M.D.*

**C. Capital Building Committee – *Mary Spinks***

The Capital Building Committee met on May 10, 2007 and brings forth the following:

1. Report of the Board of Managers Capital Building Committee – *Mary Spinks*

The following agenda item was discussed at the Capital Building Committee meeting:

2. Recommendation for Approval of the Harris County Hospital District Phase I Long-Range Capital Construction Plan – *David Lopez*

**D. Planning and Operations Committee – *Elvin Franklin, Jr.***

The Planning and Operations Committee met on May 17, 2007 and brings forth the following:

**1. Items Related to Specialty and Primary Clinics and other Facilities – *Elvin Franklin, Jr.***

- a. Consideration of Approval of an Agreement between the Harris County Hospital District and the City of Houston Department of Health and Human Services to Provide Health Education/Risk Reduction HIV Prevention Services Funded by Center for Disease Control and Prevention (CDC) at District Facilities – *Michelle Fowler*
- b. Consideration of Ratification of an Agreement between the Harris County Hospital District and Baylor College of Medicine, Department of Family and Community Medicine to Provide Psychiatric Services Funded by Ryan White CARE Act Part A to Eligible HIV-infected Individuals – *Michelle Fowler*
- c. Consideration of Ratification of an Agreement between the Harris County Hospital District and the University of Texas Health Science Center of Houston to Provide Physician Services Funded by Ryan White CARE Act Part C to Eligible HIV-infected Individuals – *Michelle Fowler*

**The following items did not go to Committee and come directly to the Board:**

- d. Consideration of Approval of an Agreement between the Harris County Hospital District and Baylor College of Medicine to Provide Medical Director Services Funded by Ryan White CARE Act to the AIDS Education Training Center Local Performance Site – *Michelle Fowler*
- e. Consideration of Approval of an Amended Agreement between the Harris County Hospital District and Harmony House to Provide Medical Services to Homeless Individuals – *Michelle Fowler*
- f. Consideration of Approval of Correction of the Contract Term and Contracting Entity in Board Motion No. 07.2-115 concerning an Agreement between the Harris County Hospital District and Lord of the Streets Episcopal Church to provide On-Site Health Care Services to Homeless Individuals – *Michelle Fowler*

- g. Consideration of Ratification of an Amended Agreement between the Harris County Hospital District and Dallas County Hospital District, The Parkland Foundation for Texas/Oklahoma AIDS Education and Training Center under Ryan White Federal CARE Act to Provide State-of-the-Art Education on Treatment, Training, and Consultation and Support to Healthcare Professionals Treating HIV+ Patients – *Michelle Fowler*
  - h. Consideration of Approval of an Agreement between the Harris County Hospital District and Dallas County Hospital District, The Parkland Foundation for Texas/Oklahoma AIDS Education and Training Center under Ryan White Federal CARE Act to Provide State-of-the-Art Education and Treatment, Training, and Consultation and Support to Healthcare Professionals Treating HIV+ Patients – *Michelle Fowler*
  - i. Consideration of Approval of an Agreement between the Harris County Hospital District and the Houston Independent School District to Provide Certain Medical Services under a Grant from the Texas Education Agency for Students that Qualify Under the Title I-Part A Homeless Program – *Karen White*
- 2. Items Related to Personnel – *Elvin Franklin, Jr.***
- a. Items Related to HCHD 401(k) Plan – *Elvin Franklin, Jr.*
    - 1. Consideration of Approval of the Harris County Hospital District’s Matching 401(k) Plan – *Lou Gould*
    - 2. Consideration of Approval of Additional Signature Authority for Schedule “D” of the Trust Agreement between the Harris County Hospital District and Fidelity Management Trust Company for the 401(k) Plan – *Lou Gould*
  - b. Items Related to HCHD Policies – *Elvin Franklin, Jr.*
    - 1. Consideration of Approval of the Harris County Hospital District’s Short Term Disability Policy# 6.32 – *Lou Gould*
    - 2. Consideration of Approval of the Harris County Hospital District’s Licensure/Certification/Registration Policy# 6.33 – *Lou Gould*
    - 3. Consideration of Approval of the Revised Harris County Hospital District’s Health and Related Benefits Policy# 6.04 – *Lou Gould*

4. Consideration of Approval of the Revised Harris County Hospital District's Drug Free Workplace Policy# 3025 – *Lou Gould*
5. Consideration of Approval to Expand the Scope of Policy# 6.18 "Employee Recognition" to include Non-Patient Food, Special Events and Flowers – *Lou Gould*

**3. Items Related to Buildings and Properties – *Elvin Franklin, Jr.***

- a. Consideration of Authorization to Terminate the Lease Agreement with Petereit Investments, Inc. for E. A. Squatty Lyons Health Center and enter into a New Lease Agreement with Petereit Investments, Inc. – *Ronald C. Johnson*
- b. Consideration of Award of Contract for Construction Services for the E.A. Squatty Lyons Health Center Expansion and Renovation Project – *Ronald C. Johnson*
- c. Consideration of Approval of the 2<sup>nd</sup> Amendment to the Lease Agreement and Approval to Enter into the 3<sup>rd</sup> Term of the Lease Agreement with BNC South Loop Associates, L.P. (2636 South Loop Building, 7<sup>th</sup> & 9<sup>th</sup> Floors) for the District's Health Maintenance Organization, Community Health Choice (CHC) – *Ronald C. Johnson*
- d. Consideration of Intent to Enter into a New Lease Agreement with Warehouse Associates – *Ronald C. Johnson*

**E. Legislative Committee – *Jim Lemoind***

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

1. Update, Discussion and Possible Action regarding Activities in Austin relating to Regulatory Issues Impacting HCHD, the 80<sup>th</sup> Legislative Session, and the HCHD Legislative Platform – *R. King Hillier & Mary Schneider*
2. Update, Discussion and Possible Action regarding Pending Federal Legislative, Line Items and Policy Issues Affecting HCHD – *R. King Hillier & Mary Schneider*

**F. Performance Improvement & Patient Safety Committee – *Carolyn Truesdell***

The Performance Improvement & Patient Safety Committee met April 19, 2007 and May 17, 2007. Minutes from those meetings are being brought forth as informational items only.

1. Minutes of the meeting of April 19, 2007

2. Minutes of the meeting of May 17, 2007

**VII. Miscellaneous Agenda Items – J. Evans Attwell**

- A. Consideration of an Agreement with Strategic Management Services, LLC to Conduct an Evaluation of the District's Corporate Compliance Program, Implement Recommended Improvements and Provide an Interim Corporate Compliance Officer – *David S. Lopez*
- B. Consideration to Approve First Amendment to an Agreement for Special Counsel between the Harris County Hospital District and Haynes and Boone, LLP – *Mercedes Leal*
- C. Consideration to Approve Resolution Authorizing the President/CEO to Execute Agreements with Health Fitness Clubs/Entities for District Employees to Receive Health and Fitness Membership Discounts – *Margo Hilliard*
- D. Consideration of Approval of an Agreement between the Harris County Hospital District and Eli Lilly and Company to Participate in the Eli Lilly and Company Patient Pharmaceutical Assistance Program – *Robert Scholz*

**VIII. Items related to Policies**

- A. Consideration to Approve HCHD Policy# 4603 "Critical Lab Values Notification Process" – *Neal Kachalia*
- B. Consideration to Approve the Revised HCHD Policy# 7.20 "Verification of Surgical/Procedure Site" – *Elizabeth Madrid*
- C. Consideration to Approval the Revised HCHD Policy# 4117 "Admissions to Quentin Mease Community Hospital" – *Beth Cloyd*
- D. Consideration to Approve the HCHD Policy# 4602 "Latex Allergy/Sensitivity Management" – *Beth Cloyd*
- E. Consideration to Approve the Revised HCHD Policy# 7.03 "Moderate Sedation" – *Beth Cloyd*
- F. Consideration to Approve the Revised HCHD Policy# 4471 "Emergency Resuscitation Cart" – *Douglas G. Creamer*

**IX. Executive Session – J. Evans Attwell**

- A. Report by Corporate Compliance Officer 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 §161.032 of the Texas Health & Safety Code – *Walter Freitag*

- B. Consultation with the County Attorney regarding Cause No. 816,923 in County Civil Court at Law #2 styled *Harris County Hospital District v. Textac Partners I*, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter Upon Return to Open Session – *Robert Soard*
- C. Consultation with the County Attorney regarding Consideration of a Settlement and Release Agreement between Methodist Hospital and the Harris County Hospital District for Certain Healthcare Services, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter Upon Return to Open Session – *Rosalinda Garcia*
- D. Consultation with the County Attorney regarding Cause No. 880,800; Neekeshia Shante Bell, Individually and as Next Friend of Jhneece Onia Wallace, A Minor v. Harris County Hospital District, in the County Civil Court at Law No. 2 of Harris County Texas, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter Upon Return to Open Session – *Glen Van Slyke*
- E. Consultation with the County Attorney regarding Personal Injury Damage Claim of Artis Lee Thompson, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter Upon Return to Open Session – *Glen Van Slyke*
- F. Consultation with the County Attorney regarding the Claim of Antonia Galindo, Individually and as Representative of the Estate of Benancio Galindo, Deceased, against the Harris County Hospital District, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter Upon Return to Open Session – *Glen Van Slyke*
- G. Consultation with the County Attorney regarding Compliance Nos. R061360 and R061571 (Escalated Enforcement EL07-077) and proposed Administrative Penalties by Texas Department of State Health Services in the Matter of Ben Taub General Hospital, License No. L01303-000, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter Upon Return to Open Session – *Glen Van Slyke*
- H. Consultation with the County Attorney regarding Complaint# TX00068613 and proposed Administrative Penalty by Texas Department of State Health Services in the Matter of Ben Taub General Hospital, License No. 000459, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter Upon Return to Open Session – *Glen Van Slyke*

- I. Consultation with the County Attorney regarding an Auto Accident on December 13, 2006 and a Claim made by the City of Houston against the Harris County Hospital District, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter Upon Return to Open Session – *Arlen Pruitt*
- J. Consultation with the County Attorney regarding a Possible Settlement Agreement between the Harris County Hospital District and Lawrence Bell for Certain Employment Claims, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter Upon Return to Open Session – *Nancy Wingstrom*
- K. Consultation with the County Attorney regarding the Provision of Healthcare to Undocumented Aliens, pursuant to Tex. Gov't Code Ann. §551.071 – *Mercedes Leal*
- L. Consultation with the County Attorney regarding the District's Corporate Compliance Program, pursuant to Tex. Gov't Code Ann. §551.071 – *Mercedes Leal*
- M. Consideration of an Employment Agreement between the Harris County Hospital District and David S. Lopez, pursuant to Tex. Gov't Code Ann. §551.074 and Possible Action regarding this Matter Upon Return to Open Session – *Carolyn Truesdell*
- X. Reconvene**
- XI. Adjournment**