



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

9:00 A.M.

Thursday, November 6, 2008

Board Room

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

AGENDA

- I. Call to Order and Record of Attendance – *Stephen DonCarlos***
- II. Approval of the Minutes of Previous Meetings – *Stephen DonCarlos***
Regular Board Meeting – October 16, 2008
- III. Hear from Citizens – *Stephen DonCarlos***
- IV. President/Chief Executive Officer's Report to Include: 1) Balanced Scorecard; 2) UTMB Update; and 3) Impact of Election on the District – *David Lopez***
- V. Consideration of Approval of Recommendations and Acceptance of Agenda Items Identified as Consent Agenda Items – *Stephen DonCarlos***
Any Board member may request that an item marked "CONSENT" be pulled from this consideration for individual action or presentation
 - A. Items related to Purchasing – *Danny Jackson***
The Budget and Finance Committee did not meet and by way of Harris County Purchasing brings directly to Board the following:
 - A(1). Consideration of Purchasing Recommendations Requiring Board Approval:**
 - a. Job 08/0395: Award for Digital Mammography Radiographic System – *Hologic, Inc.***
 - b. Job 05/0229: Renewal for Indigent Patient Drug Reimbursement Program (Product Recovery Services) – *Pharmacy Healthcare Solutions, Ltd.***
 - c. Sole Source Exemption: Renewal for IBM Operating System Software License and Maintenance – *IBM Corporation***

We improve our community's health by delivering high-quality health care to Harris County residents

- d. Interlocal Agreement: Renewal for Radiation Therapy and Related Services – *The University of Texas M.D. Anderson Cancer Center*
- e. Job 07/0345: Renewal for Armored Car Services for Automated Parking Collection Units – *Dunbar Armored*
- f. 340B Prime Vendor Program: Purchase of Influenza Vaccine for the 2008 – 2009 Season – *GlaxoSmithKline (Direct) and Novartis Vaccines (Direct)*
- g. Premier Contract: Purchase of Influenza Vaccine for the 2008 – 2009 Season – *Sanofi Pasteur Distributed (Direct)*
- h. Premier Contract: Purchase of Physiological Patient Monitors and Upgrades (43 ea.) – *Philips Medical Systems North America*
- i. Job 07/0283; Job 07/0120; and TXMAS: Purchase of Re-commission Existing Smoke Evacuation Project for Ben Taub General Hospital – *Gowan, Inc. (Job 07/0283); Highlight Electric (Job 07/0120); SimplexGrinnel (TXMAS-5-03FAC010); and Johnson Controls (TXMAS – 5-03FAC020)*
- j. Sole Source Exemption: Purchase of Emergency Center Documentation and Charting System – *T-System, Inc.*
- k. Premier Contract: Purchase of Clinical Modular Casework for Lyndon B. Johnson General Hospital – *Herman Miller through Office Pavilion*
- l. Job 08/0294: Award for Holmium Laser and Disposable Laser Fibers for Urology Surgeries – *Boston Scientific Corporation*
- m. Premier Contract: Purchase of Radiographic/Fluoroscopic System – *Philips Medical Systems N.A.*
- n. Job 07/0256: Funding for Year Two for Workers' Compensation Third Party Administration and Associated Services – *HealthFirst TPA, Inc. d/b/a TriSurant*
- o. Premier Contract: Award for Integrated Platform (Chemistry and Immunochemistry Analyzers, Automation, Reagents, Consumables and Service) for Small chemistry Analyzers for Clinics – *Beckman Coulter, Inc.*
- p. Premier Contract: Additional Funding and Extension for Integrated Platform (Chemistry and Immunochemistry Analyzers, Automation, Reagents, Consumables and Service) – *Siemens Healthcare Diagnostics, Inc. (fka Dade)*
- q. Premier Contract: Additional Funding and Extension for Integrated Platform (Chemistry and Immunochemistry Analyzers, Automation, Reagents, Consumables and Service) – *Beckman Coulter, Inc.*

- r. Premier Contract: Additional Funding and Extension for Hemostasis Analyzers, Reagents, Consumables & Services – *Siemens Healthcare Diagnostics (fka Dade Behring, Inc.)*
 - s. Premier Contract: Additional Funding and Extension for Blood Glucose Meters, Reagents, Training and Service – *Abbott Diagnostics, Inc. through Cardinal Health*
 - t. Job 04/0028: Additional Funds and Extension for Special Reference Laboratory Services – *Baylor College of Medicine, Department of Molecular & Human Genetics, Medical Genetics and DynaGene A LabCorp Company*
 - u. Job 05/0390: Additional Funds and Extension for Reference Laboratory Testing Services – *LabCorp*
 - v. Job 05/0314: Additional Funds for Anatomical Pathology Reference Testing Services – *Baylor College of Medicine*
 - w. Job 00/0021: Ratification of Termination of an Agreement for Meds Manager Software Maintenance – *McKesson Health Systems, Inc.*
 - x. Donation: Ratification of Donation of Computed Tomography (CT System) – *Baylor College of Medicine*
 - y. Job 07/0120: Ratification of Additional Funds for Term Contract for Electrical Maintenance Services – *Highlights Electrical*
 - z. Job 02/0108: Ratification of 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) and NCO Financial Systems, Inc. (NCO)*
 - aa. Job 01/0137: Ratification of Additional Funds and Extension for PCR Genotyping System Analyzer and Reagents – *Roche Diagnostics Company*
 - bb. Job 07/0207: Ratification of Additional Funds and Extension for Embolization Coils – *Micrus Endovascular Corp.*
 - cc. Premier Contract: Ratification of Renewal for Specialty Beds – *Hill-Rom*
- A(2). Transmittal of Completed Items **(For Informational Purposes)**
- a. Sole Source Exemption: Purchase of Maintenance of Computed Tomography (CT) Scanner – *NeuroLogica Corporation*
 - b. Premier Contract: Purchase of Closed Ventilation Suction Products – *Kimberly-Clark Corporation*
 - c. Premier Contract: Purchase of Chair Cushions – *Ehob, Inc. (Mattress Overlay Products and Replacement Mattresses)*

- d. Premier Contract: Purchase of Waterless Brushless Surgical Hand Scrub – *3M Company*
 - e. Premier Contract: Purchase of Cranial Access Kits – *Integra Neurosciences (Neurosurgical Products)*
 - f. Premier Contract: Purchase of High Level Disinfectant Wipes – *Metrex Research Corporation*
 - g. Job 08/0406: Award for Term Contract for Pharmacy Printers and Chips – *MDL Enterprise, Inc.*
 - h. Job 08/0411: Award for Term Contract for the Disposal of Salvage Electronic Equipment and Related Items – *Eagle Electronic Resources*
 - i. Job 08/0397: Award for Ophthalmic Ultrasound Scanning System – *Ellex, Inc.*
 - j. Job 08/0429: Award for Ophthalmic Equipment – *Lombart Instrument*
 - k. Job 05/0314: Additional Funds and Extension for Anatomical Pathology Reference Testing Services – *Baylor College of Medicine*
 - l. Premier Contract: Additional Funds for Specialty Beds – *Hill-Rom*
- A(3). Transmittal Matrix of Completed Items **(For Information Purposes)**
- a. Sole Source: Award for Consumables Associated with the Sonopet/Omni System – *Synergetics, Inc.*
 - b. Personal Services: Award for Strategic Planning Facilitation Services – *Thomson Reuters*
 - c. Job 07/0335: Renewal of Award for Maintain and Negotiate Indirect Cost Rate Agreements – *Federal Costing Concepts, LLC*
 - d. Job 03/0299: Additional funds for Agencies for Temporary Staffing Positions in Fiscal Operations and Other Departments – *Resource Staffing*
 - e. Job 07/0339: Renewal for Award for Sale of Computer Equipment and Wipe Hard Drives – *Compucycle, Inc.*
 - f. Sole Source: Award for Maintenance for *eWay Bundle – *SSI (fka SeeBeyond Technologies Corporation)*
 - g. Sole Source: Award for Software Maintenance and Support for Application Used to Track Clock-in/Clock-outs and Work Schedules – *API Software, Inc.*
 - h. Sole Source: Award for Virco[®]TYPE Analysis Services and VircoNET[™] Software for HIV Patients – *Virco Lab, Inc.*

- B. Purchasing: TXMAS Contract: Purchase of Furniture Utilizing TXMAS Contracts – *Corporate Express; Facility Interiors; Krueger International c/o The Ofis; Vanguard Environments; and Haworth c/o Facility Interiors*
- C. Consideration of A Point of Entry Agreement between the Harris County Hospital District and AIDS Foundation of Houston – *Dr. Robert Trenchel*
- D. Consideration of Ratification of an Agreement between the Harris County Hospital District and Baylor College of Medicine, Department of Pediatrics funded by Ryan White Modernization Act Part D to Provide Pediatric Services to Eligible HIV-infected Adolescents of District Facilities – *Dr. Robert Trenchel*
- E. Consideration of Ratification of an Agreement between the Harris County Hospital District and Baylor College of Medicine to Provide Medical Direction and Evaluation Services funded under Special Projects of National Significance (SPNS) Program – *Dr. Robert Trenchel*
- F. Consideration of Approval of Modification to the 2008 HCHD Charity Care Program Schedule of Benefits and Service Exclusions – *Beth Cloyd*
- G. Consideration of Approval for Participation in the National Database for Nursing Quality Indicators (NDNQI) – *Beth Cloyd*
- H. Consideration of Ratification of an Agreement between the Harris County Hospital District and Midwestern State University, funded by Robert Wood Johnson Foundation, to Study the Effect of Off-peak Hospital Work Environments on Nurses' Work – *Beth Cloyd*
- I. Consideration of Ratification of a One Time Authorization for Advancing Paid Time Off (PTO) to HCHD Employees due to Hurricane Ike – *Lou Gould*
- J. Consideration of Approval of the Harris County Hospital District Retirement Benefits Policy #6.28 – *Lou Gould*
- K. Consideration of Approval of the Harris County Hospital District Grants Submission for Federal, State and Local Government Entities Policy #3.10 – *Beth Cloyd*
- L. Consideration of Approval of the Harris County Hospital District Media Relations Policy #8.02 – *Carol Oddo*
- M. Consideration of Approval of the Harris County Hospital District External Funding Proposal Development and Submission (Private Grants) Policy #3.27 – *Ottley Sims*
- N. Consideration of Approval of the Harris County Hospital District Fair and Accurate Credit Transactions Act (FACTA) Compliance Policy – *Vince Temples & Desolyn Foy*
- O. Consideration of Ratification of an Amendment to the Contract between the Harris County Hospital District and Mental Health Mental Retardation Authority of Harris County for Security Staffing at their Facilities in the Neuro Psychiatric Center Building – *Ralph Burdett*

- P. Consideration of Approval of an Agreement between the Harris County Hospital District and Mary Schneider for Intergovernmental Relations – *King Hillier*

VI. Reports of the Committees – *Stephen DonCarlos*

Joint Conference Committee did not meet and brings directly to the Board the following:

A. Joint Conference – *Mary Spinks*

1. Consideration of Ratification of the Credentialing Changes for Members of the HCHD Medical Staff – *Stephen B. Greenberg, M.D.*
2. Consideration of Acceptance of the Medical Board Report – *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. Consideration to Accept the September 2008 Financial Report Subject to Audit – *Ferdinand Gaenzel*
2. Consideration to Accept the September 2008 Pension Plan Report Subject to Audit – *Ferdinand Gaenzel*
3. Consideration to Approve Payment to the Harris County Hospital Healthcare Alliance for 2008 – 2009 Membership Dues – *Ferdinand Gaenzel*
4. Consideration of Approval of the First Amendment to the Agreement between the Harris County Hospital District and Mir Fox Rodriguez, P.C. to Assist the Department of Corporate Compliance in Conducting Continuous Auditing and Monitoring Services – *Desolyn Foy*
5. Presentation of September 2008 Financial Statements of Community Health Choice, Inc. – *Kenneth W. Janda*

C. Items Related to Planning and Operations Committee – *Elvin Franklin, Jr.*

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

1. Consideration of Ratification of an Initial Determination that Violations of the Harris County Prevailing Wage Rates have Occurred with Excel Plumbing, Inc., a Subcontractor of Trademark Enterprises, d/b/a Trademark Construction & Remodeling, Inc. (General Contractor for the Hospital District's New Alief Health Center Project) and that Back Wages and Penalties be Applied in Accordance with Texas Government Code Chapter 2258 – *Ronald C. Johnson*
2. Consideration of Approval of Additional Costs to Pavecon, LTD, a Subcontractor for PTI, Inc., for the Build-out of a Parking Lot at the Baytown Community Health Center – *Ronald C. Johnson*

D. Items Related to Legislative Committee – *Mary Spinks*

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

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

VII. Executive Session – *Stephen DonCarlos*

- A. Consultation with the County Attorney regarding Joining Possible Lawsuit Challenging CMS Medicaid Drug Rebate Rule affecting Hospital Outpatient Clinic Administered Drugs pursuant to Tex. Gov't Code Ann. § 551.071, and Possible Action Regarding this Matter Upon Return to Open Session – *Mercedes Leal*
- B. Consultation with the County Attorney regarding a Deed Conveying Real Property held in Trust by the Huffman Independent School District on 514 Springwater Drive in Harris County, Texas, to James & Billie Lannom relating to Cause No. 2002-25883; *Huffman Independent School District v. Cunningham, Brian T., et al.*, in the 125th 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 – *J. R. Harris*
- C. Consultation with the County Attorney regarding Cause No. 2008-44764; *Harris County Hospital District v. NovaPro Solutions L P*; in the 55th 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 – *Arlen Pruitt*
- D. Consultation with the County Attorney regarding Cause No. 2008-45075; *Eugene Krus v. Harris County Hospital District*, In the 215th 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 – *Glen Van Slyke*
- E. Consultation with the County Attorney regarding Cause No. 2008-41447; *Jessie Woods v. Harris County Hospital District*; In the 164th 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 – *Glen Van Slyke*
- F. Consultation with the County Attorney regarding Methods for Employing Physicians to Staff District Facilities pursuant to Tex. Gov't Code Ann. § 551.071, and Possible Action Regarding this Matter Upon Return to Open Session – *Mercedes Leal*

- G. Discussion regarding the Status and Terms of the Employment Contract of the President and Chief Executive Officer of Community Health Choice, Inc. pursuant to Tex Gov't Code Sec. 551.074, and Possible Action Regarding this Matter Upon Return to Open Session – *Charles Moore*

The Performance Improvement and Patient Safety Committee did not meet and brings directly to the Board agenda item H:

- H. 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, and Possible Action Regarding this Matter Upon Return to Open Session – *Dr. Fred Sutton*
- I. Report by Vice President of Corporate Compliance regarding Compliance with Medicare, Medicaid, HIPAA and other Federal and State Health Care Program Requirements and a Status of Fraud and Abuse Investigation pursuant to Section 161.032 of the Texas Health & Safety Code – *Desolyn Foy & Vince Temples*
- J. Consideration of Employment of Individual to be Vice President of Corporate Compliance Department Pursuant to Tex. Gov't Code Ann. § 551.074 and Possible Action Regarding this Matter Upon Return to Open Session – *David Lopez*

VIII. Reconvene – *Stephen DonCarlos*

IX. Special Recognition of Mr. Quentin R. Mease – *Stephen DonCarlos*

X. Adjournment – *Stephen DonCarlos*