



HARRIS COUNTY HOSPITAL DISTRICT

**REGULAR MEETING OF THE
BOARD OF MANAGERS**

9:00 A.M.

Thursday, March 27, 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 Meeting – *Stephen DonCarlos***
 - A. Public Budget Hearing – February 28, 2008
 - B. Regular Meeting – February 28, 2008
- III. Hear from Citizens – *Stephen DonCarlos***
- IV. Consideration of Approval to Waive Article XVII. 2 of the Bylaws of the Board of Managers of the Harris County Hospital District – *Stephen DonCarlos***
- V. Consideration of Approval to Amend the Bylaws of the Board of Managers of the Harris County Hospital District – *Stephen DonCarlos***
- VI. Consideration of Approval of the Appointment of George D. Santos, M.D. to the Performance Improvement and Patient Safety Committee of the Harris County Hospital District Board of Managers – *Stephen DonCarlos***
- VII. President/Chief Executive Officer's Report to Include: (1) Senate Bill #10: Status Report and (2) CMS Rule Change: Status Report – *David Lopez***
- VIII. Items related to Purchasing – *Danny Jackson***

The Budget and Finance Committee met March 13, 2008 and brings forth the following:

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

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

- a. Job 07/0393: Award for Construction Manager at Risk for Building Construction, Expansion and Remodeling – *Skanska USA Building Inc.*
- b. Award for Software License Agreement for the IBM Mainframe – *Computer Associates International*
- c. Award for Additional PeopleSoft Financial Software Licenses – *Oracle USA, Inc. (F.K.A. PeopleSoft USA, Inc.)*
- d. DIR: Award for Computers, Monitors and Printers – *DIR through Dell Computer Marketing (DIR contract DIR-SDD-192)*
- e. Premier Contract: Award for Ultrasound Systems (4 ea.) – *Philips Medical Systems and North America Company*
- f. Premier Contract: Award for Medical Laser (Dermatology C02) – *Lumenis, Inc.*
- g. Premier Contract: Award for Affinity Birthing Beds (17 ea.) – *Hill-Rom Company, Inc.*
- h. Premier Contract: Award for Forms and Related Products – *The Standard Register Company*
- i. Premier Contract: Award for Versa-Care Patient Beds (16 ea.) – *Hill-Rom Company, Inc.*
- j. This item was pulled at the Budget and Finance Committee meeting held March 13, 2008
- k. Premier Contract: Award for Printers, Copiers, Facsimiles and Facilities Management – *Xerox Corporation*
- l. Job 06/0327: Award for Joint Eligibility Software System – *Network Sciences, Inc.*
- m. Job 08/0037: Award for Otolaryngology Surgical Microscopes (2 ea.) – *Carl Zeiss Meditec, Inc.*
- n. Premier Contract: Award for Cardiac Ultrasonic Scanners (3 ea.) and Portable Ultrasound (1 ea.) with Xcelera License – *GE Medical Systems*
- o. Job 08/0055: Award for Ambulance Services – *Best Care EMS Ltd. (Primary Vendor for BT; Secondary for LBJ) and Northstar EMS (Primary Vendor for LBJ; Secondary for BT)*
- p. Premier Contract: Funding for Year Three for Pulse Oximeter Monitoring – *Masimo Americas, Inc. through Cardinal Health*
- q. Premier Contract: Additional Funds and Extension for Blood Glucose Meters, Reagents, Training and Service – *Abbott Diagnostics, Inc. through Cardinal Health*

- r. 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*
- s. This item was pulled at the Budget and Finance Committee meeting held March 13, 2008
- t. Job 04/0419: Renewal of Job Order Contracting for Small and Large Projects – *Centennial Contractors Enterprises, Inc. (Primary Vendor) and Kellogg Brown & Root Services, Inc. (Secondary Vendor)*
- u. Job 06/0012: Renewal of Non-Professional Temporary Healthcare Personnel – *Rad-Link Staffing, Inc.*
- v. Job 07/0123: Renewal for Supplemental Non-Professional Temporary Healthcare Personnel – *States Health Inc. dba States Health Care Services*
- w. Job 07/0033: Renewal for Nortel Telephones and Equipment – *Enterprise Systems Corporation*
- x. Job 06/0083: Renewal for Preventive Maintenance and Repair Services for Toshiba Cath Labs – *Toshiba America Medical Systems*
- y. Job 06/0371: Renewal for Automatic Microbiology Blood Culture – *bioMerieux, Inc.*
- z. Job 06/0010: Renewal for Temporary Radiography Personnel – *Supplemental Health Care Services, Inc. and Advanced Health Education Center dba Medrelief Staffing*
- aa. Interlocal Agreement for Oral and Maxillofacial Surgery Services – *The University of Texas Health Science Center at Houston*
- bb. Ratification of Interlocal Agreement for Expanded Operating Room Services for Elective General and Orthopedic Surgery at LBJ General Hospital – *The University of Texas Health Science Center at Houston*
- cc. Job 05/0342: Ratification of Term Extension for Ambulance Services – *Best Care EMS, Ltd and American Medical Response of Texas, Inc.*
- dd. Ratification of Funding for the Fifth and Final Year for IBM Enterprise Software Maintenance Agreement – *International Business Machines Corporation*
- ee. Job 01/0346: Ratification of Renewal for Turnkey Management and Operation of Food and Nutrition Services – *Sodexo Services of Texas Limited Partnership*

A(2). Transmittal of Completed Purchases Under \$100,000
(For Informational Purposes)

- a. Premier Contract: Award for Electrosurgical Unit (ESU) for Gastrointestinal Applications – *Tyco Healthcare (Valley Lab)*
- b. Interlocal Agreement for Clinical Case Management Services – *Jose Bayona, M.D. (Physician Advisor) through The University of Texas Health Science Center at Houston*
- c. DIR: Award for Maintenance and Service of Security Equipment – *Siemens Building Technologies, Inc.*
- d. Premier Contract: Award for Chart Paper and Related Products – *Tyco Healthcare Group, LP The Kendall Company*
- e. Job 07/0074: Utilization of the County Contract for Facsimile Machines – *Century Business Equipment – Categories I and III and Bob Peckham & Associates, Inc. dba Office Systems of Texas – Category II*
- f. Job 08/0073: Award for Oral Surgery Procedure Chairs (4 ea.) – *SWA International Company, LLC*
- g. Job 08/0038: Award for Rental of Magnetic Resonance Imaging (MRI) Unit – *DMS Health Group*
- h. Job 08/0036: Award for Ophthalmology Operating Microscope – *Carl Zeiss Meditec, Inc.*
- i. Premier Contract: Award for Anesthesia Unit – *Drager Medical*
- j. Purchase of Endoscope Washer Disinfector – *Custom Ultrasonics, Inc.*
- k. Premier Contract: Purchase of Medical Laser (Yag) – *Lumenis, Inc.*
- l. Premier Contract: Award for Intra-Aortic Balloon Pump – *Datascope Corporation Cardiac Assist Division*
- m. Purchase of electrosurgical Unit (ESU) for Pulmonary Applications – *ERBE USA Incorporated*
- n. Purchase of Intensive Care Ventilators (2 ea.) – *Viasys Healthcare, Inc.*
- o. Award for Cyberwand USA (Lithotripsy) System – *Gryus ACMI Corp.*
- p. Job 06/0434: Renewal for Alcohol and Other Drug Screening Assessment and Referral Services for Federal Demonstration to Maintain Independence and Employment (DMIE) Project Participants – *Houston Council on Alcoholism and Drug Abuse dba The Council on Alcohol and Drugs Houston*
- q. Job 04/0340: Renewal for On-Hold Telecommunications Message Systems – *Vericom Corporation*

- r. Interlocal Agreement Renewal for Clinical Case Management Services – *Bela Patel, M.D. (Physician Advisor) through The University of Texas Health Science Center at Houston*
- s. Job 06/0082: Renewal for Preventive Maintenance and Repair Services for Linear Accelerators – *Acceletronics, Inc.*
- t. Job 07/0112: Renewal for Plastic Identification Cards for Patients – *The Iris Companies*

IX. Reports of the Committees – *Stephen DonCarlos*

A. Joint Conference – *Mary Spinks*

The Joint Conference Committee met March 13, 2008 and brings forth the following report:

- 1. Report of the Board of Managers Joint Conference Committee

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

- 2. Consideration of Recommendation regarding the Credentialing Changes for Members of the HCHD Medical Staff for March 2008 – *Stephen Greenberg, M.D.*
- 3. Consideration of Acceptance of the Medical Board Report – *Stephen Greenberg, M.D.*
- 4. Consideration of Recommendation for Changes in the Medical Staff Bylaws – *Stephen Greenberg, M.D.*
- 5. Consideration of Recommendation for Changes in the Medical Staff Rules and Regulations – *Stephen Greenberg, M.D.*

B. Budget and Finance Committee – *Danny Jackson*

The Budget and Finance Committee met March 13, 2008 and brings forth the following:

- 1. Consideration of Acceptance of the February 29, 2008 Pension Plan Report Subject to Audit – *Gwendolyn Huskey*
- 2. Consideration of Acceptance of the Fourth Quarter Investment Report for the Period Ended February 29, 2008 – *Ferdinand Gaenzel*

The followings item did not go to Committee and comes directly to the Board:

- 3. Consideration of Acceptance of the February 29, 2008 Financial Report Subject to Audit – *Ferdinand Gaenzel*
- 4. Consideration to Approve the Conversion of the Harris County Hospital District Senior Lien Refunding Revenue Bonds – *Ferdinand Gaenzel*

5. Consideration to Approve Payment to the American Hospital Association for 2008 Membership Dues – *Ferdinand Gaenzel*
6. Presentation of February 2008 Financial Statements of Community Health Choice, Inc. – *Glen R. Johnson, M.D.*

C. Capital Building Committee – *Mary Spinks*

The Capital Building Committee met March 13, 2008 and brings forth the following:

1. Consideration of Permission to Request the County Right of Way Department to Appraise Possible Sites for the Relocation of the Peoples Health Center – *Ronald C. Johnson*
2. Consideration of Permission to Request the County Right of Way Department to Enter Into Negotiations for the Purchase of Available 3.37 Acres of Land in the Area of the Alief Health Center – *Ronald C. Johnson*
3. Consideration of Approval to Enter Into Negotiations for a Lease Agreement with Warehouse Associates for the Rental of Approximately 117,775 Square Feet of Space – *Ronald C. Johnson*

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

The Planning and Operations Committee met March 13, 2008 and brings forth the following:

1. Items Related to Specialty and Primary Clinics and other Facilities – *Elvin Franklin, Jr.*
 - a. Ratifications
 1. Consideration of Ratification and Amendment to an Agreement between the Harris County Hospital District and Baylor College of Medicine, Department of Family and Community Medicine to provide Psychiatric Services to Homeless Individuals – *Dr. Robert Trenschel*
 2. Consideration of Ratification of an Agreement between the Harris County Hospital District and Baylor College of Medicine, Department of Obstetrics and Gynecology to provide Physician Services Funded by Ryan White Modernization Act Part A to Eligible HIV-infected Females – *Dr. Robert Trenschel*
 3. Consideration of Ratification of an Agreement between the Harris County Hospital District and Baylor College of Medicine, Department of Medicine to provide Physician Services Funded by Ryan White Modernization Act Part A to Eligible HIV-infected Individuals – *Dr. Robert Trenschel*

4. Consideration of Ratification of an Agreement between the Harris County Hospital District and University of Texas Health Science Center of Houston to provide Physician Services Funded by Ryan White Modernization Act Part A to Eligible HIV-infected Individuals – *Dr. Robert Trenchel*
5. Consideration of an Agreement between the Harris County Hospital District and Houston Regional HIV/AIDS Resource Group to provide Case Management and Primary Care Services Funded by Ryan White Modernization Act Part D to Eligible HIV-infected Women, Families and Children – *Dr. Robert Trenchel*

b. Agreements

1. Consideration of an Agreement between the Harris County Hospital District and Harmony House to provide On-site Health Care Services to Homeless Individuals – *Dr. Robert Trenchel*
2. Consideration of Approval of the Memorandum of Understanding between the Harris County Hospital District and the Spring Branch Community Health Center Located in Harris County – *R. King Hillier*

2. Items Related to Personnel

Consideration of Ratification of the Eighth Amendment to the Harris County Hospital District's Pension Plan for a One-Time Supplemental Benefit Payment Payable in 2008, 2009 and 2010 – *Lou Gould*

3. Items Related to Buildings and Properties

The following item did not go to Committee and comes directly to the Board:

Consideration of Approval of Amendment No. 2 to the Agreement between the Harris County Hospital District and Hellmuth Obata + Kassabaum, L.P. (HOK) in to Include a 5th Level to the New Radiation Therapy diagnostic Imaging and Specialty Center and a 9th Floor to the Parking Garage – *Ronald C. Johnson*

E. Corporate Compliance Committee – *E. Dale Wortham*

The Corporate Compliance Committee met March 13, 2008 and brings forth the following:

1. Consideration of Approval of the Harris County Hospital District Compliance Hotline Policy# 3.36 – *Philip D. Eubanks*

2. Consideration of Approval of the Harris County Hospital District Corporate Compliance Department and Legal Counsel Protocols and Procedures Policy# 3.37 – *Philip D. Eubanks*
3. Consideration of Approval of the Harris County Hospital District Compliance Officer Duties Policy# 3.38 – *Philip D. Eubanks*

X. Miscellaneous Agenda Items – *Stephen DonCarlos*

- A. Donation of Mobile Mammography Unit by the Harris County Hospital District Foundation – *Ottley Sims*
- B. Consideration to Approve an Amendment to the Epilepsy Services Grant between the Harris County Hospital District and the Department of State Health Services (DSHS) – *Beth Cloyd*
- C. Consideration to Ratify an Affiliation Agreement between the Harris County Hospital District and the Houston Area Women’s Center – *Beth Cloyd*
- D. Consideration to Ratify an Agreement between the Harris County Hospital District and the Texas Department of State Health Services – *Beth Cloyd*
- E. Consideration to Approve Second Amendment to Agreement for Special Counsel with Haynes and Boone, LLP – *Mercedes Leal*
- F. Consideration to Approve an Agreement between the Harris County Hospital District and Vinson & Elkins, LLP – *Mercedes Leal*

XI. Executive Session – *Stephen DonCarlos*

- A. 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 – *Phillip D. Eubanks*
- B. Discussion of the Employment and Duties of the Following Employees of the Board of Managers’ Office: The Administrator, Manager, Administrative Assistant and Secretary, pursuant to Tex. Gov’t Code Ann. Section 551.074 and Possible Action Regarding this Matter Upon Return to Open Session – *Stephen DonCarlos*
- C. Consultation with the County Attorney regarding Agreement with Affiliated Medical Services, pursuant to Tex. Gov’t Code Ann §551.071 and Possible Action Regarding this Matter Upon Return to Open Session – *Mercedes Leal*
- D. Consultation with the County Attorney regarding Cause No. 2001-54285, *Spring Branch Independent School District vs. Old Katy Road 28 Ltd*; property on Lumpkin Road Conveyed and Acquired by Tax Foreclosure Sale to Houston Community College System by the Spring Branch Independent

School District to Itself, Harris County, the Port of Houston Authority, the Harris County Flood Control District, the Harris County Hospital District, the Harris County Education Department and the City of Houston, pursuant to Tex. Gov't Code Ann §551.071 and Possible Action Regarding this Matter Upon Return to Open Session – *J. R. Harris*

- E. Consultation with the County Attorney regarding Claim by A-Rocket Moving & Delivery, Inc. for Storage of District Property from October 1, 2006 through January 31, 2008, pursuant to Tex. Gov't Code Ann §551.071 and Possible Action Regarding this Matter Upon Return to Open Session – *Mercedes Leal*
- F. Consultation with the County Attorney regarding Cause No. 2006-10167, *Eugene Dale Harris , et al. v. Harris County Hospital District* and Cause No. 2006-15321; *Sonja Scott, et al. v. Harris County Hospital District*, pursuant to Tex. Gov't Code Ann §551.071 and Possible Action Regarding this Matter Upon Return to Open Session – *Mercedes Leal*
- G. Consultation with the County Attorney regarding a Claim by Glenda Caldwell, 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 Contract with NovaPro Risk Solutions, LP, pursuant to Tex. Gov't Code Ann §551.071 and Possible Action Regarding this Matter Upon Return to Open Session – *Arlen Pruitt*
- I. Discussion regarding the Acquisition of Real Property in Connection with the Hospital District's 2015 Strategic Plan pursuant to Tex. Gov't Code Ann. Section 551.072 and Possible Action Regarding this Matter upon Return to Open Session – *David Lopez*

XII. Reconvene – *Stephen DonCarlos*

XIII. Adjourn – *Stephen DonCarlos*