



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

**Thursday, July 28, 2005**

**Board Room – Administration Building**

**BOARD MEMBERS PRESENT**

Mr. J. Evans Attwell, Chair  
Mr. Stephen H. DonCarlos, Vice Chair  
Ms. Carolyn Truesdell, Secretary  
Dr. Daniel D. Louie, Asst. Sec.  
Mr. Danny Jackson  
Mr. Jim Lemond  
Mr. E. Dale Wortham

**BOARD MEMBERS ABSENT**

Mr. Elvin Franklin, Jr.  
Ms. Mary Spinks

**OTHERS PRESENT**

Mr. David Lopez, President & Chief Executive Officer  
Mr. Kelly Johnson, Harris County Purchasing Agent  
Mr. Wird Brown, Harris County Purchasing Agent  
Attorney Mercedes Leal, County Attorney's Office  
Mr. Mark Fury, Commissioner Steve Radack's Office  
Ms. Suzanne McPherson, Commissioner El Franco Lee's Office  
Ms. Alison Huff, Commissioner Jerry Eversole's Office  
Ms. Gloria Moreno, Commissioner Sylvia Garcia's Office  
Administrative Staff  
Media  
Guests  
(Sign-in Sheets attached to permanent record)

**I. Call to Order and Record of Attendance**

Mr. J. Evans Attwell, Chair, called the meeting to order at 9:01 A.M. and noted that a quorum was present. The attendance was recorded.

Mr. Attwell announced that following Agenda Item III. Hear from Citizens, the Board will go into Executive Session.

## II. Approval of Minutes of Previous Meeting

### Motion 05.7-308

Moved by Mr. DonCarlos, seconded by Mr. Jackson, and unanimously passed, that the Board approve the minutes of the June 30, 2005 regular meeting of the Board of Managers incorporating the changes requested by the Secretary, Ms. Truesdell.

## III. Hear from Citizens

Ms. Fadine Roquemore addressed the Board regarding MLK Clinic activities, and commended Mr. Franklin, Dr. Vallbona, and Ms. Reyes for their support of the Clinic. She requested the Board consider an octagonal-shaped facility of 100,000 sq ft for the Clinic, which would more effectively serve the needs of the community.

At this time Mr. Attwell announced that the Board would go into Executive Session.

*Any Board member may request that an item marked "CONSENT" be pulled from this consideration for individual action or presentation.*

## IV. Purchasing

The Fiscal Affairs Committee met on July 25, 2005 and brings directly to the Board the following items:

A. Fiscal Affairs Committee Items related to purchasing requiring Board approval.

A (1). Purchasing Recommendations requiring Board Approval

a. Motion 05.7-309

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the purchase of ultrasound imaging products and services, on the basis of lowest priced contract, from Philips Medical Systems North America Company to upgrade existing ultrasound systems located at Casa, Gulfgate, Northwest and Peoples Clinics in order to transmit ultrasound images electronically via the Picture Archiving Communication System (PACs) in the amount of \$159,758.

b. Motion 05.7-310

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve additional funds for Roche Diagnostics Company in the amount of \$42,000 for the term 8/1/04 through 7/31/05 bringing

the total funding amount to \$142,000 due to a substantially increased volume of tests being requested.

c. **Motion 05.7-311**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve additional funds and an extension for Pharmacy Healthcare Solutions, Ltd. in the amount of \$500,000 for the extended term of 8/1/05 – 9/30/05, bringing the total funding amount to \$2,250,000 for Indigent Patient Drug Reimbursement Program (Product Recovery Services). The vendor has agreed to extend under the same terms and conditions as set forth in the agreement, with no increase in pricing.

d. **Motion 05.7-350**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve funding for the fifth year of a five (5) year term for Bayer Corporation Diagnostics Division in the estimated amount of \$120,910 for the Premier Healthpak Reagent Rental Agreement to supply blood gas analyzers, reagents and supplies to the pathology labs at Ben Taub, LBJ, and the respiratory lab at Ben Taub for the term June 29, 2005 through June 28, 2006.

e. **Motion 05.7-312**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the second of four (4) renewal options for Rhema, Inc. in the estimated amount of \$263,850 to provide medical equipment for patients at home who still require assistance after discharge for the term September 1, 2005 through August 31, 2006. The vendor has agreed to renew under the same terms and conditions as set forth in the awarded contract, with no increase in pricing.

f. **Motion 05.7-313**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the fourth and final renewal option for Gen-Probe in the estimated amount of \$147,725 for analyzer and reagents for GC/Chlamydia testing for the term September 1, 2004

through August 31, 2005. The vendor has agreed to renew under the same terms and conditions as set forth in the awarded contract, with no increase in pricing.

g. **Motion 05.7-314**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the first of three renewal options for Elite Personnel Consultants, Inc. in the estimated amount of \$1,000,000 to provide temporary personnel services for the term August 1, 2005 through July 31, 2006. The vendor has agreed to renew under the same terms and conditions as set forth in the awarded contract, with no increase in pricing.

h. **Motion 05.7-315**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the second of four (4) renewal options to Cardinal Health 301, Inc. in the estimated amount of \$134,628 for Lease/Maintenance for twenty-six (26) Medication Dispensing Cabinets for the term September 1, 2005 through August 31, 2006. The vendor has agreed to the same terms and conditions as set forth in the agreement with no increase in pricing. This estimated amount is higher because the amount for the previous year did not include maintenance.

i. **Motion 05.7-316**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve funding for the second year of a two (2) year term for Agfa Corporation Healthcare & Medical Imaging through Merry X-Ray in the estimated amount of \$1,092,911 to provide radiology convention x-ray film, radiology chemicals (fixer and developer), and to provide removal of chemical waste for the term September 1, 2005 through August 31, 2006.

j. **Motion 05.7-317**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the first of four (4) renewal options for Bayer HealthCare LLC, Diagnostics Division in the estimated amount of \$129,125 for HIV-1 Genotyping System for the term August 1, 2005 through July 31, 2006. The vendor has agreed to renew

under the same terms and conditions as set forth in the awarded contract, with no increase in pricing.

k. **Motion 05.7-318**

Moved by Mr. Jackson seconded by Ms. Truesdell, and unanimously passed, that the Board approve utilization of Medline Industries, Inc. (PP-OR-091) contract for an award to Medline Industries, Inc. through Cardinal Health, Inc. in the estimated amount of \$167,443 for standard surgical set-up kits for the term June 1, 2005 through May 31, 2006.

l. **Motion 05.7-319**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve to purchase on the basis of low bid, an emergency paging and communication system from Devolve Corp. in the amount of \$126,032. Purchase price includes Devolve Corp. furnishing and installing paging, emergency paging and communication system at Lyndon B. Johnson Hospital.

m. **Motion 05.7-320**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the vendor name change of Sodexo Services of Texas Limited Liability Partnership to Sodexo Services of Texas Limited Partnership. The estimated amount of the contract is \$7,890,604 for housekeeping services for the term June 1, 2005 through May 31, 2006 with four (4) one-year renewal options. This name change has taken place since the initial award on March 31, 2005.

n. **Motion 05.7-321**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve ratification of purchases made on an emergency basis, to Gowan, Inc. in the amount of \$54,258 for sewer line repairs at Ben Taub General Hospital.

o. **Motion 05.7-322**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the purchase of various outside testing services from Baylor College of

Medicine in the amount of \$93,649 for the term September 2002 through May 2005.

p. **Motion 05.7-323**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve awards on the basis of low bids meeting specifications by class to:

- 1) Nestle USA, Inc. d/b/a/ Nestle Nutrition - \$110,449 with two (2) one-year renewal options;
- 2) Ross Products Division, Abbott Labs - \$13,677 with one (1) one-year renewal option and second one-year renewal upon mutual consent with a price increase no more than 3%;
- 3) Mead Johnson & Company - \$12,224 No renewal options, prices subject to change;
- 4) Novartis Nutrition Corporation - \$337 with two (2) one-year renewal options, with a 5% price increase each year

for a total amount of \$136,687 for infant/adult, nutritional/disease specific formulas for the term August 1, 2005 through February 28, 2006 with two (2) one-year renewal options.

A (2). Harris County Purchasing Transmittals of Completed Items under \$100,000 for Information Purposes Only

(These items did not require Board approval.)

a. Job 03/0190: BM 04.7-283: Special Reference Testing Services

Transmittal of the second and final renewal option for Dynagene in the estimated amount of \$84,882 for Special Reference Testing Services for the term August 1, 2005 through July 31, 2006. The vendor has agreed to renew under the same terms and conditions as set forth in the awarded contract, with no increase in pricing.

b. Job 04/0237: Water Treatment Chemicals and Services

Transmittal of the first of four (4) renewal options for GE Betz in the amount of \$62,405 for water treatment chemicals and services for the term October 1, 2005 through September 30, 2006. The vendor has agreed to

the same terms and conditions as set forth in the awarded contract, with no increase in pricing.

- c. Premier Contract PP-LA-068: Plasma Protein Analyzers, Reagents and Consumables

Transmittal of the fifth year of a five (5) year term for Dade Behring, Inc. in the estimated amount of \$54,732 for plasma protein analyzers, reagents and consumables for the term May 1, 2005 through April 30, 2006. (Reagent rental agreement including instrumentation.)

- d. Premier Contract PP-LA-053: Coagulation/Hemostasis Analyzers, Reagents and Consumables

Transmittal of the fifth year of a five (5) year term for Dade Behring, Inc. in the estimated amount of \$87,879 for coagulation/hemostasis analyzers, reagents and consumables for the term May 1, 2005 through April 30, 2006.

- e. Premier Contract PP-PW6FFF01: Immune Globulin IV Product

Transmittal of purchases made on an emergency basis for F.F.F. Enterprises, Inc. in the amount of \$53,132 for Immune Globulin IV product for Ben Taub General Hospital.

- f. Premier Contract PP-NS-038: Obstetric Monitoring and Delivery Products

Transmittal of an award to Clinical Innovations, Inc. (PP-NS-038) through Specialty Med Care in the estimated amount of \$83,490 for obstetric monitoring and delivery products for the term June 1, 2005 through May 31, 2006.

3. **Motion 05.7-324**

Moved by Ms. Truesdell, seconded by Mr. Jackson, and unanimously passed, that the Board approve the fourth year of a five (5) year term for SterilMed, Inc. to provide Sterile Reprocessing for various items used throughout the Hospital District, in the estimated amount of \$250,000 for the term July 1, 2005 through June 30, 2006.

4. The Relizon Company to provide the Hospital District with forms and related products

**This item was struck from the agenda.**

5. **Motion 05.7-325**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve to award an Agreement with Ernst & Young to provide an External Audit of the Hospital District's Financial Statements and Employee Benefits Plans, in the amount of \$237,500 for the first year of a four (4) year term, subject to renewal thereafter. The Agreement will be prepared by the County Attorney's Office. The Audit Partner will be Mr. Troy Manchac.

B. The Information Technology Committee met July 15, 2005 and brings the following items directly to the Board for approval:

1. Information Technology Committee Items related to Purchasing requiring Board approval:

A.1.a. **Motion 05.7-326**

Moved by Mr. DonCarlos, seconded by Mr. Jackson, and unanimously passed, that the Board approve funding for year two (2) of a 3-year Agreement to Storage Technology Corporation to provide software and hardware maintenance and support for the Virtual Tape System in the amount of \$133,556 for the term September 1, 2005 through August 31, 2006. The vendor has agreed to renew under the same terms and conditions as set forth in the Agreement, with a decrease in pricing.

A.1.b. **Motion 05.7-327**

Moved by Mr. DonCarlos, seconded by Mr. Jackson, and unanimously passed, that the Board approve the third of four (4) one-year renewal options for the University of Texas Health Science Center at Houston in the amount of \$179,092 for Physician Advisory Consulting Services for the term September 1, 2005 through August 31, 2006. The vendor has agreed to renew under the same terms and conditions as set forth in the Agreement.

A.1.c. **Motion 05.7-328**

Moved by Mr. DonCarlos, seconded by Mr. Jackson, and unanimously passed, that the Board approve the purchase, on the basis of sole source, of Software Updates and Annual Maintenance for T-PASS, from

Compliance Data Systems, Inc., in the amount of \$258,000 for the term October 1, 2005 through September 30, 2006. The vendor has agreed to renew under the same terms and conditions with an increase in pricing due to increased maintenance coverage.

A.1.d. **Motion 05.7-329**

Moved by Mr. DonCarlos, seconded by Mr. Jackson, and unanimously passed, that the Board approve the second year of a three (3) year term for McKesson Information Solutions to provide Maintenance Support and Software Updates for the Application of the Horizons Meds Manager Inpatient Pharmacy, in the amount of \$114,816 for the term October 1, 2005 through September 30, 2006.

A.1.e. Job No. 04/0417: Review and Analysis of the Cost for Voice and Data Communications Circuits and Accounts.

**This item was pulled in Committee.**

2. The following Items were not considered by the Information Technology Committee and come directly to the Board for approval:

a. **Motion 05.7-330**

Moved by Mr. DonCarlos, seconded by Mr. Jackson, and unanimously passed, that the Board approve the purchase, on the basis of sole source, of Maintenance and Support for the Misys Laboratory System Software from Misys Healthcare Systems in the amount of \$231,000 for the term October 1, 2005 through September 30, 2006.

b. **Motion 05.7-331**

Moved by Mr. DonCarlos, seconded by Mr. Jackson, and unanimously passed, that the Board approve the purchase, on the basis of sole source, of IBM Enterprise Hardware and Software Maintenance and Support on the UNIX Servers from International Business Machines in the amount of \$109,832 for the term August 1, 2005 through July 31, 2006, with three (3) one-year renewal options.

3. The following item was previously presented to the Board and now comes as a Recommendation from Administration for Board approval that the Contract for Review and Analysis of the Cost for Voice and Data Communication Circuits and Accounts for the Harris County Hospital District be awarded to Carolyn Arnold – Communications Consultant, Inc.

After considerable discussion, the matter was brought forward as follows:

**Motion 05.7-332**

Moved by Mr. DonCarlos, seconded by Mr. Lemond, that the Board approve the Award of a contract for Review and Analysis of the Cost for Voice and Data Communication Circuits and Accounts for the Harris County Hospital District (Job No. 04/0417) to Southwestern Tariff Analyst.

Vote of the Board on the above motion was:

Mr. DonCarlos	Yea
Mr. Lemond	Yea
Mr. Wortham	Yea
Ms. Truesdell	Nay
Mr. Jackson	Nay
Mr. Attwell	Abstained

**The motion did not pass.**

**V. Reports of the Committees**

Mr. Attwell called on Mr. DonCarlos to present the agenda items related to Joint Conference Committee.

**A. Joint Conference Committee**

1. The Joint Conference Committee met July 13, 2005 and brings forth the following informational reports:

- a. Report from Joint Conference Committee

**No action required.**

- b. Revised Policy regarding Response to Family Violence, Abuse, Neglect or Exploitation of Children, the Elderly and Disabled.

**This item was pulled and will be presented at a later time.**

- c. Report on the Status of Research in the Harris County Hospital District. The Board encouraged publicity of these results of ongoing research.

**No action required.**

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

- a. **Motion 05.7-333**

Moved by Mr. DonCarlos, seconded by Mr. Lemond, and unanimously passed, that the Board approve the Appointments, Reappointments and Changes of Status for members of the HCHD Medical Staff for July 2005 as recommended by the Medical Board.

- b. **Motion 05.7-334**

Moved by Mr. Wortham, seconded by Mr. DonCarlos, and unanimously passed, that the Board accept the July 12, 2005 Medical Board Report as presented by Dr. Riley. (Appendix "A")

Mr. Attwell called on Mr. Danny Jackson who called on Ms. Gwendolyn Huskey to present the agenda items related to Fiscal Affairs.

**B. Fiscal Affairs Committee**

1. The Fiscal Affairs Committee met on July 25, 2005 and brings the following items directly to the Board for information and/or approval:

- a. **Motion 05.7-335**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously passed, that the Board Accept the June 30, 2005 Financial Report Subject to Audit.

- b. **Motion 05.7-336**

Moved by Mr. Jackson, seconded by Mr. Lemond, and unanimously passed, that the Board Accept the June 30, 2005 Pension Plan Report Subject to Audit.

- c. **Motion 05.7-337**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board Approve Payment to the Texas Medical Center for (1) the Wayfinding Signage Project in the amount of \$93,681 and (2) the Commons

Assessment for Security and Maintenance in the amounts of \$61,897 and \$95,059, respectively.

d. **Motion 05.7-338**

Moved by Mr. Lemond, seconded by Mr. DonCarlos, and unanimously agreed, that the Board adopt a Resolution regarding Short Term Financing Options of a Tax and Revenue Anticipation Note, not to exceed \$35M, such Resolution to be presented at the next Board Meeting.

The following item was taken out of order.

- e. Mr. Edwin Harrison from the County Office of Management Services presented options for consideration by the Board regarding the Restructuring of the Hospital District's Outstanding Bonds and Other Debt. Considerable discussion ensued. A decision regarding issuance of new revenue bonds was deferred to the next Board Meeting.

**Motion 05.7-339**

Moved by Ms. Truesdell, seconded by Mr. DonCarlos, and unanimously passed, that the Board adopt a Resolution Requesting Issuance of Harris County Hospital District Refunding Revenue Bonds, Series 2005; Approving Preparation of a Preliminary Official Statement; and Containing Other Matters Relating Thereto.

At 12:25 P.M., Mr. Dale Wortham left the meeting.

- f. Ms. Beth Cloyd presented an Update on the Phase 2 Consulting Project related to AMS Audit, Eligibility Review and Revenue Cycle.

**No action required. Presented for information only.**

2. The following item did not go to the Fiscal Affairs Committee and comes directly to the Board:

Dr. Glen Johnson presented the June 2005 Financial Statements of Community Health Choice, Inc.

Discussion ensued regarding the progress being made and Dr. Johnson expressed the need for assistance from this Board for strategic direction for the future.

**No action required. Presented for information only.**

Mr. Attwell called on Mr. Tim Tindle to present the Agenda items related to the Information Technology Committee.

### **C. Information Technology Committee**

The Information Technology Committee met on July 15, 2005 and brings the following informational reports to the Board:

1. Review of the Strategic Project Status regarding Epic, PeopleSoft H.R. & Payroll, Picture Archival and Communication System (PACs), and Patient Management and Accounting.

**No action required. Presented for information only.**

2. Review of the I.T. Security Update related to the Ernst & Young Audit

**No action required. Presented for information only.**

Mr. Attwell called on Ms. Alicia Reyes to present items related to the Clinic Committee.

### **D. Clinic Committee**

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

1. **Motion 05.7-340**

Moved by Mr. DonCarlos, seconded by Mr. Jackson, and unanimously passed, that the Board ratify an Amendment to an Agreement between the Harris County Hospital District and Houston Regional HIV/AIDS Resource Group for the purpose of increasing the total amount of the agreement by \$10,020 increasing the total amount to \$255,968. This Agreement provides Case Management and Primary Care Services Funded by Ryan White Title IV for Eligible HIV-infected Women, Families, and Children for the term August 1, 2004 through July 31, 2005.

2. **Motion 05.7-341**

Moved by Mr. DonCarlos, seconded by Mr. Jackson, and unanimously passed, that the Board ratify an Agreement between the Harris County Hospital District and Baylor College of Medicine, Department of Obstetrics and Gynecology, to Provide Physician Services Under Ryan White Title I to Eligible HIV-infected Women in the amount of \$59,380 for the term March 1, 2005 through February 28,

2006, subject to preparation of the agreement by the County Attorney's Office.

Mr. Attwell called on Ms. Truesdell who called on Mr. King Hillier and Ms. Mary Schneider to present items related to the Governmental & Public Affairs Committee.

#### **E. Governmental & Public Affairs Committee**

The Governmental & Public Affairs Committee met on July 15, 2005 and brings the following informational items to the Board:

1. Review of Activities in Austin that affect HCHD and its Legislative Platform.
2. Review of Upcoming Site Visits to HCHD Facilities by the Harris County Congressional and the State Legislative Delegations.
3. Review of Pending Medicaid Issues regarding the Statewide Rollout of Managed Care Models to include Primary Care Case Management (PCCM), Hospital Carve-outs and Integrated Case Management.
4. Review of the Regional UPL Initiative in Harris and Surrounding Counties.
5. Review of Pending Federal Legislative and Policy Issues Affecting HCHD.

**No action required. All of the above items were presented for information only.**

Mr. Attwell called on Mr. Lawrence Bell to present agenda items related to the Buildings & Properties Committee.

#### **F. Buildings & Properties Committee**

The Buildings & Properties Committee did not meet and brings the following items directly to the Board for approval:

1. **Motion 05.7-342**

Moved by Ms. Truesdell, seconded by Mr. DonCarlos, and unanimously passed, that the Board authorize the Harris County Hospital District to enter into Lease Option 3 with the Houston Small Business Development Corporation at a lease rate of \$11,000 per month, plus \$1,833.33 per month for common area operating expenses for the period of August 1, 2005 through July 31, 2006. Additionally, the Hospital District authorizes the approval of the common area

operating expenses for the months of February 2005 through July 31, 2005 at a rate of \$1,833.33 per month.

2. **Motion 05.7-343**

Moved by Ms. Truesdell, seconded by Mr. DonCarlos, and unanimously passed, that the Board authorize the Hospital District to extend the current Sub-Lease Agreement with Neighborhood Centers Inc. for the leasing of approximately 3,111 square feet of space for Gateway to Care Program for an additional month. The extended lease is for the period September 1, 2005 through September 30, 2005 and the additional cost for the one-month extension is \$3,632.09.

3. Consideration for the Board to enter into a New Lease Agreement with K.B. Hogan, LLC for Patient, Visitor and Staff Parking for the Casa de Amigos Health Center.

**This item was deferred to the next Board meeting.**

**VI. Miscellaneous Agenda Items**

A. **Motion 05.7-344**

Moved by Mr. DonCarlos, seconded by Mr. Jackson, and unanimously passed, that the Board approve an Agreement with the University of Texas Medical Branch at Galveston regarding Healthcare Services provided to Government Wards (Prisoners) for the term July 15, 2005 through August 31, 2007, subject to the availability of funds from the Government.

B. **Motion 05.7-345**

Moved by Mr. DonCarlos, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an Agreement with Lakeside Open MRI & Diagnostic Center to provide certain diagnostic services for the term of one (1) year commencing 7/28/05, and may renew for one (1) year terms with the written agreement of both parties. The Agreement calls for the District to reimburse Lakeside Open MRI & Diagnostic Center 95% of the current Medicaid fee schedule.

C. **Motion 05.7-346**

Moved by Mr. DonCarlos, seconded by Mr. Jackson and passed, with Mr. Attwell abstaining, that the Board authorize Harris County Hospital District to enter into Agreements with CenterPoint Energy Services, Inc. for the Purchase of Natural Gas, effective August 1, 2005 for Ben Taub General Hospital, and September 1, 2005 for

Lyndon B. Johnson General Hospital, subject to Legal Review by the County Attorney's Office Further, that authorization be given to enter into a "Fixed Rate" Agreement if and when it is economically advantageous.

**D. Motion 05.7-347**

Moved by Mr. DonCarlos, seconded by Mr. Lemond, and unanimously passed, that the Board Accept the Memorandum of Understanding Between Harris County Hospital District and Baylor College of Medicine pertaining to Review and Approval of Research by Baylor College of Medicine's Institutional Review Board, effective upon the latter date signed by the Parties hereto and continue for one (1) year, unless sooner terminated, and automatically renewed on a year-to-year basis if notice of termination has not been given by either Party.

**E. Motion 05.7-348**

Moved by Ms. Truesdell, seconded by Mr. Lemond, and unanimously passed, that the Board Accept the Donation of Equipment for LBJ Eye Clinic from Thomas Praeger, Ph.D., Clinical Professor at the Hermann Eye Center, valued at \$7,000.

**VII. Executive Session**

At 9:14 A.M., Mr. Attwell stated that the Board would go into Executive Session under Section 161.032 of the Texas Health & Safety Code and Chapter 551, Texas Government Code, Section 071, 072 and 074 as permitted by law. He stated that the regular meeting of the Board would reconvene at the close of Executive Session.

Dr. Daniel Louie left the Executive Session at 10:30 A.M.

At 12:55 P.M., Mr. Attwell stated that the Board would go into Executive Session under Section 161.032 of the Texas Health & Safety Code and Chapter 551, Texas Government Code, Section 071, 072 and 074 as permitted by law. He stated that the regular meeting of the Board would reconvene at the close of Executive Session.

**VIII. Reconvene**

At 10:55 A.M., Mr. Attwell reconvened the regular meeting starting with Agenda Item IV. Purchasing.

At 1:38 P.M., Mr. Attwell reconvened the regular meeting and asked if there were further input to the Agenda.

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 Section 161.032 of the Texas Health & Safety Code

**No action taken. Presented for information only.**

- B. Consultation with the County Attorney regarding the Status of Litigation involving LBJ Property Acquisition, pursuant to Tex. Gov't Code Ann. § 551.071

**No action taken.**

- C. Consideration of Approval to File a Lawsuit against Ray C. Anderson on an unpaid account and in the alternative, to Enforce a Settlement Agreement and Possible Action regarding this matter upon return to Open Session, pursuant to Tex. Gov't Code Ann. § 551.071

**Motion 05.7-349**

Moved by Mr. Lemond, seconded by Mr. Jackson, and unanimously passed, that the Harris County Hospital District, by and through its Board of Managers, approved and hereby authorizes the filing of a lawsuit in the amount of \$20,388.53 against Ray C. Anderson on an unpaid account or in the alternative, to enforce a settlement agreement for \$12,500.00 on said account, and that David S. Lopez, President and CEO, be authorized to execute settlement documents on behalf of the Harris County Hospital District.

- D. Discussion of Civil Action No. 04-3066; *Sanitec Industries, Inc. v. Micro-Waste Corporation*, in the U.S. District Court for the Southern District of Texas, Houston Division, pursuant to Tex. Gov't Code Ann. § 551.071

**No action taken.**

- E. Request by the County Attorney to Advise the Board regarding Employee Benefits, pursuant to Tex. Gov't Code Ann. § 551.071

**No action taken.**

- F. Discussion of Acquisition of Real Property in Connection with the Hospital District's 2015 Strategic Plan, pursuant to Tex. Gov't Code Ann. § 551.072 and Possible action regarding the Matter upon return to Open Session

**No action taken.**

- G. Consultation with the County Attorney regarding the District's Agreement with QuadraMed Corporation for the Master Patient Index Clean-up Project, pursuant to Tex. Gov't Code Ann.

§ 551.071

**No action taken.**

**IX. Adjournment**

Moved by Mr. Lemond, seconded by Ms. Truesdell, and unanimously accepted to adjourn the meeting.

There being no further business, the meeting adjourned at 1:40 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 July 28, 2005.

J. Evans Attwell, Chairman  
Board of Managers  
Harris County Hospital District  
Houston, Texas

Carolyn Truesdell, Secretary

Recorded by Mary O'Rarden