



## HARRIS COUNTY HOSPITAL DISTRICT

### MINUTES OF THE BOARD OF MANAGERS MEETING

Thursday, January 26, 2006

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. Elvin Franklin, Jr.  
Mr. Danny Jackson  
Mr. E. Dale Wortham

#### **BOARD MEMBERS ABSENT**

Ms. Mary Spinks  
Mr. Jim Lemond

#### **OTHERS PRESENT**

Mr. David Lopez, President & Chief Executive Officer  
Mr. George Masi, Chief Operating Officer  
Ms. Sylvia Garcia, Commissioner, Precinct 2  
Mr. Jack McCown, Harris County Purchasing  
Mr. Kelly Johnson, Harris County Purchasing  
Attorney Mercedes Leal, County Attorney's Office  
Ms. Alison Huff, Commissioner Jerry Eversole's Office  
Ms. Gloria Moreno, Commissioner Sylvia Garcia's Office  
Mr. Mark Seegers, Commissioner Sylvia Garcia's Office  
Mr. Mark Fury, Commissioner Steve Radack's Office  
Mr. Francisco Sanchez, Judge Robert Eckels' 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 9:03 A.M. and noted that a quorum was present. The attendance was recorded.

## **II. Approval of the Minutes of Previous Meeting**

### **Motion 06.1-01**

Moved by Ms. Truesdell, seconded by Mr. Wortham, and unanimously passed, that the Board approve the minutes of the December 1, 2005 regular meeting of the Board of Managers and the December 20, 2005 Called Meeting of the Board of Managers.

## **III. Oath of Office for Newly Appointed Board Members**

County Commissioner Sylvia Garcia was present and gave the Oath of Office to the following Board members: Mr. Stephen DonCarlos and Mr. E. Dale Wortham. Each Board member was reappointed to serve an additional 2-year term.

## **IV. Hear from Citizens**

Mr. Chad Richards with Quest Diagnostic addressed the Board regarding Purchasing Item Job 05/0390 regarding reference testing.

Mr. Gene Flores addressed the Board regarding Council at Large elections.

Mr. Charlie McGuire and Mr. Art Klebba with Integrated Medical Systems (IMS) addressed the Board regarding Purchasing Item Job 05/0362.

## **V. Election of Board of Managers Officers 2006**

On behalf of the Nominating Committee, Mr. Mr. Franklin recommended that the current officers be re-elected.

### **Motion 06.1-02**

Moved by Mr. Franklin, seconded by Mr. Jackson that the following slate of officers be re-elected to serve for the next year: Chairman, Mr. Attwell, Vice Chairman, Mr. DonCarlos, Secretary, Ms. Truesdell, Assistant Secretary, Dr. Louie. The slate was unanimously approved.

## **VI. Recognition of Mary Holt Ashley, PhD, RN, CNAA, BC**

Mr. Attwell read a resolution from the Board of Managers honoring Dr. Ashley into the record. Mr. Attwell commended Dr. Ashley and she spoke briefly about her joy and honor of having worked for 36 years for the Harris County Hospital District.

Agenda item IX (A) was taken out of order. See page 23 of these minutes.

## **VII. Purchasing**

The Fiscal Affairs Committee did not meet and Mr. Jackson brings directly to the Board the following agenda items:

Board members asked that the following items under heading VII be singled out for discussion: A(1).m, A(1).o, A(1).p, A(1).x, A(1).gg, as follows:

- A(1).m: Mr. Wortham asked for information regarding the quality and improvement in the nutrition services provided by Sodexo Services of Texas Limited Partnership. Mr. Robert Scholz provided a handout. Discussion ensued with the Board generally dissatisfied with the information provided. Administration promised to provide additional information.
- A(1).o: Mr. Wortham asked why additional funding was required. Administration replied it was volume driven.
- A(1).p: Ms. Truesdell questioned the period for the extension requested. Administration replied that this will carry through the end of February when the new agreement begins. In response to a question from Dr. Louie regarding whether HCHD will ever be able to bill in-house, Mr. Tindle replied that the software will be available but this decision will be made by Patient Billing Services.
- A(1).x: Ms. Truesdell inquired about the HCHD plan for extended stay patients.
- A(1).gg: Ms. Truesdell questioned the increase in the amount requested. Administration explained this represents a full year whereas the previous amount was for one quarter. Administration will come back to the Board for approval to make expenditures.
- A(1). Consideration of Recommendation regarding Approval of Purchases requiring Board Approval:
- a. **Motion 06.1-04**  
Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an award on the basis of only bids meeting specifications by class to Merck & Co., Inc. - \$5,981,068; Eli Lilly and Company - \$859,685; First Horizon Pharmaceutical - \$291,090; Merck/Schering-Plough - \$146,087; The Proctor & Gamble Co. - \$107,331; and Bedford Laboratories - \$17,295 for a total amount of \$7,402,556 to provide pharmaceutical products for the term March 1, 2006 through February 28, 2007
  - b. **Motion 06.1-05**  
Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve awards on the basis of only bids meeting specifications to Amersham Health d/b/a GE Healthcare - \$627,306; Mallinckrodt Inc. - \$57,069; and Berlex Laboratories - \$27,000 for a total amount of \$711,375 to

provide pharmaceutical products for the term March 1, 2006 through February 28, 2007 with two (2) one-year renewal options.

c. **Motion 06.1-06**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an award on the basis of best overall contract to Smith & Nephew, Inc. (PP-NS-258) in the estimated amount of \$152,146 for the purchase of advanced wound care, non-specialty products for the term January 1, 2006 through December 31, 2006.

d. **Motion 06.1-07**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an award on the basis of low bid to Matheson Trigas, Inc. in the estimated amount of \$584,106 to provide bulk liquid oxygen, tanks and various gases for the term February 1, 2006 through January 31, 2007 with two (2) one-year renewals.

e. **Motion 06.1-08**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an award on the basis of low bid to General Electric Healthcare Technologies (Groups 1-11, 13, 15) in the estimated amount of \$717,615 to provide repair services for radiology equipment for the term February 1, 2006 through January 31, 2007 with four (4) one-year renewal options.

f. **Motion 06.1-09**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an award on the basis of lowest and best bid to LabCorp of America in the estimated amount of \$368,933 to provide reference laboratory testing services for the term January 1, 2006 through December 31, 2006 with one (1) one-year renewal option.

g. **Motion 06.1-10**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an award on the basis of best contract meeting requirements to Hologic, Inc. (PP-IM-045) in the amount of \$186,600 for mammography products and services.

h. **Motion 06.1-11**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an award on the basis of overall lowest priced proposal meeting requirements to National Research Corporation in the estimated amount of \$492,138 to conduct various surveys for a term of one (1) year upon execution of Agreement with four (4) one-year renewal options.

i. **Motion 06.1-12**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an award on the basis of best proposal meeting requirements to Philips Medical Systems in the estimated amount of \$526,450 to provide repair services for medical scopes for a term one year upon execution of Agreement with four (4) one-year renewal options.

j. **Motion 06.1-13**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an award on the basis of best overall contract DJ Orthopedics LLC (PP-NS-147) in the estimated amount of \$121,908 for the purchase of orthopedic soft goods for the term January 1, 2006 through December 31, 2006.

k. **Motion 06.1-14**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board ratify a purchase made on an emergency basis to Industrial Diesel, Inc. in the estimated amount of \$108,000 for repair of emergency power generator #4.

l. **Motion 06.1-15**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board ratify a purchase made on an emergency basis to Gowan, Inc. in the amount of \$26,917 for repair of underground domestic water supply line and sewer.

m. **Motion 06.1-16**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve funding for year four (4) of a five-year Agreement for Turnkey Management and Operation of Food and Nutrition Services to Sodexo Services

of Texas Limited Partnership (BM 05.1-07) in the estimated amount of \$5,327,400 for food and nutrition services for the term March 7, 2006 through March 6, 2007.

n. **Motion 06.1-17**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve additional funds to Mallinckrodt Medical, Inc. (PP-RA-006) (**BM 05.12-528**) in the amount of \$30,000 for additional radiopharmaceuticals for the term 1/1/05 – 12/31/05. (\$284,000 previously approved funds for the term 1/1/05 – 12/31/05 for total funding of \$314,000.)

o. **Motion 06.1-18**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve additional funds to Quest Diagnostics (**BM 05.1-21**) in the amount of \$341,726 for clinical reference lab testing for the term 4/1/05 - 3/31/06. (\$520,000 previously approved funds for the term 4/1/05 - 3/31/06 for total funding of \$861,726.)

p. **Motion 06.1-19**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve additional funds to Emdeon FKA ExpressBill, Inc. (**BM 05.9-420**) in the amount of \$331,000 for patient billing services until a new agreement is in place. (\$806,633 previously approved funds for the term 6/29/04 – 11/30/05 or until a new Agreement is in place for total funding of \$1,137,633.)

q. **Motion 06.1-20**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve additional funds and an extension of contract to Biomerieux, Inc. (**BM 05.1-25**) in the amount of \$42,248 to continue providing automated microbiology equipment for the extended term 2/1/06 – 4/30/06. (\$168,889 previously approved funds for the term 2/1/05 – 1/31/06 for total funding of \$211,137.)

r. **Motion 06.1-21**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve additional funds and an extension of contract to KCI USA, Inc. (PP-CE-310) (**BM 05.1-18**) in the amount of \$68,805 to continue providing vacuum assisted wound closure for the extended term 1/1/06 –

6/30/06 (BTGH only). (\$340,000 previously approved funds for the term 4/1/05 – 3/31/06 (BTGH only) for total funding of \$408,805.)

s. **Motion 06.1-22**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve additional funds and an extension of contract to Abbott Laboratories, Inc. Diagnostics Division (BM 05.8-367) in the amount of \$71,960 to provide hematology analyzers and testing products for the extended term of 1/1/06 – 4/31/06. The vendor has agreed to extend the contract under the same terms and conditions, with no increase in pricing, until a new contract is in place. (\$503,701 previously approved funds for the term 5/1/03 – 12/31/05 for total funding of \$575,701.)

t. **Motion 06.1-23**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an extension of contracts for Temporary Therapist Personnel (**BM 05.2-87**) with A & B Health Temporary Agency, Inc.; The Advanced Health Education Center, Med Relief Staffing; Advanced HR Solutions, Ltd., dba Pulse Staffing; Advantage Nursing Services, Inc.; CAL Investments, Inc. dba Outsource Personnel; CP&S Staffing; Career Staff Unlimited, Inc.; Columbia Personnel Services; Goodhealth Medical & Staffing Services Corp.; Hejdi, Inc. dba Allied Health Services; Medical Contracting Services, Inc.; Omega Healthcare Staffing Services; Prime Staff LP; Qualicare Staffing Services, Inc.; Smith & Dean Inc. in affiliation with Dean's Professional Services; Stambush Health Care Services, Ltd.; Superior Healthcare Staffing, Inc. Supplemental Health Care Services, Inc.; States Health Inc. dba States Health Care Services; Trii-Star Medical Staffing, Inc.; and UltraStaff (JWS Health Consultants, Inc. dba UltraStaff) to continue providing temporary healthcare professionals to supplement the Hospital District staff as needed during personnel shortage and emergencies. The term will be 03/01/06 – 03/31/06 or until new contracts are in place. The vendors have agreed to extend contracts under the same terms and conditions, with no increase in pricing. (\$2,000,000 previously approved funds for the term 03/01/05 – 02/28/06.)

u. **Motion 06.1-24**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an Extension of Contracts for Various Temporary Healthcare Personnel (**BM 05.2-88**) with A & B Health Temporary Agency, Inc.; The Advanced Health Education Center, Med Relief Staffing; Advanced HR Solutions, Ltd, dba Pulse Staffing; Advance'd Temporaries, Inc.; Advantage Nursing Services, Inc.; Amazing Grace Health Services; CAL Investments, Inc. dba Outsource Personnel; CP&S Staffing; Carewest Staffing Services; Coastal Staff Relief, Inc.; Face to Face Healthcare Services; Goodhealth Medical & Staffing Services Corp.; Hejdi, Inc. dba Allied Health Services; Infinity Staffing and Total Healthcare Services; InteliStaf Healthcare, Inc.; Interim Healthcare of Harris County, LLC; Medical Staffing Network, Inc.; Omega Healthcare Staffing Services; Omega Rules! Professional Nurses; Prime Staff LP; Qualicare Staffing Services, Inc.; Smith & Dean Inc. in affiliation with Dean's Professional Services; Staffing Connection; States Health Inc. States Health care Services; Stillwater, HCS, LLC dba @ WORK Medical Services; Trii-Star Medical Staffing, Inc.; and Ultra Staff (JWS Health Consultants, Inc. dba UltraStaff) to continue providing temporary healthcare professionals to supplement the Hospital District staff as needed during personnel shortage and emergencies. The term will be 03/01/06 – 03/31/06 or until new contracts are in place. The vendors have agreed to extend contracts under the same terms and conditions, with no increase in pricing. (\$2,000,000 previously approved funds for the term 03/01/05 – 02/28/06.)

v. **Motion 06.1-25**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an Extension of Contracts for Registered and State Certified Radiography Temporary Personnel (**BM 05.2-86**) with The Advanced Health Education Center, Med Relief Staffing; Medical Contracting Services, Inc.; Staff Search, Ltd; Superior Healthcare Staffing, Inc.; Supplemental Health Care Services, Inc.; and UltraStaff (JSW Health Consultants, Inc. dba Ultrastaff) to continue providing temporary healthcare professionals to supplement the Hospital District staff as needed during personnel shortage and emergencies. The term will be 03/01/06 – 03/31/06 or until new contracts are in place. The vendors have agreed to extend

contracts under the same terms and conditions, with no increase in pricing. (\$2,000,000 previously approved funds for the term 03/01/05 – 02/28/06.)

w. **Motion 06.1-26**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve Additional Funds and an Extension of Award to International Remote Image Systems, Inc. (IRIS) (**BM 04.12-509**) in the amount of \$60,000 for urinalysis testing and equipment for the extended term 11/1/05 – 4/30/06 to pay expenses incurred while a new contract is being negotiated. The vendor has agreed to extend this contract under the same terms and conditions, with no increase in pricing, until a new contract is in place. (\$108,000 previously approved funds for the term 11/1/04 – 10/30/05 for total funding of \$168,000.)

x. **Motion 06.1-27**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an Exemption from the Competitive Bid Requirements for Award to Heritage Communities, Inc. d/b/a Katyville Healthcare Center in the estimated amount of \$154,600 for nursing home care for patients of the Harris County Hospital District for the term February 1, 2006 through January 31, 2007 with two (2) one-year renewal options.

y. **Motion 06.1-28**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an Exemption from the Competitive Bid Requirements and renewal of an Award to The American National Red Cross in the estimated amount of \$1,700,000 to provide blood services and components for the term March 1, 2006 through February 28, 2007.

z. **Motion 06.1-29**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an Exemption from the Competitive Bid Requirements and the first of two (2) renewal options to Baylor College of Medicine in the amount of \$100,000 for ultrasound studies for the term February 27, 2006

through February 26, 2007. (Ultrasounds are performed at a flat rate of \$150 per study with the total not to exceed \$100,000.)

aa. **Motion 06.1-30**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an Exemption from the Competitive Bid Requirements to Gulf Coast Regional Blood Center in the estimated amount of \$4,110,000 to provide a resource for blood services and components for the term March 1, 2006 through February 28, 2007.

bb. **Motion 06.1-31**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an Exemption from the Competitive Bid Requirements for the second and final renewal option to The University of Texas M.D. Anderson Cancer Center (**BM 05.2-94**) in the estimated amount of \$100,000 to provide specialized medical services for the term March 1, 2006 through February 28, 2007

cc. **Motion 06.1-32**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve the third year of a five (5) year Agreement on the basis of sole source to Siemens Medical Solutions USA, Inc. (**BM 05.2-98**) in the amount of \$313,062 to provide service and maintenance for CT scanners and workstations for the term March 1, 2006 through February 28, 2007. The vendor has agreed to renew under the same terms and conditions as set forth in the Agreement, with no increase in pricing.

dd. **Motion 06.1-33**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve an Agreement between Community Health Choice, Inc. and the Harris County Hospital District in the estimated amount of \$150,000 to provide computer analytical services and reports for the term March 1, 2006 through February 28, 2007.

ee. **Motion 06.1-34**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve the first of four (4) Renewal Options to John L. Wortham & Son, L.P. (**BM 05.1-06**) in the estimated amount of \$1,771,794 to provide continued

insurance coverage for real and personal property, boiler and machinery for the term January 13, 2006 through January 13, 2007.

ff. **Motion 06.1-35**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve the first of two (2) Renewal Options to Nestle USA, Inc. d/b/a Nestle Nutrition (\$155,307); Mead Johnson & Company (\$28,656); and Ross Products Division, Abbott Labs (\$18,343) for a total amount of \$202,306 to provide pharmaceutical products for the term March 1, 2006 through February 28, 2007.

gg. **Motion 06.1-36**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve the first of four (4) Renewal Options to Centennial Contractors Enterprises, Inc. (Primary Vendor) and Kellogg Brown & Root Services, Inc. (Secondary Vendor) (**BM 05.12-558**) in the estimated amount of \$7,000,000 to allow the Hospital District to utilize Harris County's contract for job order contracting services for the term April 1, 2006 through March 31, 2007.

hh. **Motion 06.1-37**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve the first of four (4) Renewal Options to Ventana Medical Systems, Inc. (**BM 05.3-130**) in the estimated amount of \$168,664 to provide continuation of immunohistochemical and special staining for the term March 1, 2006 through February 28, 2007.

ii. **Motion 06.1-38**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve the first of four (4) Renewal Options to Diagnostic Products Corporation (**BM 05.2-79**) in the estimated amount of \$116,413 for specialized testing for the term March 1, 2006 through February 28, 2007.

jj. **Motion 06.1-39**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve the first and final Renewal Options to Schindler Elevator Corporation (PP-CE-271) (**BM 05.9-423**) in the estimated amount of \$332,955 to

provide elevator maintenance services for the term January 1, 2006 through December 31, 2006.

kk. **Motion 06.1-40**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve the third of four (4) Renewal Options to Beckman Coulter, Inc. (PP-LA-114) in the estimated amount of \$171,051 to provide chemistry testing and related consumables and services for the term February 1, 2006 through January 31, 2007.

A2. Transmittal of Completed Purchases Under \$100,000 **(For Informational Purposes)**

Agenda items A(2).a through A(2).k do not require Board approval.

a. Job 04/0003: Renewal of Award for Sale of Recyclable Paper Products

Transmittal of the first of four (4) renewal options to Vista Fibers of Houston, LTD in the estimated revenue amount of \$28,999 to sell recyclable paper and cardboard for the term April 1, 2006 through March 31, 2006.

b. Job 01/0377: Renewal of Award for Deionized Water Services

Transmittal of the fourth and final renewal option to U.S. Filter Corp. in the estimated amount of \$90,000 to provide deionized water services for the term January 1, 2006 through December 31, 2006.

c. Job 03/0505: Renewal of Award for Service Awards

Transmittal of the fourth and final renewal option to C + R Awards Incentive, Inc. in the estimated amount of \$17,000 to provide service awards for the term March 1, 2006 through February 28, 2007.

d. Renewal of Award for Flow Cytometry Analyzer Automation and Software

Transmittal of the final year of a two-year contract to BD Biosciences in the estimated amount of \$60,000 for the purchase of reagents for the term February 1, 2006 through January 31, 2007.

e. Job 05/0383: Renewal of Award for Home Medical Equipment

Transmittal of award on the basis of low bid to American Medical Equipment Company in the estimated amount of

\$91,293 to provide home medical equipment for the term January 1, 2006 through December 31, 2006.

f. Arbitrage Rebate Compliance Services

Transmittal of Exemption from the Competitive Bid Requirements for an Award to First Southwest Asset Management, Inc. the amount of \$30,000 to provide Arbitrage Rebate Compliance Services for a term of five (5) years upon execution of agreement.

g. Consultative Services for the Disproportionate Share Hospital and Upper Payment Limit Program (DSH/UPL)

Transmittal of Exemption from the Competitive Bid Requirements for an Award to Spivey/Harris Health Policy Group in the amount of \$53,807 for Consultative Services for the Disproportionate Share Hospital and Upper Payment Limit Program (DSH/UPL) for the term September 1, 2005 through August 31, 2006.

h. Premier Contract PP-NS-024: Award for Anti-Embolism Stockings (T.E.D.S<sup>®</sup>/Thrombo Embolic Deterrent Stockings)

Transmittal of an award on the basis of sole source to Tyco International Ltd. through Cardinal Health in the estimated amount of \$75,291 to provide anti-embolism stockings for the term December 1, 2005 through November 30, 2006.

i. Premier Contract PP-NS-008: Award for A-V.I.S. (Arterial Veinous Impulse System/Foot Pumps)

Transmittal of an award on the basis of sole source to Tyco International Ltd. through Cardinal Health 200 in the estimated amount of \$33,154 to provide A-V.I.S. foot pumps and related consumables for the term December 1, 2005 through November 30, 2006.

j. Premier Contract PP-NS-335: Award for Sterilization Wrap

Transmittal of an award on the basis of sole source to Kimberly-Clark Health Care through Cardinal Health in the estimated amount of \$75,674 to provide sterilization wrap products for the term January 1, 2006 through December 31, 2006.

k. Transmittal of Purchases for Categories of Goods and/or Services

Transmittal of purchase in the amount of \$374,203 for the following category of goods and/or services: (1) Toshiba

America Medical Systems, Inc.; (2) Devolve Corp.; (3) Mark III Systems Inc.; (4) Microsoft Corporation; and (5) Philips Medical Systems Na Co. (Appendix "A")

**B. Motion 06.1-41**

Moved by Mr. DonCarlos, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the second of four (4) Renewal Options to OfficeMax, formerly Boise Cascade Office Products (**BM 04.1-32**) in the estimated amount of \$1,325,000 for Office Supplies for the Harris County Hospital District for the term February 1, 2006 through January 31, 2007.

**The Information Technology Committee did not meet and Dr. Louie brings directly to the Board the following items:**

Please note that the term for item A(1).d changed from the dates presented in the meeting packet.

A1. Consideration of Recommendations regarding Purchases requiring Board Approval:

a. **Motion 06.1-42**

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve the CISV Purchase on the basis of low bid to Imprivata in the amount of \$197,495 for the purchase of Software License Fees and Maintenance for a Single Sign-On, Password Reset Application for the term March 1, 2006 through February 28, 2007.

b. **Motion 06.1-43**

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve an award on the basis of low bid to Anixter Inc. (\$35,000) (Class 5); Communications Supply Corp. (\$40,000) (Class 5); and Graybar Electric (\$50,000) (Class 5) for a total estimated amount of \$125,000 for telephone and data cable for the term February 1, 2006 through January 31, 2007 with one (1) year renewal option.

c. **Motion 06.1-44**

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve an award on the basis of best proposal meeting requirements to CompuCom Systems in the amount of \$560,361 for Service Center Software.

This award is subject to execution of the Agreement.

d. **Motion 06.1-45**

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve the first of four (4) renewal options to NetVersant-Texas, Inc. (\$100,000) and SimplexGrinnell LP (\$100,000) for the total estimated amount of \$200,000 for cable labor, parts, materials and related equipment for the term November 9, 2005 through November 8, 2006.

e. **Motion 06.1-46**

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve a Reduction in Funds to FUJIFILM Medical Systems USA, Inc. (**BM 05.3-154**) in the amount of \$133,535 for Integrated Image Information System effective at first productive use and continuing for five (5) years.

A2. Transmittal of Completed Purchases Under \$100,000  
**(For Informational Purposes)**

Agenda items A(2).a through A(2).d do not require Board approval.

a. Job No. 04/0472; BM 05.5-230: Renewal of Award for Nortel  
Telephones Equipment

Transmittal of the first and final renewal option to Affiliated Communications in the estimated amount of \$50,000 to provide Nortel telephones and equipment for the term April 1, 2006 through March 31, 2007.

b. Electronic Claims Processing System

Transmittal of the second of five (5) renewal options on the basis of sole source to The SSI Group, Inc. in the estimated amount of \$65,000 for the term January 1, 2006 through December 31, 2006.

c. Maintenance and Support Services

Transmittal of purchase on the basis of sole source to Surgical Information Systems, LLC (SIS) in the amount of \$43,147 for Maintenance and Support Services for a Computerized Operating Room Information Management System for the term January 1, 2006 through December 31, 2006.

d. API Software License and Equipment and Services

Transmittal of the first of four (4) renewal options on the basis of sole source to API Software, Inc. in the estimated amount of \$70,000 for API Software License and Equipment and Services for the term December 4, 2005 through December 3, 2006.

**B. Motion 06.1-47**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve Additional Funds to Healthlink, Inc.; CTG HealthCare Solutions; Kat & Associates, Inc.; Extyr; Elite Computer Consultants, L.P. (ECOM); and SDRG Controls, Inc. in the amount of \$1,350,000 for professional services consulting for the term 5/27/05 – 5/26/06. (\$592,299 previously approved funds for the term 5/27/05 – 5/26/06.)

**C. Motion 06.1-48**

Moved by Dr. Louie, seconded by Mr. DonCarlos, and unanimously passed, that the Board approve an award to DIR through SBC Communications, Inc. in the amount of \$220,000 for implementation of security hardware for the Harris County Hospital District.

**VIII. Reports of the Committees**

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

**A. Joint Conference Committee**

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

**1. Motion 06.1-49**

Moved by Mr. DonCarlos, seconded by Mr. Franklin, and unanimously passed, that the Board approve ancillary providers for members of the HCHD Medical Staff for November 2005 as recommended by the Medical Board.

**2. Motion 06.1-50**

Moved by Mr. DonCarlos, seconded by Mr. Franklin, and unanimously passed, that the Board approve ancillary providers, appointments, reappointments and changes of status for members of the HCHD Medical Staff for December 2005 and January 2006 as recommended by the Medical Board.

Dr. Louie asked that the records correctly reflect that University of Texas Medical Branch at Galveston does not have a dental branch.

Mr. Attwell asked Dr. Riley to present an overview of the Medical Board report. Much discussion ensued.

3. **Motion 06.1-51**

Moved by Mr. DonCarlos, seconded by Ms. Truesdell, and unanimously passed, that the Board accept the Medical Board Report as included in the packet. (Appendix "B")

4. **Motion 06.1-52**

Moved by Ms. Truesdell, seconded by Dr. Louie, and unanimously passed, that the Board approve the Pain Management Policy (#7.04) as presented.

**B. Fiscal Affairs**

The Fiscal Affairs Committee did not meet and brings directly to the Board items related to Fiscal Operations. Mr. Attwell invited Ms. Gwen Huskey, Interim Chief Financial Officer, to provide an overview of the financials. Ms. Huskey handed out an Operating Statement recap for the months of November and December 2005 with a December year-to-date, noting that the financials for the months of November and December tell a very different story (Appendix C). Much discussion ensued.

1. November Financial Statement

The financial report for November 30, 2005 was included in the packets.

**Motion 06.1-53**

Moved by Ms. Truesdell, seconded by Mr. Jackson, and unanimously passed, that the Board accept the November 30, 2005 Financial Report subject to final audit.

2. December Financial Statement

The financial report for December 31, 2005 was included in the packets.

**Motion 06.1-54**

Moved by Ms. Truesdell, seconded by Mr. Jackson, and unanimously passed, that the Board accept the December 31, 2005 Financial Report subject to final audit.

3. November Pension Plan Report

**Motion 06.1-55**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board accept the November 30, 2005 Pension Plan Report for the period ended November 30, 2005 subject to final audit.

4. December Pension Plan Report

**Motion 06.1-56**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board accept the December 31, 2005 Pension Plan Report for the period ended December 31, 2005 subject to final audit.

5. Third Quarter Investment Report

**Motion 06.1-57**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board accept the Third Quarter Investment Report for the period ended November 30, 2005 subject to final audit.

6. Presentation of December 2005 Financial Statement of Community Health Choice, Inc.

Dr. Johnson introduced Richard Lee as interim Vice President of Finance for Community Health Choice, Inc.

Dr. Johnson presented the CHC financial report for informational purposes only and no action was taken.

**C. Clinic Committee**

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

1. Items Related to the Homeless Program

- a. **Motion 06.1-58**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve acceptance of additional grant funds in the amount of \$440,309 from the Health Resources and Services Administration Division of the U.S. Department of Health and Human Services to provide health care to homeless individuals at homeless shelter sites. (Original amount awarded was \$2,860,921 for a total amount not to exceed \$3,301,230

for the term of November 1, 2004 to December 31, 2005.)

b. **Motion 06.1-59**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve a Settlement Agreement between the Harris County Hospital District and the Salvation Army for the reimbursement for the provision of substance abuse treatment services to homeless individuals for the Health Care for the Homeless Program.

The agreement reflects the availability of an increase in federal grant funds in the amount of \$6,865. (Original amount awarded was \$41,191 for a total amount not to exceed \$48,056 for the period of November 1, 2004 to December 31, 2005.)

c. **Motion 06.1-60**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve a Settlement Agreement between the Harris County Hospital District and the Cenikor Foundation for the reimbursement for the provision of substance abuse treatment services to homeless individuals for the Health Care for the Homeless Program.

The agreement reflects the availability of an increase in federal grant funds in the amount of \$13,964. (Original amount awarded was \$83,784 for a total amount not to exceed \$97,748 for the period of November 1, 2004 to December 31, 2005.)

d. **Motion 06.1-61**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve a Settlement Agreement between the Harris County Hospital District and Baylor College of Medicine for the reimbursement for medical services to homeless individuals for the Health Care for the Homeless Program.

The agreement reflects the availability of an increase in federal grant funds in the amount of \$18,342. (Original amount awarded was \$110,051 for a total amount not to

exceed \$128,393 for the period of November 1, 2004 to December 31, 2005.)

e. **Motion 06.1-62**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve a Settlement Agreement between the Harris County Hospital District and Howard Nelson for the reimbursement for data management provided for the Health Care for the Homeless Program.

The agreement reflects the availability of an increase in federal grant funds in the amount of \$5,000. (Original amount awarded was \$30,000 for a total amount not to exceed \$35,000 for the period of November 1, 2004 to December 31, 2005.)

f. **Motion 06.1-63**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve a Settlement Agreement between the Harris County Hospital District Craven and Plummer, P.C. for the reimbursement for dental services provided to homeless individuals for the Health Care for the Homeless Program.

The agreement reflects the availability of an increase in federal grant funds in the amount of \$34,280. (Original amount awarded was \$205,678 for a total amount not to exceed \$239,958 for the period of November 1, 2004 to December 31, 2005.)

**2. Miscellaneous Agenda Items**

- a. Consideration of Approval to Charge Co-pays to all Patients receiving Dental Services within the Harris County Hospital District

This item was pulled from the agenda and no action was taken.

- b. Consideration of Approval to Amend an Agreement between Craven & Plummer, Inc., and the Harris County Hospital District to provide Additional Dental Services for Patients of Martin Luther King and Baytown Health Centers for the Term July 1, 2005 through June 30, 2006

Administration recommended pulling this item due to the discrepancy of the term and dollar amount. Mr. Franklin

requested that this item be approved subject to Administration's reconciliation of the final dollar amount.

**Motion 06.1-64**

Moved by Mr. DonCarlos, seconded by Mr. Franklin, and unanimously passed, pending reconciliation of the numbers, that the Board approve an Amendment to an Agreement between Craven & Plummer, Inc., and the Harris County Hospital District to provide additional dental services for patients of Martin Luther King and Baytown Health Centers for the term March 1, 2005 through June 30, 2006 in the amount of \$186,878.

c. **Motion 06.1-65**

Moved by Ms. Truesdell, seconded by Mr. Jackson, and unanimously passed, that the Board approve Rescinding Board Motion 05.9-405 to enter into a Lease Agreement with Northwest Assistance Ministries (NAM) and Acceptance of Donated Medical Equipment and Furnishings for the purpose of relocating E.A. Squatty Lyons Community Health Center under Board Motion 05.9-405. Northwest Assistance Ministries (NAM) informed the Hospital District that the Community Benefit Funds totaling \$590,000 is not available.

**3. Items Related to Reports**

Report regarding Ongoing Activities of the Council-at-Large

Mr. Franklin noted that there is no formal report. Mr. Lopez noted that the concerns raised by Mr. Gene Flores in the Hear from Citizens have been addressed. Mr. Attwell reiterated that any related action in this matter must be with input from our lawyers.

**D. Personnel Committee**

The Personnel Committee did not meet and Mr. Wortham brings directly to the Board the following items:

a. **Motion 06.1-66**

Moved by Mr. Franklin, seconded by Dr. Louie, and unanimously passed, that the Board approve an Amendment and Restatement of the Hospital District's 457(b) Plan effective January 1, 2006.

- b. Consideration of Approval of an Affiliation Agreement between the Harris County Hospital District and the University of St. Thomas (Chaplaincy Program)

Item b was pulled.

- c. **Motion 06.1-67**

Moved by Dr. Louie, seconded by Mr. Wortham, and unanimously passed, that the Board approve an Amendment to an Agreement between the Harris County Hospital District and University of Texas Medical Branch to continue participation in the U.S. Department of Labor H-1B Technical Skills Training Program to extend the period of performance until June 13, 2006.

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

The Governmental & Public Affairs Committee did not meet and Ms. Truesdell brings directly to the Board the following items, presented by Mr. King Hillier:

1. Update, Discussion and Possible Action regarding Activities in Austin relating to HCHD and Its Legislative Platform
2. Update, Discussion and Possible Action regarding Upcoming Site Visits to HCHD Facilities by the Harris County Federal and State Elected Delegations in Association with the American Association of Medical Colleges' Project Medical Education and Project Parkland
3. Update, Discussion and Possible Action regarding the regional UPL Initiative in Harris and Surrounding Counties
4. Update, Discussion and Possible Action regarding pending Federal Legislative, Earmarks and Policy Issues affecting HCHD

Mr. Hillier passed out a letter from Speaker Tom Craddick, which drew comments from Mr. Attwell. Mr. Hillier introduced Ms. Kitty Allen who has joined the staff of the Government Relations Department of the HCHD. Mr. Hillier then briefly reviewed items 1-4 above.

Ms. Truesdell asked for an update on the collection of HCHD costs related to hurricane Katrina. To date, HCHD has collected \$1.1 million on charges related to the hurricane. Mr. Attwell asked what our total billings are related to the hurricane. Ms. Nancy Brock estimated that our billings are approximately \$3 million. In response to

Mr. Attwell's request, Mr. Lopez promised that this information will be provided.

Ms. Mary Schneider presented a brief overview of activities in Washington DC that impact HCHD's financial support and operations, including potential earmarks.

**F. Buildings & Properties Committee**

The Buildings and Properties Committee did not meet and, on behalf of Mr. Lawrence Bell, Mr. George Masi brings directly to the Board the following item for action:

**Motion 06.1-68**

Moved by Mr. Jackson, seconded by Mr. Franklin, and unanimously passed, that the Board approve of the Hospital District entering into Lease Option 3 with Galileo Mount Houston TX LP for the East Mount Houston Eligibility Center for 8,000 square feet of space. The lease rate will be \$6,800 per month for the period of February 1, 2006 through January 31, 2007.

**IX. Miscellaneous Agenda Items**

Mr. Attwell introduced Mr. Hank Coleman, legal representative for the HCHD Foundation to give background on the proposed change in gift shop structure. Ms. Sims, Executive Director of the HCHD Foundation, and Ms. Carol Oddo, Administrator, Harris County Hospital District added information regarding the change in gift shop operations.

- A. Consideration of Approval of a Lease Agreement between the Harris County Hospital District and the Harris County Hospital District Foundation for the HCHD Gift Shops

**Motion 06.1-03**

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously passed, that the Board approve a Lease Agreement between the Harris County Hospital District and the Harris County Hospital District Foundation for the HCHD Gift Shops. The term of the lease will commence on the date of last execution and ends five (5) years from the Commencement date as set forth in the lease.

Mr. Attwell asked Ms. Mercedes Leal to present item B. She referred to material handed out to the Board at a previous time.

- B. Consideration of Adding a New Attorney Position for the Harris County Attorney's Office

**Motion 06.1-69**

Moved by Mr. Wortham, seconded by Dr. Louie, and unanimously passed, that the Board approve the creation of a New Attorney Position for the Harris County Attorney's Office.

C. Consideration of Approval of Policy for Patient Satisfaction

Ms. Carol Oddo presented item C, a policy on monitoring patient satisfaction in the HCHD. Mr. Attwell asked how this monitoring will work. Ms. Oddo briefly presented the campaign currently in progress to encourage HCHD staff to focus on patient satisfaction. She noted that statistics culled from a survey sent to patients upon discharge show that the HCHD is beginning to see results.

**Motion 06.1-70**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously passed, that the Board approve a Policy for Patient Satisfaction.

D. Consideration of Approval of an Interlocal Agreement between the Harris County Hospital District and the City of Houston on behalf of Its Department of Health and Human Services WIC Program

**Motion 06.1-71**

Moved by Mr. Wortham, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an Interlocal Agreement between the Harris County Hospital District and the City of Houston on behalf of Its Department of Health and Human Services WIC Program to operate a Women, Infant and Children Nutrition Program for a term which will begin on the date the Agreement is countersigned by the City Controller and end on February 28, 2006 and for the term March 1, 2006 to February 28, 2007 subject to the terms and conditions set forth and approved by the governing boards of both parties.

E. Consideration of Approval an Amendment to an Agreement between the Harris County Hospital District and the Department of State Health Services for Epilepsy Services

**Motion 06.1-72**

Moved by Mr. Wortham, seconded by Dr. Louie, and unanimously passed, that the Board approve an Amendment to an Agreement between the Harris County Hospital District and the Department of State Health Services for Epilepsy Services. This agreement extends and funds the Agreement for another year effective September 1, 2005 through August 31, 2006 for an amount not to exceed \$62,000.

- F. Consideration of Approval 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

**Motion 06.1-73**

Moved by Ms. Truesdell, seconded by Mr. Jackson, and unanimously passed, that the Board approve the Harris County Hospital District's Final Indirect Cost Rates of 22.7% and Independent Indirect Cost Rate of 37% for the period 3/1/03 to 2/28/04 and Provisional Indirect Cost Rate of 22.7% and Independent Indirect Cost Rate of 37% for the period 3/1/04 until amended and approve the execution of an agreement for these negotiated rates for Grants and Contracts with the Federal Government from the Department of Health & Human Services.

- G. Consideration of Ratification of an Agreement between the Harris County Hospital District and the Texas Department of Health Services for substance Abuse Performance Program (InSight/SBIRT) and Acceptance of Grant Funding in the amount of \$1,992,914

**Motion 06.1-74**

Moved by Mr. Wortham, seconded by Dr. Louie, and unanimously passed, that the Board Ratify an Agreement between the Harris County Hospital District and the Texas Department of Health Services for Substance Abuse Performance Program (InSight/SBIRT) and Acceptance of Grant Funding in the amount of \$1,992,914 for the term October 1, 2005 through September 30, 2006.

- H. Acceptance of a Summary Report on the Evaluation Tool Completed by the Board of Managers in regards to the District's Performance in relation to Its Vision, Mission, and Goals

**Motion 06.1-75**

Moved by Mr. Wortham, seconded by Mr. Jackson, and unanimously passed, that the Board Accept a Summary Report on the Evaluation Tool Completed by the Board of Managers in regards to the District's Performance in relation to Its Vision, Mission, and Goals.

Mr. Lopez asked that action on Item I. be deferred until after Executive Session.

- I. Consideration of a Resolution Authorizing an Agreement between the Harris County Hospital District and Texas Medical Center, Inc. for up to 1,800 Employees Parking at the W. Leland Anderson Campus and

the South Extension Lot for the Period January 1, 2006 – December 31, 2006

**Motion 06.1-76**

Moved by Mr. Franklin, seconded by Dr. Louie, and unanimously passed, that the Board approve a Resolution Authorizing an Agreement between the Harris County Hospital District and Texas Medical Center, Inc. for a number not to exceed 1,800 Employees Parking at the W. Leland Anderson Campus and the South Extension Lot for the Period January 1, 2006 – December 31, 2006 and that the CEO authorize the execution of the agreement.

- J. Consideration of Approval to Amend an Agreement between the Harris County Hospital District and the Southeast Texas Trauma Regional Advisory Council for the Period December 1, 2005 through August 31, 2006

**Motion 06.1-77**

Moved by Mr. Wortham, seconded by Dr. Louie, and unanimously passed, that the Board approve an Amendment of an Agreement between the Harris County Hospital District and the Southeast Texas Trauma Regional Advisory Council to receive federal HRSA funds for the Period December 1, 2005 through August 31, 2006

(Agreement approved by Board Motion **05.12-567** incorrectly stated the end of term as November 30, 2006.)

**X. Items Related to Miscellaneous Reports**

These reports were detailed in the meeting information packets and are presented for information purposes only. No verbal report will be presented except at the request of the Board.

Mercedes Leal commented on item A regarding the responsibility of the District website, implementation of the statute requiring the disclosure statement be posted, who will be responsible for maintenance of the records and should the requirement apply to other district employees. Mr. Attwell suggested Ms. Leal and Mr. Lopez make their recommendation to the Board. Ms. Truesdell suggested forms be available in the Board office. Ms. Leal added that forms are available on the website.

The Board asked Ms. Beth Cloyd for information on item D related to medical school billings. Mr. Attwell stated that the University of Texas has done a poor job on billing on our behalf and that the HCHD has not benefited from the terms of the pro-fee agreements with the medical schools for the past ten years and this must change.

- A. Report regarding Chapter 176 of the Texas Local Government Code (Disclosure of Certain Relationships with Local Government Officers)
- B. Report on Affiliation Agreements Established between the Hospital District and Various Educational Organizations during the Past Year
- C. Report on Information Technology Strategic Projects: PeopleSoft Phase II – H.R. and Payroll Systems; Epic Clinical Information Systems; Patient Management/Patient Accounting; and Picture Archival and Communications System (PACs)
- D. Report related to Provider Billing Agreements with Baylor College of Medicine and University of Texas for Billing and Professional Fee Collections
- E. Update on the Process Improvement Initiatives in Patient Business Services
- F. Quarterly Report on Patient Satisfaction

#### **XI. Executive Session**

At 11:58 A.M., Mr. Attwell stated that the Board would go into Executive Session under Section 161.032 of the Texas Health & Safety Code and 551, Section 071. He stated that the regular meeting of the Board would reconvene at the close of Executive Session.

#### **XII. Reconvene**

At 1:25 P.M., Mr. Attwell reconvened the 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  
Presented as information only requiring no action.
- B. Consultation with County Attorney to Discuss Possible Settlement of a Claim in Connection with the Parking Agreement between the Harris County Hospital District and the Texas Medical Center for the Period between January 1 and December 31, 2005, pursuant to Tex. Gov't Code Ann. § 551.071, and Possible Action regarding the Matter upon return to Open Session  
No action was taken.
- C. Consultation with County Attorney regarding Lorena Salinas, Notice of Lien filed with the Harris County Clerk's Office on July 24, 2003; Film Code # 941-13-2094; and *Salinas v. General Motors Corp.*, (Cause

No. 03-60995-4), County Court at Law No. 4 of Nueces County, pursuant to Tex. Gov't Code Ann§ 551.071 and Possible Action regarding the Matter Upon Return to Open Session

**Motion 06.1-78**

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously passed, that Harris County Hospital District, by and through its Board of Managers, approved and hereby authorized a counter claim or such other action as may be necessary to protect the interest of the District.

- D. Consultation with the County Attorney regarding the Settlement of *Bernadette D. Silva v. HCHD* (Cause No. 2005-30011), pursuant to Tex. Gov't Code Ann. § 551.071 and Possible Action regarding this Matter Upon Return to Open Session

**Motion 06.1-79**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously passed, that the Harris County Hospital District, by and through its Board of Managers, approved and hereby authorized settlement in an amount not to exceed \$10,000 in damages be paid to Bernadette D. Silva in full and final settlement of Cause No. 2005-30011.

- E. Consultation with the County Attorney regarding Solicitation Policy pursuant to Tex. Gov't Code Ann. § 551.071 and Possible Action regarding this Matter Upon Return to Open Session

No action was taken on this item.

**XIII. Adjournment**

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

There being no further business, the meeting adjourned at 1:27 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 January 26, 2006.

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

Carolyn Truesdell, Secretary

Recorded by Ottley Sims and Mary Miranda