



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

**Thursday, December 4, 2008**

**Board Room – Administration Building**

**BOARD MEMBERS PRESENT**

Mr. Stephen DonCarlos, Chair  
Ms. Carolyn Truesdell, Vice Chair  
Mr. E. Dale Wortham, Secretary  
Mr. Danny Jackson, Asst. Secretary  
Mr. Michael Jhin  
Mr. Elvin Franklin, Jr.  
Dr. George Santos

**BOARD MEMBERS ABSENT**

Ms. Mary Spinks  
Ms. Daisy Stiner

**OTHERS PRESENT**

Mr. David Lopez, President & Chief Executive Officer  
Mr. Kelly Johnson, Harris County Purchasing  
Attorney Mercedes Leal, County Attorney's Office  
Ms. Peggy Boice, Judge Ed Emmett's Office  
Ms. Nikki Harrison Caffey, Commissioner Sylvia Garcia's Office  
Mr. Lester Byrd, Commissioner El Franco Lee's Office  
Mr. Mark Fury, Commissioner Steve Radack's Office  
Administrative Staff  
Media  
Guests

(Sign-in Sheets attached to permanent record)

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

Mr. Stephen DonCarlos, Chair, called the meeting to order at 9:05 A.M. and noted that a quorum was present. The attendance was recorded.

**II. Approval of Minutes of Previous Meetings**

**Motion 08.12-651**

Moved by Mr. Wortham, seconded by Mr. Jackson, and unanimously passed, that the Board approve the minutes of the November 6, 2008 regular meeting of the Board of Managers.

**III. Hear from Citizens**

There were no citizens to address the Board.

#### **IV. Election of Board Officers**

##### **Motion 08.12-652**

Moved by Dr. Santos, seconded by Mr. Jackson, and unanimously passed, that the Board approve the following Board of Managers Officers for 2009:

Chairman, Mr. Stephen DonCarlos; Vice Chair, Ms. Carolyn Truesdell; Secretary Mr. Dale Wortham; Assistant Secretary, Mr. Danny Jackson.

#### **V. Recognition of the Harris County Hospital District's Chefs Ruskin Jackson and Maurice Williams**

Mr. DonCarlos read into the record Proclamations presented to Chefs Ruskin Jackson and Maurice Williams. Chef Williams won forth place at the 2008 Texas Culinary Games Competition with his menu of Seared Scallops, Potato-Crusted Salmon, and Honey-Glazed Orange Slices. Chef Jackson won second place at the 2008 Texas Culinary Games Competition with his menu of Goat Cheese and Pine Nut-Based Fried Basil Leaves, Ancho-Crusted Pork Loin and Bunuelos and Berries.

#### **VI. President/Chief Executive Officer's Report to Include: 1) Patient Eligibility Changes; 2) Patient Identification (3<sup>rd</sup> Identifiers); 3) FQHC Referrals Status Report; and 4) Capital Projects: Status Report**

Individuals presented updates as listed below:

- 1) Ferdinand Gaenzel – Patient Eligibility Changes;
- 2) This item deferred until next Board meeting;
- 3) Ricci Sanchez – FQHC Referrals Status Report (Copy in permanent file.)
- 4) Ronald Johnson – Capital Projects: Status Report (Copy in permanent file.)

#### **VII. Consideration of Approval of Recommendations and Acceptance of Agenda Items Identified as Consent Agenda Items**

##### **A. Items related to Purchasing**

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

##### **a. Motion 08.12-653**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve utilization of a Harris County contract to allow the Harris County Hospital District to purchase diesel fuel from Petroleum Wholesale, Inc. in the estimated amount of \$214,000 for the term December 4, 2008 through June 30, 2009.

##### **b. Motion 08.12-654**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve a purchase on the basis of only bid of Clinical Modular Casework (office furniture) for the Alief Community Health Center from Herman Miller through Office Pavilion for the amount of \$179,237.

c. **Motion 08.12-655**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an award on the basis of low bid to Stryker for surgical drills, saws, accessories and consumables in the estimated amount of \$180,254 for the term December 4, 2008 through December 3, 2009 with two one-year renewal options.

d. **Motion 08.12-656**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an award on the basis of low bid to Gowan, Inc. to furnish, deliver and install chillers in the estimated amount of \$318,338.

e. **Motion 08.12-657**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an award on the basis of low bid to 1) A-1 Personnel of Houston; 2) Adams Harris, Inc.; 3) Aerotek, Inc.; 4) Elite Personnel Consultants; 5) National Employment Service Corporation; 6) Resource Staffing; 7) Smith & Dean, Inc.; and 8) Staffing Connection, Inc. for temporary accounting personnel in the estimated amount of \$180,000 for the term December 1, 2008 through November 30, 2009 with two one-year renewal options.

f. **Motion 08.12-658**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the fourth and final renewal option on the basis of sole source to Surgical Information Systems, LLC for maintenance for surgery management software in the amount of \$166,498 for the term January 1, 2009 through December 31, 2009.

g. This item has been pulled.

h. **Motion 08.12-659**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an award on the basis of lowest priced contract to Medline Industries Inc. for disposable underpads in the estimated amount of \$155,662 for the term November 1, 2008 through October 31, 2009.

i. **Motion 08.12-660**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an award on the basis of lowest priced proposal meeting requirements to 1) Supplemental Health Care; 2) Recourse Communications, Inc.; and 3) Pro-Touch Nurses, Inc. dba Protouch Staffing for recruitment services for administrative nursing personnel in the amount of \$163,200 - \$193,000 estimated range from lowest professional fees to highest for the term one year upon execution of agreement with two one-year renewal options.

j. **Motion 08.12-661**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an award on the basis of best contract meeting requirements to Olympus America Inc. for endoscopy products and equipment in the amount of \$1,324,600 for the term one-year upon execution of agreement with three one-year renewal options.

k. **Motion 08.12-662**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an award on the basis of best proposal meeting requirements to Emporos Systems Corporation for pharmacy cashing system in the estimated amount of \$763,757 (year one) and \$1,002,279 (three-year period) for the term three years upon execution of agreement subject to fiscal funding each year.

l. **Motion 08.12-663**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an award on the basis of best bid to Hernandez Landscape Company for grounds maintenance in the estimated amount of \$127,234 for the term November 1, 2008 through October 31, 2009 with four one-year renewal options.

m. **Motion 08.12-664**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an award to Ortho Clinical Diagnostics Div. of Johnson & Johnson, through Cardinal Healthcare in the estimated amount of \$323,777 for blood bank analyzers, reagents, consumables and service for the term November 1, 2008 through October 31, 2009.

n. **Motion 08.12-665**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an award to Medline Industries, Inc. (PP-OR-271) for OR basins, laceration and suture removal trays in the estimated amount of \$127,216 for the term January 1, 2009 through December 31, 2009.

o. **Motion 08.12-666**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve funding for the third and final year of a three year agreement for DIR through SHI Government Solutions (DIR contract DIR-SDD-198) for Microsoft Enterprise License Agreement in the estimated amount of \$1,479,903 for the term January 1, 2009 through December 31, 2009.

p. **Motion 08.12-667**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve additional funds for 1) IBM; 2) CTG Healthcare

Solutions; 3) Kat & Associates, Inc.; 4) Extyr; 5) Elite Computer Consultants, L.P. (ECOM); and 6) SDRG Controls, Inc. for information technology consulting in the amount of \$2,152,398 for the term May 27, 2008 through May 26, 2009. (The Board previously approved funds in the amount of \$5,837,598 for the term May 27, 2008 through May 26, 2009; these additional funds bring the total funded amount to \$7,989,996).

q. **Motion 08.12-668**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve additional funds and an extension for 1) Robert Half; 2) Elite Personnel; and 3) Resource Staffing for term contract for agencies for temporary staffing positions in Fiscal Operations and other departments for the Harris County Hospital District in the amount of \$30,000 for the extended term of November 1, 2008 through December 31, 2008. (The Board previously approved funds in the amount of \$221,000 for the term September 1, 2007 through October 31, 2008; these additional funds bring the total funded amount to \$251,000).

r. **Motion 08.12-669**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve additional funds for McKesson Provider Technologies for maintenance and support for HealthQuest 2000 Software in the amount of \$146,045 for the term June 1, 2008 through May 31, 2009. (The Board previously approved funds in the amount of \$674,036 for the term June 1, 2008 through May 31, 2009; these additional funds bring the total funded amount to \$820,081).

s. **Motion 08.12-670**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve additional funds for Gulf Coast Regional Blood Center for blood products and components in the estimated amount of \$104,300 for the term June 1, 2008 through May 31, 2009. (The Board previously approved funds in the amount of \$4,627,583; these additional funds bring the total funded amount to \$4,731,883).

t. **Motion 08.12-671**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an award on the basis of lowest complete bid to AT&T for network switches in the amount of \$1,114,978.

u. **Motion 08.12-672**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an exemption from the competitive bid requirements for Baylor College of Medicine for anatomical pathology reference testing services for Ben Taub General Hospital in the estimated amount of \$162,638

for the term November 1, 2008 through October 31, 2009 with two one-year renewal options.

v. **Motion 08.12-673**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an exemption from the competitive bid requirements for University of Texas Health Science Center at Houston for anatomical pathology reference testing services for LBJ General Hospital in the estimated amount of \$117,016 for the term November 1, 2008 through October 31, 2009 with two one-year renewal options.

w. **Motion 08.12-674**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an Interlocal Agreement with The University of Texas Health Science Center at Houston for clinical nursing educational services in the amount of \$78,480 for the term June 1, 2008 through August 31, 2009.

x. **Motion 08.12-675**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the purchase of office furniture utilizing TXMAS contracts on the basis of the lowest quote per item from 1) Corporate Express - \$90,483 (Items II & III); 2) Vanguard Environments - \$195,843 (Items I, IV & V); and 3) McCoy Workplace Solutions - \$313,651 (Items VI – VIII) for a multi-vendor total of \$599,977 for the Alief Health Center Project. (See Appendix “A”)

y. **Motion 08.12-676**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve renewal of an award on the basis of sole source to Oracle USA, Inc. for maintenance and support for PeopleSoft software licenses in the amount of \$406,130 for the term February 28, 2009 through February 27, 2010.

z. **Motion 08.12-677**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the second of four renewal options to Aetna Life Insurance Company for Medical/Prescription Drug Coverage and Employee Assistance Program “EAP” Services (Medical Services for > 65 retirees only) in the estimated amount of \$3,629,219 for the term January 1, 2009 through December 31, 2009.

aa. **Motion 08.12-678**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the first of two renewal options to Park Plaza Hospital and Medical Center for radiation therapy services for patients of the

Harris County Hospital District in the estimated amount of \$5,000,000 for the term January 1, 2009 through December 31, 2009.

bb. **Motion 08.12-679**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the first of two renewal options to Pulse Staffing for temporary therapy personnel in the estimated amount of \$500,000 for the term December 1, 2008 through November 30, 2009.

cc. **Motion 08.12-680**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify the first of two renewal options for AMN Healthcare, Inc. for travel nursing personnel in the estimated amount of \$2,250,000 for the term November 1, 2008 through October 31, 2009.

dd. **Motion 08.12-681**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify a renewal on the basis of sole source to McKesson Health Solutions, LLC for InterQual Clinical Decision Support Criteria and CERME Software in the estimated amount of \$144,099 for the term June 25, 2008 through June 24, 2009.

ee. **Motion 08.12-682**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify the first of two renewal options to The La Nair Co., Inc. for prosthetic, orthotic and pedorthotic devices in the estimated amount of \$203,000 for the term December 1, 2008 through November 30, 2009.

ff. **Motion 08.12-683**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify additional funds and an extension for Cardinal Health 200 Inc. (Medical/Surgical Distribution PP-DS-027) for prime distributor for med-surg and laboratory products in association with the Hospital District Just-In-Time (JIT) Program in the amount of \$189,680 for the extended term of October 1, 2008 through January 31, 2009. (The Board previously approved funds in the amount of \$569,034 for the term October 1, 2007 through September 30, 2008; these additional funds bring the total funded amount to \$758,714).

gg. **Motion 08.12-684**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an award to Cardinal Health, Medical Products and Services for surgical instruments in the estimated amount of \$276,977 for the term November 1, 2008 through October 31, 2009.

hh. **Motion 08.12-685**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an award to Vital Signs Inc. for disposable anesthesia products in the estimated amount of \$152,414 for the term November 1, 2008 through October 31, 2009.

ii. **Motion 08.12-686**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an award to Cardinal Health, Medical Products and Services (PP-NS-422) for respiratory therapy: ventilator supplies and humidification devices in the estimated amount of \$120,072 for the term November 1, 2008 through October 31, 2009.

jj. **Motion 08.12-687**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an award to Cardinal Health 200 Inc. for surgical and isolation masks in the estimated amount of \$212,544 for the term November 1, 2008 through October 31, 2009.

kk. **Motion 08.12-688**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an award to 1) Advantage Nursing Services, Inc; 2) Stambush Staffing; 3) Star Nursing, Inc.; and 4) Supplemental Health Care for supplemental for temporary therapist personnel in the estimated amount of \$500,000 for the term November 1, 2008 through October 31, 2009 with two one-year renewal options.

ll. **Motion 08.12-689**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an award to Welch Allyn, Inc. for blood pressure cuffs (a component of the Vital Sign Monitors and Blood Pressure Cuffs contracts) in the estimated amount of \$133,595 for the term November 1, 2008 through October 31, 2009.

mm. **Motion 08.12-690**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the second of four renewal options for Deloitte & Touche, LLP for external audit services in the estimated amount of \$481,000 for the term upon execution of the agreement for the fiscal year ending February 28, 2009.

A(2). Transmittal of Competitive Awards:

**(For Informational Purposes Only)**

- a. Transmittal of an award on the basis of lowest priced contract to Encompass Group LLC (Reusable Textiles and Textile/PP-HK-052) for slipper socks in

the estimated amount of \$27,906 for the term November 1, 2008 through October 31, 2009.

- b. Transmittal of a purchase from NWN Corporation (DIR Contract DIR-SDD-249) of Cisco Network switches and routers in the amount of \$45,871.
- c. Transmittal of an award to DIR through Mark III Systems (DIR Contract DIR-SDD-256) for IBM Passport Advantage Software subscription and support in the amount of \$55,934 for the term August 1, 2008 through July 31, 2009.
- d. Transmittal of an award on the basis of only bid received to SDFI-TeleMedicine LLC for Secure Digital Forensic Imaging System in the amount of \$55,400.
- e. Transmittal of an award on the basis of only bid received to Ethicon Endo-Surgery, Inc. for bata gamma radiation detector in the amount of \$34,820.
- f. Transmittal of an award on the basis of low bid to MNJ Technologies Direct, Inc. for IBM Hardware and Software for the Enterprise SAN in the amount of \$57,132.
- g. Transmittal of an award on the basis of lowest bid received to Leica Microsystems for fully motorized rotary microtomes (4 ea.) in the amount of \$52,725.
- h. Transmittal of a purchase on the basis low lowest priced contract to ConvaTec Inc for patient cleansing and skin care, traditional in the estimated amount of \$50,070 for the term November 1, 2008 through October 31, 2009.

A(3). Transmittals of Professional Services, Personal Services, Sole Source, Additional Funds, Renewal of Completed Items (Appendix "B".) – **(For Informational Purposes Only)**

**B. Motion 08.12-691**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the Skills of the Three Leadership Groups for the Joint Commission.

**C. Motion 08.12-692**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an agreement funded by Texas Department of Health Services between Harris County Hospital District and Baylor College of Medicine to provide education, training, consultation and evaluation services to selected Hospital Labor & Delivery Units throughout Harris County in the amount of \$35,832 for the term January 1, 2009 through December 31, 2009.

**D. Motion 08.12-693**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an agreement between Harris County Hospital District and Texas Department of State Health Services for the purpose of providing an HIV Perinatal

Transmission Prevention Program for Hospital Labor & Delivery Units throughout Texas in the amount of \$140,000 for the term January 1, 2009 through December 31, 2009.

E. **Motion 08.12-694**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve an agreement between Harris County Hospital District and Goose Creek Consolidated Independent School District to administer a school-based program at San Jacinto Elementary School for the term December 1, 2008 through August 31, 2009.

F. **Motion 08.12-695**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve a revision of an agreement funded by Ryan White Modernization Act Part D between Harris County Hospital District and Houston Regional HIV/AIDS Resource Group which provides family-centered case management and medical care to eligible HIV-infected women, families and children who are patients of the Harris County Hospital District in the amount of \$290,710 for the term August 1, 2008 through July 31, 2009.

G. **Motion 08.12-696**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve a revision of an agreement under Ryan White Part D between Harris County Hospital District and the Resource Group, Inc. to provide primary medical care services at District Facilities in the amount of \$195,407 for the term September 1, 2008 through August 31, 2009.

H. **Motion 08.12-697**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and Salvation Army – Adult Rehabilitation Center to provide on-site registration services to homeless individuals for the term November 1, 2008 through April 30, 2009.

I. **Motion 08.12-698**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and Salvation Army to provide on-site registration services to homeless individuals for the term November 1, 2008 through April 30, 2009.

J. **Motion 08.12-699**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between Harris County Hospital District/Health Care Homeless Program and Baylor College of Medicine, Department of Family and Community Medicine to provide on-site health care services to homeless individuals at Harmony House Shelter in the amount of \$10,597 for the term April 1, 2008 through March 31, 2009.

K. **Motion 08.12-700**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and Harmony House Respite Center for the homeless to provide on-site health care services to homeless individuals for the term November 1, 2008 through April 30, 2009.

L. **Motion 08.12-701**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and Star of Hope to provide on-site health care services to homeless individuals for the term November 1, 2008 through April 30, 2009.

M. **Motion 08.12-702**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and Howard Nelson to provide federal grant funds for data management services in the amount not to exceed \$15,000 for the term November 1, 2008 through April 30, 2009.

N. **Motion 08.12-703**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and Jackson Hinds Garden to provide on-site health care services to homeless individuals for the term November 1, 2008 through April 30, 2009.

O. **Motion 08.12-704**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and S.E.A.R.C.H. to provide on-site registration services to homeless individuals for the term November 1, 2008 through April 30, 2009.

P. **Motion 08.12-705**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and Craven and Plummer, P.C. to provide on-site dental services to homeless individuals with federal grant funds in the amount of \$81,700 for the term November 1, 2008 through April 30, 2009.

Q. **Motion 08.12-706**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an amendment funded by Ryan White Modernization Act Part D between Harris County Hospital District and Houston Regional HIV/AIDS Resource Group to provide family-centered case management and ambulatory medical care to eligible HIV-infected women, families and children who are patients of the Harris County Hospital District in the amount of \$278,803 for the term August 1, 2007 through July 31, 2008.

R. **Motion 08.12-707**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and Baylor College of Medicine, Department of Family and Community Medicine to provide on-site medical services to homeless individuals in the amount not to exceed \$70,313.50 for the term November 1, 2008 through April 30, 2009.

S. **Motion 08.12-708**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and The Cenikor Foundation, Inc. to provide substance abuse treatment to homeless individuals in the amount not to exceed \$41,892 for the term November 1, 2008 through April 30, 2009.

T. **Motion 08.12-709**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and Baylor College of Medicine, Department of Family and Community Medicine to provide on-site psychiatric services to homeless individuals in the amount not to exceed \$7,304.50 for the term November 1, 2008 through April 30, 2009.

U. **Motion 08.12-710**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and Houston Catholic Worker – Casa Juan Diego – Centro San Jose Obrero to provide on-site health care services to homeless individuals for the term November 1, 2008 through April 30, 2009.

V. **Motion 08.12-711**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an agreement between the Harris County Hospital District and Compass to provide on-site registration services to homeless individuals for the term November 1, 2008 through April 30, 2009.

W. **Motion 08.12-712**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify an amended agreement under Ryan White Modernization Act Part A between Harris County Hospital District and Harris County to provide medical case management services to eligible HIV-infected individuals who are patients of the Harris County Hospital District in the amount of \$547,945 for the term March 1, 2008 through February 28, 2009.

X. **Motion 08.12-713**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board accept a Notice of Grant Award from the Health Resources and Services Administration Division of the U.S. Department of Health and Human Services to the

Harris County Hospital District to provide services to homeless individuals at homeless shelter sites in the amount not to exceed \$1,358,786.50 for the term November 1, 2008 through April 30, 2009.

Y. **Motion 08.12-714**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve a Notice of Continuation of Grant Award # C9-001-7 under Centers for Disease Control and Prevention between Harris County Hospital District and the City of Houston Department of Health and Human Services to provide expanded and integrated HIV testing for populations disproportionately affected at District facilities in the amount of \$244,960 for the term September 30, 2008 through September 29, 2009.

Z. **Motion 08.12-715**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board award the construction services for LBJ General Hospital's EC Expansion/Phase 1 West Parking Lot project to Skanska USA Building, Inc., the CM at Risk Contractor, in the amount of \$2,100,231.

Mr. Wortham abstained from this vote.

AA. **Motion 08.12-716**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board authorize the Hospital District to enter into a new lease agreement with Kynto Ventures, LLC for the lease of 50 parking spaces located at 6601 Tarneff Drive for additional employee parking at Peoples Health Center. The current lease agreement will expire on December 31, 2008 and the initial term of the new lease agreement will begin January 1, 2009 through December 31, 2009 at a rate of \$40 per space (\$2,000/mth.)

BB. **Motion 08.12-717**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the 3<sup>rd</sup> amendment to the existing Architectural/Engineering agreement between the Harris County Hospital District and Hellmuth Obata + Kassabaum, L.P. (HOK) to provide additional services to the HOK agreement in the amount of \$107,332 (includes the Sequential bid packages cost of \$87,782 (includes reimbursable expenses of \$10,000) and a fixed fee of \$19,550 for the temporary generator).

CC. **Motion 08.12-718**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board authorize the approval of Capital funds in the amount of \$1,076,476 to resolve the variances associated with design services and other related construction expenses at the new Kirby Warehouse/Office lease space located at 9240 and 9250 Kirby Drive, Houston, Texas 77054. It is recommended that the Board of Managers approve an amendment to the lease to increase the not-to-exceed amount \$7,921,071.20.

**DD. Motion 08.12-719**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board authorize the Hospital District to enter into a professional services agreement with Morris Architects to provide architectural, interior, MEP, and low voltage (LV) engineering services at Ben Taub General Hospital for the relocation of the G.I. Lab from the 6<sup>th</sup> floor to the 5<sup>th</sup> floor El Jardin Unit and to define the scope of work to expand the Cardiology Services on the 6<sup>th</sup> floor to include a third Cath Lab. The cost of the services provided by Morris Architects is \$111,160 plus \$12,000 in reimbursable expenses for a total cost of \$123,160.

**EE. Motion 08.12-720**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the amendment and restatement of the Harris County Hospital District 401K Plan Document to be effective January 1, 2008.

**FF. Motion 08.12-721**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the amendment and restatement of the Harris County Hospital District Pension Plan Document to be effective January 1, 2008.

**GG. Motion 08.12-722**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the Letter of Engagement for special counsel between the Harris County Hospital District and Fulbright & Jaworski, L.L.P., not to exceed \$100,000, in connection with issues related to its pension plan, 401(k) and other employee benefits and fringe benefit matters for the term January 1, 2009 through December 31, 2009.

Dr. Santos abstained from this vote.

**HH. Motion 08.12-723**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve Harris County Hospital District's 2009-2010 healthcare premium rates.

**II. Motion 08.12-724**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the Sexual Harassment Policy #6.36 to be effective immediately.

**JJ. Motion 08.12-725**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the Harris County Hospital District Conflict of Interest Policy effective December 4, 2008.

**KK. Motion 08.12-726**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve The Harris County Hospital District, Pregnant Women, Consent for HIV Testing Policy # 4031 to be effective immediately.

- LL. Consideration of Approval of the Revised Harris County Hospital District Policy #4217 “Consent to Sterilization, Female”

This item was pulled.

- MM. **Motion 08.12-727**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the Harris County Hospital District, Organ/Tissue Donation Policy #4500 to be effective immediately.

- NN. **Motion 08.12-728**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve for the District to enter into a First Amendment to Agreement with King & Spalding, LLP to extend the term of the agreement to December 31, 2009, allocate additional funds in the amount of \$150,000 to the agreement, and expand the scope of services to include other matters relating to physician issues.

- OO. **Motion 08.12-729**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the District to enter into a first amendment to agreement between Harris County Hospital District and Winstead, PC to allocate an additional \$35,000 for the costs of services to be performed by the law firm.

- PP. **Motion 08.12-730**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify a memorandum of an agreement to appoint TMF Health Quality Institute as the Quality Improvement Organization for the Harris County Hospital District.

- QQ. **Motion 08.12-731**

Moved by Mr. Franklin, seconded by Ms. Truesdell, and unanimously passed, that the Board ratify a memorandum of an agreement to appoint TMF Health Quality Institute as the Quality Improvement Organization for the Harris County Hospital District on behalf of Quentin Mease Community Hospital.

## VIII. Reports of the Committees

### A. Joint Conference Committee

1. Report of the Board of Managers Joint Conference Committee

Informational report requiring no action.

2. **Motion 08.12-736**

Moved by Ms. Truesdell, seconded by Mr. Franklin, and unanimously passed, that the Board approve the credentialing changes for November for members of the HCHD Medical Staff. (Appendix “C”).

This item was deferred until Executive Session. Mr. Wortham left the meeting prior to this vote being taken.

3. **Motion 08.12-732**

Moved by Ms. Truesdell, seconded by Mr. Franklin, and unanimously passed, that the Board accept the Medical Board Report as included in the packet.

**B. Budget and Finance Committee**

Mr. DonCarlos called on Mr. Ferdinand Gaenzel to present agenda items relative to Budget and Finance Committee.

1. **Motion 08.12-733**

Moved by Mr. Franklin, seconded by Mr. Jackson, and unanimously passed, that the Board accept the October 2008 Financial Report subject to final audit.

2. **Motion 08.12-734**

Moved by Mr. Wortham, seconded by Ms. Truesdell, and unanimously passed, that the Board accept the Pension Plan Report for the period ended October 2008 subject to final audit.

3. Presentation of October 2008 Financial Statements of Community Health Choice, Inc.

Mr. Kenneth Janda presented the October 2008 Financial Statement of Community Health Choice, Inc. Highlights for the month of October include:

- Net Income for October \$1,585,119
- Star Member Months were 8% below budget for the month
- CHIP Member Months were 25% above budget for October
- CHIP Perinate member months 15% above budget for October
- Total Revenue 10% below budget for the month
- Medical Loss Ratio (including other medical) was 8.3% favorable for the month based on IBNR analysis
- Administration expenses are 14% below budget for the month

**C. Performance Improvement and Patient Safety Committee**

Mr. DonCarlos called on Ms. Truesdell to present agenda items relative to Performance Improvement & Patient Safety Committee.

1. Review and discussion of the Harris County Hospital District's Performance Improvement and Patient Safety Dashboard

Informational item only requiring no action.

2. Update and discussion regarding the Performance Improvement Initiative for National Patient Safety Goal 1 – Patient Identification

Informational item only requiring no action.

3. Update and discussion regarding the Performance Improvement Initiative for National Patient Safety Goal 2 – Improving the effectiveness of communication among caregivers

Informational item only requiring no action.

4. Presentation and discussion regarding The Joint Commission Educational Materials: "The Source" and "The Perspectives"

Informational item only requiring no action.

#### **D. Legislative Committee**

Ms. Spinks and Mr. Hillier were not present to report on the following agenda items. A handout was passed out referencing these items. Copy located in permanent file.

1. Update, discussion and possible action regarding activities in Austin relating to regulatory issues impacting HCHD, the 80<sup>th</sup> Legislative Session and the HCHD legislative platform.
2. Update, discussion and possible action regarding pending federal legislative, line items and policy issues affecting HCHD.

#### **IX. Miscellaneous Agenda Items**

Information Technology Status Update Report

An update on this report has been deferred until January 2009 Board meeting.

#### **X. Executive Session**

At 10:24 A.M., Mr. DonCarlos stated that the Board would go into Executive Session under Section 161.032 of the Texas Health & Safety Code and Chapter 551 of the Texas Government Code Section 071 and 074.

#### **XI. Reconvene**

At 11:15 A.M., Mr. DonCarlos reconvened the meeting and stated that no action was taken in Executive Session.

- A. Consultation with the County Attorney regarding a Claim by Doris Lee Sherard on behalf of the Estate of Leona S. Burge, Deceased, pursuant to Tex. Gov't Code Ann §551.071 and Possible Action regarding this Matter Upon Return to Open Session.

##### **Motion 08.12-735**

Moved by Ms. Truesdell, seconded by Mr. Franklin, and unanimously passed, that the Harris County Hospital District, by and through its Board of Managers, approves the settlement and release of all claims related to the claim by Doris Lee Sherard on behalf of the Estate of Leona S. Burge, Deceased, according to the following terms: Harris County Hospital District will accept a payment of \$642.59 in full payment of the outstanding account of Leona S. Burge. David S. Lopez, President/CEO is authorized to execute any agreement, release or other necessary documents to effect this settlement.

Mr. Wortham departed the meeting prior to this vote.

- B. Report from the Medical Board regarding Credentialing Changes for Members of HCHD Medical Staff pursuant to Section 161.032 of the Texas Health & Safety Code and Possible Action Regarding this Matter Upon Return to Open Session.

No action taken.

- C. Report by Co-Interim Compliance Officers 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.

- D. Discussion of a Complaint against a Co-Interim Compliance Officer, pursuant to Tex. Gov't Code Ann. §551.074 and Possible Action regarding this Matter upon Return to Open Session.

No action taken.

## **XII. Adjournment**

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

There being no further business, the meeting adjourned at 11:19 A.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 December 4, 2008.

Mr. Stephen DonCarlos, Chair  
Board of Managers

Mr. E. Dale Wortham, Secretary

Recorded by Ms. Charlaa Hunter &  
Ms. Anne McCowan