

MEMORANDUM

To: Meeting Minutes from June 11, 2020 Board of Managers Meeting

From: Suzanne Barnes

Date: June 11, 2020

Re: Tarrant County Hospital District Board of Manager Virtual Meeting June 11, 2020

In accordance with section 418.016 of the Texas Government Code, Governor Abbott has suspended various provisions that require government officials and members of the public to be physically present at a specified meeting location. In accordance with this suspension the Tarrant County Board of Managers held a virtual meeting on June 11, 2020. The agenda for this meeting was posted in the following locations:

1. Tarrant County Commissioner Court Web Site; and
2. Tarrant County Hospital District Web Site.



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

FOR IMMEDIATE RELEASE

PRESS OFFICE: (512) 463-2050

March 16, 2020

Keyleigh Date:

www.texasattorneygeneral.gov

Communications@oag.texas.gov

**Governor's Office Clears Path for Governmental Bodies to Meet Telephonically or by
Videoconference During Coronavirus Disaster**

AUSTIN - Governor Abbott's office today approved a request by the Office of the Attorney General to temporarily suspend a limited number of open meeting laws in response to the Coronavirus (COVID-19) disaster. This action will allow governmental bodies to conduct meetings by telephone or video conference to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19).

Importantly, however, this action does not suspend requirements that governmental bodies conduct meetings in a transparent and accessible manner. Specifically, governmental bodies are still be required to do the following:

- provide online written notice containing a public toll-free dial-in number or a free-of-charge videoconference link, as well as an electronic copy of any agenda packet, before conducting telephonic or video conference meetings;
- provide the public with access and a means to participate in those meetings, preferably through two-way audio or video connections; and
- provide the public with access to a recording of those meetings.

Please [click here](#) for a complete list of the open meeting provisions that have been temporarily suspended. State agencies and local governmental bodies may contact the Office of the Attorney General with question about the suspension order by telephone at (888) 672-6787 or via email at TOMA@oag.texas.gov. Officials with questions about teleconference and videoconference capabilities offered by the Texas Department of Information Resources should visit dir.texas.gov or call [\(512\) 475-4700](tel:(512)475-4700).

For information on the spread or treatment of Coronavirus (COVID-19), please visit the [Texas Department of State Health Services](#).

###



GOVERNOR GREG ABBOTT

For Immediate Distribution | March 16, 2020 | (512) 463-1826

I. GOVERNOR ABBOTT ALLOWS VIRTUAL AND TELEPHONIC OPEN MEETINGS TO MAINTAIN GOVERNMENT TRANSPARENCY

Ensures continued government operation while preserving transparency

AUSTIN - Governor Greg Abbott today acted to maintain government transparency and continued government operations while reducing face-to-face contact for government open meetings. As Texas works to mitigate the spread of COVID-19, the Governor granted the Office of the Attorney General's request for suspension of certain open-meeting statutes. This temporary suspension will allow for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in-person meetings that assemble large groups of people.

"Even as the State of Texas takes precautionary measures to contain the spread of COVID-19, we also have a responsibility to maintain government transparency," said Governor Abbott. "With today's action, Texas is reducing non-essential in-person contact for a limited period, while ensuring that state and local government entities continue to work to fulfill necessary functions and with full transparency for the people of Texas. I urge state and local officials to do their part to mitigate the spread of COVID-19 by avoiding meetings that bring people into large group settings."

In accordance with section 418.016 of the Texas Government Code, Governor Abbott has suspended various provisions that require government officials and members of the public to be physically present at a specified meeting location. This temporary suspension will leave important open-meeting protections in place:

- Members of the public will be entitled to participate and address the governmental body during any telephonic or videoconference meeting.
- To hold a telephonic or videoconference meeting, a governmental body must post a written notice that gives the public a way to participate remotely, such as a toll-free dial-in number, and that includes an electronic copy of any agenda packet that officials will consider at the meeting.
- A governmental body must provide the public with access to a recording of any telephonic or videoconference meeting.

State and local officials who have questions about open-meeting requirements after this suspension should submit them to the Office of the Attorney General via e-mail at TOMA@oag.texas.gov, or by leaving a message at (888) 672-6787. Officials with questions about teleconference and videoconference capabilities offered by the Texas Department of Information Resources should visit dir.texas.gov or call (512) 475-4700. Officials who hold videoconference meetings are encouraged to provide for participation via telephone for

members of the public without videoconferencing capability. If officials are not holding a telephonic or videoconference meeting, all open-meeting requirements apply.

###

Please DO NOT REPLY to this message. It comes from an un-monitored mailbox. If you have any questions regarding this announcement, please contact the Governor's Press Office at (512) 463-1826.

[Manage Subscriptions](#) | [Unsubscribe All](#)

**TARRANT COUNTY HOSPITAL DISTRICT (TCHD)
d/b/a JPS HEALTH NETWORK**

**EMERGENCY PROCEDURES PURSUANT TO
GOVERNOR GREG ABBOTT'S AND
ATTORNEY GENERAL KEN PAXTON'S
TEMPORARY MEETING SUSPENSION GUIDELINES
THIS MEETING IS AVAILABLE FOR VIEWING VIA
NORMAL JPS HEALTH NETWORK YOUTUBE CHANNEL**

WEBEX-TCHD - Board of Managers Meeting

Thursday, June 11, 2020

Meeting Minutes

The Tarrant County Hospital District ("District") Board of Managers met Thursday, June 11, 2020, via WebEx with the following members present:

Charles Webber, M.D., Board Chair
Dorothy DeBose, Board Vice Chair
Roger Fisher, Board Secretary
Charlie Powell, Board Immediate Past Chair
Amanda Arizola
Rev. Ralph Emerson
D.T. Nguyen
Steve Montgomery
Trent Petty
Steven Simmons, D.O.
Zim Zimmerman

Board Members Absent:

Others Attending:

Robert Earley, President, Chief Executive Officer
Karen Duncan, M.D., Executive Vice President, Chief Operating Officer
Sharon Clark, Senior Executive Vice President, Chief Financial Officer
Michael Hochberg, M.D., Chief Clinical Officer, President and Chief Medical Officer of Acclaim Physicians
David Mendenhall, Vice President, Chief Technology Officer
Robert Browder, Vice President, Legal Services
Cheryl Hurd, M.D., President Medical Staff
Neal Adams, General Counsel
Suzanne Barnes, Recording Secretary

- I. CALL TO ORDER** – Dr. Webber called to order at 1:07pm
- II. OPENING PRAYER & PLEDGE** – Rev. Ralph Emerson gave the Invocation
- III. CITIZENS WISHING TO ADDRESS THE BOARD**

Summary: No citizens addressed the board

IV. APPROVAL OF MINUTES

A. Board of Managers, May 14, 2020

Action: Mr. Powell motioned to approve the May 14, 2020 minutes; Ms. DeBose had a correction to the May 14th minutes – Pure Living Limited Contract was approved by 10 voting board members and opposed by Mr. Nguyen. The motion being seconded by Mr. Montgomery, motion passed unanimously.

V. BOARD CHAIR REPORT AND ACTION – C. Webber

- JPS Continues to Promote High Quality Healthcare to our Community

VI. CEO REPORT – Robert Earley

- Welcome Alex DuBuclet, Interim VP of Human Resources
- Cares Act Funding – JPS received \$8.1 Million Dollars
- Medicare Advance Funding (payback money) – JPS received \$49.5 Million in which will need to be paid back
- Texas Hospital Association – JPS received \$20,000
- 2nd Round of Hot Spot Funding – JPS in the application process
- Safety Net Facility Funding – JPS is on the list to receive funds
- Misc. Grants totaling \$850,000
 - Morris Foundation
 - Gateway Church
 - Lockheed
 - In-Kind Donations - \$9,000

VII. REPORT FROM MEDICAL EXECUTIVE STAFF COMMITTEE REQUIRING DISCUSSION(S), UPDATE(S), DELIBERATION(S), ACTION(S) AND/OR APPROVAL – C. Hurd

- ##### **A. Consider Approval of Placement and Maintenance of Lumbar Drains to the Anesthesiology Core Procedures**

Action: Dr. Simmons motioned to approve the Placement and Maintenance of Lumbar Drains to the Anesthesiology Core Procedures, seconded by Mr. Montgomery motion passed unanimously.

- ##### **B. Consider Approval of Thoracentesis to the Gynecologic Oncology Procedures**

Action: Mr. Zimmerman motioned to approve the Thoracentesis to the Gynecologic Oncology Procedures, seconded by Dr. Simmons, motion passed unanimously.

VIII. OTHER MATTERS REQUIRING BOARD DISCUSSION(S), UPDATE(S), DELIBERATION(S), ACTION(S) AND/OR APPROVAL

- ##### **A. Consider Acceptance of April 2020 Unaudited Financial Report**

Action: Mr. Powell motioned to accept the April 2020 Unaudited Financial Report as presented, seconded by Mr. Nguyen, motion passed unanimously.

- B. Consider approval of First Amendment to Administrative Services Agreement between Acclaim Physician Group, Inc. and Tarrant County Hospital District d/b/a JPS Health Network (819760). – S. Clark

Action: Ms. DeBose motioned to approve the First Amendment to Administrative Services Agreement between Acclaim Physician Group, Inc. and Tarrant County Hospital District d/b/a JPS Health Network, Seconded by Mr. Petty, motioned passed unanimously.

- C. Consider approval of Agreement (for purchase of seasonal influenza vaccine products) between Seqirus USA, Inc. and Tarrant County Hospital District d/b/a JPS Health Network (797626). – K. Carr

Action: Mr. Zimmerman motioned to approve the Agreement (for purchase of seasonal influenza vaccine products) between Seqirus USA, Inc. and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Mr. Powell, motioned passed unanimously.

- D. Consider approval of Services Agreement between Crowe, LLP and Tarrant County Hospital District d/b/a JPS Health Network (802262). – R. Skillens

Action: Mr. Zimmerman motioned to approve the Services Agreement between Crowe, LLP and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Mr. Petty, motioned passed unanimously.

- E. Consider approval of Services Agreement between KPMG, LLP and Tarrant County Hospital District d/b/a JPS Health Network (803538). – R. Skillens – removed from the agenda because it does not require board approval.

Action: Item E. KPMG, LLP agreement was removed from the agenda it does not require board approval because this contract is under the \$500,000.00 board policy limit approval authority.

- F. Consider approval of Addendum to Quotations - Quotations - Contract and Terms of Sale between GE Medical Systems Information Technologies and Tarrant County Hospital District d/b/a JPS Health Network (788364). – W. Peebles

Action: Ms. DeBose motioned to approve the Addendum to Quotations - Quotations - Contract and Terms of Sale between GE Medical Systems Information Technologies and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Mr. Nguyen, motioned passed unanimously.

- G. Consider approval of Purchase Agreement (DePuy Synthes) between Johnson & Johnson Health Care Systems, Inc. and Tarrant County Hospital District d/b/a JPS Health Network (717561). – W. Peebles

Action: Mr. Zimmerman motioned to approve the Purchase Agreement (DePuy Synthes) between Johnson & Johnson Health Care Systems, Inc. and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Dr. Simmons, motioned passed unanimously.

- H. Consider approval of Purchase Agreement between Sientra, Inc. and Tarrant County Hospital District d/b/a JPS Health Network (798560). – W. Peebles

Action: Mr. Powell motioned to approve the Purchase Agreement between Sientra, Inc. and Tarrant County Hospital District d/b/a JPS Health Network seconded by Dr. Simmons, motioned passed unanimously.

- I. Consider approval of (1) Order Form Subject to License Agreement dated February 8, 2005, and (2) Services Work Order- Strategic Sourcing and Contract Management between Infor (US), Inc. and Tarrant County Hospital District d/b/a JPS Health Network (797443). - D. Mendenhall

Action: Ms. DeBose motioned to approve the (1) Order Form Subject to License Agreement dated February 8, 2005, and (2) Services Work Order- Strategic Sourcing and Contract Management between Infor (US), Inc. and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Mr. Nguyen, motioned passed unanimously.

- J. Pursuant to JPS Purchasing Procedure LDF 7201 Section VIII, A.7., consider(1) granting an exemption to competitive bidding for purchase of goods and services which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, or captive replacement parts or components for equipment, or other exemptions under Tex. Local Gov't. Code §262.024(a) (7); and (2) approval of the Support Services Quote between Kronos Incorporated and Tarrant County Hospital District d/b/a JPS Health Network (801606). - D. Mendenhall

Action: Mr. Nguyen motioned to approve the granting an exemption to competitive bidding for purchase of goods and services which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, or captive replacement parts or components for equipment, or other exemptions under Tex. Local Gov't. Code §262.024(a) (7); and (2) approval of the Support Services Quote between Kronos Incorporated and Tarrant County Hospital District d/b/a JPS Health Network seconded by Mr. Petty, motioned passed unanimously.

- K. Pursuant to JPS Purchasing Procedure LDF 7201 Section VIII, A.7., consider (1) granting an exemption to competitive bidding for purchase of goods and services for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, or captive replacement parts or components for equipment, or other exemptions under Tex. Local Gov't. Code §262.024(a)(7); and (2) approval of the Master Agreement - DataArk Software and Service between Mediquant, LLC and Tarrant County Hospital District d/b/a JPS Health Network (815900). - D. Mendenhall

Action: Mr. Nguyen motioned to approve the granting an exemption to competitive bidding for purchase of goods and services which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, or captive replacement parts or components for equipment, or other exemptions under Tex. Local Gov't. Code §262.024(a) (7); and (2) approval of the Master Agreement – DataArk Software and Service between Mediquant, LLC and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Mr. Montgomery, motioned passed unanimously.

- L. Pursuant to JPS Purchasing Procedure LDF 7201 Section VIII, A.4., consider(1) granting an exemption to competitive bidding for a personal or professional service (including without limitation physician/professional medical consultants or services), where obtaining these services through the competitive bidding process is prohibited; and (2) approval of

Program Letter of Agreement-Ophthalmology between Dallas County Hospital District d/b/a Parkland Health & Hospital System, The University of Texas Southwestern Medical Center and Tarrant County Hospital District d/b/a JPS Health Network (787137). – T. Elliott, MD

Action: Ms. DeBose motioned to approve the granting an exemption to competitive bidding for purchase of goods and services which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, or captive replacement parts or components for equipment, or other exemptions under Tex. Local Gov't. Code §262.024(a) (7); and (2) approval of Program Letter of Agreement-Ophthalmology between Dallas County Hospital District d/b/a Parkland Health & Hospital System, The University of Texas Southwestern Medical Center and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Mr. Nguyen, motioned passed unanimously.

- M. Pursuant to JPS Purchasing Procedure LDF 7201 Section VIII, A.4., consider(1) granting an exemption to competitive bidding for a personal or professional service (including without limitation physician/professional medical consultants or services), where obtaining these services through the competitive bidding process is prohibited; and (2) approval of Program Letter of Agreement-Urology between Dallas County Hospital District d/b/a Parkland Health & Hospital System, The University of Texas Southwestern Medical Center and Tarrant County Hospital District d/b/a JPS Health Network (787145). - T. Elliott, MD

Action: Mr. Nguyen motioned to approve the granting an exemption to competitive bidding for purchase of goods and services which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, or captive replacement parts or components for equipment, or other exemptions under Tex. Local Gov't. Code §262.024(a) (7); and (2) approval of Program Letter of Agreement-Urology between Dallas County Hospital District d/b/a Parkland Health & Hospital System, The University of Texas Southwestern Medical Center and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Dr. Simmons, motioned passed unanimously.

- N. Pursuant to JPS Purchasing Procedure LDF 7201 Section VIII, A.4., consider(1) granting an exemption to competitive bidding for a personal or professional service (including without limitation physician/professional medical consultants or services), where obtaining these services through the competitive bidding process is prohibited; and (2) approval of Program Letter of Agreement-Oral and Maxillofacial Surgery between Dallas County Hospital District d/b/a Parkland Health & Hospital System and Tarrant County Hospital District d/b/a JPS Health Network (787236). - T. Elliott, MD

Action: Mr. Powell motioned to approve the granting an exemption to competitive bidding for purchase of goods and services which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, or captive replacement parts or components for equipment, or other exemptions under Tex. Local Gov't. Code §262.024(a) (7); and (2) approval of Program Letter of Agreement-Oral and Maxillofacial Surgery between Dallas County Hospital District d/b/a Parkland Health & Hospital System and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Dr. Simmons, motioned passed unanimously.

- O. Pursuant to JPS Purchasing Procedure LDF 7201 Section VIII, A.4., consider(1) granting an exemption to competitive bidding for a personal or professional service (including without limitation physician/professional medical consultants or services), where obtaining these services through the competitive bidding process is prohibited; and (2) approval of Program Letter of Agreement-General Surgery between Baylor University Medical Center and Tarrant County Hospital District d/b/a JPS Health Network (814491). - T. Elliott, MD

Action: Mr. Petty motioned to approve the granting an exemption to competitive bidding for purchase of goods and services which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, or captive replacement parts or components for equipment, or other exemptions under Tex. Local Gov't. Code §262.024(a) (7); and (2) approval of Program Letter of Agreement-General Surgery between Baylor University Medical Center and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Dr. Simmons, motioned passed unanimously.

- P. Consider Approval of HR 5200 Transfers and Job Posting – K. Duncan

Action: Mr. Nguyen motioned to approve the HR 5200 Transfers and Job Posting, seconded by Ms. Arizola, motioned passed unanimously.

- Q. Consider Approval of PC 4100 Management of Severe Hypertension in the Obstetric Patient
W. Peebles

Action: Mr. Montgomery motioned to approve the PC 4100 Management of Severe Hypertension in the Obstetric Patient, seconded by Mr. Zimmerman, motioned passed unanimously.

- R. Consider Archival of RI 2900 Placenta Release – W. Peebles

Action: Mr. Zimmerman motioned to approve the RI 2900 Placenta Release, seconded by Dr. Simmons, motioned passed unanimously.

- S. Consider Approval of the Implementation of the Recommendations for In House Counsel – R. Earley
Roger will like to move to close session it's a personnel matter

Summary: Mr. Fisher requested that line item VIII. S., be moved to Executive Session

IX. RATIFICATION OF EMERGENT MATTERS APPROVED BY OFFICERS OF THE BOARD OF MANAGERS

A. Approved by Officers of the Board of Managers on May 29, 2020:

1. Pursuant to Chapter 2254 of the Texas Government Code and other Texas Purchasing Laws and Section VIII of JPS Purchasing Procedure LDF 7201, the Board of Managers may, in its discretion, grant any of following exemptions (each being an "Exemption") for Purchases otherwise required to be submitted to Competitive Bidding: (i) Goods and services to preserve the property of JPS, (ii) Goods and services necessary to preserve or protect the public health or safety of the residents residing within JPS, and/or (iii) Goods and services necessary because of unforeseen damage to JPS property.

Ratification of approval of contract between Guidehouse LLP and Tarrant County Hospital District d/b/a JPS Health Network, an exemption from Competitive Bidding to Guidehouse is a professional advisor firm that has a team specializing in identifying and maximizing opportunities for reimbursement of lost revenue and expenses caused by the pandemic. They have been engaged by Tarrant County and several of the large public hospitals in Texas. Guidehouse provides access to subject matter experts and serves as an advisor on the following:

- Assist District with the strategy and administration set up of federal disaster funding.
- Work with District on tasks such as coordination of benefits for multiple funding sources, eligibility determination, documentation requirements, status reporting, procurement support, and appeals support through use of their subject matter experts.
- Provide services to the District to help determine and maximize funding sources available.
- Provide District with coordination support between the District and relevant federal/state agencies.

This contract is based on an hourly rate not to exceed a maximum of \$250,000 for the term of this Agreement. This Agreement may be terminated by either party immediately on written notice to the other party at any time. We ask for expedited approval based on certain impending deadlines and the windows of opportunity to access funding sources related to the pandemic.

Action: Mr. Fisher motioned and Mr. Zimmerman seconded the motion, Mr. Nguyen abstained, to approve the grant any of following exemptions (each being an "Exemption") for Purchases otherwise required to be submitted to Competitive Bidding: (i) Goods and services to preserve the property of JPS, (ii) Goods and services necessary to preserve or protect the public health or safety of the residents residing within JPS, and/or (iii) Goods and services necessary because of unforeseen damage to JPS property.

Motion passed by a vote of 10 board members for the Approval of the contract between Guidehouse LLP and Tarrant County Hospital District d/b/a JPS Health Network, and exemption from Competitive Bidding.

X. REPORT OF LEGAL COUNSEL AND/OR LEGAL MATTERS REQUIRING DISCUSSION(S), UPDATE(S), DELIBERATION(S), ACTION(S) AND/OR APPROVAL – N. ADAMS

- A. Report of Contracts Negotiated on behalf of Tarrant County Hospital District d/b/a JPS Health Network that are under \$500,000 for the previous month. – N. Adams

Summary: No report

XI. RECONVENE IN EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE FOR THE FOLLOWING:

The Board took a brief break at 3:07pm and reconvened in Executive Session at 3:20pm

XII. RECONVENE IN OPEN SESSION FOR DELIBERATION(S) AND/OR ACTION(S) DEEMED NECESSARY REGARDING ANY MATTER LISTED ON THE CLOSED SESSION AGENDA, PARAGRAPHS XI. A., B., C., D. AND E.

The Board reconvene in Open session at 5:43pm

A. Summary: Consider Approval of Privileges/Appointments and Reappointments to the Medical Staff as presented – Dr. Hurd

Action: Dr. Hurd motioned to approve the Privileges/Appointments and Reappointments to the Medical Staff as presented, seconded by Mr. Petty, motion passed unanimously.

B. Summary: Consider Approval of the Implementation of the Recommendations for In House Counsel – R. Earley

Action: Mr. Montgomery motioned to approve the Implementation of the Recommendations for In House Counsel, seconded by Mr. Petty, motioned passed unanimously.

Dr. Webber stated that the Legal Services ADHOC Committee will include: Robert Earley, Dr. Karen Duncan, Dorothy DeBose, Amanda Arizola and Dr. Charles Webber

XIII. ADJOURN – 5:46PM

Charles E. Webber, MD 15 Aug 2020

Dr. Charles Webber, MD – Board Chair

Date