

# MEMORANDUM

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To: Meeting Minutes from May 14, 2020 Board of Managers Meeting

From: Suzanne Barnes

Date: May 14, 2020

Re: Tarrant County Hospital District Board of Manager Virtual Meeting May 14, 2020

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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 Mangers held a virtual meeting on May 14, 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**

March 16, 2020

[www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov)

**PRESS OFFICE: (512) 463-2050**

Kayleigh Date:

[Communications@oag.texas.gov](mailto: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](mailto: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](http://dir.texas.gov) or call (512) 475-4700.

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

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## 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](mailto: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](http://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.

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**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, May 14, 2020**

**Meeting Minutes**

The Tarrant County Hospital District ("District") Board of Managers met Thursday, May 14, 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  
Steven Simmons, D.O.  
Zim Zimmerman

Board Members Absent: Trent Petty

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  
Neal Adams, General Counsel  
Suzanne Barnes, Recording Secretary

- I. CALL TO ORDER** – Dr. Webber called to order at 1:10pm
- II. OPENING PRAYER & PLEDGE** – LeeAnn Franklin gave the Invocation
- III. CITIZENS WISHING TO ADDRESS THE BOARD**

**Summary:** No citizens addressed the board

#### **IV. APPROVAL OF MINUTES**

##### **A. Board of Managers, April 9, 2020**

**Action:** Ms. DeBose motioned to approve the April 9, 2020 minutes with the following correction: The Legal Services Report motion was corrected to remove the reference to April 9, 2020 date and the corrected motion reads as follows: "Motion to accept the Legal Services Report provided to the Tarrant County Hospital District d/b/a JPS Health Network with implementation to begin after 30 days." With the motion being seconded by Mr. Zimmerman and the motion passed unanimously.

#### **V. BOARD CHAIR REPORT AND ACTION – C. Webber**

- Thanked all the staff who are working during this pandemic

#### **VI. CEO REPORT – Robert Earley**

- Update on COVID-19
- Elective Surgery
- House Bill 3834 – Cyber Security Training
- Employee Letter

#### **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 Department of Anesthesiology Leadership**

1. Irving Ward, DO, Chair
2. Robert Frohm, MD, Vice Chair

**Action:** Ms. Hurd motioned to approve the Department of Anesthesiology Irving Ward, DO, Chair and Robert Frohm, MD, Vice Chair, seconded by Mr. Powell motion passed unanimously.

##### **B. Consider Approval of Department of Obstetrics & Gynecology Leadership**

1. Roopina Sangha, MD, Chair
2. Stephanie Carson-Henderson, MD, Vice Chair

**Action:** Ms. Hurd motioned to approve the Department of Obstetrics & Gynecology Leadership: Roopina Sangha, MD, Chair and Stephanie Carson-Henderson, MD, Vice Chair seconded by Dr. Simmons, motion passed unanimously.

##### **C. Consider Approval Department of Surgery Leadership**

1. Richard Miller, MD, Chair
2. Rajesh Gandhi, MD, Vice Chair

**Action:** Ms. Hurd motioned to approve the Department of Surgery Leadership: Richard Miller, MD, Chair and Rajesh Gandhi, MD, Vice Chair seconded by Mr. Zimmerman, motion passed unanimously.

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

**A. Consider Acceptance of March 2020 Unaudited Financial Report**

**Action:** Mr. Montgomery motioned to approve the March 2020 Unaudited Financial Report, seconded by Mr. Powell, motion passed unanimously.

**B. Restatement of JPS Pension Plan and Amendments – S. Clark**

**1. JPS Pension Plan Resolution and Amendment**

**Action:** Ms. DeBose motioned to approve the JPS Pension Plan Resolution and Amendment, Seconded by Mr. Nguyen, motioned passed unanimously.

**2. JPS Pension Plan Resolution Authorizing Amendment and Restatement**

**Action:** Ms. DeBose motioned to approve the JPS Pension Plan Resolution Authorizing Amendment and Restatement, seconded by Mr. Zimmerman, motioned passed unanimously.

**3. Resolution Authorizing Amendment of the JPS Health Network Supplemental Retirement Plan and Merger of Similar Plans**

**Action:** Rev. Emerson motioned to approve the Resolution Authorizing Amendment of the JPS Health Network Supplemental Retirement Plan and Merger of Similar Plan, seconded by Mr. Zimmerman, motioned passed unanimously.

**4. Resolution Authorizing Amendment of Acclaim Physician Group Supplemental Retirement Plan and Merger of Similar Plans**

**Action:** Mr. Zimmerman motioned to approve the Resolution Authorizing Amendment of Acclaim Physician Group Supplemental Retirement Plan and Merger of Similar Plans, seconded by Mr. Nguyen, motioned passed unanimously.

**C. Consider Approval of Participating Facility Agreement and First Amendment to the Participating Facility Agreement between Scott and White Health Plan and Tarrant County Hospital District d/b/a JPS Health Network (357824) – R. McCrady**

**Action:** Mr. Nguyen motioned to approve the Participating Facility Agreement and First Amendment to the Participating Facility Agreement between Scott and White Health Plan and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Dr. Simmons, motioned passed unanimously.

**D. Consider Approval of On-Site Correctional Health Dialysis Services Agreement between**



RPNT Acute Services, Inc. and Tarrant County Hospital District d/b/a JPS Health Network  
(797230) – Z. Baugh

**Action:** Mr. Nguyen motioned to approve the On-Site Correctional Health Dialysis Services Agreement between RPNT Acute Services, Inc. and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Mr. Zimmerman, motioned passed unanimously.

E. Consider Approval of Library Service Agreement between the University of North Texas Health Science Center at Fort Worth and Tarrant County Hospital District d/b/a JPS Health Network (799563) – T. Elliott, MD

**Action:** Ms. Arizola motioned to approve the Library Service Agreement between the University of North Texas Health Science Center at Fort Worth and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Dr. Simmons, motioned passed unanimously.

F. Consider Approval of Continuing Medical Education Service Agreement between the University of North Texas Health Science Center at Fort Worth and Tarrant County Hospital District d/b/a JPS Health Network (799348) – T. Elliott, MD

**Action:** Dr. Simmons motioned to approve the Continuing Medical Education Service Agreement between the University of North Texas Health Science Center at Fort Worth and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Ms. Arizola, motioned passed unanimously.

G. Consider Approval of Notice of State Grant Award between the Texas Higher Education Coordinating Board and Tarrant County Hospital District d/b/a JPS Health Network (798674) – T. Elliott, MD

**Action:** Ms. DeBose motioned to approve the Notice of State Grant Award between the Texas Higher Education Coordinating Board and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Mr. Nguyen, motioned passed unanimously.

H. Consider Approval of Amendment to the Professional Services Agreement Inpatient Mental Health Services for Involuntary Commitments between MHMR of Tarrant County and Tarrant County Hospital District d/b/a JPS Health Network (818609) – Z. Baugh

**Action:** Mr. Powell motioned to approve the Amendment to the Professional Services Agreement Inpatient Mental Health Services for Involuntary Commitments between MHMR of Tarrant County and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Mr. Montgomery, motioned passed unanimously.

I. Consider Approval for Right-of-Way /Easement:

Approval of Right-of-Way Easement and related Temporary Construction Easement between Tarrant County Hospital District d/b/a JPS Health Network and the City of Fort Worth, Texas for the construction and installation of a traffic signal at the intersection of Long Avenue and Deen Road in Fort Worth, Texas (Diamond Hill Health Center) (819915) – N. Adams

**Action:** Mr. Zimmerman motioned to approve the Right-of-Way Easement and related Temporary Construction Easement between Tarrant County Hospital District d/b/a JPS

Health Network and the City of Fort Worth, Texas for the construction and installation of a traffic signal at the intersection of Long Avenue and Deen Road in Fort Worth, Texas (Diamond Hill Health Center), seconded by Mr. Montgomery, motioned passed unanimously.

- J. Consider Approval of Interlocal Agreement to Provide Medical and Patient Services between the City of Fort Worth and Tarrant County Hospital District d/b/a JPS Health Network (815006) –J. Parker

**Action:** Dr. Simmons motioned to approve the Interlocal Agreement to Provide Medical and Patient Services between the City of Fort Worth and Tarrant County Hospital District d/b/a JPS Health Network, seconded by Mr. Zimmerman, motioned passed unanimously.

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

##### **A. Approved by Officers of the Board of Managers on April 5, 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 Pure Living Limited and Tarrant County Hospital District d/b/a JPS Health Network, an exemption from Competitive Bidding to procure 1.5 million procedural masks and 30,000 KN95 respirator masks. The procedural masks will assist in protecting both patients and staff from possible exposure to COVID19 within the general, clinical, and medical/surgical areas. (812780)

**Action:** Mr. Montgomery motioned 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.

And the of approval of contract between Pure Living Limited and Tarrant County Hospital District d/b/a JPS Health Network, an exemption from Competitive Bidding to procure 1.5 million procedural masks and 30,000 KN95 respirator masks. The procedural masks will assist in protecting both patients and staff from possible exposure to COVID19 within the general, clinical, and medical/surgical areas, seconded by Dr. Simmons, motioned passed by 10 with DT Nguyen opposed.

##### **B. Approved by Officers of the Board of Managers on April 15, 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 Baluster Group, LLC and Tarrant County Hospital District d/b/a JPS Health Network, an exemption from Competitive Bidding to procure both gowns, procedural masks, and KN95 masks. The procedural masks and gowns will assist in protecting both patients and staff from possible exposure to COVID19 within the general, clinical, and medical/surgical areas. The KN95 masks will protect staff from aerosolizing and droplet procedural environments. (804861)

**Action:** Rev. Emerson motioned 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.

And the of approval of between Baluster Group, LLC and Tarrant County Hospital District d/b/a JPS Health Network, an exemption from Competitive Bidding to procure both gowns, procedural masks, and KN95 masks. The procedural masks and gowns will assist in protecting both patients and staff from possible exposure to COVID19 within the general, clinical, and medical/surgical areas. The KN95 masks will protect staff from aerosolizing and droplet procedural environments, seconded by Mr. Montgomery, motioned passed unanimously.

2. 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 Purchase Agreement between Clean Sleep and Tarrant County Hospital District d/b/a JPS Health Network to clean, disinfect, sanitize, and provide virus and bacteria elimination on used N95 masks for reuse. (815284)

**Action:** Mr. Fisher motioned 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.

And the of approval of Purchase Agreement between Clean Sleep and Tarrant County Hospital District d/b/a JPS Health Network to clean, disinfect, sanitize, and provide

virus and bacteria elimination on used N95 masks for reuse, seconded by Mr. Montgomery, opposed by Mr. Nguyen, 10 board members approved and 1 opposed.

**C. Approved by Officers of the Board of Managers on April 27, 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 Purchase Agreement between NB Ventures, Inc. d/b/a GEP and Tarrant County Hospital District d/b/a JPS Health to assist in procuring needed supplies and maintaining fluid logistics during the COVID19 pandemic. (815490)

**Action:** Rev. Emerson motioned 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.

And the of approval of Purchase Agreement between NB Ventures, Inc. d/b/a GEP and Tarrant County Hospital District d/b/a JPS Health to assist in procuring needed supplies and maintaining fluid logistics during the COVID19 pandemic, seconded by Mr. Zimmerman, opposed by Mr. Nguyen, Ms. Debose and Ms. Arizola, 8 board members approved and 3 opposed.

**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:** Mr. Adams reported that there were 48 contracts under \$500,000.

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

The Board took a brief break at 2:50pm and reconvened in Executive Session at 2:57pm

**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 3:08pm

- 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. Powell, motion passed unanimously.

XIII. ADJOURN – 3:09pm

Charles E. Webber Jr 11 Jun 2020  
Dr. Charles Webber, MD – Board Chair      Date