

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

JPS HEALTH NETWORK
1500 S MAIN STREET
FORT WORTH, TX 76104

3RD FLOOR OPC CONFERENCE ROOM

BOARD OF MANAGERS MEETING

1:00 P.M. Thursday, November 14, 2019

FILED
TARRANT COUNTY CLERK
2019 NOV -8 AM 11:11
MARY LOUISE NICHOLSON
COUNTY CLERK
BY 

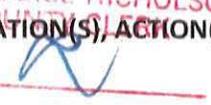
AGENDA

- I. WELCOME AND CALL TO ORDER OF BOARD OF MANAGERS - C. Powell
- II. OPENING PRAYER & PLEDGE
- III. CITIZENS WISHING TO ADDRESS THE BOARD
- IV. APPROVAL OF MINUTES
 - A. Board of Managers – October 10, 2019
- V. BOARD CHAIR REPORT AND ACTION – C. Powell
- VI. CEO REPORT – R. Earley
- VII. REPORT FROM MEDICAL EXECUTIVE STAFF COMMITTEE REQUIRING DISCUSSION(S), UPDATE(S), DELIBERATION(S), ACTION(S) AND/OR APPROVAL – C. Schrader
 - A. Consider Approval of Cardiovascular Disease (Cardiology) Clinical Privileges
- VIII. REPORT FROM ACCLAIM PHYSICIAN GROUP, INC, REQUIRING DISCUSSION(S), UPDATE(S), DELIBERATION(S), ACTION(S) AND/OR APPROVAL – M. Hochberg, MD
- IX. COMMITTEE REPORTS AND ACTION
 - A. Nominating Committee Report and/or Action Regarding the Election of the Officers of the Board of Managers – T. Petty, Member
Monday, October 21, 2019
 - B. Finance Committee/or Action – S. Montgomery, Chair
Thursday, October 24, 2019
 1. Financial Summary Report – S. Clark
 - C. Governance Committee/or Action – R. Fisher, Chair
Thursday, October 24, 2019

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D. Planning Committee/or Action – T. Petty, Chair
Thursday, November 7, 2019

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

A. Consider Approval of Reappointment JR Labbe to the City of Fort Worth Tax Increment Financing District Board Appointments for a term of two years – R. Earley

1. TIF 03 Downtown
2. TIF 04 Southside
3. TIF 06 Riverfront
4. TIF 09 Trinity River Vision
5. TIF 10 Lone Star/Cabela's
6. TIF 12 East Berry Renaissance
7. TIF 13 Woodhaven

B. Consider Approval of NPSG 700 Never Events Management Policy – R. Stephenson, MD

C. Consider Approval of IC 1 Infection Prevention and Control Program Authority and Approval Statement – R. Stephenson, MD

D. Approval and authorization to engage The Lanier Law Firm, PC ("Law Firm") as outside legal counsel to represent the District on a contingent fee basis in contemplated lawsuit against drug manufacturers, distributors, retailers and others involved in the sale and promotion of the legal use of opioids (collectively "Pharma Providers").

The following notice is provided in compliance with Texas Government Code Section 2254.1036 with respect to contingent fee engagement with the Law Firm:

- (1.) Such engagement would permit the District to follow a significant number of other public and private hospitals and healthcare providers who have engaged contingent fee attorneys to file lawsuits seeking in seeking recovery from Pharma Providers for various violations of and claims under Texas and Federal laws by Pharma Providers that have resulted in an epidemic of addiction to and increased use of opioids in the medical treatment of pain, as well as other uses ("Opioid Abuses"), which has caused significant costs, expenses and losses to the District ("Opioid Damages"), which the District believes are recoverable;
- (2.) contingent fee contract appears to be the only viable means of sustaining the required litigation, taking into account the cost of litigation and the length of time anticipated until the time any recovery could be realized;

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- (3.) The Law Firm is one of very few law firms that have the specialized expertise, previous experience, qualifications, financial capacity and attorney and other resources which are required to present, sustain and prosecute these District claims against the Pharma Providers for Opioid Abuses to and through trial and appeal to final judgment;
- (4.) The District has not been previously represented by and does not currently have a relationship with the Law Firm;
- (5.) These legal services cannot be performed by the attorneys and support staff for the District due to the excessive time and their lack of the specialized knowledge, expertise, experience and qualifications required;
- (6.) These legal services cannot be provided by private attorneys under an hourly contract because the estimated cost for preparation, trial and appeal is more than the District could pay and would likely impair the District's financial ability to sustain its normal hospital operations at an acceptable level of service; and
- (7.) For these reasons, a contingency fee contract between the District and the Law Firm would be in the best interests of the residents of Tarrant County.

XI. CONSENT AGENDA: ALL CONSENT AGENDA ITEMS WERE DISCUSSED IN BOARD COMMITTEE MEETINGS AND MAY REQUIRE LITTLE OR NO DELIBERATION BY THE BOARD OF MANAGERS, BUT REQUIRE BOARD APPROVAL.

- A. Consider Approval of Acceptance of September 2019 Unaudited Financial Report – S. Clark
- B. Consider Approval of Letter of Agreement (UHRIP) between Cigna HealthSpring and Tarrant County Hospital District d/b/a JPS Health Network (718178) – S. Clark
- C. Consider Approval of Letter of Agreement (UHRIP) between Cook Children's Health Plan and Tarrant County Hospital District d/b/a JPS Health Network (718202) – S. Clark
- D. Consider Approval of Master Agreement between Stryker Sales Corporation NO. 2110084495 and Tarrant County Hospital District d/b/a JPS Health Network (717158) – W. Peebles
- E. Consider Approval of First Amendment to Master Service Terms Agreement (ProCare) between Stryker Sales Corporation and Tarrant County Hospital District d/b/a JPS Health Network (726162) – W. Peebles
- F. Consider Approval of Outside Medical Services Agreement between SRP Behavioral Hospital of Fort Worth and Tarrant County Hospital District d/b/a JPS Health Network (697367) – Z. Baugh
- G. Consider Approval of Non-Community Services Professional Services Agreement between MHMR of Tarrant County and Tarrant County Hospital District d/b/a JPS Health Network (713229) – Z. Baugh

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H. Consider Approval of FY 2020 Contract for Countywide MHMR Services between Tarrant County, MHMR of Tarrant County, and Tarrant County Hospital District d/b/a JPS Health Network (724441) Z. Baugh

I. 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. Gov't. Code §262.024(a)(7); and (2) approval of the Estimate for Implementation of Services and Training (Beaker Implementation) between Epic Systems Corporation and Tarrant County Hospital District d/b/a JPS Health Network (696458) – K. Carr

J. Consider Approval – JPS Code of Conduct & Business Ethics – R. Skillens

K. Consider Renewal/Approval – Internal Audit Charter – R. Skillens

XII. 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

XIII. RECONVENE IN EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE FOR THE FOLLOWING: In addition to the matters posted for deliberation in executive (closed) session, the Board may from time to time during the meeting adjourn and meet in executive session to receive legal advice pursuant to Section 551.071 of the Texas Open Meetings Act regarding any matter included on this agenda.

A. Deliberation Regarding the Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072, Texas Open Meetings Act.

B. Consultation with General Counsel to Receive Legal Advice on Pending/Contemplated Litigation and Other Matters under Subsections 1 and 2, Section 551.071, Texas Open Meetings Act.

C. Serve as Medical Peer Review Committee and/or Medical Committee Pursuant to Chapter 160 Texas Occupations Code, Section 161.031 et Seq. Texas Health and Safety Code, and/or Receipt of Report(s) from Medical Staff Executive Committee or other Medical Staff Committees, Texas Occupations Code, Texas Health and Safety Code, and/or Medical Committee(s)

1. Privileges

D. Deliberate Information Relating to a Proposed New Service or Product Lines.

E. Receive Records, Information and/or Reports from Compliance Officer Pursuant to Section 161.032(b)(2), Texas Health and Safety Code, Texas Open Meetings Act.

Deliberation Pursuant to Section 551.074 of the Act Regarding Appointments, Evaluations, Contracts and Compensation of District's Personnel, Vice Presidents and its Other Upper Level Management Staff, Including but not Limited to the Following: President/Chief Executive Officer; Senior Executive Vice President/Chief Operating Officer; Executive Vice President/Chief Financial Officer; Executive Vice President/Chief Nursing Officer; Executive Vice President, Community Health; Executive Vice President, Behavior Health; Senior Vice

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President, Human Resource & Learning; Senior Vice President/Chief Medical Officer; Senior Vice President/Enterprise Risk Management & Chief Compliance Officer; Senior Vice President, Chief Experience Officer/Strategy; Senior Vice President/Chief Information Officer; Vice President/Chief of Staff; Vice President/Chief Information Officer; Vice President, Academic & Research; Vice President/Chief Quality Officer; Vice President/Chief Medical Information Officer; Vice President, Patient Care; Vice President, Finance; Vice President, Operations Clinical and Professional Services; Vice President/Chief Diversity Officer; Vice President, Communications and Community Affairs; Vice President, Support Services; Vice President, Chief Technology Officer; Vice President/Chief Strategy Officer; Acclaim President; Acclaim Senior Vice President/Chief Operating Officer; Chief Audit Executive; Director Compliance; and General Counsel.

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

XV. ADJOURN

***THE MEETING SHALL CONTINUE HOUR-TO-HOUR AND DAY-TO-DAY UNTIL OFFICIALLY ADJOURNED*