

## MEMORANDUM

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To: Meeting Minutes from August 27, 2020 Board of Managers and Finance Committee Meeting

From: LeeAnn Gilly

Date: Sept 9, 2020

Re: Tarrant County Hospital District Board of Manager and Finance Committee Virtual Meeting August 27, 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 Managers held a virtual meeting on August 27, 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.



## GOVERNOR GREG ABBOTT

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

### **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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**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

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**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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**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 MEETING - VIRTUAL JOINT BOARD OF  
MANAGERS AND FINANCE COMMITTEE MEETING**

**10:00 A.M. THURSDAY, AUGUST 27, 2020**

**MEETING MINUTES**

The Tarrant County Hospital District ("District") Board of Managers and Finance Committee met at 10:00 a.m. Thursday, August 27, 2020 via WebEx with the following members present: and on the 3<sup>rd</sup> Floor, Outpatient Clinic Auditoriums, John Peter Smith Hospital, 1500 South Main Street, Fort Worth, Texas, 76104, with the following Board/Committee members present:

Steve Montgomery, Committee Chair  
Charles Powell, Past Board Chair  
Charles Webber, M.D., Board Chair  
D.T. Nguyen, Board Member  
Dorothy DeBose, Board Vice Chair, Board Member  
Amanda Arizola, Board Member  
Zim Zimmerman, Board Member  
Rev. Ralph Emerson, Board Member  
Roger Fisher, Board Member  
Trent Petty, Board Member  
Cheryl Hurd, Program Director, Behavioral Health  
Dr. Daniel Ziegler

Others Attending: Robert Earley, President, Chief Executive Officer  
Sharon Clark, Senior Executive Vice President, Chief Financial Officer  
Michael Hochberg, M.D., Senior Executive Vice President, Chief Clinical Officer  
Karen Duncan, M.D., Senior Executive Vice President, Chief Operating Officer  
David Mendenhall, Vice President, Chief Technology Officer, Information Systems  
Robert Browder, Vice President, Office of Legal Services  
Wanda Peebles, Executive Vice President, Chief Nursing Officer  
Rory McCrady, Senior Vice President, Revenue Cycle  
Adam Lane, Vice President, Facility Management Operations  
Ron Skillens, Senior Vice President, Enterprise Risk Management, Chief Compliance Officer  
Scott Cummings, General Counsel  
Lee Ann Gilly, Senior Executive Assistant  
Sharen Wilson, Criminal District Attorney, Tarrant County  
Leslie Hunt, Civil Division Chief, Tarrant County

**I. CALL TO ORDER**

Steve Montgomery called the August 27, 2020 TCHD Finance Committee meeting to order at 10:00 a.m. Members present represented a quorum to conduct Committee business.

**II. CITIZENS WISHING TO ADDRESS THE COMMITTEE**

There were no citizens present wishing to address the Finance Committee.

**III. MINUTES**

Mr. Montgomery asked the Committee to review minutes from the July 23, 2020, Tarrant County Hospital District Joint Board of Managers and Finance Committee Meeting and called for a motion. Charlie Powell made a motion for approval; motion was seconded by Dr. Charles Webber and carried unanimously.

**IV. CFO REPORT**

Sharon Clark reported to the Committee that the Fiscal Year 2021 Budget will be presented to the Commissioners Court on September 1<sup>st</sup>, 2020.

**V. MATTERS THAT REQUIRE DISCUSSION AND COMMITTEE ACTION**

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

Ms. Clark presented the Unaudited Financial Report for July 2020.

**Hospital:**

July Financials continue to be impacted by COVID-19.

Inpatient Admissions were slightly higher than prior month for the month of July. Patient Days were 4% below budget. Patient acuity, measured by Case Mix Index exceeded budget by 11% for the month. Length of Stay was on target for the month.

Emergency Department Visits were unfavorable for the month compared to budget but trending up slightly. Urgent Care Visits were below budget for the month of July but are also slowly trending up. Primary Care Visits and Specialty Clinic Visits have increased from prior month, which includes Telehealth visits. For the month, 24,000 telehealth visits were performed.

Inpatient Surgeries and Outpatient Surgeries remain level to the prior month, due to COVID-19 restrictions. Invasive Lab cases were below budget.

Psychiatric Patient Days were unfavorable by 1% for the month of July. Psychiatric Clinic Visits were below budget by 1% for the month. Psychiatric Emergency Visits were at a yearly high for the month of July.

Days Cash on Hand Available for Operations was 333 days. Net Account Receivable Days are 42 days. FTE's per Adjusted Patient Day were unfavorable at 6.04 compared to year-to-date target of 5.60.

JPS Connection enrollment for July reflects enrollment of 43,011 members.

Net Patient Revenue was favorable by 8% for the month compared to budget. Purchased Services was favorable by 6% for the month compared to budget. Salaries and Related Expenses were unfavorable by 3%, due to lower volumes and savings in the benefits area.

For the month, Income from Operations was \$9.4 million compared to a budgeted Income from Operations of \$5.8 million. Year-to-date Income from Operations was \$61.3 million compared to a budgeted \$52.1 million.

**Acclaim:**

Physician Billed Encounters were unfavorable for the month by 21%.

Net Patient Revenue was unfavorable by 16% for the month compared to budget.

For the month, Acclaim's financial statements reflected a \$3.1 million Loss from Operations compared to a budgeted loss of \$2.0 million.

Combined Income Statement for the month reflected \$6.3 million Income from Operations compared to a budgeted income of \$3.9 million. Year-to-date, the Combined Income Statement reflected an Income from Operations of \$29.9 million compared to a budgeted income of \$31.5 million. \$8.2 million reported from the COVID relief funds that was initially located in Other Operating Revenue has been moved to the Non-operating Revenue.

There being no further questions or discussion, Mr. Montgomery called for a motion to accept the July 2020 Unaudited Financial Report. Mr. Powell made a motion for approval; motion was seconded by Dr. Webber as presented and the motion carried unanimously.

Item M was taken out of order as recommended by Mr. Montgomery as District Attorney Sharen Wilson and Assistant District Attorney Leslie Hunt were guests and ready to present:

M. Consider Approval of the Interlocal Agreement for Legal Services between Tarrant County District Attorney and Tarrant County Hospital District d/b/a JPS Health Network (846998)

Robert Browder, District Attorney Sharen Wilson and Assistant District Attorney Leslie Hunt presented the Interlocal Agreement for Legal Services between Tarrant County District Attorney and Tarrant County Hospital District d/b/a JPS Health Network to the Committee for consideration. Approval of the agreement will allow for continuing legal services for the District. District Attorney Wilson proposed two options for the continuation of legal services, Option 1 (3 ACDA's, 1 paralegal) and Option 2 (2 ACDA's, 1 paralegal) allowing for discussion and review by the Committee.

There being no further questions or discussion, Mr. Montgomery called for a motion. Mr. Petty made a motion for approval of Option 1 (3 ACDA's, 1 paralegal) acceptance of a one year contract with a 90 day out clause, at the annual cost of \$677,804. The motion was seconded by Rev. Emerson as presented and the motion carried unanimously.

B. Consider Approval of LDF 2400 Administrative Adjustments Policy

Rory McCrady presented LDF 2400 Administrative Adjustments Policy to the Committee.

There being no further questions or discussion, Mr. Montgomery called for a motion to approve LDF 2400 Administrative Adjustments Policy. Dr. Webber made a motion for approval; motion was seconded by D.T. Nguyen as presented and the motion carried unanimously.

C. Consider Approval of Annual Contribution to JPS Pension Plan for the Year October 1, 2019 to September 20, 2020

Ms. Clark presented Approval of Annual Contribution to JPS Pension Plan for the Year October 1, 2019 to September 20, 2020 to the Committee for Consideration.

There being no further questions or discussion, Mr. Montgomery called for a motion to approve the Annual Contribution to JPS Pension Plan for the Year October 1, 2019 to September 20, 2020. Dr. Webber made a motion for approval; motion was seconded by Amanda Arizola as presented. Dorothy DeBose abstained from voting. The motion carried unanimously.

D. Consider Approval of Annual Contribution to Tarrant County Hospital District Governmental Excess Benefit Arrangement (GEBA) for the Plan Year of October 1, 2019 to September 20, 2020

Ms. Clark presented Approval of Annual Contribution to Tarrant County Hospital District Governmental Excess Benefit Arrangement (GEBA) for the Plan Year October 1, 2019 to September 20, 2020 to the Committee for consideration.

There being no further questions or discussion, Mr. Montgomery called for a motion to approve the Annual Contribution to Tarrant County Hospital District Governmental Excess Benefit Arrangement (GEBA) for the Plan Year October 1, 2019 to September 20, 2020. Ms. DeBose made a motion for approval; motion was seconded by Mr. Petty as presented and the motion carried unanimously.

E. Consider Approval of Professional Services Agreement between RANT (Radiology Associates of North Texas) and Acclaim Physician Group, Inc. as an affiliate of the Tarrant County Hospital District and Tarrant County Hospital District d/b/a JPS Health Network (834809)

Dr. Hochberg presented Approval of Professional Services Agreement between RANT (Radiology Associates of North Texas) and Acclaim Physician Group, Inc. as an affiliate of the Tarrant County Hospital District to the Committee for consideration. Approval of this agreement will continue continuity of care and access for radiology services across the District.

There being no further questions or discussion, Mr. Montgomery called for a motion to approve the Professional Services Agreement between RANT (Radiology Associates of North Texas) and Acclaim Physician Group, Inc. as an affiliate of the Tarrant County Hospital District and Tarrant County Hospital District d/b/a JPS Health Network. Dr. Webber made a motion for approval; motion was seconded by Mr. Powell as presented. The motion passed. Minutes will reflect that Mr. Nguyen, Ms. DeBose and Roger Fisher opposed item VI. E.

F. Consider Approval of Annual Insurance Policy Renewal Update

Ron Skillens presented the 2020 Insurance Policy Renewal between AON and Tarrant County Hospital District d/b/a JPS Health Network to the Committee for consideration. Approval of this policy renewal will provide the District with appropriate insurance coverage.

There being no further questions or discussion, Mr. Montgomery called for a motion to approve Annual Insurance Policy Renewal between AON and Tarrant County Hospital District d/b/a JPS Health Network. Mr. Nguyen made a motion for approval; motion was seconded by Ms. DeBose as presented and the motion carried unanimously.

G. Consider Approval of Purchase Agreement between LifeNet Health and Tarrant County Hospital District d/b/a JPS Health Network (819989)

Ms. Peebles presented Approval of Purchase Agreement between LifeNet Health and Tarrant County Hospital District d/b/a JPS Health Network to the Committee for consideration. Approval of this agreement will ensure consistent, quality patient care for the Tarrant County residents.

There being no further questions or discussion, Mr. Montgomery called for a motion to approve Purchase Agreement between LifeNet Health and Tarrant County Hospital District d/b/a JPS Health Network and Tarrant County Hospital District d/b/a JPS Health Network. Mr. Petty made a motion for approval; motion was seconded by Mr. Zimmerman as presented and the motion carried unanimously.

H. 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 Preventative Maintenance Agreement between Translogic Corporation d/b/a Swisslog Healthcare Solutions and Tarrant County Hospital District d/b/a JPS Health Network (704024)

Adam Lane presented 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 Preventative Maintenance Agreement between Translogic Corporation d/b/a Swisslog Healthcare Solutions and Tarrant County Hospital District d/b/a JPS Health Network to the Committee for consideration. Approval of this agreement will result in better patient outcomes for the District.

There being no further questions or discussion, Mr. Montgomery called for a motion to approve pursuant to JPS Purchasing Procedure LDF 7201 Section VIII, A.7., (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 Preventative Maintenance Agreement between Translogic Corporation d/b/a Swisslog Healthcare Solutions and Tarrant County Hospital District d/b/a JPS Health Network and Tarrant County Hospital District d/b/a JPS Health Network. Mr. Powell made a motion for approval; motion was seconded by Dr. Webber as presented and the motion carried unanimously.

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 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 Purchase and Installation Agreement between Translogic Corporation d/b/a Swisslog Healthcare Solutions and Tarrant County Hospital District d/b/a JPS Health Network (788072)

Mr. Lane presented 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 Purchase and Installation Agreement between Translogic Corporation d/b/a Swisslog Healthcare Solutions and Tarrant County Hospital District d/b/a JPS Health Network to the Committee for consideration. Approval of this agreement will better patient outcomes for the District.

There being no further questions or discussion, Mr. Montgomery called for a motion to approve pursuant to JPS Purchasing Procedure LDF 7201 Section VIII, A.7., (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 Purchase and Installation Agreement between Translogic Corporation d/b/a Swisslog Healthcare Solutions and Tarrant County Hospital District d/b/a JPS Health Network and Tarrant County Hospital District d/b/a JPS Health Network and Tarrant County Hospital District d/b/a JPS Health Network. Ms. DeBose made a motion for approval; motion was seconded by Reverend Emerson as presented and the motion carried unanimously.

J. Consider Approval of Memorandum of Understanding between Tarrant County, Texas and Tarrant County Hospital District d/b/a JPS Health Network (846757)

Dr. Karen Duncan presented Approval of Memorandum of Understanding between Tarrant County, Texas and Tarrant County Hospital District d/b/a JPS Health Network to the Committee for consideration. Approval of this agreement will assist with increasing the standard of care by continuing to provide pharmacy access to Tarrant County residents.

There being no further questions or discussion, Mr. Montgomery called for a motion to approve the Memorandum of Understanding between Tarrant County, Texas and Tarrant County Hospital District d/b/a JPS Health Network and Tarrant County Hospital District d/b/a JPS Health Network. Mr. Nguyen made a motion for approval; motion was seconded by Reverend Emerson as presented and the motion carried unanimously.

K. Consider Approval of Quote # 001550 v1 and Addendum to DIR Contract No. DIR-TSO-4286 between Prescriptive Data Solutions, LLC and Tarrant County Hospital District d/b/a JPS Health Network (824638)

Mr. Mendenhall presented Approval of Quote #001550 v1 and Addendum to DIR Contract No. DIR-TSO-4286 between Prescriptive Data Solutions, LLC and Tarrant County Hospital District d/b/a JPS Health Network to the Committee for consideration. Approval of this agreement will provide uninterrupted patient care for Tarrant County residents.

There being no further questions or discussion, Mr. Montgomery called for a motion to approve Quote #001550 v1 and Addendum to DIR Contract No. DIR-TSO-4286 between Prescriptive Data Solutions, LLC and Tarrant County Hospital District d/b/a JPS Health Network. Reverend Emerson made a motion for approval; motion was seconded by Mr. Nguyen as presented and the motion carried unanimously.

- L. 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 Amendment to License Agreement between Epic Systems Corporation and Tarrant County Hospital District d/b/a JPS Health Network (825863)

Mr. Mendenhall presented 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 Amendment to License Agreement between Epic Systems Corporation and Tarrant County Hospital District d/b/a JPS Health Network and Tarrant County Hospital District d/b/a JPS Health Network to the Committee for consideration. Approval of this agreement will uninterrupted patient care for Tarrant County residents.

There being no further questions or discussion, Mr. Montgomery called for a motion to approve 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 Amendment to License Agreement between Epic Systems Corporation and Tarrant County Hospital District d/b/a JPS Health Network. Mr. Nguyen made a motion for approval; motion was seconded by Mr. Zimmerman as presented and the motion carried unanimously.

**VI. REPORT OF LEGAL COUNSEL AND/OR LEGAL MATTERS REQUIRING DISCUSSION(S), UPDATE(S), DELIBERATION(S), ACTION(S) AND/OR APPROVAL**

Scott Cummings announced the monthly report listing 37 contracts negotiated under \$500,000. This report has been posted to the board portal.

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

**VIII. RECONVENE IN OPEN SESSION FOR DELIBERATION(S) AND/OR ACTION(S) DEEMED NECESSARY REGARDING ANY MATTER LISTED ON THE CLOSED SESSION AGENDA.**

**IX. ADJOURN**

There being no further business of the TCHD Joint Board of Managers and Finance Committee, meeting was adjourned at 12:27 p.m.



\_\_\_\_\_  
Steve Montgomery, Committee Chair

9/29/2020

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Date