

**University Medical Center of Southern Nevada  
Governing Board Meeting  
June 29, 2022**

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UMC Emerald Conference Room  
Delta Point Building (1<sup>st</sup> Floor)  
901 Rancho Lane  
Las Vegas, Clark County, Nevada  
Wednesday, June 29, 2022  
2:00 PM.

The University Medical Center Governing Board met in regular session, at the location and date above, at the hour of 2:00 PM. The meeting was called to order at the hour of 2:17 PM by Chair O'Reilly. The following members were present, which constituted a quorum of the members thereof:

**CALL TO ORDER**

**Board Members:**

**Present:**

John O'Reilly, Chair  
Donald Mackay, M.D., Vice-Chair (via telephone)  
Robyn Caspersen (via WebEx)  
Laura Lopez-Hobbs  
Harry Hagerty  
Renee Franklin (via WebEx)  
Mary Lynn Palenik (via WebEx)  
Jeff Ellis (via WebEx)

**Ex-Officio Members:**

**Present:**

Barbara Fraser, Ex-Officio  
Dr. Marc Kahn, Dean of Kirk Kerkorian SOM  
Dr. Mena Vohra, Chief of Staff

**Absent:**

Christian Haase (Excused)

**Others Present:**

Mason Van Houweling, Chief Executive Officer  
Tony Marinello, Chief Operating Officer  
Jennifer Wakem, Chief Financial Officer  
Kurt Houser, Chief Human Resource Officer  
Kate Martin, MD, MPH, MBA, Associate Dean for GME  
Keith Slade, Privacy Officer  
Susan Pitz, General Counsel  
Stephanie Ceccarelli, Board Secretary

**SECTION 1. OPENING CEREMONIES**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ITEM NO. 1 PUBLIC COMMENT**

Chair O'Reilly asked if there were any persons present in the audience wishing to be heard on any item on this agenda.

Speakers: None

**ITEM NO. 2 Approval of Minutes of the special meeting and the regular meeting of the UMC Governing Board held on May 25, 2022. (Available at University Medical Center, Administrative Office) (For possible action)**

**FINAL ACTION:**

A motion was made by Member Hagerty that the minutes be approved as recommended. Motion carried by unanimous vote.

**ITEM NO. 3 Approval of Agenda (For possible action)**

Chair O'Reilly asked that Item 19 be held out for separate discussion.

**FINAL ACTION:**

A motion was made by Member Franklin that the agenda be approved as presented. Motion carried by unanimous vote.

**SECTION 2: CONSENT ITEMS**

**ITEM NO. 4 Approve the June 2022 Medical and Dental Staff Credentialing Activities for University Medical Center of Southern Nevada (UMC) as authorized by the Medical Executive Committee (MEC) on June 28, 2022; and take action as deemed appropriate. (For possible action)**

**DOCUMENT(S) SUBMITTED:**

- Credentialing Activities

**ITEM NO. 5 Approve the UMC Policy and Procedures Committee's activities from its meetings held on April 6 and May 4, 2022; and take action as deemed appropriate. (For possible action)**

**DOCUMENT(S) SUBMITTED:**

- Policies and Procedures April/May

**ITEM NO. 6 Approve and authorize the Chief Executive Officer to sign the Amendment No. 10 to Hospital Participation Agreement with Health Value Management, Inc., d/b/a ChoiceCare Network for Managed Care Services; and take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Amendment 10
- Disclosure of Ownership

**ITEM NO. 7 Approve and authorize the Chief Executive Officer to sign the First Amendment to Hospital Services Agreement with Cigna Health and Life Insurance Company for Managed Care Services; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Amendment 1 Hospital Services Agreement
- Disclosure of Ownership

**ITEM NO. 8 Approve and authorize the Chief Executive Officer to sign the Amendment No. 3 to Purchaser Participation Letter with Cardinal Health 414, LLC for Radiopharmaceuticals; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Amendment 3

**ITEM NO. 9 Approve and authorize the Chief Executive Officer to sign the Supplier-Provider Agreement with Arthrex, Inc. for Arthrex products; authorize the Chief Executive Officer to execute amendments within his delegation of authority; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Pricing Agreement
- Disclosure of Ownership

**ITEM NO. 10 Approve and authorize the Chief Executive Officer to sign the Amendment No. 1 (Add Product) to Master Customer Agreement with Experian Health, Inc. to add ClaimSource Dental software solution; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Amendment 1 Master Customer Agreement

**ITEM NO. 11 Approve and authorize the Chief Executive Officer to sign the VNS Therapy System Purchase Agreement with Liva Nova USA, Inc.; and execute amendments/renewal options within his delegation of authority; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Purchase Agreement
- Disclosure of Ownership

**ITEM NO. 12 Approve and authorize the Chief Executive Officer to sign the Amendment to Lease Agreement and Service Agreement with Intuitive Surgical, Inc. for purchase of the ION□ Endoluminal System; authorize the Chief Executive Officer to exercise any extension/renewal options; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Lease Buyout Amendment
- Service Agreement Quote
- Disclosure of Ownership

**ITEM NO. 13 Approve and authorize the Chief Executive Officer to sign the Client Agreement and Addendum, and execute future Addendums within the not-to-exceed amount of this Agreement with LocumTenens.com, LLC for physician staffing services; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Client Agreement

**ITEM NO. 14 Approve and authorize the Chief Executive Officer to sign the Equipment Placement Services Agreement with SmallGuy, LLC dba Integrated Telehealth Solutions for TeleVisitor™ hardware and TeleTether™ software solutions; authorize the Chief Executive Officer to exercise any extension options; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Equipment Services Placement Agreement & BAA
- Disclosure of Ownership

**ITEM NO. 15 Review and authorize the Chief Executive to sign the Philips Service Agreement to extend certain warranties with Philips Healthcare; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Master Services Agreement
- Sourcing Letter
- Disclosure of Ownership

**ITEM NO. 16 Approve and authorize the Chief Executive Officer to sign the Performance Suite™ Solutions Subscription Agreement with Premier Healthcare Solutions, Inc.; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Subscription Agreement

**ITEM NO. 17 Approve the award of Bid No. 2022-04 2231 Remodel to Red Mesa Builders, Inc., the lowest responsive and responsible bidder; authorize the**

**Chief Executive Officer to exercise any Change Orders within his delegation of *authority*; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Bid 2022-04 2231 Remodel
- Notice of Award
- Disclosure of Ownership

**ITEM NO. 18 Approve and recommend for approval by the Board of Hospital Trustees for University Medical Center of Southern Nevada, the Amendment No. 2 to the Supply Agreement for COVID-19 Related Products with Life Technologies Corporation; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Amendment 2 to Supply Agreement
- Disclosure of Ownership

**ITEM NO. 20 Approve and authorize the Chief Executive Officer to sign the Professional Services Agreement for Internal and Family Medicine Services with UNLV Medicine and the Board of Regents of the Nevada System of Higher Education on behalf of the Kirk Kerkorian School of Medicine at the University of Nevada, Las Vegas; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Professional Services Agreement

**ITEM NO. 21 Approve and authorize the Chief Executive Officer to sign the Professional Services Agreement for Womens Care Services with UNLV Medicine and the Board of Regents of the Nevada System of Higher Education on behalf of the Kirk Kerkorian School of Medicine at the University of Nevada, Las Vegas; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Professional Services Agreement

**ITEM NO. 22 Approve and authorize the Chief Executive Officer to sign the Professional Services Agreement for Psychiatry Services with UNLV Medicine and the Board of Regents of the Nevada System of Higher Education on behalf of the Kirk Kerkorian School of Medicine at the University of Nevada, Las Vegas; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- First Amendment to Lease
- Disclosure of Ownership

**ITEM NO. 23 Approve and recommend for ratification by the Board of Hospital Trustees, the salary plan cost of living adjustment (“COLA”) for Fiscal Year 2023 and**

**Fiscal Year 2024, effective July 1, 2022, to the current Collective Bargaining Agreement between UMC and the Service Employees International Union, Local 1107; and recommend approval of the same percentage increases in the salary range for non-bargaining unit employees, excluding management plan employees, physicians, physician assistants, nurse practitioners, and those employees covered by a separate collective bargaining agreement; and direct staff accordingly. (For possible action)**

**DOCUMENT(S) SUBMITTED:**

- Attachment I – Summary of Changes
- Attachment II – Tentative Agreement
- Attachment III – COLA Fiscal Impact FY23 and FY24
- Attachment IV – Salary Plan for FY23
- Attachment V – Salary Plan for FY24

**FINAL ACTION:**

A motion was made by Member Hagerty that Consent Items 4-23, with the exception of Item 19, be approved as presented. Motion carried by unanimous vote.

**SECTION 3: BUSINESS ITEMS**

**ITEM NO. 24 Recognize recipients of the annual UMC Foundation Employee Scholarship award; and take any action deemed appropriate. (For possible action)**

**DOCUMENT(S) SUBMITTED:**

- None

**DISCUSSION:**

Marsha Al-Sayegh and Destiny Hampton, on behalf of the UMC Foundation, along with John Espinoza, founder of the scholarship award, presented the 4<sup>th</sup> Annual UMC Foundation Employee Scholarship Award to the two recipients. Trisha Figueroa, Pediatric ER will use the scholarship award to aspire to complete her PHD in Pediatric Child Life Program. Roberto Cetina-Enamorado, Ambulatory Medical Assistant, will use the scholarship to aspire to become a medical provider within our health system. Congratulations to the scholarship winners!

Mr. Espinoza thanked the UMC Foundation for their continued support and participation in the scholarship program.

FINAL ACTION:

None

**ITEM NO. 25 Receive an educational presentation from Keith Slade, Privacy Officer, on UMC's HIPAA Privacy Program; and direct staff accordingly. (For possible action)**

DOCUMENT(S) SUBMITTED:

- HIPAA Refresher PowerPoint Presentation

DISCUSSION:

Keith Slade, Privacy Officer presented the annual refresher of the UMC HIPAA Privacy Program to the Governing Board. All workforce members are responsible for adhering to privacy safeguards. This includes Board Members, providers, administrators and all staff members.

Safeguard reminders include discussion of patient information, media requests and securing ePHI in encrypted email. Media related disclosures should be sent to administration or the patient experience officer for review and minimum necessary information should be used to accomplish your purpose.

HIPAA privacy at UMC is an ongoing program of activities, which include standards of conduct, program oversight, training and education, monitoring non-compliance, effective communication, auditing and monitoring activities for noncompliance, investigations and corrective action for noncompliance and enforcement of standards.

All workforce members are required to participate in the mandatory trainings and adhere to privacy safeguards. There are over 7,000 HIPAA defined workforce members. The goal is to have training during the onboarding process, as well as ongoing and targeted training.

Lastly, Mr. Slade detailed the HHS enforcement process of intake, review, investigation and resolution including civil monetary penalties. Tiers of the civil monetary penalties were displayed.

There was continued discussion regarding the auditing process in the appropriate access of records.

The Board commended the department on the hard work.

FINAL ACTION:

None

**ITEM NO. 26 Review and discuss the Governing Board 2022 Action Plan, to include an update from UNLV regarding the GME Program; and take any action deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- PowerPoint Presentation

DISCUSSION:

Dr. Kate Martin, Associate Dean for GME, provided an update on the GME program. A recap of the Match Day, which occurred in March 2022 and the journey to becoming a doctor, as well as her own history.

GME can be described as the training that takes place after medical school. It encompasses residency, fellowship programs and is overseen by an accrediting body, ACGME. Currently there are over 83K trainees in GME residency programs. The GME program is funded through multiple agencies, including Medicare and Medicaid. There was continued discussion regarding the funding of the GME program.

In 1997, a cap was put in place which affected the funding of GME slots per hospital, based on the hospital bed count. Going over the funding cap can decrease the amount subsidy received per resident. UMC is currently 52 residents over its cap. There are 404 funded slots in the entire state of Nevada. Statistics of the GME residents that remain in the state was provided.

A list of residency and fellowship programs was shown and the discussion continued regarding statistics of students that have ties to Nevada. A lengthy discussion ensued regarding graduate students that remain in the state, as well as the applicant selection process.

UNLV is the sponsoring institution for GME and UMC is the primary teaching hospital for UNLV. We both work together to ensure patient care and safety, as well as promote research opportunities and contribute to the physician workforce in the community.

FINAL ACTION:

None

*At this time the Board returned to Item 19 for discussion and approval.*

- ITEM NO. 19 Approve and recommend for approval by the Board of Hospital Trustees for University Medical Center of Southern Nevada, the Seventh Amendment to Preliminary Affiliation Agreement with the Board of Regents of the Nevada System of Higher Education on behalf of the Kirk Kerkorian School of Medicine at the University of Nevada, Las Vegas; or take action as deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

- Seventh Amendment to Preliminary Affiliation Agreement

DISCUSSION:

This 7<sup>th</sup> Amendment seeks to establish the requirements for resident salary reimbursement, and set Schedule 1 for Resident Salaries and Academic Mission



Support for Academic Year 2022-2023 with the School of Medicine for faculty support, community outreach and research.

FINAL ACTION:

A motion was made by Member Hagerty that the amendment be approved as presented and recommend to the Board of Hospital Trustees for approval. Motion carried by unanimous vote.

**ITEM NO. 27 Receive a report from the Governing Board Strategic Planning Committee; and take any action deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

None

DISCUSSION:

Member Hagerty provided a report on the meeting held on Thursday, June 2, 2022 at 9:00 am. There was a quorum in attendance. There was no public comment. The minutes and the agenda were both approved.

An update on the sacred six service lines was given with favorable a year over year comparison. Net revenue for the six service lines increased by 24% and contribution margin increased significantly. Key driver of improvement was a focus on the OR, and to continue this trend, elective surgeries may be added to the schedule in the future.

An update was received on UMC's telehealth initiatives, which began in January 2022. Early results have been favorable, and there have been over 900 telehealth visits to date.

Lastly, the Committee reviewed the year to date CEO performance objectives. A final recommendation will be made to HR at the next meeting.

There were no emerging issues identified and no public comments and the meeting adjourned at 11:20 am.

FINAL ACTION:

None

**ITEM NO. 28 Receive a report from the Governing Board Clinical Quality and Professional Affairs Committee; and take any action deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

None

DISCUSSION:

The Clinical Quality report was tabled due to technical difficulties and will be presented at the next Governing Board meeting.

FINAL ACTION:

None

**ITEM NO. 29 Receive a report from the Governing Board Human Resource and Executive Compensation Committee; and take any action deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

None

DISCUSSION:

Member Ellis provided a summary from the meeting held on June 13, 2022 at 2:00pm. There was no public comment, a quorum of all members were present, and the meeting minutes and agenda were approved.

The business items discussed by the Committee included the potential addition of a new physician compensation RVU plan, current RN staffing and contract negotiations with engineers and SEIU.

Lastly, the Committee reviewed the potential 2023 executive compensation goals. A final review and approval will be made at the next meeting.

There was one emerging issue identified regarding the impact of COLA and merit increases on the overall salary grade. There were no public comments and the meeting adjourned at 3:04pm.

On June 27, 2022, the Committee held a special meeting to discuss the SEIU COLA agreement, which was a part of today's consent agenda for approval. The agreement will be sent to the Board of Hospital Trustees for final approval. The Committee wanted to thank staff and the SEIU stewards for their hard work and support.

FINAL ACTION:

None

**ITEM NO. 30 Receive a report from the Governing Board Audit and Finance Committee; and take any action deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

None

DISCUSSION:

Member Caspersen provided a report on the meeting held on Wednesday, June 22, 2022 at 2:02pm. There was a quorum in attendance. There was no public comment and minutes were approved unanimously and the agenda had one change and was approved unanimously.

The May FY22 financial statements and year to date were reviewed. May and year to date met operating results and remain better than budget. SWB, payor mix trends, cash flows and liquidity, as well as capital spending were also discussed.

The cash position of the hospital is strong, although federal supplemental payments are still behind.

The Committee also reviewed the FY2022 CEO compensation goals, along with the process and timelines in attaining these goals. A final review and approval will be made at the next meeting. There was a lengthy discussion regarding goals for FY2023.

The business items were reviewed and approved by the Committee during the meeting. All of the contracts that were approved during the meeting are a part of today's consent agenda.

There was one emerging issue regarding an overall process of how capital plans and expenditures are managed. There was no public comment and the meeting adjourned at 3:48 pm.

FINAL ACTION:

None

**ITEM NO. 31 Receive the monthly financial report for May FY22; and take any action deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

May FY 2022 Financial Report

DISCUSSION:

Ms. Wakem provided a summary of the monthly financial report for May FY22.

The key indicators for May were compared to prior year. Admissions were 1,927 and average length of stay was at 6.25 days. ER visits are 9,898 for the month. ED to admission conversion rate is just over 10%. Quick cares for the month were 17,060 and primary cares at 5,795 for the month.

The income statement for the month showed total operating revenue was above budget \$7.1 million and total operating expense was above budget \$4million. Income from ops showed a loss of \$490k with a budgeted loss of \$3.6 million.

Year to date operating expenses were above budget.

Salaries, wages and benefits showed contract labor continues to be high; there are continued internal plans to reduce contract labor, along with overtime, and there has been improvement in recent months.

Purchased services were \$1.4 million over budget, primarily due to the NSI contract. There was also an inflationary rate increase that applied due to the increase in food costs.

Chairman O'Reilly asked about the number of deliveries that are being done at UMC. Mr. Van Houweling responded that a new joint operating committee for the OB department has been created and there have been improvements.

Chairman O'Reilly also stated that he looks forward to reviewing the business plans for the sacred six.

FINAL ACTION:

None

**ITEM NO. 32 Receive an update on the Kirk Kerkorian School of Medicine at UNLV; and take any action deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

None

DISCUSSION:

Dr. Kate Martin presented the report for Dean Kahn.

The new Medical Education Building construction is near completion. The planned move in date is October 2022.

Recruitments are in process for several departments at the school.

Statistics for the incoming medical student class was provided; 59 of the 62 students are from Nevada. Thank you to the welcoming committee for the nice welcome to UMC.

Chair O'Reilly asked about the hopeful future residencies in other service lines. Dr. Martin stated that there is a lot of room to grow. The discussion continued regarding the possibilities of continued growth with other services.

FINAL ACTION:

None

**ITEM NO. 33 Receive an update from the Hospital CEO; and take any action deemed appropriate. (For possible action)**

DOCUMENT(S) SUBMITTED:

CEO Update

DISCUSSION:

Mr. Van Houweling, UMC CEO shared highlights from the UMC Community brochure, including the upcoming Gala on October 20, 2022, the ICare Impact Awards at the Westgate recognizing employees reaching 20 plus years of service and on June 12th annual Cardiology Symposium and Fellows graduation.

Next, he reviewed the following updates:

- CVT surgery recruitment – the call coverage contract is being transitioned to Nevada Heart and Vascular. He thanked Administration and Legal staff for their assistance. He also commented on the shortage of anesthesiologists in the valley.
- First floor renovation progress – 80% is complete with a target date of October 2 for the finished work. Public safety stations are also being refreshed.
- OR expansion project – Operating rooms 12 and 14, as well as endoscopy are being renovated and new technology added and should be completed by April of 2023.
- Plumbing replacement project in the South Tower. The target completion dated is the end of October 2022.
- Seven-story tower electrical project improvements are taking place.
- Radiology Aidoc system will flag abnormal scans. This new technology will go into effect August 22. UMC will be the first hospital in the state with this new technology.
- “Your Nevada Doctors” coalition – legislative update – This coalition will work ensure protections around professional liability insurance stays in place.
- ICARE 4.0 training – 3,678 employees, 97% of staff, has gone through the refresher training.

FINAL ACTION:

None

**SECTION 4: EMERGING ISSUES**

**ITEM NO. 34 Identify emerging issues to be addressed by staff or by the Board at future meetings; and direct staff accordingly. (For possible action)**

DISCUSSION:

Chair O’Reilly listed the following items for future meetings:

- July will have a light agenda and will be a call in meeting.
- Review of the year to date activities of the Board responsibilities.
- The Residency program will remain on the agenda as a topic of discussion.

- Discussion regarding the progress and results of the study UNLV has been doing regarding Academic Health Science Center, as well as how they can be integrated together.

**FINAL ACTION:**

None

**COMMENTS BY THE GENERAL PUBLIC:**

Comments from the general public were called.

Elizabeth Bolhouse, Las Vegas, NV resident, SEIU Chief Nursing Steward representing over 1,400 nursing and CNAs at UMC. Ms. Bolhouse is a 25 yr RN, 23 yrs here at UMC. Ms. Bolhouse stated that UMC is making a terrible mistake by increasing the nurse to patient ratio. UMC is adding 1 patient to every RN's assignment, however, UMC has also added 1 to 2 patients to every Charge RN. For the past 20 years has not had a patient assignment specifically, and that is because the charge RN operates as the pressure relief valve on the unit.

Examples of the usefulness and flexibility of a charge nurse was given. Ms. Bolhouse also read text messages that were received during the week regarding the additional tasks added to the charge nurse and the nurse to patient ratio, as well as the challenges they face.

Ms. Bolhouse concluded by saying that the Surgeon General, on May 23, 2022, put out an immediate public release advisory. In the advisory, it says he only releases these in the need of immediate public attention. It is addressing the concern of healthcare worker burnout and resignation. In his advisory, he says that there are half a million RNs expected to retire by the end of 2022 and that the US Bureau of Labor Statistics estimates that the US needs 1.1 million new nurses. He also says that the way to combat this is adequate staffing and he also says to address healthcare workplace violence, which Ms. Bolhouse states that UMC is doing. She added that he is correct in saying that adequate staffing is part of the solution.

On behalf of SEIU, she is asking that UMC please reconsider this increased nurse to patient ratio. She continued, on October 1, the operator made an announcement overhead, "Will any available critical care nurse please report to trauma recess". Within moments, "Will any available staff nurse report to trauma recess." She added, we are being spread too thin, we are being spread too thin; she has heard the Board say other hospitals have higher ratios, why can't we? She reminded the Board that we are Nevada's highest level of care, not Las Vegas', but Nevada's, and to be more precise, bordering California, bordering Utah and bordering Arizona's highest level of care. That means we get the sickest of the sick. So perhaps other hospitals can have other patients, but they

do not have the high acuity of care that we have. So she is asking that UMC reconsider the nurse – patient ratio. Thank you.

There being no further public comment, Chair O'Reilly closed the public comment section.

There being no further business to come before the Board at this time, at the hour of 4:12 PM. Chair O'Reilly adjourned the meeting.

APPROVED: July 27, 2022

Minutes Prepared by: Stephanie Ceccarelli, Board Secretary