

HUMBOLDT GENERAL HOSPITAL

DISTRICT BOARD OF TRUSTEES

REGULAR BOARD MEETING

TUESDAY

SEPTEMBER 27, 2022

5:30 P.M.

SARAH WINNEMUCCA CONFERENCE ROOM

Michelle Miller - Chairperson
Alicia Cramer - Vice-Chairperson
JoAnn Casalez - Member
Gene Hunt - Member
Lewis Trout - Member
Ken Tipton - Member-Humboldt
County Commissioner

HUMBOLDT GENERAL HOSPITAL
118 EAST HASKELL STREET
WINNEMUCCA, NEVADA 89445

DISTRICT BOARD OF TRUSTEES MEETING AGENDA

MEETING DATE: Tuesday September 27, 2022
MEETING TIME: 5:30 pm
MEETING PLACE: Sarah Winnemucca Conference Room
Humboldt General Hospital
118 E Haskell St, Winnemucca, Nevada
PLACES POSTED: in Winnemucca, Nevada at:
Humboldt General Hospital, 118 E Haskell Street
Humboldt County Courthouse, 50 W Fifth Street
Winnemucca City Hall, 90 W Fourth Street
Humboldt County Library, 85 E Fifth Street
United States Post Office, 850 Hanson Street
www.hghospital.org https://notice.nv.gov
PERSON POSTING: Alicia Wogan

MEETING ATTENDANCE MAY BE
VIA TELECONFERENCE OR VIDEOCONFERENCE OR IN-PERSON
THE TELECONFERENCE AND VIDEOCONFERENCE ACCESS INSTRUCTIONS APPEAR BELOW

Teleconference: Dial 1-872-256-8790 - Access Code 919-570-295#

Videoconference: Go to www.hghospital.org for the link or see below

A. CALL TO ORDER

B. PUBLIC COMMENT

(This agenda item is designated to give the general public the opportunity to address the Hospital Board. No action may be taken upon a matter raised under this section until it is placed on an agenda for action. Public comment is generally limited to three (3) minutes per person.)

C. TRUSTEE COMMENT

(No action may be taken upon a matter raised under this section.)

D. MEDICAL STAFF-HOSPITAL DEPARTMENT REPORTS

(These agenda items are designated to give the opportunity to report and update the Hospital Board on each group or department listed. No action may be taken upon a matter raised under this section until it is placed on an agenda for action.)

1. Medical Staff report – Chief of Staff
2. Administration report
 - a) Downwinders update – Brian Washburn
 - b) CEO report – Robyn Dunckhorst
 - c) Financial update – Kim Plummer

E. CONSENT AGENDA

(The Board is expected to review, discuss and take action on this agenda item. The items may be approved in a single motion; however, upon Board member request, any consent item may be moved to the discussion portion of the agenda and other action, including postponement or denial of the item, may take place.)

1. Board meeting minutes for: August 23, 2022.
2. Medical Staff applications for appointments, reappointments, provisional and temporary privileges for: Timothy Jeider, MD, Provisional-Psychiatry; Paul Smithedajkul, DO, Provisional-

DISTRICT BOARD OF TRUSTEES MEETING AGENDA

September 27, 2022

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Psychiatry; William Mitchell, MD, Provisional-Pediatrics; Kermit Brunelle, MD, Provisional-Pediatrics; Alban De Schutter, MD, Active-Cardiology; Sandra Althaus, MD, Consulting-Radiology; and, Steven Zwerdinger, MD, Consulting-Teleradiology.

3. Warrants disbursed - Monthly expenditures.

F. BUSINESS ITEMS-OTHER REPORTS

(The agenda items in this section are for discussion and for possible action. The action may consist of approval, disapproval, acceptance, rejection, authorization, adoption, recommendation, review, referral to staff, or any other action as appropriate. The items may be heard in any order and at any time unless a time is specified; two or more items may be combined for consideration; an item may be removed from the agenda; or, discussion relating to an item may be delayed at any time. The general public has the opportunity to comment on each item on the agenda on which action may be taken after the item is discussed by the Board, but before the Board takes action on the item. Public comment is generally limited to three (3) minutes per person.)

1. Hospital District / recommendation from the committee on the review of the responses to request for proposals for legal services and proposal to provide legal services / Board
2. Hospital District / recommendation from the Board bylaws committee and proposal to amend the Board bylaws / Board
3. Hospital Administration / request for approval of employment agreement with Hannah Kohler, APRN-CNP for orthopedic clinic services / CEO-Administration
4. Hospital Administration-Finance/ determination that five EMS vehicles are no longer required for use by the district or public purposes use and authorization to dispose of the vehicles / Administration-CFO

G. TRUSTEE COMMENTS-STAFF REPORTS

(This period is designed for receiving reports, information, updates and proposals from the board and/or staff. No action may be taken upon a matter raised under this section until it is placed on an agenda for action.)

H. PUBLIC COMMENT

(This agenda item is designated to give the general public an opportunity to address the Hospital Board. No action may be taken upon a matter raised under this section until it is placed on an agenda for action. Public comment is generally limited to three (3) minutes per person.)

Notice: This agenda has been physically posted at the locations noted above and electronically posted at <http://www.hghospital.org/> and at <https://notice.nv.gov/>.

Notice: The meeting may be accessed and public comments made via: (i) teleconference by dialing 1-872-256-8790 and using access code 919-570-295#; or, (ii) videoconference by entering www.hghospital.org in a web browser, scroll to the bottom of the page, click on "Board meetings" and scroll to the meeting date and click on the "Board meeting link," or by entering or copying and pasting the following address: https://teams.microsoft.com/join/19%3ameeting_MDY0YWUzYmQtZTg1My00OT1LTg5N2MtMmUxYWUwYjk3ZGYy%40thread.v2/0?context=%7b%22Tid%22%3a%2252721390-7f3-4e39-9f39-551adc05949b%22%2c%22Oid%22%3a%22a892099c-ae15-4e25-91bf-c80a32bce46e%22%7d in a web browser; or (iii) in-person at the scheduled location listed above. Questions about remote access may be submitted by emailing wogana@hghospital.org.

Notice: Members of the public may make a public comment at the meeting without being physically present by emailing adminoffice@hghospital.org no later than 5:00 p.m. on the business day prior to the day of the meeting and messages received will be transcribed or printed for entry into the record and provided to the Board of Trustees for review.

Notice: The Executive Assistant at the Administration Office located at Humboldt General Hospital, 118 E. Haskell Street, Winnemucca, Nevada, telephone number 775-623-5222 extension 1123, is the designated person from whom a member of the public may request the supporting material for the meeting. Staff reports and supporting material for the meeting are available on the Humboldt General Hospital website at <http://www.hghospital.org/> and are available to the general public at the same time the materials are provided to the Board of Trustees.

Notice: By law a public body may receive information from legal counsel regarding potential or existing litigation involving a matter over which the public body has supervision, control, jurisdiction, or advisory power and such gathering does not constitute a meeting of the public body.

Notice: Reasonable efforts will be made to assist and accommodate disabled persons. Please contact the Administration Office by telephoning 775-623-5222 extension 1123, one (1) business day in advance of the meeting.

EMS Department Update

- Highschool EMT class has started for the new School year with 14 students.
- LEPC grant was awarded to purchase Additional E-Draulic Tools to aid in Auto Extrication and Hazmat responses. (see photo on next slide)
- HGH EMS had a very busy month between 911 calls, mental health transfers and Interfacility transfers.
- Worked with ER staff to run through setting up HAZMAT tent outside ER



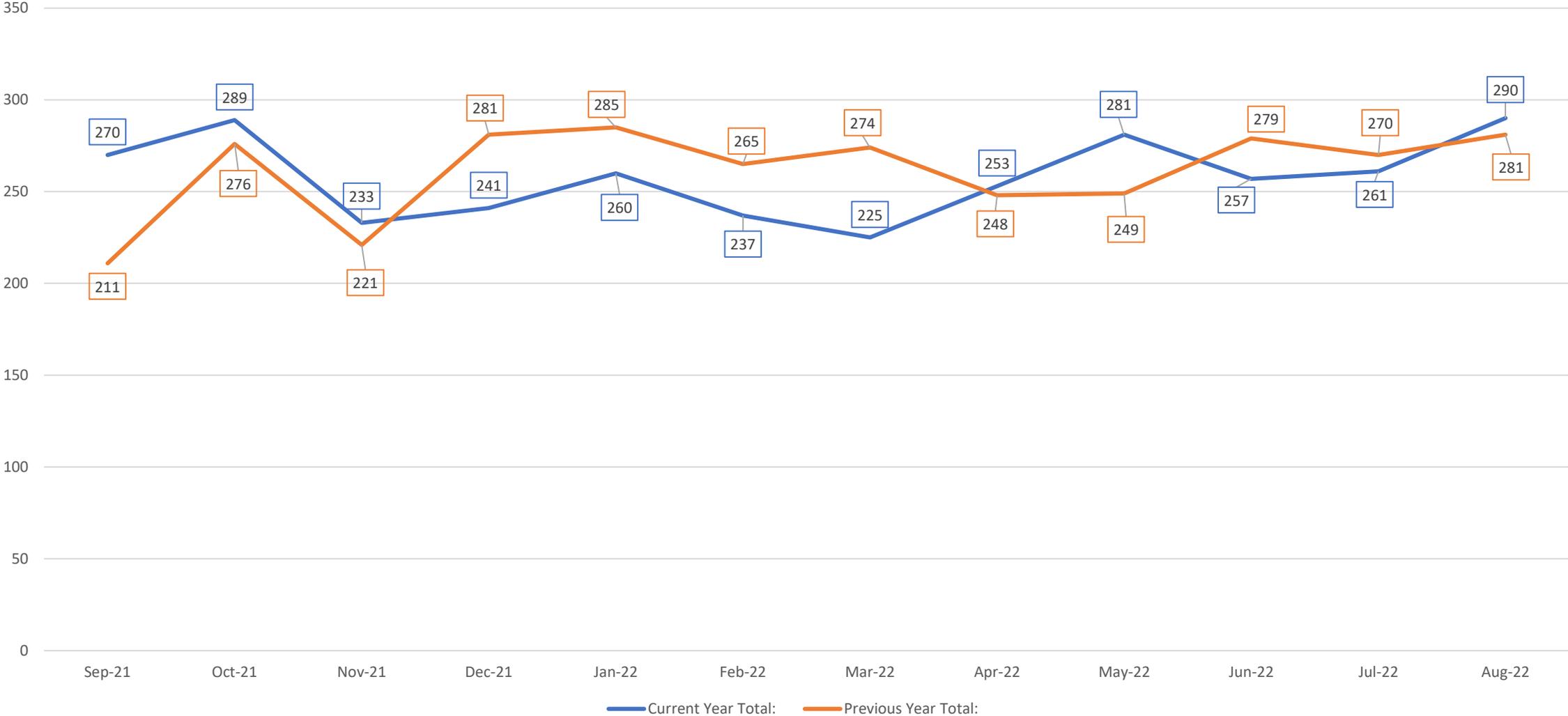
EMS Fleet Status—Command/Support Vehicles

	Year	Make	Model	Current Mileage	Previous Mileage	Mileage Change	Operational Status
HGH 1	2016	Dodge	Durango	107,590	106,499	1,091	Fully operational
HGH 2	2010	Ford	Explorer	59,586	55,047	4,539	Fully operational
Command 1	2015	Dodge	3500	46,227	45,246	981	Fully operational
Command 2	2021	Dodge	Durango	581	517	64	Fully operational
Command 3	2021	Dodge	Durango	2,002	1,799	203	Fully operational
						Total:	6,878

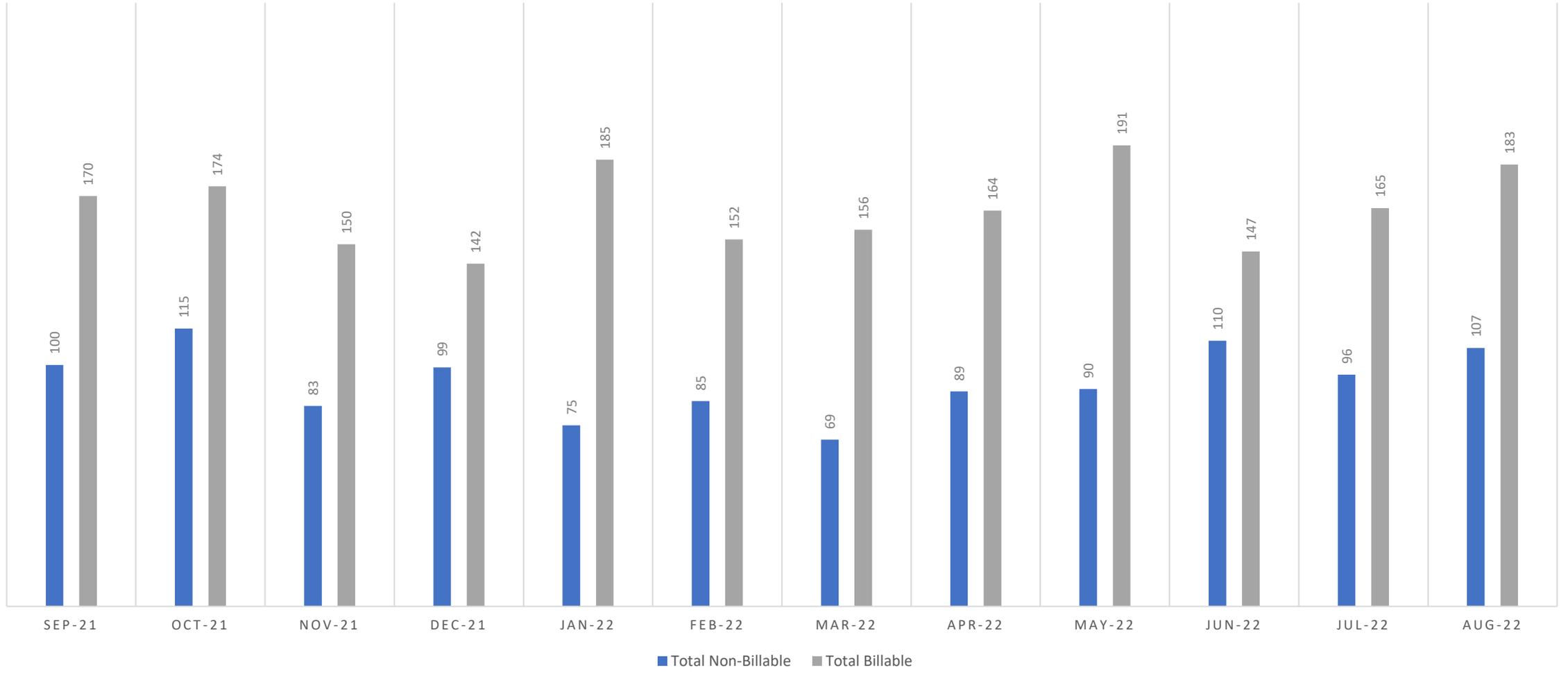
EMS Fleet Status—Ambulances/Rescue

Unit	Year	Make	Model	Current Mileage	Previous Mileage	Mileage Change	Designation/Use	Operational Status
291092	2018	RAM	5500	77,731	77,734	3	Winnemucca Ambulance	Fully Operational
248241	2018	RAM	5500	74,520	78,595	4,075	Winnemucca Ambulance	Fully Operational
179616	2018	RAM	5500	114,648	116,694	2,046	Winnemucca Ambulance	Fully Operational
GR9457	2015	Freightliner	Truck	471,458	476,963	5,505	Interfacility transfers	Fully Operational
A19802	2020	Ford	F-450	33,872	35,176	1,304	Back-up/Stand-by's	Fully Operational
D62636	2020	Ford	F-450	25,548	27,135	1,587	Orovada Ambulance	Fully Operational
RA11	2010	Spartan	Rescue	62,584	62,584	0	Rescue Ambulance	O.O.S.
R12	2016	SVI	Rescue	7,293	7,336	43	Heavy Rescue	Fully Operational
Delta 1	2001	Ford	F-350	228,638	228,638	0	Standby Unit	Fully Operational
Delta 2	1998	Ford	E-350	78,227	78,227	0	Stand-by's, off road calls, pulls UTV	O.O.S.
						Total:	14,563	

TOTAL RUNS BY MONTH



NON-BILLABLE VS BILLABLE RUNS BY MONTH



Standby/Outreach Events

Events covered in the month of August

Standby events

- 2 - Lowry Football events
- 2 - Drag Race events
- 2 - Stock Car Race events

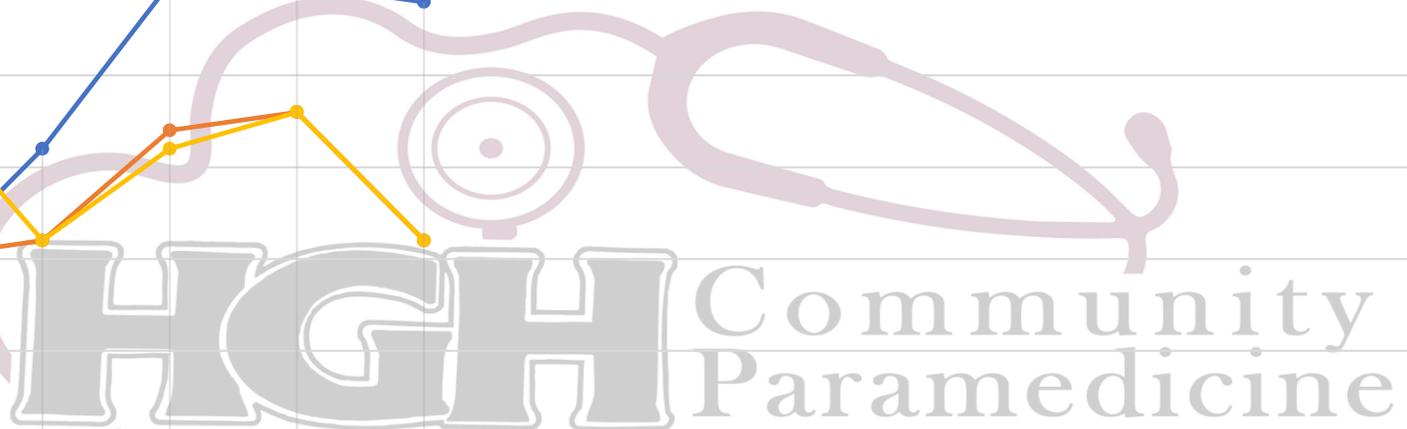
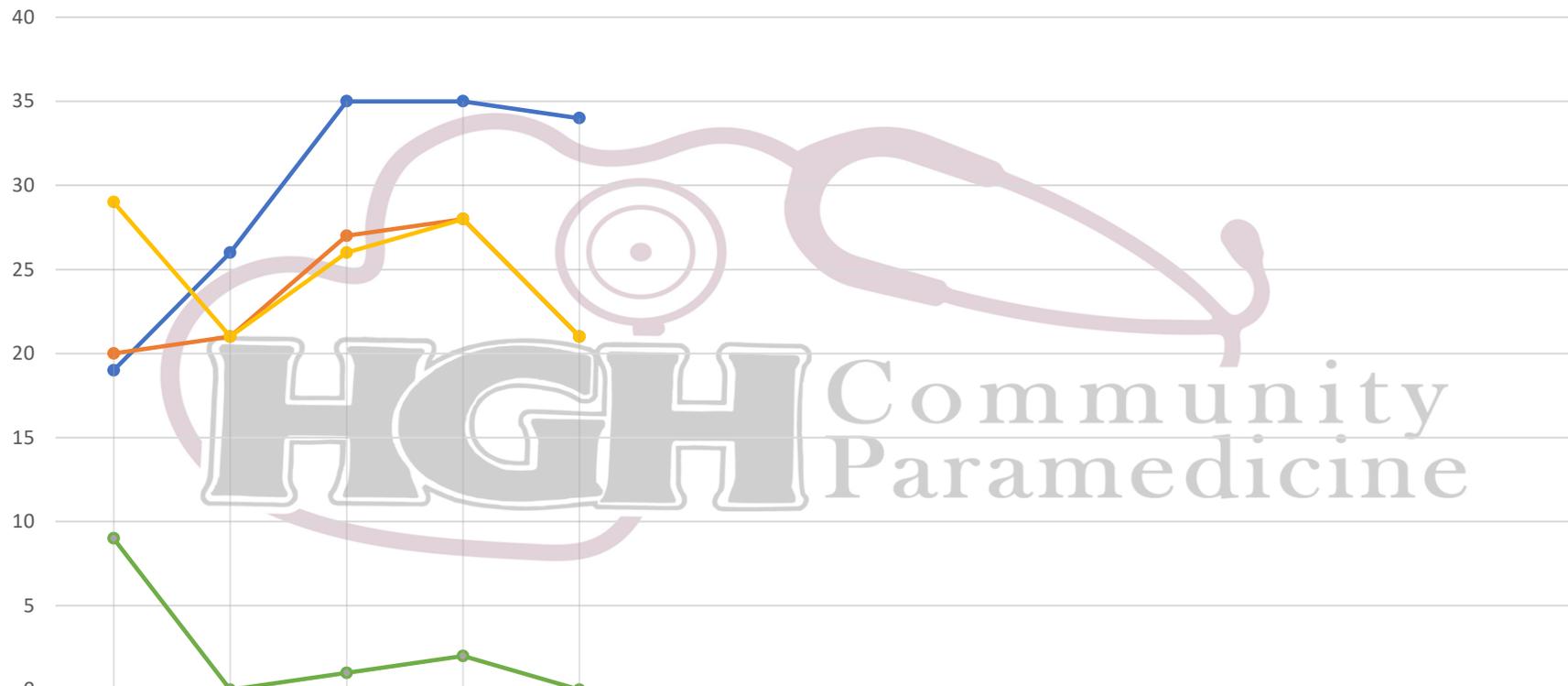
Outreach Events

- Senior Center BP Checks.
- Lovelock Car seat Check Point
- Back to school Backpack Event @ Livingstones Church
- School District staff First aid CPR Training
- National Night Out

Standby's – A standby is added whenever EMS is asked to standby at an event with an ambulance to provide onsite medical coverage (Drag Races, Race-Track, Football, ...)

Community Outreach – A community outreach is an event that is designed to provide education to the community, showcase our equipment, demonstrate skills or abilities of our department , or is aimed at community engagement.

CP 13 Month Rolling Summary



	Apr 2022	May 2022	Jun 2022	Jul 2022	Aug 2022	Sep 2022	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023
# of Active Patients (in the program for the month)	19	26	35	35	34								
Home Visits	20	21	27	28	21								
Phone Calls (billable)	9	0	1	2	0								
Billable Encounters	29	21	26	28	21								

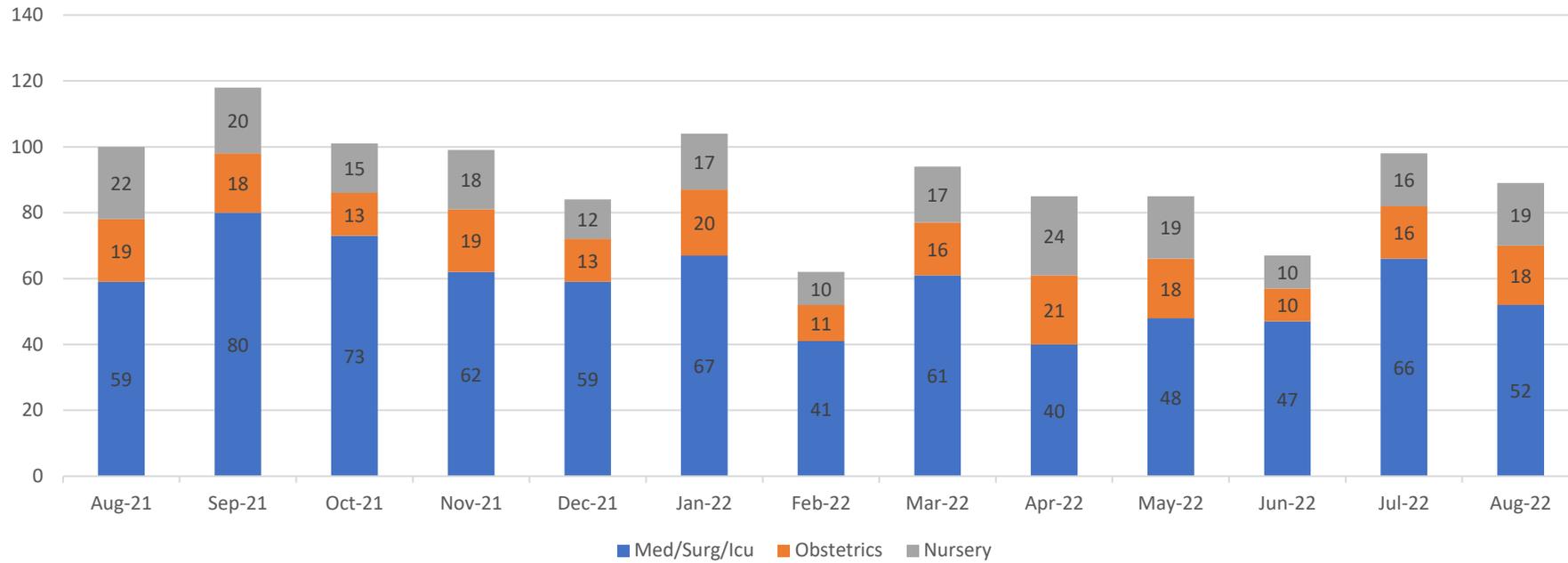
● # of Active Patients (in the program for the month)
 ● Home Visits
 ● Phone Calls (billable)
 ● Billable Encounters

STATS



Humboldt General Hospital

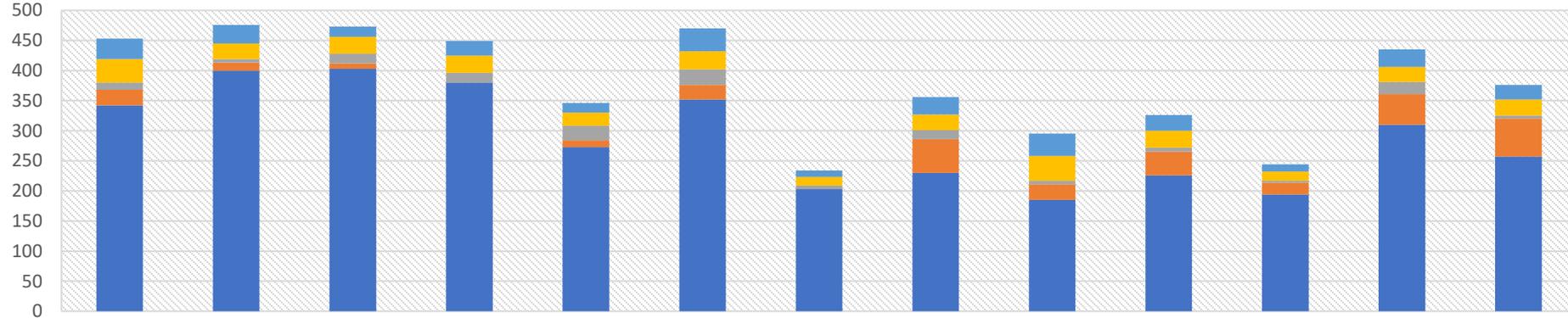
Admits



Humboldt General Hospital



Patient Days



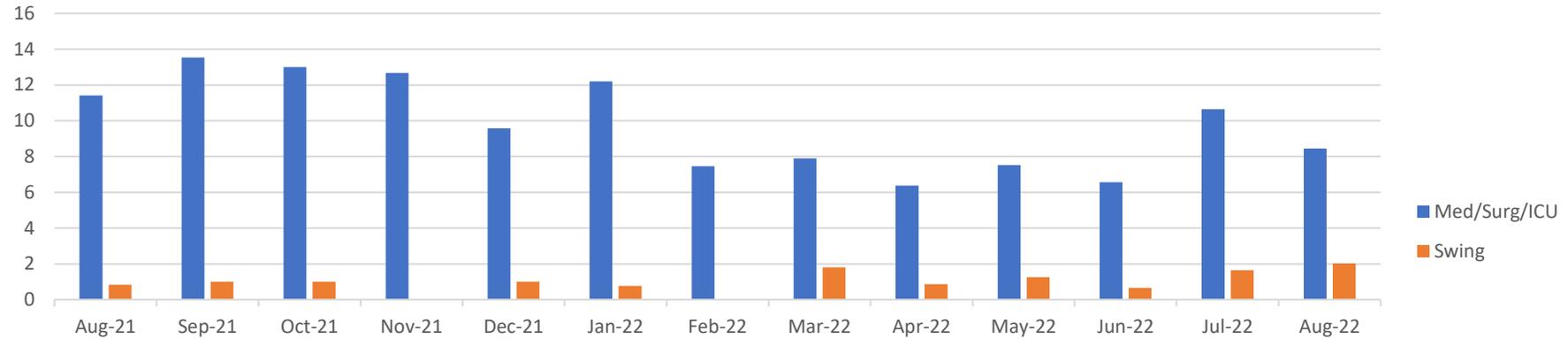
	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22
■ Nursery	34	31	17	24	16	38	11	29	37	26	12	29	24
■ Obstetrics	39	26	28	29	22	30	14	26	41	28	15	25	27
■ ICU	12	6	16	16	24	26	6	15	6	7	3	20	5
■ Swing	26	13	9	0	11	24	0	56	26	39	20	51	63
■ Med/Surg	342	400	403	380	273	352	203	230	185	226	194	310	257

■ Med/Surg ■ Swing ■ ICU ■ Obstetrics ■ Nursery

Humboldt General Hospital



Daily Average Census

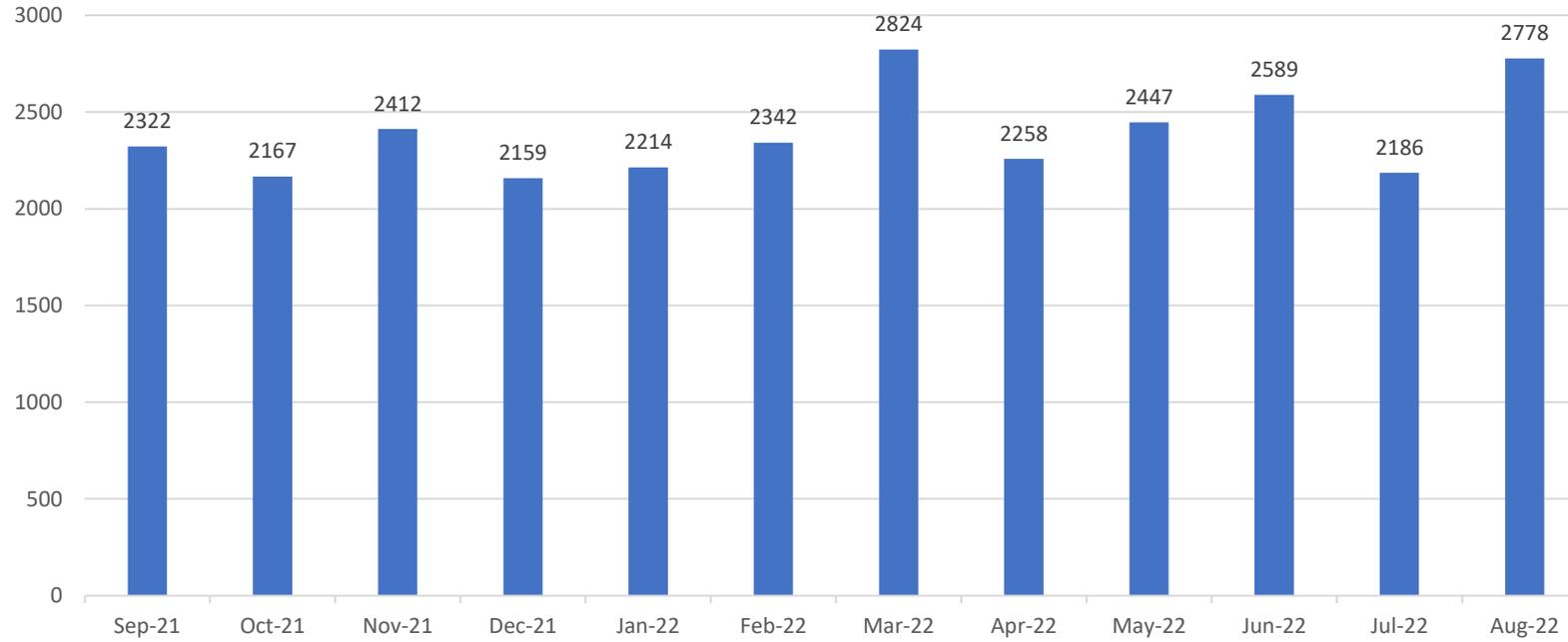


	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22
■ Med/Surg/ICU	11	14	13	13	10	12	7	8	6	8	7	11	8
■ Swing	1	1	1	0	1	1	0	2	1	1	1	2	2

Humboldt General Hospital



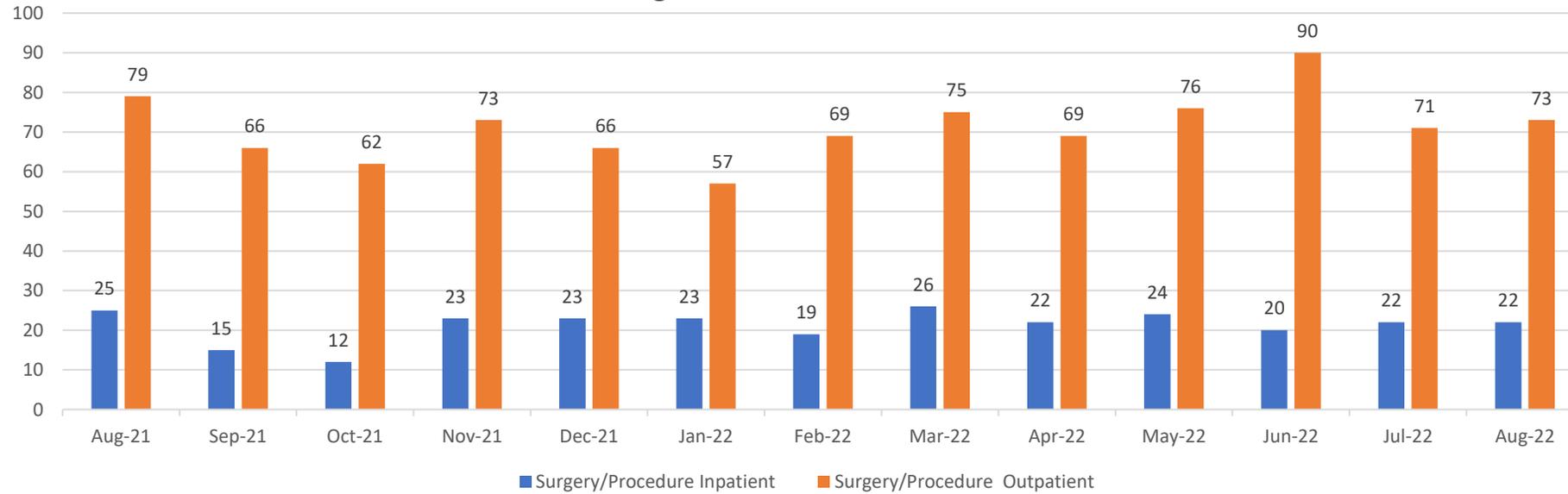
Clinic Visits



Humboldt General Hospital



Surgeries/Procedures



Humboldt General Hospital



Surgeries			
Class	IP	OP	Total
C-Section	3	0	3
Cardiology	0	1	1
General	5	13	18
GYN	3	7	10
ORTHOPEDIC	9	13	22
Podiatry	0	5	5
Otorhinolarngology	0	0	0
Pain Management	0	0	0
Urology	0	3	3
Grand Total	20	42	62
Procedures			
Class	IP	OP	Total
Colonoscopy	1	18	19
EGD	1	10	11
Sigmoid	0	0	0
Paracentesis	0	0	0
PICC line	0	0	0
Pain Management	0	3	3
Grand Total	2	31	33

Humboldt General Hospital



Humboldt General Hospital							
Monthly Statistics Comparison							
	21-Jun	21-Jul	21-Aug	22-Jun	22-Jul	22-Aug	
Med/Surg Pt Days	222	332	342	194	310	257	
Obstetrics Pt Days	26	42	39	15	25	27	
Nursery Pt Days	20	39	34	12	29	24	
ICU Pt Days	5	11	12	3	20	5	
Swing Bed Days	41	57	26	20	51	63	
Harmony Manor Days	824	895	850	766	863	867	
Quail Corner Days	180	186	186	219	217	217	
Admissions	71	123	100	67	99	89	
Labor Room Deliveries	13	19	21	9	16	18	
Operating Room Cases- Inpatient	25	29	25	20	22	22	
Operating Room Cases- Outpatient	64	83	79	90	76	73	
Radiology Tests	1287	1407	1381	1434	1543	1615	
Laboratory Tests	8081	8574	9209	8692	9213	9720	
Emergency Room Visits	645	726	764	724	793	769	
Billable Amulance Runs	177	172	189	146	165	174	

Humboldt General Hospital



Humboldt General Hospital							
Monthly Statistics Comparison							
	21-Jun	21-Jul	21-Aug	22-Jun	22-Jul	22-Aug	
RHC Visits- Total Visits	2374	2499	2554	2589	2186	2778	
RHC FP1 MATTHEWS	154	198	262	225	189	235	
RHC FP2 SMITH	194	186	217	268	164	256	
RHC FP3 ARGYLE	295	240	247	0	0	193	
RHC FP4	0	0	0	0	0	0	
RHC FP6 FETTIC	67	62	48	96	58	119	
RHC Int Med ADAJAR	345	357	293	292	255	292	
RHC Pain Management WESLEY	36	42	42	22	44	34	
RHC Peds JANHUNEN	214	300	303	218	157	320	
RHC Podiatry DRAPER/LINDSTROM	198	168	197	180	174	186	
RHC RESIDENCY	224	266	231	343	168	189	
RHC TELE-HEALTH	22	26	28	19	22	46	
RHC WOMENS HEALTH	235	260	217	276	286	242	
RHC Walk In	390	394	469	629	649	650	
RHC LTC Clinic				21	20	16	
Behavioral Health/Mental Health	260	258	274	183	195	278	
Cardiology	58	68	71	180	152	202	
Physical Medicine	60	60	83	71	81	91	
Outpatient Ambulatory Screening Clinic	93	181	595	13	2	3	
Urology				64	65	61	
Orthopedic Clinic				267	224	274	
Sleep Medicine				6	6	17	

Humboldt General Hospital



Humboldt General Hospital							
Monthly Statistics Comparison							
	21-Jun	21-Jul	21-Aug	22-Jun	22-Jul	22-Aug	
Radiology Tests by modality							
MRI	55	69	72	69	74	75	
Mammogram	71	77	74	75	83	79	
Bone Denisty	24	15	20	24	11	19	
Computed Tomography	211	256	220	244	326	350	
General Diagnostic	662	694	742	711	712	743	
Nuclear Cardiac	14	15	9	15	4	16	
Nuclear Medicine	4	8	6	6	6	6	
Ultrasound	212	239	206	259	282	277	
Vascular Ultrasound	34	34	32	31	45	50	
	1287	1407	1381	1434	1543	1615	

Humboldt General Hospital



HUMBOLDT GENERAL HOSPITAL

PRESENTATION OF CASH ACCOUNTS

August 31, 2022-- FISCAL YEAR 2023

ACCOUNTS FOR:	G/L ACCT. #:	LOCATION HELD:	ACCOUNT.#:	BALANCES:
Cash Drawers	10100	Safe/Business Office/Clinics	Cash Drawers(12)	3,075
General Fund Checking	10000	Wells Fargo Bank	3828	3,441,079
Tax Account	10005	Wells Fargo Bank	925	16,629
Payroll Checking	10010	Wells Fargo Bank	3836	204
General Fund Investment	10020	Wells Fargo Bank	6671	946,513
Hanssen Scholarship Fund	10050	Wells Fargo Bank	7067	3,853
EMS Scholarship Fund	10055	Wells Fargo Bank	917	16,987
SNF Patient Trust	10035	Wells Fargo Bank	0021	56,511
SNF Memorial/Activity	10040	Wells Fargo Bank	9304	4,760
Investment Trust	10030	Wells Fargo Bank	6500	8,536,112
LGIP Savings	10025	NV State Treasurer	#xxxGHO	2,376

HGH TOTALS: 13,028,098

I, Kim Plummer, CFO for Humboldt General Hospital, hereby certifies the above report of cash account balances accurately reflects the actual cash book balances as reported in the general ledger.

SUBMITTED & SIGNED:

Kim Plummer, CFO

**HUMBOLDT GENERAL HOSPITAL
DISTRICT BOARD OF TRUSTEES
AUGUST 23, 2022 REGULAR MEETING
MEETING VIA TELECONFERENCE—VIDEOCONFERENCE—IN-PERSON**

BOARD PRESENT:

Michelle Miller, Chair
Gene Hunt, Member
Lewis Trout, Member
JoAnn Casalez, Member
Ken Tipton, County Comm. Member

Kent Maher, Legal Counsel

ABSENT:

Alicia Cramer, Vice-Chair

MEDICAL STAFF PRESENT:

Veronica Janhunnen, MD, Chief of Staff

STAFF PRESENT:

Robyn Dunckhorst, CEO
Kim Plummer, CFO
Bertha Higbee, CNO
Alicia Wogan, Executive Assistant
Andrew Loveless, EMS Chief
Shelly Smith, Controller
Diane Klassen, Radiology Director
Cody Bright, Pharmacy
Rachel Lara, Infection Control (via phone)
Theresa Bell, Quality
Duane Grannis, Maintenance Manager
Rachel Meiron, Maintenance (via phone)
Tori Stephen, Materials Manager
Jeanette Grannis, Revenue Cycle Director
Jackie Wilson, Chief Information Officer
Kevin Grannis, Deputy Chief
Cris Cunanan, Patient Access Mgr (via phone)
Jessica Villarreal, Credentialing Specialist
Rachel Bourbon, Acute Manager
Lorrie Meiron, OB Manager
Kelly Pullin, Business Office Manager
Patricia Knickerbocker, Business Office

GUESTS:

Opal Hamilton and Danny O'Neill.

CALL TO ORDER:

Board chair Miller called the August 23, 2022, board meeting to order at 5:31 p.m.

PUBLIC COMMENT:

There was no public comment.

TRUSTEE COMMENT:

Board member Trout complimented members of the revenue cycle team and business office regarding bills and explanation of services.

MEDICAL STAFF – HOSPITAL DEPARTMENT REPORTS:

1. Medical Staff report:

Chief of Staff Janhunnen said there was nothing to report.

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2. Administration Department reports:

- a. CEO report: CEO Dunckhorst reported on: Great Basin College respiratory therapy program; Pool funds; supervisor training on the 6-month staffing fix; and, Omnicell.
- b. Financial report: CFO Plummer presented the July 2022 income statement, balance sheet, net accounts receivable, gross accounts receivable; timely write-offs, daily cash inflow and outflow, monthly cash inflow and outflow, Cerner AR, Cerner DNFB, and financial dashboard.

3. EMS report – Night in the Country:

EMS Chief Loveless reported on the Night in the Country event, its history, attendance, personnel hours and numbers, equipment, calls, no impact to local services, showed pictures and explained how it helps the department with disasters and training.

CONSENT AGENDA:

Motion by board member Casalez and second by board member Hunt to approve: (1) July 26, 2022 Board meeting minutes; (2) medical staff appointments, reappointments, provisional and temporary privileges (excluding the tabled file for Lindstrom), for: Grant Gerhard, DO, Provisional-Emergency Medicine; Faisal Rehman, MD, Provisional-Emergency Medicine; Ann De Jong, MD, Provisional-Emergency Medicine; Sean Devlin, DO, Consulting-Emergency Medicine; William Beckman, MD, Active-OBGYN; Quinn Lindstrom, DPM Active-Podiatry; Nicholas Carlevato, MD, Consulting-Radiology; and, Scott Chang, MD, Consulting-Teleradiology; and, (3) warrants disbursed-monthly expenditures. Motion carried unanimously.

BUSINESS ITEMS-OTHER REPORTS:

1. Hospital District / proposals for evaluating and making recommendations on the proposals received to provide attorney services / Board

Board chairman Miller stated three response to the requests for proposals were received and requested board input on how to proceed. Board member Trout would like to meet the individuals, and board members Casalez and Hunt suggested a committee. Trout agreed a committee is acceptable and suggested some staff be on the committee. Miller would like CEO Dunckhorst and Executive Assistant Wogan to sit on the committee. Miller asked for other volunteers. Miller appointed Dunckhorst, Casalez, Tipton and Wogan to the committee. No action was taken.

2. Hospital District / proposals to amend the current Board of Trustees bylaws / Board

Board member Trout stated his opinion that a couple of issues that need to be addressed: (i) what is the governing rule if there is a conflict with Roberts Rules of Order and the board bylaws; and, (ii) providing an option to retain the existing board chair for an additional term if a majority of the board determines. Trout suggested the bylaw committee to review the questions and make a recommendation. Board member Hunt agreed it should be discussed, the pros and cons looked at, and reported back to the board. Board chair Miller confirmed and directed Hunt and Trout to review and bring back recommendations to the board. No action was taken.

TRUSTEE COMMENTS-STAFF REPORTS:

Board member Hunt stated the Walk-in Clinic was excellent yesterday.

Board member Tipton complimented long-term care on the level of care they provided and their handling of the recent death of a patient, noting that the same level of care was not received at a facility in Reno.

Board chair Miller thanked everyone for the hard work, she appreciates it and the work is showing.

PUBLIC COMMENT

There was no public comment.

Board chair Miller adjourned the August 23, 2022, meeting of the Humboldt County Hospital District Board of Trustees at 6:10 p.m.

APPROVED:

ATTEST:

Michelle Miller, Board Chair

Alicia Wogan, Executive Assistant



September 27, 2022

Board of Trustees
Ref: Medical Staff Meeting

The following Medical Staff Appointment, Reappointment, and Provisional privilege files were reviewed and approved by Medical Staff on September 20, 2022.

Provisional:

- Timothy Jeider, MD Provisional-Psychiatry
- Paul Smithedajkul, DO Provisional-Psychiatry
- William Mitchell, MD Provisional-Pediatrics
- Kermit Brunelle, MD Provisional-Pediatrics

Appointment:

- Alban De Schutter, MD Active-Cardiology

Reappointment:

- Sandra Althaus, MD Consulting-Radiology
- Steven Zwerdinger, MD Consulting-Teleradiology

Below details additional information on each Medical Staff file:

- **Timothy Jeider, MD** earned his Doctor of Medicine from Loma Linda University in 2013. From 2013 to 2016, Dr. Jeider completed his residency in Psychiatry with Louisiana State University Health Science Center. During this time, he also provided services as an independent contractor for inpatient psychiatric services to Baton Rouge Behavior Hospital. Dr. Jeider went on to complete a fellowship in Child and Adolescent Psychiatry with the University of Nevada, Las Vegas School of Medicine from 2016 to 2018. Dr. Jeider currently holds two board certifications through the American board of Psychiatry and Neurology, one in Psychiatry and the second in Child and Adolescent Psychiatry. He received these board certifications in 2017 and 2018, respectively. Dr. Jeider is one of the providers from Nevada Mental Health that is joining Humboldt General Hospital for Behavioral Health coverage. He was previously granted privileges from April 2021 to April 2022 in Psychiatry at HGH.
- **Paul Smithedajkul, DO** earned his Doctor of Osteopathic Medicine from Western University of Health Sciences in 2018. He completed his internship and residency in Psychiatry through the Kirk Kerkorian School of Medicine at UNLV from 2018 to 2022. Dr. Smithedajkul is currently scheduled to take his board certification exam with the American Board of Psychiatry and Neurology this fall. Dr. Smithedajkul joined Nevada Mental Health in July 2020 during his residency and is now one of their contracted psychiatrists. He joined Humboldt General Hospital through Nevada Mental Health for coverage in our Behavioral Health clinic in August 2022 with temporary privileges.
- **William Mitchell, MD** earned his Doctor of Medicine from the University of Texas Medical Branch in 1974. He completed his Pediatric internship with Eastern Virginia Medical School from 1974 to 1975. Dr Mitchell went on to complete his Pediatric residency with Wake Forest University from 1975 to 1977. He is board certified in Pediatrics through the American Board of Pediatrics; initially earning his lifetime certification in 1979. He also holds current NRP and



HUMBOLDT GENERAL HOSPITAL

118 E. Haskell Street ■ Winnemucca, Nevada 89445
Phone 775.623.5222 ■ Fax 775.623.5904

PALS certifications. Dr. Mitchell has been practicing as a pediatrician since 1977 in Colorado, working between the US Air Force Academy Hospital, private practice, and Aspen Valley Pediatrics. He will be joining Humboldt General Hospital as a Pediatric Locum Tenens through LocumTenens.com to provide pediatric call coverage. He was granted temporary privileges for coverage beginning August 15, 2022.

- **Kermit Brunelle, MD** earned his Doctor of Medicine from the University of Vermont College of Medicine in 1987. He completed his internship and residency training in Pediatrics with the University of Utah from 1987 to 1990. Dr. Brunelle is board certified in Pediatrics through the American Board of Pediatrics; initially earning this certification in 1991. He also holds current NRP and PALS certifications. Dr. Brunelle has been practicing as a staff and locum tenens physician in general pediatrics since 1990 in a variety of states including New Hampshire, Nebraska, Ohio, Michigan, and Nevada. He also had a private practice in New Hampshire from 2000 to 2015. He will be joining Humboldt General Hospital as a Pediatric Locum Tenens through CompHealth to provide pediatric call coverage. He was granted temporary privileges for coverage beginning August 29, 2022.
- **Alban De Schutter, MD** earned his Doctor of Medicine from Ross University School of Medicine in December 2009. He completed his certification through the Educational Commission for Foreign Medical Graduates in 2010. Dr. De Schutter completed his Internal Medicine residency with Cleveland Clinic Foundation from 2010 to 2013, his Cardiology fellowship with John Ochsner Heart and Vascular Institute from 2013 to 2016, and his Interventional Cardiology fellowship with New York University from 2016 to 2017. Dr. De Schutter currently holds three board certifications through the American Board of Internal Medicine: Internal Medicine since 2013, Cardiovascular Disease since 2016, and Interventional Cardiology since 2017. He has worked as a Locum Tenens provider and has most recently been working in Nevada with Carson Tahoe Regional Medical Center and Northeastern Nevada Regional Hospital. Dr. De Schutter joined Humboldt General Hospital as a provider for our Cardiology Clinic with Dr. Zia Khan in August 2021.
- **Sandra Althaus, MD** earned her Doctor of Medicine from the University of Wisconsin Medical School in 1984. She then went on to a one-year internship at the University of Minnesota Hospital and Clinic specializing in General Surgery from 1985 to 1986. Dr. Althaus then switched to a Diagnostic Radiology residency with the University of Minnesota Hospital and Clinic from 1986 to 1990. She also did a one-year fellowship with the same hospital in Cardiovascular and Interventional Radiology, which she completed in 1991. Dr. Althaus has been board certified in Radiology since 1991 with the American Board of Radiology and earned her board certification in Vascular and Interventional Radiology from the American Board of Radiology in 1995. She has been working as a staff radiologist and Locum Tenens radiologist since 1997. Dr. Althaus joined Humboldt General Hospital through Northstar Radiology in March 2020.
- **Steven Zwerdinger, MD** earned his Doctor of Medicine from the University of Colorado in 1986. He then went to Saint Joseph Hospital for a one-year internship in General Surgery from 1986 to 1987. Next, Dr. Zwerdinger completed a Diagnostic Radiology residency with the University of Colorado Denver from 1987 to 1991. He then went on to a fellowship in Interventional Radiology with the University of Colorado Denver from 1991 to 1992. Dr. Zwerdinger has been board certified with the American Board of radiology in Diagnostic Radiology since 1991. He has worked with the Radiology Associates of Nevada and Valor



HUMBOLDT GENERAL HOSPITAL
118 E. Haskell Street ■ Winnemucca, Nevada 89445
Phone 775.623.5222 ■ Fax 775.623.5904

Network, Inc. and is currently working with Virtual Radiologic Professionals, LLC (vRAD).
He has been providing Humboldt General Hospital with teleradiology services since 2015
through vRAD.

Thank you,
Jessica Villarreal
Medical Staff Credentialing Coordinator

• PIONEERING EXCELLENCE IN LEGAL SERVICES



HUMBOLDT COUNTY HOSPITAL DISTRICT
HCH DISTRICT ATTORNEY RFP
LEGAL SERVICES PROPOSAL – ORIGINAL

• AUGUST 9, 2022

August 8, 2022

HCH District Attorney RFP
Attn: Alicia Wogan
HGH 118 E. Haskell Street
Winnemucca, NV 89445
wogana@hghospital.org

Re: HCH District Attorney RFP

Dear Ms. Wogan:

Thank you for the opportunity to submit a proposal to provide legal services for Hospital District Attorney to Humboldt County Hospital District. Our proposal focuses on our ability to provide comprehensive legal services by deeply experienced healthcare team that specializes in providing counseling rural public and private hospitals and critical access hospitals.

Any correspondence regarding this proposal can be directed to me at:

Kim Stanger
Holland & Hart LLP
800 W. Main Street, Suite 1750
Boise, ID 83702
T: 208-383-3913
F: (866) 800-4825
kcstanger@hollandhart.com

We look forward to providing you with an overview of our talented healthcare group and the carefully selected team that we believe will best serve your needs.

Very truly yours,

/s/ Kim C. Stanger

Kim C. Stanger
Partner
of Holland & Hart LLP

KCS:lds

Holland & Hart RFP Response To Humboldt County Hospital District (HCHD)



Proposal Form and Content

1. Letter of Transmittal

Include a cover letter signed by the bidder or a duly authorized representative. The cover letter must include name, address, telephone number and email address of the bidder submitting the proposal. In addition, the name, title, address, telephone number, fax number and email address of the person or persons to contact on the bidder's behalf, and to whom correspondence should be directed, should also be included. Additionally, the cover letter must include the following information.

See previous page for Letter of Transmittal.

Name of the Proposed HCH District Attorney	Kim Stanger, kcstanger@hollandhart.com Jay DeVoy, jmdevoy@hollandhart.com
Office Address for the Proposed HCH District Attorney	9555 Hillwood Drive, 2nd Floor Las Vegas, NV 89134 T: 702-669-4600 <i>also available in Reno by appointment</i> 5441 Kietzke Lane # 200 Reno, Nevada 89511
Service Included in Monthly Retainer (include estate weekly office hours onsite in HCHD)	Although we are willing to provide services on a monthly retainer basis, we typically do not require our district hospital clients to pay a retainer. Instead, most of our clients prefer an hourly rate to ensure they only pay for services that are required. If requested, we can provide services onsite as needed; however, our district hospital clients typically do not require regular onsite visits. Instead, we are able to provide the services more efficiently and effectively remotely through telecommunications as needed. Since the pandemic, our clients commonly use Webex, Zoom, or Teams for regular teleconferences.

Holland & Hart RFP Response
To Humboldt County Hospital
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<p>Hour Rates for Services Not Included in Retainer</p>	<p>Kim Stanger (\$495 per hour): healthcare regulatory and transactional work.</p> <p>Jay DeVoy (\$415 per hour): healthcare regulatory and transactional work; government law; litigation.</p> <p>Matt C. Morris (\$330 per hour): administrative law and governmental entities; Nevada laws for public entities (open meeting and public record requirements).</p> <p>Cris Wilcoxon (\$305 per hour): financing; mergers and acquisitions; corporate governance.</p>
<p>Area of Expertise</p>	<p>As a full service, regional law firm, we have a team of other attorneys who are available to address additional Hospital legal needs as they arise, including items such as employment and employee benefits, payer contracting, public finance, litigation, privacy and data security, real estate, construction, intellectual property.</p>
<p>References</p>	<p>Michela Seth – General Counsel Kootenai Health (hospital district) Coeur d’Alene, ID 208.625.4776, mseth@kh.org</p> <p>Paul Lewis – CEO West Shoshone Hospital District dba Shoshone Medical Center (hospital district) Kellogg, ID 208.786.0581, plewis@shomed.org</p> <p>Clayton Holt – CEO San Juan Health Services District (hospital district) Monticello, UT 435.587.1112, cholt@sanjuanhealth.org</p>

Holland & Hart RFP Response
To Humboldt County Hospital
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	<p>Abner King – CEO Syringa Hospital and Clinics (hospital district) Grangeville, ID 208.983.8525, aking@syringahospital.org</p> <p>Preston Becker – CEO Steele Memorial Medical Center (county hospital) Salmon, ID 208.310.0471, preston.becker@steelemed.org</p>
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Holland & Hart RFP Response To Humboldt County Hospital District (HCHD)



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3. Executive Summary

Introduce the proposal and summarize the key provisions of the proposal. Provide a statement describing why the bidder is qualified to perform this work, the name of the individual(s) who would provide the services requested, and the proposed fees.

Scope of Proposal.

Holland & Hart LLP (H&H) has represented Humboldt General Hospital for years, helping it through a range of transactions and regulatory issues, including provider contracts, transactions, and compliance-related issues. We would welcome the opportunity to also represent Humboldt County Hospital District and its Board by serving as outside general counsel and/or outside counsel on any legal issues that may come up.

H&H Qualifications.

H&H is one of the largest firms based in the Intermountain West. Our Healthcare Practice Group is comprised of nearly 30 lawyers across five offices in the Intermountain West, including Las Vegas and Reno. Although we represent the spectrum of healthcare providers, we specialize in providing comprehensive legal counsel to rural public and private hospitals and Critical Access Hospitals. As such, we often serve as outside general counsel, helping our hospital clients navigate everything from regulatory and compliance issues, contracts, medical staff and governance concerns, credentialing, employment, data privacy and security, real estate, intellectual property, antitrust, cybersecurity, litigation, corporate and tax matters. We currently represent over 30 hospitals throughout the Intermountain West. We also serve as the general counsel for several state or regional associations or consortiums of smaller healthcare facilities. Because of this, we understand the needs of rural hospitals and the particular challenges they face. There is not much that comes along that we have not already seen in serving our clients. This allows us to respond promptly, efficiently, and effectively.

We would propose that the following serve as the lead contacts for HCHD:

- Kim Stanger. Mr. Stanger is the Chair of H&H's Healthcare Practice Group and has represented HGH for many years on transaction and regulatory matters. He represents numerous rural hospitals, including Critical Access Hospitals, and, as such, has substantial experience in serving as general counsel for our rural hospital clients. Mr. Stanger is a nationally recognized expert in health law issues, and is currently named as a Best Lawyers—Healthcare and a Mountain States Super Lawyer. A copy of Mr. Stanger's bio is attached.



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- Jay DeVoy. Mr. DeVoy is a partner in H&H's Las Vegas office and, as such, has special insight into any Nevada-specific issues that may arise for Nevada hospitals as well as federal issues. Mr. DeVoy specializes in representing Nevada healthcare providers across the State in a broad range of transactional, regulatory and litigation matters, including individual hospitals and hospital systems. This year, he was named as a Mountain States Super Lawyer.

Although Mr. Stanger and Mr. DeVoy will serve as leads for the HCHD work, the benefit of retaining H&H is that HCHD will have available the expertise and experience of a full-service law firm covering practically all areas of the law relevant to HCHD's needs. Accordingly, if HCHD is faced with a specific legal issue, we can call on one of our colleagues who specializes in that area. That not only ensures that HCHD gets the specialized help it needs, it also means that we can provide the services on a more efficient and cost-effective basis because we can call on the collective experience and work product of years of serving hospital clients.

Holland & Hart RFP Response To Humboldt County Hospital District (HCHD)



4. Statement of Understanding

Include a detailed statement of understanding of the services to be provided to HCHD. If there are services listed in this RFP that the bidder will not be able to provide, describe those services in this section.

We understand that the District may be seeking counsel for the Hospital as well as its Board. Based on our experience in representing over 20 public hospitals, we do not believe that separate counsel is typically required for the Hospital and its Board: the Hospital and Board are (or should function effectively as) one entity. Accordingly, for our government hospital clients, we typically help the hospital with whatever legal needs the hospital may have but also advise the hospital board on its obligations and duties. We can certainly accommodate the Board if the Board chooses to seek separate representation for some reason.

Legal services we typically provide to our government hospital clients include:

- Counseling and advice on regulatory compliance (e.g., fraud and abuse laws, HIPAA, EMTALA, Medicare and Medicaid requirements, state licensing requirements, corporate practice of medicine, etc.)
- Provider contracting and credentialing
- Payer contracting and disputes, including in payment negotiations, recoupments, and legal disputes for payment wrongfully denied
- Employment and labor counseling and litigation, including hospital recruiting and covenants not to compete
- Board governance
- Public entity law (e.g., open meeting laws, public records act, public finance, etc.)
- Litigation and government investigations, including responding to HIPAA breaches, subpoenas, and civil investigatory demands
- Real estate, land use, zoning, and construction
- Data privacy and security
- Intellectual property
- Tax and employee benefits

The foregoing list is not exhaustive, and we can call on our colleagues across our firm to assist in additional matters as they become relevant.



5. Approach to Legal Services

1. Describe the bidder's view of the role of the HCHD Attorney.

We view ourselves as a trusted partner and consultant to our clients. Although we are sometimes brought in to help with specific, discrete and pressing legal issues, we prefer and appreciate our client relationships in which we effectively serve as outside general counsel through which we are aware of and are able to advise our clients on ongoing matters, thereby identifying prospectively issues that should be considered in advance to avoid problems down the road. With that said, we realize our government entity clients often operate on thin margins, so we are happy to assist as little or as much as the client wants or needs. We can structure our representation to meet the client's needs.

2. Describe how the bidder will keep the HCHD informed about the status of litigation and other legal matters.

We realize timely and effective communication is vital in serving our clients' needs. We respond to client communications as quickly as possible but within at most one business day. For ongoing matters, we commit to providing status updates as new issues or questions arise and otherwise as often as our clients require.

On a more general basis, it is important that our clients understand new developments as well as key legal issues for healthcare providers. To that end, we provide free monthly client alert e-mails and webinars on health law related issues of concern to our clients. We believe this is a significant "value added" to assist our rural hospital clients who may not have dedicated resources to keep abreast of such issues. We maintain a large library of past client alerts and webinars that are available to our clients for free for their use in training hospital staff and leaders. They may be accessed through our website at <https://www.hollandhart.com/healthcare>.

3. Describe how the bidder tracks and manages legal costs so that HCHD legal costs are held to a minimum.

We realize that public hospitals operate on thin margins, so we strive to ensure we provide services in a cost-effective, efficient manner as determined by client needs. We do this by:

- Communicating with the client upfront to confirm the client's needs and expectations. If requested, we are happy to provide a budget for the client for specific projects.
- Staffing projects efficiently according to the needs of the client. If the services can be performed by an associate or paralegal at a lower cost, we staff the project accordingly.



Holland & Hart RFP Response To Humboldt County Hospital District (HCHD)



- Given our broad experience in representing rural hospitals, not much will come up that we have not already addressed for other similar clients. Because of that, we can tap into our library of existing contract templates, research files, or knowledge of existing issues to ensure we provide services in a cost-effective manner.
 - As appropriate or if requested by the client, discuss the anticipated budget for any work.
4. *Describe how the bidder would proactively advise the HCHD Trustees about legal developments or issues of concern, without being asked.*

As discussed above, we publish monthly (or more often as needed) client alerts concerning health law-related developments as well as monthly webinars. These are free to our clients. In addition to sending e-mails concerning these items, we maintain a large library of past alerts, white papers, and webinars that our clients may access free of charge.

5. *Describe how as the HCHD Attorney the bidder would work with the CEO and HCHD Trustees, and participate in Board Meetings, Employee Meetings, and other meetings. Would the bidder describe its style of participation in such meetings as proactive or reactive?*

Our attorneys will be available to participate in scheduled meetings, either via teleconference or in-person as requested by HCHD. We appreciate that hospitals operate around the clock and issues may arise at any time of the day or night; for that reason, Mr. Stanger will provide his cell phone number as well as his office telephone number so that you can always contact us, 24 hours each day, 7 days a week, 365 days each year. Moreover, we very much view a proactive approach in keeping the CEO, HCHD Trustees, and other members of the board informed on developments in health law.

6. *How much over the retainer would the bidder expect the HCHD to spend engaging the services of the bidder for litigation, special expertise, or other services?*

This depends on the scope of the representation, e.g., whether we would be representing the Hospital, the Board, or both. As discussed above, while we are certainly open to providing services on a retainer basis, our rural clients nearly always prefer retaining us on an hourly basis so that they only pay for services they require. As projects arise and as requested by the Board, we can discuss the anticipated cost so that the Board is always aware of expected costs going into the matter so that the Board may manage its expenses.

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7. *How would the bidder evaluate whether to use an attorney within the bidder's law firm or an attorney from another firm to handle a case, provide expert advice, or provide other needed services? How will fees enter into the bidder's judgment of who to use in the bidder's role as HCHD Attorney representing the interests of the HCHD.*

As discussed above, a main benefit of H&H is that we are a large, regional firm with expertise in virtually every area of the law. This allows us to collaborate and provide exceptional legal services on a more efficient basis. If we have the expertise in-house (which is nearly always the case), we would typically handle the matter through our specialists within the firm. However, if the Board prefers to use someone outside the firm or if we feel it would be better for the client to go outside our firm, we will so advise the client and provide referrals for and/or cooperate with such outside counsel.

8. *Describe the bidder's practices regarding professional development, training, and keeping current in the law and legal matters affecting their clients.*

Because we specialize in representing rural hospitals, our healthcare team stays abreast of current developments. We are members of the American Health Law Association (the leading industry organization for health lawyers) and subscribe to various other legal publication services such as JDSupra and National Law Journal and, through those services, receive daily updates about health law industry developments. As appropriate, we pass along significant developments to our clients through our regular client alerts, webinars and other communications.

9. *Describe how the bidder will work to achieve a seamless transition from the incumbent to the new contract and measures the bidder will take to mitigate inherent contract transitions risk such as loss of continuity.*

Once authorized by the Board, we would reach out to current counsel to discuss the transition and the best way to accomplish the transition in a manner that will be most efficient and beneficial to the Board and the Hospital District. For some matters, it may be more cost-efficient and in the best interest of the Board or Hospital District for current counsel to complete the project. In all matters, we would strive to maintain a good, professional relationship with current counsel and ongoing communications as necessary to ensure we fulfill our mutual goal of representing the Hospital and Board.

Holland & Hart RFP Response To Humboldt County Hospital District (HCHD)



6. Background and Capacity

1. Describe the bidder's background and history; include number of years in business.

Founded in 1947, H&H is a full-service Am Law 200 firm with approximately 450 attorneys in offices throughout the Intermountain West, including Reno and Las Vegas, Nevada. As a full-service law firm, we help our healthcare clients with whatever legal needs may arise, including those relating to healthcare regulations, transactions, governance, tax, employment, employee benefits, real estate, licensing, government investigations, and so on.

H&H provides a level of service that is rarely seen in today's marketplace. Founded on a spirit of pioneering and innovation that continues today, our client-driven culture is responsive and collaborative. We view our clients as long-term partners, not just transactions. Working with H&H, you will experience a team that:

- has extensive experience with and understanding of legal and business concerns affecting medical facilities today, especially rural public hospitals
- will provide responsive and trustworthy practical advice
- will join you as a partner in problem-solving based on your priorities
- will provide cost-effective and value-added solutions to support your legal needs

Clients hire H&H because we have the resources, knowledge, and hands-on experience to advise them on day-to-day business matters, unique legal circumstances, and complex matters, all under one roof. They stay with us because our attorneys affirm, at every opportunity, that we understand the business priorities that drive their legal decision-making, and we are invested in helping them identify, avoid, and/or resolve concerns quickly, efficiently, and effectively.

In addition to the breadth and depth of our longstanding industry experience:

We offer a rare combination of quality and cost-efficiency. Because we are a regional law firm, we can offer the experience, bench strength, and quality of many large, coastal firms without the coastal price tag. Our attorneys in Reno and Las Vegas know and understand the unique twists in Nevada law and regulations and regularly work with the Nevada regulators who enforce them. This enables us to effectively meet our clients' Nevada-specific needs.

Holland & Hart RFP Response To Humboldt County Hospital District (HCHD)



Our attorneys are nationally recognized. H&H is ranked in 28 practice areas nationally and in 149 regional practice areas by 2022 *U.S. News – Best Lawyers* "Best Law Firms." Additional firm recognition includes:

- 106 individual and 39 practice areas (by market) ranked by *Chambers USA* 2022
 - 177 attorneys and 28 "Lawyers of the Year" recognized by *The Best Lawyers in America*© 2022, and 58 attorneys named 2022 Best Lawyers: Ones to Watch
 - National Tier 1 ranking for Technology Law by *U.S. News – Best Lawyers* "Best Law Firms" since 2011
 - 45 attorneys named to the 2022 Super Lawyers or Rising Stars lists by *Mountain States Super Lawyers*®
 - 44 attorneys named to the 2022 Super Lawyers or Rising Stars lists by *Colorado Super Lawyers*®
 - Ranked as a top 5 Mountain West firm by *Vault*, 2017-2022
2. *Describe the bidder's Hospital District or Critical Access Hospital legal services training or public entity, experience.*

As discussed above, the firm currently represents over 30 hospitals throughout the Intermountain West, the majority of which are public hospitals and/or critical access hospitals. In most cases, we serve as outside general counsel and regularly work with hospital administration and boards of trustees to address whatever legal issues the facilities face. In some cases, we are brought in to back up in-house counsel on required expertise.

Kim Stanger is the Chair of the firm's Health Law Group and has been representing district hospitals and critical access hospitals for over 20 years. In addition to his lengthy service in representing healthcare entities, he is a frequent speaker at industry and client events. His experience is described more fully in his bio in Appendix A.

Jay DeVoy has been a Nevada-licensed attorney for more than 10 years and has devoted nearly a decade of practice to healthcare issues, including hospitals and hospital systems. He is familiar with numerous issues that face hospitals and the physicians they rely on to provide services to patients in Nevada, and the areas where those relationships can be reinforced to avoid strain—as well as how to respond when those relationships fail. Jay regularly writes about developments in Nevada law in various publications. More information about Jay can be found in his attached bio (see Appendix A).

Holland & Hart RFP Response To Humboldt County Hospital District (HCHD)



Matt Morris applies extensive state and local policy experience to help clients navigate the complex permitting, regulatory compliance matters, and litigation, their projects may face. He guides clients through legal and regulatory obstacles encountered when operating across jurisdictions in Nevada. Additional details about Matt are included in his bio in Appendix A.

Cris Wilcoxon provides pragmatic solutions to companies at all stages of the corporate life cycle from entity selection and formation to financing and capitalization. She counsels clients on a range of corporate governance and day-to-day legal issues and commercial agreements. See Appendix A for Cris' full bio.

3. Location of office(s) that would serve the HCHD.

We would plan to support HCHD primarily through our Reno, Las Vegas and Boise offices:

H&H – Reno
5441 Kietzke Lane
Suite 200
Reno, NV 89511

H&H – Las Vegas
9555 Hillwood Drive
2nd Floor
Las Vegas, NV 89134

H&H – Boise
800 W. Main Street
Suite 1750
Boise, ID 82703

4. Staff Services Available (clerical support, paralegals, other non-attorney staff).

H&H has a team of highly skilled administrative staff available to support HCHD, including paralegals, law librarians and researchers, IT professionals, and legal assistants.

Holland & Hart RFP Response To Humboldt County Hospital District (HCHD)



7. Proposed Attorney(s)

Name of person(s) whom the bidder proposes to designate as HCHD Attorney, as Assistant HCHD Attorney(s). Provide the following information for each such person:

- 1. Certificates or licenses, including the date of admission to the State Bar of Nevada.*
- 2. Description of education (including name of educational institutions, degrees conferred, and year of each degree);*
- 3. Professional background and professional associations.*
- 4. Experience with and knowledge of Nevada's ethical standards requirements, including but not limited to NRS 281A and NRS 332.800, Nevada Open Meeting Law (OML) (NRS 241), general plans, code enforcement and other related areas of law, administrative law; labor relations/ personnel law, and other areas of district law.*
- 5. Expertise and training.*

Full biographies of each proposed team member can be found in Appendix A.

Holland & Hart RFP Response To Humboldt County Hospital District (HCHD)



8. References

Provide contact information for three municipal hospital or critical access hospitals, or comparable public entity clients, for which services have been provided in the last five years, so reference checks can be conducted. Please include the contact person's name, municipality, phone, and email address.

Reference 1

Organization Name: Kootenai Health

Contact Name: Michela Seth

Name of Municipality: Coeur d'Alene, ID

Telephone Number: 208.625.4776

Email Address: MSeth@kh.org

Street Address: 2003 Kootenai Health Way, Coeur d'Alene, ID, 83814

Reference 2

Organization Name: West Shoshone Hospital District dba Shoshone Medical Center

Contact Name: Paul Lewis

Name of Municipality: Kellogg, ID

Telephone Number: 208.786.0581

Email Address: plewis@shomed.org

Street Address: 25 New St., Kellogg, ID 83837

Reference 3

Organization Name: San Juan Health Services District

Contact Name: Clayton Holt

Name of Municipality: Monticello, UT

Telephone Number: 435.587.1112

Email Address: cholt@sanjuanhealth.org

Street Address: 380 West 100 North, Monticello, UT, 84535



9. Clients/Potential Conflicts of Interest

- 1. List all governmental entities and political subdivisions within the State of Nevada that the bidder currently provides services under a fee for services basis or on a retainer basis. Indicate the services provided (e.g., municipal Attorney services, special legal expertise in specific disciplines, etc.) Also identify any foreseeable or potential conflicts of interest that could result from such representation and the way the bidder would propose to resolve such conflicts.*
- 2. For the person employed by the bidder to be designated as HCHD Attorney, list governmental entities and political subdivisions within the State of Nevada that individual presently represents as attorney or general counsel, along with the meeting dates and times for each governing body.*
- 3. List all private clients that could potentially pose a conflict of interest with the bidder representing the HCHD, including any and all current trustees, commissioners, and committee members of HCHD.*
- 4. Identify all situations in the last five years in which the bidder has been adverse to or represented parties adverse to governmental entities and political subdivisions within the State of Nevada, either in litigation or administrative matters.*

H&H has a standing Ethics and Conflicts Committee that advises the firm and its lawyers on their ethical obligations. The Ethics and Conflicts Committee serves a number of functions, including (a) monitoring new or amended ethics rules, analyzing the impact of new rules on the firm's practice, and educating attorney and non-attorney personnel regarding new rules, as appropriate; (b) consulting with attorney and non-attorney personnel on ethics issues; and (c) advising the firm's Management Committee on appropriate policies and procedures related to the Rules of Professional Conduct. The Chair of the Ethics and Conflicts Committee and Loss Prevention Counsel issue email updates on emergent ethics issues and hold training topics in ethics and loss prevention. Members of our Ethics and Conflicts Committee are available every day to answer questions from the firm's attorneys about ethics issues that arise in their law practices.

Because H&H represents thousands of active clients, the firm operates a comprehensive conflict screening system that is overseen by a Partner (currently our General Counsel) designated as the Firm Screener, as well as twelve full-time in-house Conflicts Attorneys and eight non-attorney staff. The non-attorney staff perform conflicts searches and assist with other administrative aspects of the new business intake process. The Conflicts Attorneys are dedicated to assisting with clearing conflict reports, answering related questions, drafting conflicts waivers, and handling other aspects of the new business intake process. Before taking on matters for new or existing clients, all attorneys are required to

Holland & Hart RFP Response To Humboldt County Hospital District (HCHD)



complete standard conflicts screening procedures. In addition, all new hires, both attorneys and staff, undergo conflicts screening prior to employment.

Our firm is keenly aware of the necessity to avoid conflicts. Accordingly, when a potential conflict is identified, we take a conservative approach to dealing with the conflict. We consider not only the applicability of the relevant conflict-of-interest rules (e.g., Rules 1.7, 1.9, 1.10, and 3.7) but also the interests of our clients and the practical effect that taking on a particular representation might have on our relationship with another client.

Please note, our ethical obligations require us to do a thorough conflict of interest screening and resolve any conflicts that may be present if the work is awarded. H&H would view our engagement pursuant to this RFP as a limited engagement to represent the Humboldt General Hospital and The Humboldt County Hospital District (collectively "HCHD") as set forth in the scope of work described within the RFP, and would not constitute representation of the State of Nevada, County of Humboldt, or any other subdivision, department, or agency thereof as a whole in any other matter. It may be that H&H has in the past represented, or currently is representing, clients adverse to HCHD on matters unrelated to the Scope of Work. If so, it is our understanding that the instant representation will not cause a concern to HCHD, or require our disqualification in such other matters. As a condition of undertaking any work for HCHD, we request that you agree that H&H may 1) continue to represent existing clients in any matters adverse to you, and 2) represent existing or new clients in any future matter that is not substantially related to our work for HCHD, even if the interests of such clients in those other matters are directly adverse to HCHD or the County itself, or the State of Nevada, or any of its other departments or agencies. Please consult with independent counsel before providing your consent and agreeing to this advance waiver. Based on ethical considerations, including Rule of Professional Conduct 1.6, H&H cannot divulge the names of its clients without their informed consent. In the event H&H cannot provide legal services for you due to a conflict of interest, our attorneys may have recommendations for other counsel.

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10. Hours of Availability

The successful bidder will be required to provide services under a monthly retainer fee format for regular HCHD Trustee Board meetings, special HCHD Board meetings, weekly staff meetings or, communications with HCHD and legal work provided under the retainer.

1. Please describe what is included in the retainer (including typical number of office hours available each week).
2. Please provide an hourly rate for all of the employees of the successful bidder who may be working with the HCHD. In addition, please provide a rate for special legal services that are outside the scope of time required under this Section 10.
3. For purposes of this request, the HCHD is requesting approximately 15 hours per month.

Please provide the retainer fee and rates in a table format.

Historically, we have never required a retainer from HGH, and do not anticipate doing so with HCHD unless there were unique circumstances such as defense of government claims. Instead, we bill an hourly rate so that HCHD only pays for the services requested. Our hourly rates vary based on the experience of the attorney involved. We included the rates of those persons who are most likely to work on HCHD matters along with brief attorney biographies in the table below. Because we are based in the Intermountain West, we can provide our services at a lower rate than coastal firms and with Nevada-specific expertise.

Monthly Retainer Fee	N/A
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Attorney	Location	Hourly Rate
Kim Stanger	Boise	\$495
Jay DeVoy	Las Vegas	\$415
Matt Morris	Las Vegas/Reno	\$330
Cris Wilcoxon	Las Vegas	\$305

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11. Additional Information

Any other information that the bidder feels applicable to the evaluation of the proposal or of their qualification for accomplishing the legal services should be included in this section. The bidder may use this section to address those aspects of the bidder's services that distinguish the bidder from others, including its competitors.

Indemnification

The successful bidder will agree to indemnify the HCHD, the HCHD Trustees, its officers, employees, agents and volunteers, from all liability or financial loss. This includes legal expenses and costs of expert witnesses and consultants, resulting from any suits, claims, losses or actions brought by any person or persons, by reasons of injury and arising directly or indirectly from the activities and operations by the successful bidder. Indemnification includes the successful bidder's officers, agents, employees, subcontractors or any person employed by the bidder, in the performance of the resulting agreement between HCHD and the successful bidder, the bidder agrees that the bidder's covenant under this section shall survive the termination of this agreement. Nothing in this Agreement shall broaden or expand Bidder's liability for negligent or tortious acts or omissions beyond that provided by applicable state law (including comparative and contributory negligence principles) or impose liability on Bidder where no negligent or tortious conduct is proven, or create independent claims under contract law. This indemnification provision shall not apply to any settlement or payment effected without the prior written consent of Bidder.



12. Holland & Hart Healthcare Capabilities Specific to HCHD's Requirements

H&H's healthcare team comprises 10 attorneys throughout our offices. As a full-service law firm, we help our healthcare clients with whatever legal needs may arise, including those relating to healthcare transactions, regulatory compliance, governance, tax, employment, employee benefits, real estate, land use, licensing, government investigations, and so on. We represent a broad range of healthcare clients from large healthcare systems to small provider practices. There is not much that comes along that we have not already seen in serving our clients. This enables us to respond promptly, efficiently, and effectively. The following summarizes some of the more common issues we handle for our clients.

Regulatory Compliance

A major part of our practice is helping clients structure contracts, transactions, and business arrangements to comply with myriad state and federal laws affecting nearly all aspects of healthcare operations, the violation of which may result in significant repayments and penalties to federal and state agencies. We know and help our clients comply with the relevant laws and regulations, including:

- The Ethics in Patient Referrals Act ("Stark")
- Anti-Kickback Statute
- Civil Monetary Penalties Laws
- Eliminating Kickbacks in Recovery Act (EKRA)
- False Claims Act, including the Medicare Report and Repayment Rules
- No Surprises Act

Some clients come to us after they have discovered their own noncompliance. Our healthcare attorneys have worked closely with CMS, the DOJ, the OIG, and state agencies through self-disclosure protocols or otherwise to successfully resolve fraud and abuse investigations, overpayment and repayment situations, and attempts to exclude clients from federal and state healthcare programs.

Our attorneys frequently speak at state, regional, and national industry conferences on fraud and abuse issues.

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Governance & Public Sector Regulatory Compliance

Because we represent so many government hospitals, we are familiar with and uniquely qualified to assist public hospitals in governance issues, such as:

- Open meeting and public records laws
- Board of director policy, performance, processes, and composition
- CEO recruitment, contracting, evaluation, and termination
- Board and medical staff bylaws
- Internal policies and procedures
- Compliance with open records and open meetings laws
- Other compliance matters

Complex Healthcare Transactions

H&H has a robust corporate practice group experienced in entity transactions, including complex mergers and acquisition transactions, asset acquisitions and sales, complex equity and bank financing, joint ventures, and formation and offering transactions. Many of our healthcare attorneys are also members of the corporate and real estate practice groups, providing guidance on the legal and practical considerations unique to transactions within the healthcare industry. Specifically, our attorneys advise on transaction and tax structure to best meet the goals of the parties, to limit liability, to achieve preferential taxation treatment and, as necessary, to comply with applicable Stark Law exceptions and Anti-Kickback Statute and safe harbors. We engage in comprehensive due diligence, with specific analysis of the compliance of the existing contractual obligations of target practices and their provider relationships. Our attorneys also assist in closing and post-closing activities such as assignments of equipment licensure and change of ownership filing with Medicaid and Medicare.

Litigation

H&H's healthcare team is equipped to handle complex litigation affecting our healthcare clients and has handled matters related to False Claims Act/Qui Tam allegations, government investigations, antitrust matters, payor-provider disputes, breach response, fraud and abuse allegations, and more. Relevant experience includes:

- Advised six hospital pharmacies through a government compliance investigation dealing with state and federal rules and regulations. Secured a jury verdict in favor of a hospital client against multi-million-dollar claims for breach of contract.
- Won pretrial dismissal of a False Claim Act case for healthcare client, where claims were in the tens of millions of dollars.

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- Won pretrial dismissal of all claims against a hospital relating to the credentialing process and hospital privileges of a physician.
- Won pretrial dismissal of all claims brought by 10 plaintiffs against a hospital and its board. Claims were in excess of \$24 million. Affirmed on appeal by Tenth Circuit.

Insurance Regulatory Practice

We have assisted clients in all aspects of forming, licensing, and operating HMOs, Health Discount Plans, prepaid limited health benefit plans (including dental plans), and other indemnity (health, property and casualty, and surety) insurers. Formation of such entities requires actively working with the client and Division of Insurance to demonstrate compliance with applicable laws and regulations. In this process we also regularly draft health plan documents (for products on and off the health insurance exchange) and provider contracts. We also assist insurers with market conduct and financial (risk-focused) examinations, disciplinary matters, premium tax matters, including desk audits and home office credits, insurance marketplace (exchange) issues, rate and form filing, and network adequacy requirements.

Facility Licensing and Credentialing

Our healthcare attorneys regularly assist with state licensing and survey issues as well as CMS conditions of participation such as:

- Assisting clients in navigating the complexities of obtaining licensure or certification of new facilities or service lines
- Training client personnel on applicable regulatory and accreditation requirements for ongoing certification
- Responding to or defending against adverse surveys, including assisting in the development and implementation of appropriate plans of correction
- Evaluating and mitigating the impact of noncompliance with Medicare or Medicaid conditions on billing or operations

Healthcare Collections, Receivables, and Finance

Our healthcare attorneys have an in-depth understanding related to hospital payments in Nevada. As a district hospital, HCHD has special privileges to lien patient property, including real property, under NRS 108.662-.668. As a critical access hospital in a rural area, payment can be an issue for HCHD, including the collection of co-payments and co-insurance amounts under commercial insurance and government payment plans. Additionally, Nevada enacted surprise/balance billing laws for hospitals before the federal No Surprises Act was enacted, and we are quite familiar with that law as well. We advise medical providers and payors on healthcare payment and finance issues, including:

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- Representing hospitals in payment and claim disputes with payors
- Advising healthcare receivable entities regarding collection of healthcare receivables
- Advising medical providers regarding healthcare payment issues, including Medicare and Medicaid payments
- Assisting facility clients in obtaining an increase in Medicaid rates
- Representing managed-care organizations regarding payment issues with providers
- Representing clients in matters concerning Disproportionate Share Hospital Payments

Patient Privacy and Data Security

We regularly help clients address the broad expanding privacy and security concerns under state and federal laws, including:

- The Health Insurance Portability and Accountability Act (HIPAA)
- The new Information Blocking Rules
- Federal Substance Abuse Information Rules found at 42 CFR part 2

We help our clients develop and implement compliant policies and practices, respond to specific privacy or security concerns, and, if necessary, respond to privacy breaches, including dealing with patients and/or federal agencies enforcing laws relating to breaches.

Cybersecurity has become a critical concern for healthcare entities, both from a regulatory as well as a business perspective. Our Healthcare Group works closely with the firm's Data Privacy and Security Group to stay abreast of and help our clients respond to emerging threats, developing laws, and best practices to avoid cybersecurity catastrophes.

Labor Relations/Personnel Law

Labor & Employment

With one of the largest and most extensive management-side labor and employment practices in the Rocky Mountain West, we have significant experience in virtually every area of labor and employment law. H&H attorneys advise and represent healthcare providers, including hospitals, managed-care organizations, insurance providers, medical device and life science companies, and others with respect to employment law issues and virtually all aspects of the employment relationship, including:

- Drafting and reviewing employee handbooks and personnel policies and procedures.
- Consulting with employers regarding matters of discipline and discharge.
- Preparing employment, non-compete and non-solicitation, confidentiality, and separation agreements and releases.



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- Working with employers to design and implement alternative dispute resolution mechanisms such as peer review systems, mediation, and arbitration, as an alternative to litigation.

In each of these matters, we aim to help employers comply with the myriad laws and regulations governing the employment relationship and avoid costly litigation.

Our labor and employment attorneys handle employment discrimination claims and advise employers in virtually all phases of such matters, including preventive programs to eliminate or minimize risks to employers; investigations of workplace allegations or misconduct; representing employers in litigation and charge proceedings before governmental agencies; and litigating in federal and state courts.

Medical Staff Issues

We regularly help our hospital clients with medical staff issues, including but not limited to:

- Drafting medical staff bylaws, policies, and procedures
- Contracting with physicians and other providers
- Advising the Governing Board and Medical Executive Committee on medical staff issues
- Advising or assisting in credentialing, peer review, and “fair hearing” procedures
- Representing providers before state licensing entities or third-party payer committees

Employee Benefits

Our employee benefits attorneys bring a valuable perspective to the table as clients tackle all aspects of executive and employee compensation plans. We regularly represent hospitals in contracts and other collaborative arrangements with providers and facilities, including, but not limited to:

- Drafting and reviewing provider employment and professional services agreements.
- Structuring joint ventures to comply with relevant regulations while meeting business goals, including management services arrangements, joint services agreements, networks, jointly owned ancillary service providers, etc.
- The acquisition and sale of physician practices or other provider entities.

We counsel on provider compensation structures, including productivity-based, value-based, quality incentives, paying for call coverage, medical directorships, recruitment agreements, and student loan payments. We also advise on key terms to include in provider contracts, including performance standards, compensation, term and termination, and requiring referrals.

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Laws Pertaining to Fees/Taxes

Fees

HCHD's status as a public entity may exempt it from the payment of certain fees. HCHD's ability to charge fees to third parties will be determined by its relationship with payors and patients. For patients with private insurance, the terms of the patient's insurance will determine the fees that can be charged and collected. Fees paid to beneficiaries of government programs, such as Medicare, Medicaid, and Tricare, will be determined by those programs. For uninsured or self-insured patients, Nevada's balance-billing law, and the more recent Federal No Surprises Act, will determine any fees and other amounts HCHD can charge. The case law interpreting the No Surprises Act continues to develop and likely will grow in the coming months and years.

Tax

As a public entity, HCHD is likely free of most taxes; however, tax issues may arise through employment, contractor, or affiliated foundations or other organizations. Regardless, H&H has a robust tax department with substantial experience in advising hospitals and 501(c)(3) foundations regarding all aspects of tax-related matters.

Other Relevant Areas Pertaining to Nevada Ethical Standards and Open Meeting Law

H&H has extensive experience representing various governmental entities in Nevada. As a result, we have in-depth knowledge of the laws affecting open meetings, procurement, elections, finance, boards, commissions, employment, taxation, legislation, risk management, and records retention. Likewise, we have a keen understanding of and strictly adhere to Nevada's ethical standards. Matt Morris is the best contact for such issues.