BOARD GOVERNANCE AUDIT AND COMPLIANCE COMMITTEE MEETING

Monday, October 13, 2014
4:00 p.m.
5:30 p.m. (Buffet for Committee members & invited guests)

CALL TO ORDER .................................................................................................................... 4:00

- Public Comments ............................................................................................................... 4:05
  5 minutes allowed per speaker with a cumulative total of 15 minutes per group.
  For further details & policy, see Request for Public Comment notices available in meeting room.

- Information Item(s) .......................................................................................................... 4:07

2. Review: Legislative Update (ADD B-Pp10-13) ........................................................... 4:25
   a) Internal Audit Activity Report.....................................................................................
   b) Review of Financial Statements and External Auditor’s Report. .........................
   c) Review Internal Audit Review of Travel Expenses................................................

4. Pending Items (ADD D-Pp20-28) .................................................................................. 5:15
   a) Board Member Personal Attendance at Meetings and Board Meetings Held in
      Closed Session Policy.................................................................................................
   b) Access to Palomar Health District Property Policy...................................................

ADJOURNMENT ..................................................................................................................... 5:15

Board Governance Audit and Compliance Committee Members

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Contact</th>
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<tbody>
<tr>
<td>Bruce Kridler, Chair</td>
<td>Robert Hemker, Chief Executive Officer</td>
<td>Richard Engel, M.D.</td>
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<tr>
<td>Linda Greer, R.N., Director</td>
<td>Janine Sarti, Chief Legal Officer</td>
<td>Lachlan Macleay, M.D.</td>
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<td>Steve Yerxa, Director</td>
<td>Mark Neu, Corporate Compliance Officer</td>
<td>Paul Neustein, M.D.</td>
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<tr>
<td>Jeff Griffith, 1st Alternate</td>
<td>Tom Boyle, District Audit Officer</td>
<td>Elly Garner</td>
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</tbody>
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NOTE: If you have a disability, please notify us by calling 858-675-5465 72 hours prior to the event so that we may provide reasonable accommodations

Date/Time/Location of Next Meeting: Thursday November 6, 2014 – Grand Building 1st Floor Conference Room

* Asterisks indicate anticipated action. Action is not limited to those designated items.
Minutes
Governance Audit and Compliance Committee – Thursday
September 4, 2014

TO: Board Governance, Audit and Compliance Committee

MEETING DATE: Thursday, October 9, 2014

FROM: Krystle Morrow, Secretary

Background: The minutes of the Governance Audit and Compliance meeting held on Thursday, September 4, 2014 are respectfully submitted for approval.

Budget Impact: N/A

Staff Recommendation: Staff recommends the approval to the Thursday, September 4, 2014 Governance Audit and Compliance minutes.

Committee Questions:

COMMITTEE RECOMMENDATION:

Motion:

Individual Action:

Information:

Required Time:
Legislative Update

TO: Board Governance, Audit and Compliance Committee

MEETING DATE: Thursday, October 9, 2014

FROM: Elly Garner

Background: Presentation of Legislative update.

Budget Impact: N/A

Staff Recommendation:

Committee Questions:

COMMITTEE RECOMMENDATION:

Motion:

Individual Action:

Information: X

Required Time:
Internal Audit Activity Summary

TO: Board Governance, Audit and Compliance Committee
MEETING DATE: Thursday, October 9, 2014
FROM: Tom Boyle
Background: Presentation of Internal Audit activity report.

Budget Impact: N/A

Staff Recommendation:

Committee Questions:

COMMITTEE RECOMMENDATION:

Motion:

Individual Action:

Information: X

Required Time:
TO: Board Governance, Audit and Compliance Committee

MEETING DATE: Thursday, October 9, 2014

FROM: Janine Sarti

Background: Governance has submitted a new policy to the Board Governance Audit and Compliance Committee for review and approval. The Board Member Personal Attendance at Meetings and Board Meetings Held in Closed Session Policy addresses when Board members can attend meetings by conference call or video conferencing and when closed session board meetings are permitted under the Ralph M. Brown Act.

Budget Impact: N/A

Staff Recommendation: Once reviewed and approved staff recommends forwarding the Policy to the Board of Directors Committee for approval.

Committee Questions:

COMMITTEE RECOMMENDATION:

Motion:

Individual Action:

Information:

Required Time:
Access to Palomar Health District Property

TO: Board Governance, Audit and Compliance Committee

MEETING DATE: Thursday, October 9, 2014

FROM: Janine Sarti

Background: Governance has submitted a new policy to the Board Governance Audit and Compliance Committee for review and approval. The Access to Palomar Health District Property Policy addresses access to Palomar Health property specifically when an individual or group entering Palomar Health property is involved in expressive activity.

Budget Impact: N/A

Staff Recommendation: Once reviewed and approved staff recommends forwarding the Policy to the Board of Directors Committee for approval.

Committee Questions:

COMMITTEE RECOMMENDATION:

Motion:

Individual Action:

Information:

Required Time:
ADDENDUM A
## Board Governance Audit and Compliance Committee Meeting
### Attendance Roster & Meeting Minutes
#### Calendar Year 2014

### MEETING DATES:

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<td>Tom Boyle – District Audit Officer</td>
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<td>Lachlan MacLeay, M.D.</td>
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<td>Elly Garner – Government Relations</td>
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<td>Nicolette Borseth – Board Committee Assistant</td>
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*See Text of Minutes For Names of Guest Presenters*
**BOARD GOVERNANCE AUDIT AND COMPLIANCE COMMITTEE – MEETING MINUTES – THURSDAY, SEPTEMBER 4, 2014**

### CALL TO ORDER
- The meeting – held in the Grand 1st Floor Conference Room, 456 E. Grand Avenue Escondido, CA 92025 – was called to order at 6:00 p.m. by Bruce Krider

### ESTABLISHMENT OF QUORUM
- See roster

### PUBLIC COMMENTS
- 

### INFORMATION ITEMS
- There were no information items.

1. **MINUTES – THURSDAY, AUGUST 7, 2014**
   - **MOTION:** By Director Greer, seconded by Director Krider and carried to recommend approval of the Minutes from the Thursday, August 7, 2014, meeting. All in favor, none opposed.
   - No discussion.

2. **LEGISLATIVE UPDATE**
   - **MOTION:** No Motion Taken.
   - Elly Garner presented California State Legislative Bills that potentially will affect Palomar Health in 2014. Ms. Garner discussed the following bills and will keep the Board Governance Audit and Compliance Committee posted on any updates.
     - AB 1522 (Gonzalez) – passed legislature
     - AB 2616 (Skinner) – passed legislature
     - SB 556 (Padilla) – passed legislature
     - SB 1299 (Padilla) – passed legislature
   - Additionally, Ms. Garner discussed the upcoming November Elections.
     - November Elections – Local:
       - Escondido: 3 of 5 City Council Seats (including mayor)
       - San Marcos: No challengers to the incumbents, re-appointed the mayor & two city councilmembers – cancelling the city elections
       - Poway: 3 of 5 City Council Seats (including mayor)
     - November Elections – State
       - Assembly: All members (2-year terms)
         - District 70, 75, 77, & 78
       - State Senate: 2of 3 seats
         - District 36 & 38
     - November Elections – Congressional
       - Congress: All members (2-year seats)
         - District 49, 50, & 52

3. **INTERNAL AUDIT ACTIVITIES SUMMARY**
   - **MOTION:** No Motion Taken.
   - a) **INTERNAL AUDIT ACTIVITY REPORT**
     - District Audit Officer Tom Boyle discussed audit activities including on-going Internal Audit projects for 2014, continuous monitoring audits, and additional internal audit projects for 2014. Mr. Boyle provided a detailed breakdown of remaining projects, active projects including active projects pending action, and completed/closed projects for 2014.
     - Specifically, Mr. Boyle provided highlights of the following audits: third party liens, 340B Program, Expense Reimbursements, ED Patient Through-put data report, and Villa Pomerado.

4. **COMPLIANCE AND ETHICS SUMMARY**
   - **MOTION:** No Motion Taken
   - a) **COMPLIANCE AND ETHICS SUMMARY FOR SEPTEMBER 2014**
     - Corporate Compliance Officer Mark Neu gave his Compliance and Ethics Committee update for September 2014. The report included:
       - External Privacy and Security Audit Follow Up
       - Release of PHI to Law Enforcement
       - Probe and Educate Update, Round 2
       - HiPAA Compliance Update
### BOARD MEMBER PERSONAL ATTENDANCE AT MEETING

**MOTION:** No Motion Taken

- At the Committee’s request a draft policy was presented that outlines when Board members can attend meetings by conference call or video conferencing.
- Bruce Krider explained that the need for this policy resulted from a current Board member routinely attending meetings by conference call. Mr. Krider explained that in the 11 years he has been a member of Palomar Health board of directors, he cannot remember any board members attending a meeting by conference call. In the past, for any meeting Mr. Krider was unable to attend, he would review the meeting’s agenda and communicate any of his thoughts or opinions to the Board Chair. Mr. Krider prefers a robust meeting wherein Board Members can discuss issues face to face and problem solve.
- Janine Sarti, Chief Legal Officer of Palomar Health, reached out to outside counsel regarding this issue/policy. Outside counsel provided the following information regarding the proposed policy.
  - Pursuant to the Brown Act, teleconferencing may be used, but, it is at the discretion of the board of directors as to whether it is allowed. If teleconferencing is allowed, there are stringent parameters required under the Brown Act including posting agendas at all teleconference locations, each teleconference location shall be identified in the notice and agenda of the meeting, each teleconference location shall be accessible to the public, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory of the local agency, and the agenda shall provide for public comment at each teleconference location.
  - Although the statute is clear and the decision to allow teleconferencing is at the discretion of the board of directors, there are additional policy considerations including: respect for every Board Member elected by the voters, effective functioning of Board meetings and the burden of accommodating one who cannot see what others see, civil cooperation among the District's elected officials, or avoiding public criticism.
- Additionally, Mrs. Sarti reached out to a list serve she is a member of that contains General Counsel of non-profit organizations. Mrs. Sarti received ten responses and all informed her that their organization allowed attendance at meeting by conference call, but it is never used. Moreover, Mrs. Sarti researched this issue and in regards to district entities, she reviewed several policies. Some District’s allow attendance at a meeting by conference call but not in a board members first year of service. After the board member’s first year, there was a cap on the number of meetings that a board member was allowed to attend by conference call.
- Steve Yerxa, board member, stated that in the past this has not been an issue because Palomar Health board subcommittees have alternates that attend in case a board member is unable to attend.
- Mr. Sarti indicated that Robert Hemker, Chief Executive Officer, identified various other health districts of similar size that she will be reaching out to regarding their policy. This information will be discussed at the October 2, 2014 Governance Audit and Compliance meeting.

### BUSINESS ASSOCIATE AGREEMENT POLICY

**MOTION:** By Director Greer, seconded by Director Yerxa and carried to recommend approval. All in favor, none opposed.

- Governance presented a new policy that incorporates the requirements under the HIPAA Omnibus Rule and outlines how Business Associates Agreements are executed and managed by Palomar Health. Recommended for approval as written.

### ADJOURNMENT

The meeting was adjourned at 7:24 p.m.

**SIGNATURES:**

**COMMITTEE CHAIR**

Bruce Krider

**COMMITTEE SECRETARY**

Nicolette V. Borseth
ADDENDUM B
Legislative Report

Oct. 9, 2014

Elly Garner
California State Legislature

• Last day for Governor to sign or veto bills
  – Sept. 30
• Bills of Note:
  – AB 1522 (Gonzalez) – Signed
    • 3 sick days for all employees
  – AB 2616 (Skinner) – Vetoed
    • MRSA presumption
  – SB 556 (Padilla) – Signed
    • Health & Safety labor identification
  – SB 1299 (Padilla) – Signed
    • Workplace violence prevention plans
Congressional Action

• 15 days left in session (Nov. 12-20, Dec. 2-12)
• HR 4994 – IMPACT Act of 2014
• Left on the Table:
  – HR 1920 – DSH Reduction Relief Act
  – HR 1250 – Medicare Audit Improvement Act
  – HR 4188 – Beneficiary Equity in Readmissions
  – HR 4190 – Pharmacists as Medicare Providers
ADDENDUM C
Internal Audit Activity Report

Palomar Health District
Governance, Audit and Compliance Committee
October 10, 2014
<table>
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<tr>
<th>2014 Audit Projects</th>
<th>Percent Complete</th>
<th>Status</th>
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<tr>
<td></td>
<td>25%</td>
<td>50%</td>
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<tr>
<td>Third Party Liens *FO</td>
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<td>Grants and Awards *CO</td>
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<td>340 B Pharmacy Federal Drug Program *CF</td>
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<td>Dialysis *FO</td>
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<td>Infection Control *FO</td>
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<td>ARCH Health Partners *OA</td>
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<td>Leadership Education</td>
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<td>Implement ACL GRC cloud-based technology</td>
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<td>Cerner Roadmap validation *F</td>
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<td>Outpatient Pharmacy Inventory Validation *A</td>
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<td>Palomar Foundation Audit Firm Selection *A</td>
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*F=Financial, O=Operational, C=Compliance, A=Added to Audit Plan
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<th>ACL Continuous Monitoring Tests</th>
<th>Percent Complete</th>
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<td>25% 50% 75% 100%</td>
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<tr>
<td>12 Compliance Dashboard</td>
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<td>In Process</td>
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<td>13 Expense Reimbursement</td>
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<td>Waiting determination if further action is needed.</td>
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<td>14 Payroll – time &amp; attendance CCM</td>
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<td>Waiting for appropriate signatures to authorize API to allow us access and release them from liability.</td>
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<tr>
<td>15 General Ledger CCM</td>
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<td>In Development</td>
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<td>16 Physician Order Activity CCM</td>
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<td>Continuous Monitoring</td>
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<td>17 Accounts Payable CCM</td>
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<td>18 Excluded Provider Tests CCM</td>
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<td>19 Unclaimed Refunds CCM</td>
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<td>20 Employee Vs. Vendor CCM</td>
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<td>21 Expense Reduction – including NOC</td>
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<td>21b Dr. Kolins Review of expense Reduction with lab test: B-Type Natriuretic Peptide</td>
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<td>22 Environmental Services – Food and Nutrition</td>
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<td>23 Support Implementation of EDW</td>
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<td>24 Medical Staff Physician Credentialing (Annual)</td>
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<td>25 Added: ED Patient Through-put data report</td>
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<td>26 ED Level Charges</td>
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<td>27 Charge Capture</td>
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<td>28 Annual Audit Risk Assessment</td>
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<tr>
<td>29 Review of non-centralized billing processes</td>
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<td>30 Villa Pom</td>
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<tr>
<td>31 Independent Quality Review</td>
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# 2014 Internal Audit Projects

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<thead>
<tr>
<th>Remaining Projects</th>
<th>Active Projects</th>
<th>Completed / Closed Projects</th>
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<tr>
<td>22 Environmental Services &amp; FANS</td>
<td>3 340 B Pharmacy Federal Drug Program</td>
<td>1 Third Party Liens</td>
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<td>26 ED Level Charges</td>
<td>8 Implement ACL GRC</td>
<td>4 Dialysis</td>
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<td>27 Charge Capture</td>
<td>12 Compliance Dashboard</td>
<td>5 Infection Control</td>
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<td>28 Annual Audit Risk Assessment</td>
<td>13 Expense Reimbursement</td>
<td>10 Outpatient Pharmacy Inventory</td>
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<td>31 Independent Quality Review</td>
<td>25 ED Patient Through-put data report</td>
<td>21 Dr Kolins Lab Test expense reduction</td>
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<td>32 Coding review</td>
<td>30 Villa Pom – Business procedures</td>
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### Active Projects

#### Continuous Control Monitoring

| 15 General Ledger CCM |
| 16 Physician Order Profiles CCM |
| 17 Accounts Payable CCM |
| 18 Excluded Providers test CCM |
| 19 Unclaimed Refunds CCM |
| 20 Employee Vs. Vendor CCM |

#### Active – Pending Projects

| 6 ARCH Health Partners |
| 7 Leadership Education |
| 23 Support EDW |
| 29 Non-centralized billing |
ADDENDUM D
Board Member Personal Attendance at Meetings
And
Board Meetings Held in Closed Session

I. Purpose:
To provide guidance to the Board of Directors as to when to allow a board member to attend a board or committee meeting from a remote location. To provide guidance to the Board of Directors as to when closed meetings may be held pursuant to the Brown Act.

II. Definitions:
For the purposes of this policy, the following definitions will apply:

Open Meeting Requirement: The Brown Act imposes an open meeting requirement on local legislative bodies meaning that all of the deliberative processes, including discussion, debate and the acquisition of information, be open and available for public scrutiny.

Exceptions to Open Meeting Requirement: Governing boards are allowed to meet in closed sessions for specific, statutorily exempt subject areas that primarily involve personnel issues, pending litigation, labor negotiations, and real property acquisitions. There is a presumption in favor of access, with exceptions for confidentiality being narrowly construed.

III. Text/Standards of Practice:
A. Board Member Personal Attendance at Meetings.
   a. Palomar Health believes it is in the best interest of the organization for its board members to attend all regularly scheduled board meetings in person. The board believes that all board members benefit from a full, robust discussion of the issues. This discussion can be best accomplished by in-person meetings.
   b. The board discourages board member attendance at meetings where the board member does not attend in person, such as by conference call or video conferencing.
   c. Board members are not allowed to attend board committee meetings by teleconference.
   d. The board believes that accommodating an occasional request from a board member who is a busy professional would be appropriate. The following are the rules regarding board attendance by conference call at regularly scheduled board meetings:
      i. A board member may not attend more than two meetings per year by teleconference.
      ii. The board member must have served at least one year in office in order to attend a meeting by teleconference. This helps facilitate a board member’s orientation and development of relationships among board colleagues.
iii. Teleconference participation is limited to occasional emergencies, such as medical needs, travel plans, and the like.

iv. Teleconferencing participation will be allowed only in compliance with the Brown Act (agenda posting, public participation at remote locations, etc.). Teleconference participation will be allowed without Brown Act compliance and without counting the remote board member for a quorum or allowing him or her to vote.

v. Teleconference participation is limited to one board member per meeting.

vi. The board chair is not allowed to attend a regularly scheduled meeting by teleconference.

B. Board Meetings Held in Closed Session.

   a. A closed meeting may only be held if one of the following exceptions to the Brown Act “open meeting” requirement are fulfilled:

      i. The purpose of the meeting is to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session (Cal. Gov. Code § 54957(b)).

      ii. The purpose of the meeting is to discuss litigation that has been initiated formally to which the District is a party formally (Cal. Gov. Code § 54956.9(d)(1)), that the Board expects to be sued based on the existing facts and circumstances (Cal. Gov. Code § 54956.9(d)(2)), or that the Board wants to discuss potential litigation to be initiated by the District (Cal. Gov. Code § 54956.9(d)(4)).

      iii. The purpose of the meeting is to discuss, with the Board's designated representatives, the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation (Cal. Gov. Code § 54957.6).

      iv. The purpose of the meeting is to discuss the purchase, sale, exchange, or lease of real property with the Board’s negotiator, or to grant authority to the negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease (Cal. Gov. Code § 54956.8).

      v. The purpose of the meeting is to discuss and determine whether an applicant for a license or license renewal, who has a criminal record, is sufficiently rehabilitated to obtain the license (Cal. Gov. Code § 54956.7).

      vi. The purpose of the meeting is to discuss, with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or a
threat to the public's right of access to public services or public facilities (Cal. Gov. Code § 54957).

vii. The purpose of the meeting is to discuss insurance pooling (Cal. Gov. Code § 54956.95 (a)).

viii. The purpose of the meeting is to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the North San Diego County Health Facilities Financing Authority or a local agency member of the North San Diego County Health Facilities Financing Authority (Cal. Gov. Code § 54956.95 (b)).

ix. The purpose of the meeting is to discuss a response to a confidential final draft audit report from the Bureau of State Audits (Cal. Gov. Code § 54956.75 (a)).

x. The purpose of the meeting is to discuss an employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan (Cal. Gov. Code § 54957.10).

xi. The purpose of the meeting is the discussion or deliberation of reports involving health care facility trade secrets (Cal. Health & Safety Code § 32106(b)).

1. For the purposes of this exception, "health care facility trade secret" means information, including a formula, pattern, compilation, program, device, method, technique, or process, that:
   (1) derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and (2) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy (Cal. Civ. Code § 3426.1 (d)). Additionally, the trade secret must be necessary to initiate a new hospital service or program or add a hospital facility, and would, if prematurely disclosed, create a substantial probability of depriving the hospital of a substantial economic benefit (Cal. Health & Safety Code § 32106(c)).

xii. The purpose of the meeting is to hold hearings on the reports of hospital medical audit or quality assurance committees provided that an applicant or medical staff member whose staff privileges are the direct subject of a hearing may request a public hearing (Cal. Health & Safety Code § 1461).

1. Deliberations of the board of directors in connection with matters pertaining to the hearings may be held in closed session (Cal. Health & Safety Code § 1461).

xiii. An emergency meeting has been called pursuant to Cal. Gov. Code § 54956.5, and the Board agrees to meet in closed session by a two-thirds vote of the members present, or, if less than two-thirds of the members are
present, by a unanimous vote of the members present (Cal. Gov. Code § 54956.5(c)).

b. Additionally, neither the proceedings nor the records of organized committees of medical, medical-dental, podiatric, registered dietitian, psychological, marriage and family therapist, licensed clinical social worker, professional clinical counselor, or of a peer review body having the responsibility of evaluation and improvement of the quality of care rendered in the hospital, shall be subject to discovery (Cal. Evid. Code § 1157(a)).
   i. No person in attendance at a meeting of any of those committees shall be required to testify as to what transpired at that meeting (Cal. Evid. Code § 1157(b)).
Access to Palomar Health District Property

I. PURPOSE:

The mission of Palomar Health is to heal, comfort, and promote health of persons in our community. The health and well-being of patients is paramount. Patients and their relatives who are at the facilities are under emotional strain and worry, where pleasing and comforting patients are principal facets of the day's activity, and where the patient and family need a restful, uncluttered, relaxing and helpful atmosphere.

II. DEFINITIONS:

For purposes of this policy, the following definitions will apply:

“District Property” includes facilities, buildings, patient rooms, indoor or outdoor lounge areas, corporate offices, and waiting rooms and buildings or areas owned or operated by Palomar Health.

“Expressive activity” includes assembling individually or in a group to give publicity to any issue or a demonstration of public opinion.

“Free Speech Zone” is the Palomar Health designated location on the attached maps. To ensure patient healing, Palomar Health may adjust the location of any of its zones. Any person interested in expressive activities must ask Palomar Health’s Security Manager for a map of the zones.

“Quiet Zone” is the Palomar Health designated location on the attached map. These are areas in which no expressive activity is permitted. To ensure patient healing, Palomar Health may adjust the location of any of its zones. Any person interested in expressive activities must ask Palomar Health’s Security Manager for a map of the zones.

III. TEXT / STANDARDS OF PRACTICE:

A. The following provisions shall apply to any and all District Property:

   i. Persons engaged in expressive activity are prohibited from engaging in expressive activity within entering any District Property buildings unless area is marked as a designated Free Speech Zone.

   ii. Persons engaged in expressive activity are prohibited from congregating, picketing, patrolling, demonstrating, or entering any portion of the public right of way or District Property within 100 feet of the property line, except as it relates to the Free Speech Zone.

   iii. Only one person engaged in expressive activity per facility entrance will be allowed to distribute literature outside the Free Speech Zone.

SSMRH:42491396 5MRH:42491396 -1-
iv. iii. Noise control is particularly important at medical facilities during surgery and recovery periods.

iv. iv. Chanting, whistling, and shouting within earshot of patients who are on District Property is prohibited.

vi. v. Use of bullhorns, auto horns, or any sound amplification equipment or other sound within earshot of patients who are on District Property is prohibited.

vi. Persons engaged in expressive activity shall not block ingress to, or egress from, any District Property under any circumstances. Such persons also may not interfere with access to driveways – including circular driveways – parking lots, sidewalks, or any other pathways or roadways used by patients, employees, or any other visitors to any District Property, regardless if the area is a designated Free Speech Zone.

vii. Persons engaged in expressive activity must remain at least 25 feet from all locations of entry into District Property. However, two persons, per District Property entrance, will be permitted to distribute literature within 25 feet of the entrance, so long as those persons do not violate any other provision of this policy, except as it relates to the Free Speech Zone.

vii. viii. This includes but is not limited to entrances to buildings, driveways, parking lots, and areas owned or operated by Palomar Health. Only one person engaged in expressive activity per facility entrance will be allowed to distribute literature outside the Free Speech Zone.

viii. ix. Persons engaged in expressive activity must organize and assemble in a manner that does not disturb the peace or create noise that may interfere with the treatment, well-being, or recovery of patients and visitors. Primary purpose and business activity of any District Property.

ix. x. For all patient care facilities, expressive activity is limited to general business hours, designated as 8 a.m. to 5 p.m. This will ensure continued patient healing and minimize the interference of noise with patient treatment.

x. xi. Persons engaged in expressive activity are prohibited from covering, concealing, masking, shielding, or impeding the view of all District Property signs or displays. This includes but is not limited to Palomar Health logos, parking lots directories, banners, signs, building titles, or any other displays that provide public recognition of any District Property.
xi.-xii. All expressive activity must be conducted in a manner that does not impede or intimidate potential patients, continuing patients, family members, visitors, employees, and staff when they are entering or exiting any District Property.

xii. Persons engaged in expressive activity are prohibited from impeding the walking or driving path of any individual entering or exiting any District Property.

xiii. All expressive activity must be conducted in a peaceful, congenial, non-intimidating manner within the Free Speech Zone. This will ensure that potential patients, continuing patients, family members, visitors, employees, and staff will be able to access any District property without fear of retaliation or violence.

xiv.-xiii. All expressive activity must occur in designated Free Speech Zones and outside of any Quiet Zones in accordance with the attached maps.

B. Violators that engage in unlawful conduct including violation of the above enumerated provisions, breach of peace, obstruction of access to District Property, or disorderly conduct may be subject to legal action.

C. How to report a violation at Palomar Health

1. If a violation occurs on any District Property, notify local law enforcement immediately to receive their assistance in further inhibiting the unlawful action.

2. Also report the violation to the Security Manager or person in charge immediately with immediate follow up to the Chief Administrative Officers.

IV. ADDENDUM:

Type your addenda here.

V. PUBLICATION HISTORY:

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(04/22/2013) Janine Sarti, Chief Legal Officer  
(04/22/2013) Ted Kleiter, Chairman, Board of Directors

VII. REFERENCES:

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