NASSAU HEALTH CARE CORPORATION	V
BOARD OF DIRECTORS/EXECUTIVE COMMITTEE MEETING	X
Nassau University Medical	
Center	
2201 Hempstead Turnpike East Meadow, New York	
September 26, 2016	
7:52 a.m.	

REPORTED BY:

Angela Arena

1 2 APPEARANCES: 3 4 BOARD OF DIRECTORS/EXECUTIVE COMMITTEE MEMBERS PRESENT: 5 Michael Mirotznik, Esq. -6 Chairman of the Board Warren Zysman, LCSW - Board 7 Member Linda Reed, Board Member 8 Giuseppe Caruso, MD - Board Member 9 Krishan Kumar, MD - Board Member Steven Cohn, Esq. - Board Member 10 Michael M. DeLuca, MPA - Board Member 11 ALSO PRESENT: 12 Victor Politi, MD -President/CEO Beatriz Fuschetto - Executive 13 Assistant to the Board of 14 Directors John Ciampoli, Esq. - Counsel to 15 the Board of Directors John Ciotti, Esq. - General 16 Counsel Megan Ryan, Esq. - EVP/Chief 17 Financial Officer Craig V. Rizzo, Esq. -EVP/Special Assistant to NUMC 18 Shelley Lotenberg - Director of 19 Public Affairs Robert Heatley - EVP Business 20 Development and Ambulatory Services 2.1 Harold E. McDonald - Deputy Executive Director and Chief 2.2 Administrative Officer Robert Tepper, Esq. - Office of 23 Legal Affairs Barbara Van Riper, Esq. - Office 24 of Legal Affairs Gerald Wright, Esq. - Office of 25 Legal Affairs

Legal Affairs
Elizabeth Faughnan, Esq Office
of Legal Affairs
Paul Mustacchia, MD - Chairman of
Medicine
John Maher - EVP/CFO
Michael Ferrandino - VP Security
and Investigative Services
Kathy Skarka, RN, MSN, CNA - EVP
Patient Care Services
Karen McGlynn, RN - Deputy Chief
Nursing Officer
Kevin Mannle - VP of Facilities
Anthony Boutin, MD - Chairman of
Emergency Department
Maureen Roarty - EVP of Human
Resources
Jeffrey Thrope, Esq Outside
Counsel
Anne Salvo - Administrator for
Surgery, Anesthesia, and
Ophthalmology Departments
Teresa Silversmith, MBA, RHIT,
CCS, C-CDI - Director of Health
Information Management
Ann Marie Studdert - Director of
Intergovernmental Affairs

September 26, 2016 1 2 MR. MIROTZNIK: Good morning, 3 ladies and gentlemen. Thank you for 4 all getting up so early. I'd like to 5 make a motion to open up Nassau 6 Healthcare Corporation Executive 7 Committee of September 2nd, 2016. I have a motion? Second, Mr. Cohn. 8 9 All in favor? Unanimous. 10 At this time I have no report so 11 we will have some report next month or 12 so. Dr. Politi, any report? 13 DR. POLITI: Just briefly, 14 Mr. Chairman. As we know, today is the 15 debate going on at Hofstra University 16 and we have been the designated 17 hospital to receive any dignitaries. 18 I know Mike Ferrandino and his 19 whole team has been working all week, 20 having meetings, and we have another meeting after this, matter of fact. 21 22 are the designated hospital if 2.3 something might happen. 2.4 MR. MIROTZNIK: I have been told 25 anyone who wants to go to the debate

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2
          tonight see John Maher. He has plenty
3
          of tickets. Anything else?
4
                 DR. POLITI: No, sir.
                                        That's my
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          report.
                 MR. MIROTZNIK: I understand one
6
7
          of our board members was not feeling
          well last week, so if anybody wants to
8
9
          reach out to Dr. Saracino, I'm sure he
10
          will be very respective of a phone
11
          call, et cetera.
12
                 In any event, I got a chance to
13
          see him on Thursday. He was very happy
14
          to see some friendly faces. Ms. Reed,
15
          MPAC?
16
                 MS. REED: Can I have approval of
          the minutes of 8/30/2016, please?
17
18
          in favor? Unanimous.
19
                 MR. MIROTZNIK: Tomorrow morning
20
          is your meeting at 7:30?
21
                 MS. REED: Yes.
22
                 MR. MIROTZNIK: Can you make it a
2.3
          little earlier?
2.4
                 MR. DELUCA: What meeting is
25
          7:30?
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September 26, 2016 1 2 MS. REED: MPAC. 3 MR. MIROTZNIK: Mr. Zysman, 4 DSRIP? 5 MR. ZYSMAN: There is no report at this time. 6 7 MR. MIROTZNIK: Finance Committee, Mr. Zysman? 8 9 MR. ZYSMAN: The only thing that 10 did recently come up was some confusion 11 in terms of nursing. There was some 12 e-mail I saw that went around related 13 to a nursing person, but I received it 14 from the department, not from Vic, 15 Maureen or John Maher, as indicated at 16 the last finance meeting. 17 So if you guys can come up -- I'm 18 not looking for discussion. Just the 19 three of you can get together, give 20 some clear direction and focus to the 21 different departments, because while we 22 have had discussions about this in the 2.3 past finance meeting, there still seems 2.4 to be confusion. 25 I'd like you guys to be the

September 26, 2016 1 people to come together and work out 2 3 the confusion and resolve the 4 confusion, rather than it being 5 somebody that's coming to me. 6 So if you guys can, do that as a 7 group. Dr. Politi, if you can head that up, I'd greatly appreciate it 8 9 because there are folks that you need. 10 Certainly we are in the position to vote on them. 11 12 One hundred percent of the time 13 that you put people forward you have 14 gotten unanimous support from the 15 committee and from this Board. I ask 16 that whatever air of confusion there 17 is, it seems like everyone was on the 18 same page last Finance Committee, but 19 there is still confusion out there and 20 there should be ways to resolve it. I'm happy to give some time, even 21 22 after the meeting today, to talk with 2.3 the three of us and hopefully resolve 2.4 whatever pending issues there are.

I just know we have other things

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September 26, 2016 1 to handle at today's meeting and we 2 3 can't continue to have things that you 4 guys could resolve at an administrative 5 level come to the Board and slow down other business that needs to be done. 6 7 So if you guys can get together and resolve whatever issues and 8 9 confusion there are with the 10 departments, I'd appreciate it. 11 Again, I want to emphasize for 12 the record there was a discussion at 13 the last Finance Committee meeting and 14 it appears there is still significant 15 confusion. 16 Other than that, I don't have a 17 report. We can move forward. 18 DR. POLITI: I welcome that, 19 Mr. Zysman, if we can meet right after 20 this meeting with Ms. Roarty to clarify 21 exactly what we can do. We would 22 appreciate that. Thank you. 2.3 Briefly, but we can MR. ZYSMAN: 2.4 meet. 25 MR. MIROTZNIK: Thank you,

September 26, 2016 1 Mr. Zysman. Ms. Reed, Facility and 2 3 Real Estate Development Committee? 4 MS. REED: No report at this 5 time. 6 MR. MIROTZNIK: Again Ms. Reed, 7 Compensation Committee? MS. REED: No report at this 8 9 time. 10 MR. MIROTZNIK: Mr. Zysman, I 11 turn to you for contracts. We have a 12 few add-ons. 13 MR. ZYSMAN: There are a few 14 contracts we weren't able to get to at 15 the last contracts meeting. I believe 16 there were 30 DSRIP contracts that 17 Harold brought forward with other staff 18 that needed to be voted on, and some of 19 these were not able to be attended to. 20 I asked that only contracts that 21 could not wait until the contracts 22 meeting, which I think is in a few 2.3 weeks, be brought today, that were 2.4 urgent need. 25 I believe we have four before us

1 September 26, 2016 2 today. The first one is Harold 3 McDonald, Long Island Plastic Surgery 4 Group. 5 MR. MCDONALD: These are the 6 clinical contracts we are looking to 7 approve now? MR. ZYSMAN: Do you need this 8 9 approved today? Because if you don't 10 we will table it until the middle of 11 October. 12 MS. STUDDERT: Mr. Chairman, I 13 believe that was an error that was 14 brought to my attention that Long 15 Island Plastic Surgery Group and 16 Beckman Coulter, there was an error at 17 the last meeting, which I think legal 18 is going to represent today. 19 But I don't think Long Island 20 Plastic Surgery Group is going to be on 21 today. Legal is aware of it, right? 22 MR. TEPPER: When we were looking 2.3 through the resolutions there was 2.4 clearly an error on the Long Island 25 Plastic Surgery resolution.

September 26, 2016 1 We called it to everybody's 2 3 attention and said that nothing can be 4 done, so we are not going to present a 5 correction. It needs to be 6 re-presented by the owner. It looks 7 like two things were done. We don't know if it was an error 8 9 in the way it was taken down or an 10 error in the way it was presented, but 11 clearly there was an error there. 12 MR. ZYSMAN: Harold, are you 13 prepared to present this today? 14 MR. RIZZO: I thought it was just 15 a minutes issue. 16 MR. ZYSMAN: Can I get a motion 17 to table Long Island Plastic Surgery 18 Group, number one? 19 MR. COHN: Before you table it, 20 may I make a comment? Who is the 21 person that is framed in the contract? 22 Who is framing the Long Island Plastic 2.3 Surgical contract? 2.4 MR. TEPPER: I'm not sure. I 25 don't know. We looked at the

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2
          resolution. The resolution was
3
           clearly --
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                 MR. MIROTZNIK: Rob, Beth, can
          you caucus for five minutes?
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                 MR. DELUCA: Where did that
6
7
          contract -- who was the person who
          brought that contract to legal?
8
9
                 DR. POLITI: Harold McDonald owns
10
          the contract.
11
                 MR. MCDONALD: I presented the
12
          contract.
13
                 MR. COHN: I want to make a note
14
          and I'm sure you thought of this,
15
          Harold, so I don't mean to be
16
          redundant, but make a note that it is
17
          noted in the contract that this
18
          contract is for plastic surgeons to
19
          come to our emergency room, I'm
20
          assuming?
21
                 MR. MCDONALD:
                                To provide, in
22
          addition to the emergency department,
2.3
          plastic surgery coverage at the
2.4
          hospital.
25
                 MR. TEPPER: That's not what this
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September 26, 2016 1 2 was. We will caucus. 3 MR. MIROTZNIK: Mr. Zysman, 4 please. 5 MR. ZYSMAN: No reason to get so 6 aggravated, Mr. Tepper. Streamline 7 Health, Teresa Silversmith? Teresa is always very well-prepared. 8 9 MS. SILVERSMITH: Originally we 10 came to you in January to ask for a 11 three-year extension on the maintenance 12 agreement, but the Board only gave us 13 18 months because the Board wants us to 14 put out an RFP, which we have done. 15 What we have found after research 16 is that it could take a year or more to 17 migrate the data because we have 6.3 18 terabytes of information. So the 19 18 months won't be enough to carry us 20 through. Does that make sense? 21 So in other words, you want us to 22 RFP. So we are doing that. If we 2.3 bring on a new vendor, then by the time 2.4 we get all our data moved over it will 25 take longer than 17 months because of

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     September 26, 2016
2
          the amount of data we have. It could
3
          take a year or more to migrate --
4
                 MR. ZYSMAN: When do you expect
5
          to complete the RFP?
                 MS. SILVERSMITH: It's out
6
7
          already. We are waiting for the
8
          responses.
9
                 MR. ZYSMAN: What is your
10
          timeframe on that?
                 MS. SILVERSMITH: For them to
11
12
          come back, they are due October 4th.
13
                 MR. ZYSMAN: So there is a
14
          possibility that this company will be
15
          selected?
16
                 MS. SILVERSMITH: It's possible,
17
                It's possible.
          yes.
18
                 MR. ZYSMAN: So I think it might
19
          be premature with the extension.
20
                 MS. SILVERSMITH: The thing is we
21
          only have 18 months.
22
                 MR. ZYSMAN: When does the
2.3
          18 months end?
2.4
                 MS. SILVERSMITH: It ends
25
          February of 2018. So because we only
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2
          have 18 months, they bill us for each
3
          year for maintenance and we only have a
4
          year and-a-half of money for
5
          maintenance.
6
                 MR. ZYSMAN: Why don't you see
7
          what happens with the RFP before you
          come for the extension? You have a lot
8
9
          of time.
10
                 MS. SILVERSMITH: Because it
11
          expired on 9/1/2016.
12
                 MR. ZYSMAN: I thought you said
13
          it goes until -- you're not looking for
14
          36 additional months? How many extra
15
          months are you looking for?
16
                 MS. SILVERSMITH: Another 18 from
17
          what you have already given us, which
18
          would get us to three years.
19
                 MR. ZYSMAN: What date does that
20
          bring you to?
21
                 MS. SILVERSMITH: That is
22
          September of 2019.
2.3
                 MR. ZYSMAN: So that's why you
2.4
          are not just putting in --
25
                 MR. MIROTZNIK: September of '18
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1
2
          or '19?
3
                 MS. SILVERSMITH: '19 because it
4
          would be three years. You gave us 18
5
          months already and if you gave us
          another 18 months on top of that it
6
7
          would three years.
                 MR. ZYSMAN: How much time do you
8
9
          need to complete the RFP?
10
                 MS. SILVERSMITH: That's done
11
          alreadv.
12
                 MR. ZYSMAN:
                              You got submissions,
13
          you're saying. So why don't we give
14
          you some time to get that complete and
15
          you can come back if you need an
16
          extension?
17
                 MS. SILVERSMITH: Because if we
18
          are going to only have the 18 months,
19
          it's not enough money because they have
20
          to do the contract, too.
21
                 MR. ZYSMAN: Off the record.
22
                 (Discussion held off the record.)
2.3
                 MR. ZYSMAN: Can a contract be
2.4
          terminated once an RFP is awarded, if
25
          necessary?
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September 26, 2016 1 2 MS. SILVERSMITH: No, because 3 they still have our information. So we 4 have to make sure that we can migrate 5 data. That's all our patient records. We have 20 million records. 6 7 MR. ZYSMAN: Mr. Ciotti? 8 MR. CIOTTI: Many of our 9 contracts have a 30-day out clause. 10 there a reason why we can't have one? MS. SILVERSMITH: We need our 11 12 information. They would have to give 13 us our information, so it would take a 14 while for that information to migrate 15 to wherever we're going to put it. 16 thing is --17 MR. ZYSMAN: But those are things 18 you might work out. Do you have any 19 objection to a 30-day out clause with 20 this contract? 21 MS. SILVERSMITH: As long as we 22 have our information viewable, because 2.3 remember, this is where our doctors 2.4 complete their records. 25 MR. ZYSMAN: That is not the

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2
          question I'm asking.
3
                 MS. SILVERSMITH: Ask it again
4
          then, please.
5
                 MR. ZYSMAN: Do you have any
          objection to having a 30-day out clause
6
7
           in the contract extension?
                 MS. SILVERSMITH: Not that I'm
8
9
          aware of.
10
                 MR. COHN: 30 days on both sides
11
          or 30 days just for us?
12
                 MR. ZYSMAN: That would be
13
          30 days just for us because that sounds
14
          like there is an issue. That is a very
15
           smart point, Mr. Cohn.
16
                 MR. COHN: So you would have no
17
          problem if it's just for us?
18
                 MS. SILVERSMITH: As long as we
19
          have our information, I'm okay with it,
20
          because these are our patient records.
21
          We can't treat patients without them.
22
                 MR. CIOTTI: How long do you
2.3
           suppose it would take to get the
2.4
          information?
25
                 MS. SILVERSMITH: To get all of
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September 26, 2016 1 2 our records they said it could be up-to 3 a year or more. 4 MR. CIOTTI: So much for an out 5 clause. 6 MR. COHN: Why would it take a 7 year? MS. SILVERSMITH: Because we have 8 9 6.3 terabytes of information, 20 10 million records, pictures --MR. COHN: I watch TV. That 11 12 should be done with someone putting a 13 stick in there and it's done in five 14 seconds. 15 MS. SILVERSMITH: I'm not an IT 16 expert, so I can't speak that 17 intelligently on it. 18 MR. ZYSMAN: Let's say at some point we use the out clause, we ended 19 20 the contract. Why do we have to pay 21 them to get our information? Why do 22 they have to still be a vendor? Don't 2.3 we own our information? 2.4 MS. SILVERSMITH: We do own it, 25 but they are housing it right now.

September 26, 2016 1 2 They would have to give it to us. 3 MR. ZYSMAN: They won't give it 4 to us? 5 MS. SILVERSMITH: They have to. 6 MR. MAHER: Mr. Chairman, what 7 happens is information that Teresa is referring to is out on their servers. 8 9 In order to bring it back in-house to 10 us to a different vendor, there are a 11 significant number of interfaces that 12 those images have to relate to in our 13 systems here. 14 That's what takes the time. don't want to just get the images here. 15 16 You won't be able to do anything with 17 them. You can have this 30-day out 18 clause. You have to be prepped for it. 19 MR. ZYSMAN: You have your 20 operational ways of how you want to 21 roll this out. I understand that. I'm 22 hearing that. All I'm trying to find 2.3 out is if there is any objection to 2.4 NUMC having a 30-day out clause in the 25 contract.

September 26, 2016 1 2 There is not an MR. MAHER: 3 objection to it. 4 MR. ZYSMAN: Is there any 5 requirement that we have to use them as a vendor in order to get our 6 7 information back? MR. MAHER: You would have to use 8 9 them as a vendor to get the information 10 back. You have to get it from them. MR. ZYSMAN: So if you ended a 11 12 contract in 30-days and it takes a year 13 to get the information, you have to pay 14 them for a year to get our information? 15 MR. MAHER: Probably not. You 16 would have to pay them to get the 17 information in-house and you would have 18 the problem or issue --19 MR. ZYSMAN: But that's an 20 operational issue. That's not the 21 question. 22 MR. COHN: If that's an issue, is 2.3 that an issue solely with that one 2.4 company or do we have the same problem 25 with other companies?

September 26, 2016 1 MR. MAHER: You have the same 2 3 problem with every one of the Legacy 4 vendors we have here. 5 MR. COHN: Do we have a clause in our contract that covers that in the 6 7 event we do want a pricing structure, a time structure, a cooperation 8 9 structure? 10 Do we have that in our contract 11 or do the contracts say we are ending 12 and no reference to the transfer of the 13 data and the matter in which it's 14 transferred? 15 MR. MAHER: We do have that in 16 some of the contracts. I'm not sure 17 about all of them, but you are exactly 18 right, we do have that --19 MR. COHN: I would recommend we 20 have it in every single contract because if this is going to be a 21 22 recurring problem, if it's been a 2.3 recurring problem, it shouldn't be. 2.4 It should be in every single 25 contract so we are not in this position

September 26, 2016 1 2 again where we're sitting here 3 wondering how we're going to get our 4 information back. 5 MR. MAHER: I agree. 6 MR. ZYSMAN: So understanding the 7 issue much better than us, John, how do you suggest this get rectified? 8 9 advice would you give to legal about 10 how you would want to see it structured in the contract? 11 12 MR. MAHER: I would say we can 13 have a 30-day out clause because we 14 would have the prep time beforehand. 15 MR. ZYSMAN: What is the business 16 point for the concern of the housing? 17 What is the business point you want on 18 this contract? 19 MR. MAHER: That should the 20 contract be terminated on whatever, for 21 whatever reason, that the vendor will 22 operate in migrating the data off their 2.3 servers on the new vendor's system and 2.4 provide any assistance to make that 25 happen.

September 26, 2016 1 I leave it to our 2 MR. COHN: 3 legal department. I think it has to be 4 a lot more comprehensive than that, but 5 structurally, conceptually, I think that's what we're talking about. 6 7 MR. DELUCA: John, there is no 8 generic way, there is no generic 9 company that can do this and migrate 10 this information to every company? MR. MAHER: No. So what happens 11 12 is that you need to have those images 13 brought onto the new vendor and then 14 every system here that accesses those 15 images has to be interfaced to the new 16 vendor, and that's what takes the time. 17 You want that thoroughly tested before you roll it out so it's not 18 19 something that is going to happen 20 overnight or in 30 days. You have to 21 prepare for it ahead of time. There 22 are several systems that we have that 2.3 are like that in this hospital. 2.4 MR. ZYSMAN: So you're looking 25 for 18 months starting what date?

1	September 26, 2016
2	MS. SILVERSMITH: It would be an
3	additional 18 months from what you
4	originally gave us.
5	MR. ZYSMAN: What date did the
6	contract end?
7	MS. SILVERSMITH: 9/1/2016.
8	MR. ZYSMAN: So 18 months and the
9	\$395 is not additional money, it's just
10	to cover the 18 months?
11	MS. SILVERSMITH: That's for
12	three years.
13	MR. ZYSMAN: You don't need \$395?
14	MS. SILVERSMITH: If we are going
15	to go three years we would, but we may
16	be finished.
17	MR. ZYSMAN: Are you asking for
18	18 months from 9/1 or are you asking
19	for 36 months from 9/1?
20	MS. SILVERSMITH: 36 months, but
21	originally we were given 18 months.
22	That is the confusion.
23	MR. ZYSMAN: Some things have to
24	be worked out. This is not ready for
25	the full Board. I ask that we table

September 26, 2016 1 2 this to the next contracts meeting 3 because it's taking too much time. 4 MR. COHN: I would also say in 5 the event we do extend to the 18 6 months, we put the clause in that we 7 just talked about. I think you have to work it up with legal and put it in. 8 9 MR. CIOTTI: I would recommend an 10 extension to some short period, only so we don't start with unauthorized 11 12 payments. 13 MR. ZYSMAN: Motion to approve --14 where is Beth Faughnan? Beth, I need 15 your help. We have Streamline Health, 16 I think 18 months. The moneys have to 17 be divided -- John Maher, are you doing 18 the math already? 19 Beth, I want you to frame a 20 motion for month-to-month on this 21 contract until the end of the year. 22 This will go to the contracts for a 2.3 more comprehensive presentation. 2.4 MR. MIROTZNIK: Mr. Rizzo? 25 MR. RIZZO: We went out and

September 26, 2016 1 caucused outside and went through what 2 3 happened with the minutes from the last 4 time. 5 So I want to make a motion to 6 amend the minutes to reflect the proper 7 This is LIPS. Apparently resolution. there was an error with respect to 8 9 LIPS, and the name of Beckman Coulter 10 was substituted for Long Island Plastic 11 Surgery Group in the minutes. 12 So the resolution referring to 13 Beckman Coulter had Long Island Plastic 14 Surgical Group as the title and the 15 entity within which we were supposed to 16 be moving for would be Beckman Coulter. 17 So we have to make a motion to 18 amend the minutes that were executed by 19 me on September 16, 2016, to reflect 20 the Long Island Plastic Surgical, P.C. name be substituted. Beckman Coulter 21 22 is going to be substituted in place 2.3 instead of Long Island Plastic Surgical 2.4 Group.

MR. ZYSMAN: Mr. Tepper, so

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September 26, 2016 1 2 getting this substitution of name, I 3 guess there was an error in the minutes 4 is what Mr. Rizzo is telling us? 5 MR. RIZZO: Name and amount. 6 MR. ZYSMAN: For Long Island 7 Plastic Surgical Group. Do you have any concerns about that contract other 8 9 than those issues? 10 MR. TEPPER: I don't know 11 anything about the contract. What I 12 recognized is that this vendor didn't 13 match those services so it needed to be 14 re-presented from scratch by the owner. 15 MR. ZYSMAN: Harold, who did you 16 work with from legal with this 17 contract? This isn't related 18 MR. MCDONALD: 19 to LIPS. This is related to another 20 contract. 21 MR. ZYSMAN: That's not my 22 question to you. My question is who 2.3 did you work with on legal related to 2.4 this contract? 25 MR. TEPPER: Did you have

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2
          anything to do with the contract?
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                 MR. MCDONALD: LIPS, I did.
4
                 MR. ZYSMAN: He is owner of the
5
          contract, Rob?
6
                 MR. TEPPER:
                              No, he is not.
7
                 MR. ZYSMAN:
                              I'm looking at the
           sheet that says Harold McDonald.
8
                                              This
9
          is reviewed by you, isn't it, Rob?
10
                 MR. TEPPER:
                              No.
11
                 MR. ZYSMAN:
                              Guys, we are
12
           spending all this time trying to do
13
          your work at the Board meeting. It is
14
          very frustrating.
15
                 MR. MCDONALD: It is my
16
          understanding that there was an error
17
          made in the minutes and instead of
18
          having --
19
                 MR. ZYSMAN: Does anyone in legal
20
          know about this $6 million contract?
21
          Nobody knows about it? I'm not voting
22
          on a $6 million contract that no one
2.3
          knows about.
2.4
                 On all these contracts Mr. Tepper
25
          was supposed to be involved in working
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September 26, 2016 1 with Harold McDonald and there are 2 3 minutes to support it from before. 4 If you chose not to be involved 5 in it, Mr. Tepper, that's your choice, 6 but we need someone from legal to get 7 involved. John, I would ask that someone get involved with this \$6 8 9 million contract. 10 MR. CIOTTI: Harold, are you the owner of this contract? 11 12 MR. MCDONALD: I am the owner of 13 the LIPS contract, but that's not the 14 issue here. 15 MR. CIOTTI: I understand what 16 the issue is, but I want to know who 17 the owner is. 18 MR. MIROTZNIK: I want to make 19 two notes. One is that I have executed 20 the minutes that were sent to me on September 16th, 2016, and I executed 21 22 them timely. 2.3 I did not pick up this issue 2.4 because I would not have known that 25 there was an issue. I would not have

September 26, 2016 1 2 known that there was a semantics or 3 there was some name issue. 4 So therefore, who from legal 5 reviewed the minutes before they were sent to me? Are we in Kansas? 6 7 Dorothy? No one? Okay. MS. REED: Obviously no one 8 9 reviewed them. 10 MR. DELUCA: May I make a 11 suggestion? 12 MR. MIROTZNIK: I would relish 13 your suggestion. 14 MR. DELUCA: We have our counsel 15 here. Why don't we take up to the 16 Board what needs to be procedurally 17 done? Also, while we're still on this 18 Long Island Plastic Surgery thing, I 19 have a very simple comment. 20 I'm assuming somebody has put in a caveat as to what the response time 21 22 should be for the Long Island Plastic 2.3 Surgery Group to get here? There are 2.4 these response times. It used to be an 25 hour. I don't know what clinically

September 26, 2016 1 2 they are requesting now. 3 MR. TEPPER: The point is it's 4 not about Long Island Plastic Surgery 5 at all. That was the error. It's got 6 nothing to do with Long Island Plastic 7 Surgery. 8 MS. STUDDERT: Can I clarify for 9 a moment, please? 10 MR. ZYSMAN: Ann Marie just 11 explained to us, because you are the 12 only person to fill in the blanks. 13 MS. STUDDERT: What happened was 14 Beatriz brought it to my attention that 15 there was an error in the minutes, that 16 Long Island Plastic Surgery Group and 17 Beckman Coulter were transposed. 18 So I put Long Island Plastic 19 Surgery Group back on the agenda. It. 20 did not need to be on the agenda. 21 was not presented at the last meeting. 22 It was tabled. 2.3 The only reason it was on was 2.4 because it was number four, and I 25 believe the court reporter was told

September 26, 2016 1 2 that it was number four. That was 3 Beckman Coulter. That's what she wrote 4 down. 5 The information under Beckman 6 Coulter, she went to the spreadsheet 7 and looked at number four, which was Long Island Plastic Surgery Group, 8 9 which was tabled. So it was an 10 administrative error. 11 DR. CARUSO: May I ask one 12 question? Was the contract presented, 13 Beckman Coulter? 14 MS. STUDDERT: Yes, it was 15 presented correctly. 16 DR. CARUSO: So LIPS was never 17 presented? 18 MS. STUDDERT: No, and it really should not be on here today. The 19 20 reason I put it on was because I thought both had to be here to make a 21 22 correction. 2.3 DR. CARUSO: So the amendment 2.4 that needs to take place is for Beckman 25 Coulter, not for LIPS? LIPS was never

```
September 26, 2016
1
2
          presented? So I think that's what
3
          needs to be put on the minutes.
4
                 MR. ZYSMAN: It's on the minutes
5
          right now as you're saying it.
6
                 MR. COHN: Do you agree with
7
          this, Mr. Tepper?
                 MR. RIZZO: The numbers need to
8
9
          be changed on Beckman Coulter.
10
                 MR. ZYSMAN: Before we table
11
          LIPS, there is about $40 million or-so
12
          in clinical contracts that were tabled,
13
          of which about six, seven months ago
14
          Mr. Tepper, you took it up that you
15
          were going to work with Harold
16
          McDonald. Are you working on any of
17
          them with him?
                 MR. TEPPER:
18
                              Yes.
19
                 MR. ZYSMAN: LIPS is the
20
          exclusion, the $6 million one?
21
                 MR. TEPPER: I don't have the
22
          sheet you're looking at.
2.3
                 MR. ZYSMAN: Long Island Plastic
2.4
          Surgery Group is the only one I'm
25
          asking you about. Is this the only
```

September 26, 2016 1 exclusion you're not working on with 2 3 Every other one you are? 4 MR. TEPPER: I don't know what 5 you're looking at. 6 MR. MIROTZNIK: Someone pass him 7 a sheet. Beatriz, thank you. MS. REED: Table everything with 8 9 the minutes and let's get on the way. 10 We are really here --11 MR. COHN: You're going to run 12 out of people soon. 13 MR. ZYSMAN: Let me resolve this 14 one issue and I will terminate all of 15 them except Beckman Coulter and we will 16 vote on the name. Rob, LIPS, you never 17 worked on, right? 18 MR. TEPPER: I didn't say that. 19 MR. ZYSMAN: We're at different 20 meetings. I'm going to ask, John, that 21 maybe you reassign it to somebody else. 22 I know Rob had taken it up. I will 2.3 show you the minutes that say that. 2.4 Can I get a motion to table Long 25 Island Plastic Surgery Group, number

September 26, 2016 1 Second? Favor? 2 one? Motion? 3 Unanimous. 4 Streamline Health, Ms. Faughnan, 5 do you have it framed? Otherwise we will have to table it. 6 7 MS. FAUGHNAN: I believe Ms. Silversmith would rather table it 8 9 for today's meeting because she doesn't 10 have a month-to-month price. It's an annual license fee, so we would like to 11 12 table it. 13 MR. ZYSMAN: Can we table number 14 two Streamline Health Inc.? Favor? 15 Unanimous. 16 MR. MIROTZNIK: Ouestion. 17 Dr. Politi, with regard to LIPS and the 18 tabling, I know they are our plastic 19 surgical group that covers not only the 20 ER, but the hospital, and the burn unit. The tabling of this, does it 21 22 affect the safety and the welfare of 2.3 our patients? 2.4 DR. POLITI: What is the status 25 of the LIPS contract?

September 26, 2016 1 MR. MCDONALD: We will be 2 3 presenting the clinical contracts at 4 the next contracts meeting. 5 MR. MIROTZNIK: I see we have up until November 1st, so we will have a 6 7 resolution to this without any interruption of service, correct? 8 9 MR. MCDONALD: Correct. 10 DR. POLITI: I will confirm that 11 as well. 12 MR. MIROTZNIK: Beatriz, when the 13 minutes get prepared, if you can, just 14 CC the minutes to Mr. Ciampoli and I'd 15 like him to be on the chain of e-mails 16 for review. 17 MR. ZYSMAN: Any reason why 18 Bellmore Merrick Central High School is 19 here for today's meeting? 20 MS. SALVO: It was just to 21 clarify. When I brought it to the 22 Board in June and it was approved, I 2.3 had won a three-year contract proposal 2.4 and the school district needs me to 25 contract annually.

```
September 26, 2016
1
                 So I would like to clarify for
2
3
          the minutes that we will contract
4
          annually for an amount of $26,750, plus
5
          an additional occupation health
          services income for evaluations.
6
7
                 MR. ZYSMAN: Is Board action
          required for her to do that?
8
9
                 MR. CIOTTI: Are you saying that
10
          you have a multiyear contract and you
11
          can only do one?
12
                 MS. SALVO:
                             The school district
13
          is requesting that we contract and
14
          execute annually.
15
                              Will that change any
                 MR. CIOTTI:
16
          of the terms we negotiated with the
17
          school district?
18
                 MS. SALVO:
                            No, it did not.
19
                 MR. ZYSMAN: We don't have to
20
          vote on this?
21
                 MR. CIOTTI:
                              That is
22
          revenue-based.
2.3
                 MR. ZYSMAN: Motion to strike R1
2.4
          from the record, Bellmore Merrick
25
          Central High School. It's already been
```

September 26, 2016 1 2 voted on previously. Second? Favor? 3 Unanimous. 4 Beth, can you frame Beckman 5 Coulter for us? MS. FAUGHNAN: The Executive 6 7 Committee of the NHCC Board of Directors authorizes the President to 8 9 negotiate and execute an agreement with 10 Beckman Coulter for a five-year lease 11 on one machine and one back-up machine 12 for bacteria identification and to 13 determine what strain of antibiotics to 14 the bacteria, for a five-year term not 15 to exceed \$425,550 with an anticipated 16 start date of October 27, 2016. 17 MR. ZYSMAN: On the sheet it says 18 40 cents. Do you want to put that in 19 here now? 20 MS. FAUGHNAN: Sorry, I didn't have that. In a total amount not to 21 22 exceed \$425,550.40 as a correction to 2.3 resolution number 206-2016. 2.4 MR. COHN: I know nothing about 25 this, but a five-year term for a

September 26, 2016 1 particular machine in today's day and 2 3 age to analyze the strain of 4 antibiotics, is that rather long? 5 Do these things change rapidly, 6 these types of machines? Do we have 7 any built-in upgrading at a discounted place with a credit, something? 8 9 MR. RIZZO: There is training 10 that goes along with the new machine and there needs to be verifications 11 12 that are done every time you get a new 13 machine. 14 So the five-year contract was 15 vetted out at the contracts meeting. Ι 16 don't have all the areas that we 17 discussed. 18 MR. MIROTZNIK: Dr. Mustacchia, can you lend some insight into this? 19 20 DR. MUSTACCHIA: Sure. Bacterial resistance is a real concern and the 21 22 bacteria is evolving. I think what 2.3 we're asking is if the technology is 2.4 evolving, and if so, are we going to be 25 able to anticipate that and gain the

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September 26, 2016
1
           services that we need?
2
3
                 I was not involved in the
4
          discussion of this contract, but from
5
          the comments that I just heard, it's
6
          quite likely.
7
                 We need to be certain that we
          will have any new technology available
8
9
          to us in the future as antibiotics
10
          become more evolved, or as strains
11
          become more resistant to antibiotics,
12
          to get that in the contract.
13
                 MR. COHN:
                            Right. Is that in the
14
          contract?
15
                 MR. RIZZO: I don't know. I am
16
          not ready to present that today.
17
                 MR. COHN:
                            I suggest that we find
18
                If it's not in, get it in.
19
          it's impossible to get it in, let us
20
          know. I am not prepared to vote on it.
                 MR. MIROTZNIK: I'm not either.
21
22
          Who is the owner of the contract?
2.3
                 MR. RIZZO: We are, labs, me.
2.4
                 MR. MIROTZNIK: So it's not a dig
25
          or anything, but Mr. Rizzo, maybe we
```

```
September 26, 2016
1
2
          could include --
3
                 MR. RIZZO:
                             It was already
4
          presented. I had it all last time, but
5
          I don't have it now.
6
                 MR. MIROTZNIK: Was there any
7
          consultation with the medical staff on
          this?
8
9
                 MR. RIZZO: Yes, there was, but
10
          she is not here right now.
11
                 MR. CIOTTI: Just for the record,
12
          many of these contracts are not
13
          prepared until the Board approves them.
14
          We don't prepare contracts --
15
                 MR. MIROTZNIK: We are not asking
16
          the preparation of the document, but
17
          the consultation.
18
                 MR. CIOTTI: Yes.
19
                 MR. COHN: I have no problem with
20
          negotiating. I don't really care what
21
          we do, but before we sign off on it, it
22
          would seem to make sense. Would you
2.3
          agree?
2.4
                 DR. MUSTACCHIA: Yes, I would
25
          agree.
```

1 September 26, 2016 2 MR. CIOTTI: I would legally say 3 it makes sense. 4 MR. COHN: I want to make sure 5 it's there. So if you're telling me I 6 thought we were voting on the contract 7 authorizing somebody to execute it, if that's the case, I'm not prepared. 8 9 If we're talking about 10 negotiating it, and as long as that 11 clause is in, and whatever clause 12 everybody else is comfortable with, and 13 come back here for final approval, 14 that's fine. 15 So whichever of those two options 16 work. 17 MR. ZYSMAN: The way they 18 typically state it is that we authorize 19 the CEO to negotiate and execute. 20 MR. COHN: With that amendment or 21 clarification of P1, then I would say 22 go negotiate. 2.3 MR. CIOTTI: I came back 2.4 July 18th. Has anybody in legal 25 prepared a contract for this company?

```
1
     September 26, 2016
2
                MS. FAUGHNAN:
                                This is a
3
          purchasing contract, John, so it will
4
          be done downstairs through purchasing
5
          because it's a commodity.
                 MR. ZYSMAN: Legal doesn't review
6
7
          purchasing contracts?
8
                MS. FAUGHNAN: No. By and large,
9
               They have our guidelines.
10
                 MR. COHN: Let me ask you a
11
          question. Is that one of the
12
          quidelines that I just brought up that
13
          we be kept on the cutting edge of
14
          technology, given the options? Is that
15
          one of the guidelines?
16
                 MS. FAUGHNAN: I don't know.
17
                MR. COHN: Why don't we have
18
          legal review it?
19
                MR. DELUCA: Board members agree
20
          that we should review it.
21
                MR. MIROTZNIK: There is a
22
          unanimous shake of the heads.
2.3
                 MR. DELUCA: Steve, I just walked
2.4
          in on this. Shouldn't legal review
25
          every one?
```

September 26, 2016 1 2 MR. CIOTTI: You are talking 3 about this specific contract? 4 MR. MIROTZNIK: No, he is talking 5 in general, that all these contracts 6 should be reviewed by an attorney. 7 MR. COHN: Somebody has to make sure. This is just one of -- how many 8 9 other contracts are ideas like that not 10 in there? I think if it's not in 11 there, if it's in there then I 12 apologize, but we have to get our act 13 together. 14 We can't have a five-year machine 15 that everybody dusts off periodically 16 because it's worthless because 17 purchasing didn't think about it. 18 So let's get the people who use 19 it involved, and Mr. Rizzo has 20 indicated is the case, and let's get legal to look at the others so that we 21 22 don't get fleeced, and let's get our 2.3 act together. 2.4 MR. CIOTTI: For the record, 25 these are not contracts per-se. These

September 26, 2016 1 2 are requisitions, that's number one. 3 Number two, I just spoke to Craig who 4 signs off on them. It's hundreds a 5 month, hundreds. Not 30, not 45, hundreds. 6 7 MR. COHN: John, this is one that 8 was just brought to us. Nobody can 9 answer the question as to whether or 10 not --11 MR. CIOTTI: I'm not arguing with 12 you. 13 MR. COHN: Right. So come up 14 with a format. 15 MR. RIZZO: Steve, the answer to 16 the question would have been done when 17 it was presented at the contracts 18 committee. We aren't prepared to go 19 through all the issues. 20 MR. COHN: Craig, I understand it 21 would be in there. I'm not saying it 22 is or it isn't and I'm not pointing 2.3 When I am, I will point fingers. 2.4 fingers. 25 I'm saying there needs to be a

September 26, 2016 1 system for something like that, we 2 3 should know the answer to, and it 4 should be in the form don't buy 5 machines for extended periods of time 6 that can be outdated in a year. That's 7 I think it's something we should 8 be aware of. 9 MR. RIZZO: I have her coming up 10 if you want to ask her all the 11 questions. 12 MR. COHN: No, we have to get out 13 of here. Everybody needs to leave. 14 Not today, maybe next time. 15 MR. MIROTZNIK: Mr. Cohn, your 16 point is well taken and Mr. Ciampoli, I 17 don't have to speak for you, but the 18 consensus is that your recommendation 19 is that all of these contracts need to 20 be reviewed and authorized by someone? 21 MR. CIAMPOLI: Frank Intagliata 22 is not here. When he was with 2.3 purchasing, he had a punch list, 2.4 so-to-speak, that had been developed 25 with legal of what had to be in a

September 26, 2016 1 2 purchase order. 3 For instance, there had to be 4 insurance to the benefit of the county. 5 You want insurance more to the benefit here of the medical center. Those 6 7 things and the concerns, like dying technology that would be outdated, 8 9 would be on that punch list. That's 10 something legal and purchasing have to 11 do, come up with a punch list. 12 MS. FAUGHNAN: There is an 13 existing punch list. I just did not 14 prepare it. I have only been here for 15 slightly over three years, so I don't 16 know what the punch list consists of, 17 but I know there is one. MR. COHN: If it hasn't been 18 19 reviewed for at least three years, 20 which probably means it hasn't been 21 reviewed for at least ten years. 22 MS. FAUGHNAN: I don't know that 2.3 it hasn't been reviewed for at least 2.4 three years. I just know that I 25 haven't been involved in it.

1	September 26, 2016
2	MR. COHN: Why don't we get it
3	reviewed?
4	MS. FAUGHNAN: We will do that.
5	MR. MIROTZNIK: Mr. Zysman, your
6	committee.
7	MR. ZYSMAN: Do you want to table
8	it? Motion to table? Strike my last
9	statement to table. The motion was
10	articulated by Ms. Faughnan.
11	It appears from a discussion with
12	Mr. Cohn, with Dr. Mustacchia,
13	Dr. Politi, we ask that you work
14	collaboratively with Dr. Mustacchia to
15	make sure all of his department's needs
16	are met in your negotiation of this
17	contract before execution.
18	MR. TEPPER: You want to rescind
19	the erroneous resolution?
20	MR. ZYSMAN: Where is the
21	resolution?
22	MR. TEPPER: The one that started
23	this whole conversation.
24	MR. ZYSMAN: Can we vote on the
25	resolution that Ms. Faughnan

September 26, 2016 1 2 articulated? 3 It's up to you. MR. TEPPER: 4 understanding based on the discussion was you weren't prepared to vote on 5 6 that. 7 MR. ZYSMAN: Can I get a motion to approve Ms. Faughnan's motion that 8 9 she made with the caveat that we just 10 said, that Dr. Mustacchia, Dr. Politi 11 work collaboratively so his 12 department's needs are met in this 13 negotiation? Second? Unanimous. 14 Mr. Tepper, you are recommending 15 we need to rescind the last one? 16 MR. TEPPER: You need to rescind 17 the one that was done in error with 18 Long Island Plastics. 19 MR. ZYSMAN: So why don't you 20 give us whatever cue so that we can say 21 that there was an error and strike it 22 from the record? 2.3 MR. TEPPER: It's resolution 206 2.4 of 2016. 25 MR. ZYSMAN: Can we get a motion

September 26, 2016 1 to rescind 206 of 16? Motion? 2 Second? 3 Favor? Unanimous. That was very 4 pleasant. 5 MR. MIROTZNIK: Thank you, 6 It was a very wonderful Mr. Zysman. 7 LIFQHC, quick. We are experience. meeting, our Board and Bob DeTor and 8 9 his people are meeting. We will report 10 back next month. We have made what we feel to be 11 12 some strides and hopefully it will 13 culminate in certain agreements that 14 will be to the benefit of the hospital. 15 At this moment I'd like to make a 16 motion to go out of executive committee 17 and go into executive session of the 18 executive board, right John? 19 MR. CIOTTI: Yes. 20 MR. MIROTZNIK: All in favor? 21 Unanimous. Other than legal, please 22 exit the room for a short period of 2.3 time and Dr. Politi, would you please 2.4 exit the room, too? With due respect, 25 thank you.

September 26, 2016 1 So the record is clear, and our 2 3 agenda is quite clear, as well as our 4 posting is quite clear, we are going 5 into executive session of the Board for 6 matters involving employment of a 7 particular person. (A brief recess was taken.) 8 9 MR. ZYSMAN: Motion to go back in 10 public session? All in favor? 11 Unanimous. We are now in public 12 session. 13 MR. MIROTZNIK: Is there any 14 public comments? 15 MR. ZYSMAN: Let me read this in. 16 Can I get a motion: Resolved that the 17 Board approve an extension for all 18 current corporate insurance policies on 19 the same terms and conditions for up-to 20 60 days for a total amount not to 21 exceed \$300,000? 22 This is a premium cost. 2.3 Maher and John Ciotti have indicated 2.4 they need this time in order to secure 25 insurance so the insurance doesn't

September 26, 2016 1 lapse. Can I get a motion? All in 2 3 favor? Unanimous. 4 MR. MIROTZNIK: We have handled 5 some employment matters during our executive session and on behalf of the 6 7 members of the Board of Directors of NUMC, it gives me great pleasure to 8 9 announce that Dr. Politi is staying 10 with us. His contract has been extended 11 12 and he is not going to Disneyland. 13 he is staying with us and doing the 14 work that is necessary. 15 DR. POLITI: I like Disneyland. 16 MR. MIROTZNIK: With that being 17 said with Dr. Politi, we are going to 18 take a vote on it. 19 Motion, Mr. Ciampoli? 20 MR. CIAMPOLI: Of the renewal of 21 Dr. Politi's contract as was adopted in 22 executive session. 2.3 MR. MIROTZNIK: And pursuant to 2.4 Exhibit A attached to the minutes. MR. CIOTTI: You can't do that. 25

1	September 26, 2016
2	That is not appropriate. The amendment
3	number two, Exhibit A, is amended to
4	extend the terms through January 31st,
5	2018, and notification as per the
6	original contract, the terms and
7	conditions are the same, but
8	notifications shall be ordered before
9	November 30th, 2017.
10	MR. MIROTZNIK: All in favor?
11	Second, Mr. Cohn. Unanimous,
12	Dr. Politi. Congratulations. Any
13	quick comments?
14	DR. POLITI: I thank the Board
15	for their cooperation.
16	MR. MIROTZNIK: Thank you,
17	members of the Board, Steve, Mike,
18	Dr. Caruso. Motion to adjourn?
19	Unanimous.
20	(Time noted: 9:00 a.m.)
21	
22	
23	
24	
25	

1		
2	INDEX	
3		
4	MOTIONS	
5	Approval of the MPAC minutes of	5
6	8/30/2016	
7	Table Long Island Plastic Surgery	36
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12	Merrick Central High School	
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14	caveat	
15	Rescind 206 of 16	51
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17	extension for all current corporate	
18	insurance policies on the same terms	
19	and conditions for up-to 60 days for a	
20	total amount not to exceed \$300,000	
21	The amendment number two, Exhibit A,	5 4
22	is amended to extend the terms through	
23	January 31st, 2018, and notification	
24	as per the original contract, the	
25	terms and conditions are the same, but	

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      notifications shall be ordered before
      November 30th, 2017
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1	
2	CERTIFICATION
3	
4	
5	
6	I, ANGELA ARENA, a Notary
7	Public in and for the State of New
8	York, do hereby certify:
9	THAT the foregoing is a true and
10	accurate transcript of my stenographic
11	notes.
12	IN WITNESS WHEREOF, I have
13	hereunto set my hand this 26th day of
14	September, 2016.
15	
16	
17	angele arene
18	ANGELA ARENA
19	
20	
21	
22	
23	
24	
25	

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