

Minutes

Point Roberts Public Hospital District

Wednesday June 12, 2024

Call to Order:

The meeting was called to order at 7:00 p.m. by Stephen Falk, Commissioner (via Zoom)

Attending:

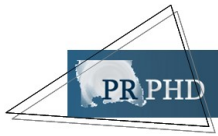
Commissioners: Stephen Falk, Sara Oggel, Noel Newbolt
Superintendent: Barbara Wayland
Financial Advisor: Paulette Ladner
Recording Secretary: Farrah Carsten

Introduction of Guests:

Dr. Sean Bozorgzadeh, Alexandra Wiley, Pat Grubb – APB, Campbell McClusky, Lucy Williams, Virginia Lester, Allison Calder, Vic Riley, Shannon (Tomsen) Riley, Shivé Marshall, Liz Otwell, Judy Ross, Rose Hawayek, Barbara Bradstock, Alyssa Clark, Maxine Clark, Arthur Reber, Dee Gough, Donna Prudhomme, Harold Charlap, Mark Robbins, Leigh Moorhouse, Kate Gray, L. Finch, Theresa Nelson Chiu, Trent Viant, Annelle Norman, Robin Nault, Linda Hughes, Adam R., William Millhollin, Marcia Rosales, Kara Smith, Deanna Perkins, Lauren Elizabeth, Deb Wilkowski, Max, Kandace Harper

Public Comment: Barbara Bradstock, a retired nurse and former PRPHD commissioner, said she changed her mind 4 years ago about SuperTrack after reading the 2012 lawsuit findings within the Appellate Court of Illinois that can be searched online. The findings stated “This conduct is readily characterized as reprehensible. In other words, the action displayed intentional malice, trickery, and deceit.” She went on to say that she became a patient with Skagit Regional Health and prefers to see Deborah Shields. Barbara asked if there was a way to conduct a survey to hear from the community and to consider creation of 2 additional commissioner positions to obviate problems when one commissioner wants to speak to another. She believes Stephen Falk made a mistake by communicating to another commissioner outside of a public meeting but that he has integrity, interest of the community and has no financial advantage to gain by encouraging all qualified persons to give information and consider making a proposal.

Lucy Williams responded to comments made by Barbara Bradstock saying that ethics are very important and the lawsuit Dr. Evans and Dr. Bozorgzadeh were embroiled in which Barbara was appalled over started in 2003 and involved a partnership and lack of funding but not so much about ethics. Most people listen to what their lawyers tell them to do and that’s what happened. It was finally settled after bouncing from court to court, repeal to repeal 9 years later and she felt that they didn’t actually reveal ethics being that it was civil and not criminal. Lucy then brought up that if ethics are being brought up then there needs to be a discussion about how 2 of the commissioners have been conducting themselves. She also stated that if there is information other than being a cheerleader for Deborah Shields, it should be brought up because many people in the community are terrified of losing their physicians from the clinic.

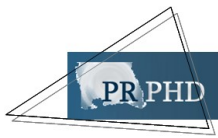


Several community members (Alyssa Clark, Rose Hayawek, Campbell McClusky, Vic Riley, Deb Wilkowski, Max, Shivé Marshall, Harold Charlap), spoke up to voice their experiences and to show support for SuperTrack. Some questioned why not keep it the way it is and why only a 1-year contract, those that prefer Deborah Shields could continue to see her but many felt it didn't make sense to go from 3 MD's and 2 RNs to 1 PA and an Internist. Other concerns were that Dr. Anwar and the PA would not be able to treat children, several seniors have established relationships with the SuperTrack MD's and don't want to drive through 2 borders roundtrip to see a doctor, get lab work done or to receive medications that are already on hand at the clinic. Others reminded the commissioners about SuperTrack's commitment to the community during the Covid lockdowns and their service improvements even after being betrayed by 2 trusted employees with 2 of the commissioners help.

Allison Calder posed a community standpoint question that if PRPHD is going to contract with a provider why would they change the level of care to a less level of care, is there even a reason to consider changing? If there's a fault with the existing provider it should be sent to them to address and if it hasn't been addressed then look for alternatives but don't decrease the community level of care. Many people within the community don't know what care is available and Allison only found out by attending a PRPHD meeting. She suggested that more outreach needs to be done by the provider and/or the Hospital District and it should be marketed to let the public know what is available. Dee Gough voiced her agreement with what Allison had said and stated there must be more community outreach.

Arthur Reber, (Water District commissioner) voiced that his concern is with process and felt that what happened at the meeting tonight should have happened prior. He mentioned the WA State Open Meetings Act and that the majority of the district's board may not meet at anytime other than at an open meeting (the statute includes meeting by exchanging emails, phone calls and texts), 2 of the members of the board violated this act. The 1st infraction is \$500, all follow up infractions are \$1,000 and Arthur is considering filing a formal complaint with the County Prosecutors office because the decisions they make affect the entire community.

Shannon (Tomsen) Riley let everyone know that Chief Christopher Carleton made the Fire Department the way it is today but it was not anywhere near this level of service or quality 8 years ago because many people were favoring the local guy over Carleton back then. She compared what is currently happening to SuperTrack to a scenario that could have happened with Chief Carleton such as being told every year that his contract would be up for removal. When Shannon was on the Fire Board, they offered the Chief a 5-year contract and feels the same should be offered to SuperTrack. She also wanted everyone to understand the next public commenter is Annelle Norman and she has an existing in effect cease and desist order to provide medical care or advice and/or supplements.



Annelle Norman indicated that she had heard many stories from people, particularly from the elders, that they were not happy with the clinic and she encouraged them to write a letter but they were concerned if they needed care, it wouldn't be provided because they had complained. She doesn't have proof because it was told to her in confidence. At least 10 people confided in her.

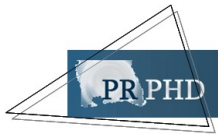
Harold Charlap asked that the commissioners in question need to address the public because they are elected to represent the voters and healthcare is vital to everyone. He also stated this "isn't the Beverly Hills women's club you know; I heard 10 people say that doesn't mean anything." He also stated if there is an issue to give Dr. Bozorgzadeh an opportunity to address and remediate it.

Dr. Sean Bozorgzadeh addressed the group and said that he reads all the letters of support and he looks for negative letters that present them an opportunity to improve. The Dr. wanted to respond to Ms. Bradstock's letter more for all the patients to hear it directly from him and to defend his and Dr. Evans reputation. The business dispute happened between them and a previous partner, Dr. Javier Muniz. That partner philosophically looked at patient care differently than they did. There was a dispute so he was given 1/3 of the clinic and the patients and was given help to set it up because he had a young family and needed to provide for them. Dr. Muniz brought a lawsuit against them and for many years they fought it, but were outmaneuvered and lost the case, Under Chapter 11, assets were liquidated, paid fully and the loss was accepted.

- Judge Ronald R. Eckiss, presided over the case, "This case also involves a successor corporation that obtained the assets of its predecessor." "The general rule is that a corporation that purchases the assets of another is not liable for the debts of the transferor." Dr. Bozorgzadeh said basically it's about a corporation that doesn't have money to pay your attorney fees so the partner was going after him via Dr. Evan's personal assets.
- The Illinois ARDC is a body that oversees the registration and applies disciplinary action against lawyers found the 2 attorneys who brought the lawsuit guilty of professional misconduct and professionally unethical.
- The verdict form revealed that the jury made no finding that the defendants (Dr. Evans, Dr. Bozorgzadeh and the clinic) committed actual fraud as is required by the section of the law or that they acted willfully or maliciously.

The court case was a lawsuit between business partners only and had nothing to do with medical malpractice or Dr. Evans and Dr. Bozorgzadeh as doctors. It was a financial disagreement.

Dr. Bozorgzadeh stated that Ms. Bradstock took certain words out of context and wrote the letter. He spoke with Virginia Lester last week who informed him that Circle of Care (Annelle Norman, including Ms. Bradstock) is in process of a new venture with Dr. Anwar to start a nursing care home in Point Roberts.



Despite being interrupted numerous times, Stephen addressed the community by reading from his prepared statement.

“Being subject to Character Assassination is not pleasant. At the May meeting, I did not speak up because my general approach to bullying and intimidation is to ignore it, rather than giving the bullies the attention they seek. But obviously, that left a void in the public discussion and seems like it was a mistake.

I have been accused of being part of a Conspiracy and of acting out of Personal Interest or with a Conflict of Interest. I have not been part of any conspiracy and I have no interest in the selection of the Service Provider at the Clinic other than the best interest of the community as a whole. I had no personal, social, professional or financial interest with Shields & Co. in 2020, and I have no such interests with Dr. Anwar in 2024.

I do acknowledge a mistake in talking with a commissioner outside of a meeting. After a recent meeting, I felt the need to “vent” about the discussion that had just occurred. I don’t think that constitutes business or action of the District, but whether it does or not, I apologize to the community for even creating an appearance of impropriety.

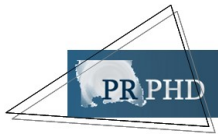
Over my years on this Board, I have been open to speak to all comers about the District and the Clinic. Within days of being appointed as a Commissioner, I met with Shannon and Vic to hear about their concerns at that time. From time to time, I have heard praise and complaints about SuperTrack from residents who use the Clinic. Back in 2020, I heard from Deb Shields about her interest in operating the Clinic. Earlier this year, I met Dr. Anwar and learned about his current medical practice in Point Roberts and his vision for medical care here.

I think all those interactions with the public are appropriate, and a necessary and useful role for District Commissioners.

Over the last few weeks, we have received many e-mails supportive of SuperTrack which is good to see. We have also had comments supportive of learning about alternative providers.

We get relatively few complaints about SuperTrack directly from the patients themselves because they do not want to go public raising issues about the same health care providers that they will be going to see at their next appointment. In the past, we have discussed creating a complaint portal, but there may have been privacy concerns about that approach.

Many recent submissions have asked why the District would even consider alternatives to our current Service Provider. Each Commissioner would have their own reason for considering or not considering potential alternatives.



I think it is the role of the Hospital District to look at what is best for the Community of Point Roberts. We need and deserve quality medical care provided locally. That is a given.

And I never forget my gratitude that SuperTrack came forward in 2018 as the only provider with any interest in operating our Clinic for the people of Point Roberts. They were definitely our saviors at that time.

But for years, I have had misgivings about SuperTrack's model as applied to Point Roberts. Many people like the fact that Clinic is staffed by physicians. When I came to Point Roberts 11 years ago, I am sure I had a prejudice in favor of physicians. I come from a family of physicians. I had had 50 years of medical care from physicians. And physicians are physicians.

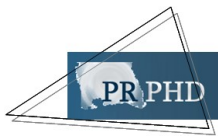
But then I became a patient at our Clinic which had operated since its inception with non-physician providers, for the longest time and even still occasionally now with Virginia Lester, and later Nathalie Davidson, and in the first year under SuperTrack with Deb Shields. I came to appreciate the expertise and value of Advance Practice Registered Nurses and of Physician Assistants. I outgrew my prejudice for physicians.

While we now have physicians at the Clinic, I see the Clinic as operating under an "Urgent Care" model in that the patient will be seen by a different doctor depending on which day he or she happens to need care. For our many residents with chronic conditions, this may not be evident. Those patients can schedule their appointment for their preferred day of the week and, for the most part, see the same doctor each time.

But for other patients, if you go in on Monday with some new condition, and then go back on Tuesday because it has gotten worse, and then return to the Clinic on Thursday because treatment isn't working out, you will see different doctors each time. They are all physicians, which might be nice, but there is diminished continuity of care.

And I do not hide the fact that I have a preference for local staffing of the Clinic — not at the expense of quality of care, of course. But I think local providers will have an even greater understanding of, and commitment to, our Community.

Those are my reasons for being open to learning about alternatives. Learning about them does not mean selecting them. If PeaceHealth expressed interest in running our Clinic or if Unity Care saw the error of their ways and wanted to come back, I would want to hear what they had to offer. The same applies to a local physician who, it turns out, has already been practicing in Point Roberts.



There have been numerous comments at recent meetings challenging the District's ability to even consider alternative providers. I can only suggest that these comments are based on a misunderstanding of the current contract between the District and SuperTrack.

The contract runs on a calendar-year term. And it can automatically renew each year for another year. But, with 6-months' notice, either side can make it end at the end of the year. That is what Unity Care did to us in 2018. And it is what we did to SuperTrack in 2020.

This is not termination on account of some breach, like if the District stopped paying the monthly subsidy, or if SuperTrack cut back on Clinic operations. This can be a time for essentially a "no-fault" decision. And it is not a decision to replace SuperTrack with a different provider. It only creates the opportunity to see whether there are other options which might be better for the community as a whole.

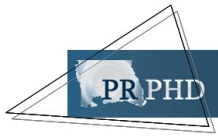
It would have the effect of creating some uncertainty for a time. And it would put a little work on SuperTrack to prepare a new proposal, but presumably that new proposal could be very similar to the one from 2020. But, if the District decides to go down that route, it would only do so with the goal of identifying the best available provider for Point Roberts.

The misinformation and disinformation that has been disseminated to the community has only complicated my decision-making process. I will do my best to make it for the benefit of the community as a whole, and not in reaction to the manufactured controversy.

Thank you for hearing me out."

After more interruptions, Noel interjected that she was the one that was excluded and that Stephen and Sara opened the door for Dr. Anwar to provide a presentation without speaking to Barbara and herself which she felt was disrespectful. She continued to say this was not about hurt feelings, or about Stephen or Sara, it's about business and ensuring the district gets the best healthcare possible for the community and she feels that SuperTrack has already proved that.

Sara explained that she had a brief conversation with Stephen to schedule Dr. Anwar to make a presentation and that she didn't mind hearing what someone else had to present as long as no decisions were being made. She didn't say anything at the May meeting because she was still doing her research and wanted to look at some other information and that's why she didn't respond. She felt that she was being wrongfully accused of already deciding on who she would vote for when she hadn't stated who she was voting for.



Sara clarified that she had told friends that they know how she is voting and it's not for somebody new but "you all have jumped down our throats with Stephen and me assuming this is what's going to happen and it's been passed around by a lot of you out there who say negative stuff about us". She then posed the question to the public as to why not wait for the meeting and then talk about it. Sara thanked everyone for coming to the meeting and for the letters because they needed to hear the feedback.

Noel made a motion to amend the agreement with SuperTrack to extend the renewal term to be 5 years (or 4, 3 or 2 years).

Sara made a motion to hold until the next meeting because she had a Canadian citizen voice a concern 2 years ago about the Fire Department not having an eye wash stand after suffering a serious eye injury. She wants to speak with the Fire Department and Dr. Bozorgzadeh about the incident because the clinic refused to see the patient. Sara said PRPHD just received a letter today from the individual and she does pay taxes in Point Roberts and Sara would like to do her due diligence.

Harold Charlap, (a dual citizen), interrupted to state that PRPHD is not here for Canadians but that they should be here for the U.S. citizen voters.

Mark Robbins wanted assurances that the commissioners were not going to call a special meeting to terminate the contract before June 30th. Stephen said yes it will not be happening and he reminded everyone that the contract will automatically renew for a 1-year term regardless if no action is taken.

Motion: Discussion to extend SuperTrack's renewal term tabled for next month's meeting in July. **Motion carried (2:1 in favor)**

Approval of Prior Minutes:

Approval of minutes from previous PRPHD Regular Meeting (May 8, 2024)

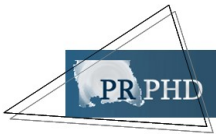
Motion: To approve minutes as presented. **Motion carried.**

Financial Report:

Financial Report:

Barbara Wayland presented the financial report. Current month payables \$17,069.80 / Payroll is \$3,068

There are no items to note.



Bills presented for approval as follows:

Bills paid:

- 02/17/24 – SuperTrack Urgent Care PLLC = \$16,000
- 05/31/24 – Point Roberts Bookkeeping = \$750
- 05/31/24 – Point Roberts Press = \$180
- 06/05/24 – Point Roberts Fire Distr. #5 = \$64.17
- 03/01/24 – Whidbey Telecom = \$53.14
- 04/01/24 – Bellingham Business Machine = \$22.49

Payroll as follows:

- Barb Wayland – Superintendent = \$1,740
- Farrah Carsten – Secretary = \$480
- Stephen Falk – Commissioner = \$114
- Sara Oggel – Commissioner = \$114
- Noel Newbolt – Commissioner = \$114
- Deanna Perkins – Cleaner = \$506

Motion: To approve warrants and payroll for prior months' expenditures as presented. **Motion carried.**

Clinic Medical Director Update:

SUPERTRACK

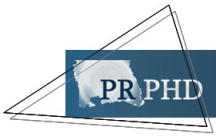
POINT ROBERTS URGENT CARE AND MEDICAL CLINIC

DATE	CV	LABS	PT/PHN	TELEMED	PHYS	PHYS	PHYS & PT	TOTAL
					EXAM	CONS	PHYSIC	
1	13				1			14
2	1							1
3	11				1			12
4	10							10
5	10	1	1		1		3	15
6	10							10
7	10							10
8	10							10
9	10							10
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25	10							10
26	10							10
27	10							10
28	10							10
29	10							10
30	10							10
31	10							10
TOTAL	350	14	3	13	1	10	3	394

DATE	CV	LABS	PT/PHN	TELEMED	PHYS	PHYS	PHYS & PT	TOTAL
					EXAM	CONS	PHYSIC	
January	18	18	2	13	2	4	11	100
February	16	16	1	11	2	3	9	100
March	16	16	1	11	2	4	11	100
April	12	12	1	9	1	4	11	100
TOTAL	60	60	5	54	7	15	43	400

DATE	CV	LABS	PT/PHN	TELEMED	PHYS	PHYS	PHYS & PT	TOTAL
					EXAM	CONS	PHYSIC	
January	16	16	1	11	2	3	11	100
February	15	15	1	10	2	3	11	100
March	15	15	1	10	2	3	11	100
April	14	14	1	9	2	3	11	100
May	13	13	1	8	2	3	11	100
June	12	12	1	7	2	3	11	100
July	11	11	1	6	2	3	11	100
August	10	10	1	5	2	3	11	100
September	9	9	1	4	2	3	11	100
October	8	8	1	3	2	3	11	100
November	7	7	1	2	2	3	11	100
December	6	6	1	1	2	3	11	100
TOTAL	120	120	14	85	18	27	100	1000

10% - 12% of patients SuperTrack sees are walk in Urgent Care, 88% is primary care and the primary care patients get scheduled with their doctor. The numbers are increasing the clinic is seeing people from Canada and from Bellingham. Also, patients from Point Roberts have been coming to the Bellingham location on the weekends.



Dr. Bozorgzadeh wanted to address Sara's comments in regards to quality assurance and the statement she made that someone sent a letter today that 2 years ago they were refused care. He has told Barbara several times that in order for them to investigate and be effective in improving quality, the district needs to give details and names. He went on further to explain that they have repeatedly tried to be a partner with this commission and that the commissioners continually throw things at them such as this example of hearsay and there isn't a way for SuperTrack to improve. If the clinic doesn't receive the detailed information in a timely manner and the person's name isn't disclosed it's considered to be sanctioned slander. There is nothing they can do about it. Stephen recognized that this is an issue and Sara said Barbara will forward the letter they just received today to Dr. Bozorgzadeh.

Dr. Bozorgzadeh then asked Stephen why he assisted Deborah Shields with her PowerPoint to present to the commission while she was at the time employed by SuperTrack when it's a conflict of interest. He felt that it was illegal and that Stephen was undermining SuperTrack the entire time because she was making a case against her employer while being paid by them. Stephen responded that he didn't help Deborah he only saw the PowerPoint and gave her the opportunity to speak to the board.

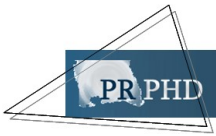
Superintendent's Report:

Barbara's month has mostly been dedicated to responding to public records information requests that were filed with her and letters generated by the articles in APB and the Small Point Bulletin, secondary to the records request. Most of the letters have been in support of SuperTrack and all of them pro or con were forwarded to the commissioners. It's very helpful to the PRPHD when they know how the public feels.

Other:

Dee Gough asked why the hospital board has only 3 board members and most of the other boards have 5. Barbara responded that the community has to vote on expanding it but it can be done.

- Barbara to provide the information at the next meeting to the community as how to expand the number of board members



Next Regular Meeting: Wednesday July 10th, 2024 @ 7:00 pm via ZOOM

Meeting adjourned: 8:46 p.m.

Minutes approved verbally at the following month's ZOOM meeting.

Stephen Falk

Sara Oggel

Noel Newbolt

Farrah Carsten