

**MINUTES  
BOARD OF MANAGERS  
NUECES COUNTY HOSPITAL DISTRICT  
SPECIAL MEETING  
DECEMBER 8, 2021**

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The Nueces County Hospital District Board of Managers met at 10:00 a.m., Wednesday, December 8, 2021 in the NCHD Board Room, at 555 N. Carancahua, Suite 950 – A, Corpus Christi, Texas.

**HOSPITAL DISTRICT REPRESENTATIVES:**

Jonny F. Hipp	Administrator/CEO
Belinda E. Chism	Assistant Administrator, Administrative Services
Donna Littlefield	Director, Accounting & Finance
Mary Esther Guerra	Assistant County Attorney
Melissa Quintanilla	Executive Assistant/Human Resources
Carmina Hernandez Moreno	Administrative Assistant

**OTHERS PRESENT:**

Simon Purnell	Griffin, Purnell, LLC
Richard Schechter	Attorney – via Zoom

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**1. WELCOME**

**2. ROLL CALL OF BOARD OF MANAGERS**

Daniel W. Dain, Chairman  
 Sylvia Tryon Oliver, Vice-Chairman  
 Belinda Flores, RN  
 Vishnu V. Reddy, M.D.  
 John E. Valls, M.B.A.  
 Mariana Garza, J.D.  
 Efrain Guerrero, Jr.

**3. CALL TO ORDER, ESTABLISHMENT OF QUORUM, MEETING POSTING CONFIRMATION, AND CLOSED MEETING NOTICE**

A. Call to order – Mr. Daniel W. Dain, Chairman  
The meeting was called to order by Mr. Dain at 10:13 a.m.

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- B. Establish quorum – Mr. Dain  
A quorum was present with six members in attendance.

**Daniel W. Dain, Chairman – PRESENT**  
**Sylvia Tryon Oliver, Vice-Chairman – PRESENT**  
**Belinda Flores, RN, Member – PRESENT**  
**Vishnu V. Reddy, M.D., Member – PRESENT**  
**John E. Valls, M.B.A., Member – PRESENT**  
**Mariana Garza, J.D., Member – PRESENT**  
**Efrain Guerrero, Jr., Member – ABSENT**

- C. Confirm posting of Meeting's public notice in accordance with Texas Open Meetings Act, Texas Government Code, Chapter 551.

- D. Public notice is hereby given that the Board of Managers may elect to go into Closed Meeting session(s) at any time during the meeting to discuss any matter(s) listed on the agenda when so authorized by the provisions of the Open Meetings Act, Texas Government Code, Chapter 551.

4. **PUBLIC COMMENT** - Persons attending in-person and wishing to comment on any item(s) on the agenda or any subject within the Board's responsibilities must sign-in on the "Agenda Item Request to Speak" form provided at the entrance of the Board meeting room at least five (5) minutes prior to commencement of the meeting. Persons attending via audio or video conference and wishing to comment on any item(s) on the agenda or any subject within the Board's responsibilities must verbally notify the presiding officer of their desire to comment when the officer calls for public comment from those attending via audio and video conference. Commenters shall limit their comments to three (3) minutes, except that Commenters addressing the Board through a translator shall limit their comments to six (6) minutes.

**No one to speak for public comment.**

5. **REGULAR AGENDA** - The Regular Agenda consists of those agenda items which are non-routine, not administrative in nature, or otherwise in need of separate attention. Each Regular Agenda item will be voted upon separately if action is required:

- A. Discuss and consider approval of an agreement with drug distributors McKesson Corporation, Cardinal Health, and AmerisourceBergen to resolve legal claims for their roles in the opioid addiction epidemic in Nueces County and consider related matters. (**ACTION**)

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**Motion to Not Approve the proposed agreement with drug Distributors McKesson Corporation, Cardinal Health, and AmerisourceBergen to resolve legal claims for their roles in the opioid addiction epidemic in Nueces County by Mr. Valls and seconded by Ms. Oliver.  
MOTION CARRIED.**

**6. CLOSED MEETING** - Public notice is hereby given that the Board of Managers may elect to go into closed meeting session(s) at any time during the meeting to discuss any matter(s) listed on the agenda, when so authorized by the provisions of the Open Meetings Act, Texas Government Code, Chapter 551 and the Board specifically expects to go into a closed session(s) on the matters listed below pursuant to the Act, §551.071. In the event the Board elects to go into closed session(s) regarding an agenda item(s), the section(s) of the Open Meetings Act authorizing the closed session will be publicly announced by the presiding officer. Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in closed session(s), then the final action, final decision, or final vote shall be either: (a) in the open meeting covered by the Notice upon reconvening of the public meeting; or (b) at a subsequent public meeting of the Board upon notice thereof, as the Board shall determine pursuant to applicable laws:

A. Consult with attorneys on matters relating to litigation against opioid drug manufacturers, promoters, and distributors responsible for causing and contributing to an epidemic of opioid addiction in Nueces County, including but not limited to Purdue Pharma, Endo Pharmaceuticals, Janssen Pharmaceuticals, Insys Therapeutics, the McKesson Corporation, Cardinal Health, and AmerisourceBergen for violations of the Deceptive Trade Practices Act, fraud, unjust enrichment, negligence, violations of the federal Controlled Substances Act, civil conspiracy and any other related causes of action, and related matters.

**Mr. Dain called for Close Session at 10:15 a.m.**

**7. OPEN MEETING** - Following the Closed Meeting, the Board of Managers will reconvene the Open Meeting prior to taking any action(s) on matters considered in the Closed Meeting or adjourning the meeting.

**Mr. Dain called for Open Session at 10:42 a.m.**

8. Consider final action, decision, or vote on matters considered in the Closed Meeting. (***ACTION AS NEEDED***)

**Action taken on Item 5. A.**

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**9. ADJOURN**

**Motion to adjourn by Mr. Dain. Motion by Ms. Flores  
and seconded by Mr. Valls. Meeting adjourned at 10:44 a.m.**

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**PRESIDING OFFICERS:**

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Daniel W. Dain, Chairman

**ATTEST:**

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Jonny F. Hipp, Secretary  
Board of Managers  
Nueces County Hospital District

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**ABSENT**  
Wm Dewitt Alsup General Counsel  
Nueces County Hospital District

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