



NUECES COUNTY HOSPITAL DISTRICT

Administrative Offices

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BOARD OF MANAGERS ORDER **DECEMBER 15, 2020**

AN ORDER GRANTING PROFESSIONAL SERVICES EXEMPTION FROM COMPETITIVE PURCHASING REQUIREMENTS RELATING TO THE ACQUISITION OF PHARMACY BENEFIT MANAGEMENT SERVICES

WHEREAS, the Nueces County Hospital District (the "Hospital District") is a body politic and corporate and a political subdivision of the State of Texas, established and created pursuant to the Texas Constitution, Article IX, Section 4 and the Texas Health and Safety Code (the "Health Code" or "Code"), Chapter 281, and operated in accordance with the Health Code and other applicable laws of the State of Texas, including the Texas Local Government Code (the "Local Government Code"), Chapter 262;

WHEREAS, the Board of Managers of the Hospital District (the "Board") is the governing body of the Hospital District, pursuant to Health Code, §281.048, and pursuant to the collective authorities of the Health Code, §281.047 and §281.048, the Board has, and at the time of adoption of this Order had, full power and authority to manage, control, administer, and to adopt rules governing operation of the District;

WHEREAS, the term "purchase" means any kind of acquisition, including professional services, of an item as set forth at Local Government Code, §262.022(6) and the purchase of professional services may be exempted from the competitive purchasing requirements of Local Government Code, §262.023, as authorized by Local Government Code, §262.024(a)(4); and

WHEREAS, the Hospital District desires to acquire the professional services of the Script Care, Incorporated to provide continuing Pharmacy Benefit Management Services relating to the medical aid and hospital care provided to Nueces Aid Program recipients.

**NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF MANAGERS OF THE
NUECES COUNTY HOSPITAL DISTRICT, THAT:**

1. As authorized by Local Government Code, §262.024(a)(4), the Board hereby grants an exemption to the competitive purchasing requirements of Local Government Code, §262.023, for the Hospital District's acquisition of Pharmacy Benefit Management Services from Script Care, Incorporated.

2. The Administrator shall be and is hereby expressly authorized and directed to do and perform all acts, and to execute all instruments, contracts, agreements, and any other related documents, whether or not herein cited, as required to carry out the intent, terms, and provisions of this Order, such execution to be conclusively evidenced by the performance of such acts.
3. The Administrator, in his capacity as the Secretary of the Hospital District Board, be and is hereby legally authorized and empowered to certify these orders and that the provisions hereof are in conformance with the laws of the State of Texas and the Governing Board Bylaws of the Hospital District.
4. This Order shall take effect and be in full force and effect upon and after its passage.

**NUECES COUNTY HOSPITAL DISTRICT
BOARD OF MANAGERS**

Daniel W. Dain
Chairman

Sylvia Tryon Oliver
Vice Chairman

Belinda Flores, R.N.
Member

Vishnu V. Reddy, M.D.
Member

John B. Martinez, J.D.
Member

John E. Valls
Member

Mariana Garza, J.D.
Member

**CERTIFICATE FOR ORDER
AN ORDER GRANTING PROFESSIONAL SERVICES EXEMPTION FROM
COMPETITIVE PURCHASING REQUIREMENTS RELATING TO THE ACQUISITION OF
PHARMACY BENEFIT MANAGEMENT SERVICES**

THE STATE OF TEXAS §
 §
COUNTY OF NUECES §

I, the undersigned Secretary of the Board of Managers of the Nueces County Hospital District, hereby attest as follows:

1. The Board of Managers of said District convened in regular meeting on the 15th day of December, 2020, at the regular meeting place, and the roll was called of the duly constituted officers and members of said Board of Managers, to wit:

Daniel W. Dain, Chairman
Sylvia Tryon Oliver, Vice Chairman
Belinda Flores, R.N.
Vishnu V. Reddy, M.D.
John B. Martinez, J.D.
John E. Valls
Mariana Garza, J.D.

and all of said persons were present, except the following absentees: _____,
_____, and _____ thus constituting a quorum.
Whereupon, among other business, the following was transacted at said Meeting: A written

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was introduced for the consideration of said District and read in full. It was then duly moved and seconded that said Order be passed, and, after due discussion, said motion, carrying with it the passage of said Order, prevailed and carried by the following vote:

YEAS:	_____
NAYS:	_____
PRESENT NOT VOTING:	_____
ABSENT:	_____

2. That a true, full and correct copy of the aforesaid Order passed at the meeting described in the above and forgoing paragraph is attached to and follows this Certificate; that said Order has been duly recorded in the minutes of said Meeting; that the above and forgoing paragraph is a true, full, and correct excerpt from the minutes of said Meeting pertaining to and passage of said Order; that the persons named in the above and forgoing paragraph are the duly appointed, qualified, and acting members of the Board of Managers of said District as indicated therein; that each of the members of the Board of Managers of said District was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of aforesaid Meeting, and that said Order would be introduced and considered for passage at said Meeting, and that each of said members consented, in advance, to holding of said Meeting for such purpose; and that said Meeting was open to the public, and public notice of the date, time, place, and purpose of said Meeting was given all as required by Texas Government Code, §551.001 et.seq.

SIGNED AND SEALED THIS 15th day of December, 2020.

ATTEST:

Jonny F. Hipp
Secretary, Board of Managers

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