

**SUMMARY OF REQUEST**

**DATE:** January 26, 2022

**FACILITY:** Broward Health Physician Group

**PROGRAM/PRODUCT LINE:** Cardiothoracic Surgery Service Line

**REQUEST:** Approval to enter into a two-year employment agreement up to the 81<sup>st</sup> percentile with Dr. Kenneth Herskowitz for cardiothoracic surgery clinical and medical director.

**PURPOSE:** To provide cardiothoracic surgery clinical and medical directorship services to the community.

**CAPITAL REQUIRED:** None

**FINAL FMV REPORT RECEIVED<sup>1</sup>:** Date of Final FMV Report: 12/01/2021  
Name of the person attesting that Final FMV Report has been received and that final FMV Report percentile is identical to FMV percentile stated in this report.  
  
Name: Heather Woolf, Vice President, Ambulatory Division  
  
Signature:  \_\_\_\_\_  
Heather Woolf (Jan 3, 2022 16:38 EST)

**FISCAL IMPACT:** An independent third-party appraiser has determined: (1) the arrangement to be commercially reasonable, and (2) the total maximum compensation is within Fair Market Value (FMV).

**BUDGET STATUS:** Budgeted

**PRACTICIONER CV<sup>2</sup>:** Attach a copy of the Practitioner's most recent C.V.

**LEGAL REVIEW:** The contract is subject to General Counsel's review and approval as to legal form and conditioned on no material changes in the \_\_\_\_\_ ns.

**APPROVED:**  \_\_\_\_\_ DATE: \_\_\_\_\_  
Shane Strum 01/11/2022 11:51 EST  
Shane Strum, President/CEO BH

<sup>1</sup> This applies to physician/physician group contracts

<sup>2</sup> This applies to physician contracts

**MEMORANDUM**

**TO:** Board of Commissioners

**FROM:** Shane Strum, President/CEO BH

**DATE:** January 26, 2022

**SUBJECT:** Approval to enter into a two-year employment agreement up to the 81<sup>st</sup> percentile with Dr. Kenneth Herskowitz for cardiothoracic surgery clinical and medical director services.

**BACKGROUND**

The Physician Group of North Broward Hospital District d/b/a Broward Health (“Broward Health”), is seeking to enter into a two-year employment agreement up to the 81<sup>st</sup> percentile with Dr. Kenneth Herskowitz for cardiothoracic surgery clinical and medical director services. After completing his B.S. in Biology at Tulane University in 1982, Dr. Herskowitz obtained his Doctor of Medicine from Baylor College of Medicine in Houston, Texas in 1986. He completed his residency in General Surgery at Baylor College of Medicine in Houston, Texas in 1992 followed by a fellowship in Surgical Metabolism at the University of Florida in Gainesville, Florida in 1990. Dr. Herskowitz completed his training in Cardiothoracic Surgery at the University of Miami in 1994. Dr. Herskowitz is a Florida licensed and board-certified physician, and he is a leading expert in his field of cardiothoracic surgery.

Dr. Herskowitz joined Broward Health in 2005, and since 2007 has been instrumental in his leadership role as medical director of cardiovascular and thoracic surgery in development of the Heart Center of Excellence at Broward Health Medical Center (BHMC). As a State of Florida-designated Level I trauma center, cardiac surgery is a required service. It is important to retain Dr. Herskowitz to meet the community/healthcare system needs and requirement to provide adequate access. As a safety net hospital, the District is obligated to meet the community needs. Dr. Herskowitz has led the team in implementing the structural heart program and advancing through the American College of Cardiology as a TAVR center of excellence.

A community needs assessment has shown an insufficient number of cardiothoracic surgeons to meet the current and future needs of Broward Health's service area. Dr. Herskowitz will continue to serve the growing needs of our community. Broward Health has documented and objectively determined there is a legitimate business purpose for the services of a qualified physician to provide clinical services in the medical specialty of cardiothoracic surgery.

**PRACTICIONER C.V.**

Attached.

**ACTION/PROJECT DESCRIPTION**

We are requesting that the Board of Commissioners approve entering a two-year contract with Dr. Herskowitz up to the 81<sup>st</sup> percentile.

An independent third-party appraisal report determined that the proposed arrangement is commercially reasonable, and the compensation is within fair market value. Specifically, the proposed salary is a two-year base salary set at the 51<sup>st</sup> percentile with ten percent (10%) of the base salary at risk for satisfaction of quality and compliance metrics and a productivity opportunity with maximum clinical compensation up to the 61<sup>st</sup> percentile. With additional medical directorship duties, maximum compensation will be up to the 81<sup>st</sup> percentile.

The physician's productivity, quality and compliance metrics will be monitored by the Broward Health Physician Group's administrative team and monthly scorecards will be provided to the physician which includes compensation for his medical directorship.

### **FINAL FMV REPORT**

Date of Final FMV Report: 12/01/2021

### **FINANCIAL/BUDGETARY IMPACT**

The proposed salary is budgeted for FY22.

### **JUSTIFICATION**

Broward Health has documented and objectively determined that there is a legitimate business purpose to provide Cardiothoracic services at Broward Health Medical Center (BHMC). Broward Health system also has a need for a qualified physician to continue to serve as the medical director for the Heart Center of Excellence at BHMC, and across the system at BHCS, BHIP and BHN.

Broward Health is required to submit routine registry data for a variety of cardiovascular procedures which includes ICDs, PCIs, STS, TVT, and LAAO. Dr. Herskowitz provides system leadership to help facilitate such reporting and metric improvement efforts related to these measures, ensuring that ongoing performance improvement is achieved. Broward Health Medical Center serves as the tertiary care center within the health system and has expanded its structural heart program to include all components. Because of the excellent outcomes in our TVT data for our TAVR program, Broward Health Medical Center was designated by the American College of Cardiology as a Center of Excellence, the only center of its kind in Broward County. Dr. Herskowitz serves as the leader to ensure evidence-based practice measures are consistently applied throughout the various regions.

As a safety net hospital, the District is obligated to provide services to meet the community needs. Recommendations from the Community Needs Assessment suggest that a critical priority is providing better access to care by enhancing access to specialists throughout the service area.

### **STAFF RECOMMENDATION**

**Therefore, it is requested that the Board of Commissioners of the North Broward Hospital District authorize the District to enter into a two-year employment agreement up to the 81<sup>st</sup> percentile with Dr. Kenneth Herskowitz for cardiothoracic surgery clinical and medical director services.**