

MINUTES

IOWA STATE BOARD OF HEALTH
May 11, 2011 10:00 A.M.
5TH FLOOR SOUTH CONFERENCE ROOMS #517-518
LUCAS STATE OFFICE BUILDING
321 EAST 12TH STREET, DES MOINES, IA

CALL TO ORDER

Cheryll Jones called the meeting to order.

ROLL CALL

Members Present:

Cheryll Jones, Chair
Justine Morton, Vice-Chair
Donald Skinner
Elizabeth Kressin
Hattie Middleton
Jay Hansen
Maggie Tinsman
Michael Wolnerman
Rowe Winecoff

Members Absent:

Gregory Garvin

Other Attendees:

Heather Adams, Assistant Attorney General
Mariannette Miller-Meeks, Secretary
G. Shayne Huston, Recording Secretary

I. Minutes

A motion made by Jay Hansen and seconded by Justine Morton to approve the March 9, 2011 Board of Health minutes carried unanimously.

II. Governor Visit

The Governor assured the Board of Health that he is pushing to be accessible and visible to groups and the state. The Governor is meeting with policy groups to share goals between each other for the betterment of Iowa. Governor complimented the State Board of Health and Dr. Marianne Miller-Meeks for the work being accomplished.

A primary goal for Gov. Branstad is partnering public and private sectors to make Iowa the Healthiest State in the nation. The Governor would like to have this initiative rolled out on or before the Iowa State Fair. Iowa citizens working together is the only way to make this a success.

It is important to have a unified effort and get people to take ownership of their own health. Getting a health assessment enables you to understand and reduce the factors that affect your health. Need to do what we can for jobs and raise the income which leads to better choices.

Want to have affordable healthcare for our citizens. Iowa is one of the lowest healthcare costs in the nation and the Governor is committed to helping to reduce these costs. Health risk assessments for everyone on Medicaid to help reduce risk factors. There is a real tie in with that information and this can be a real asset for the economic environment.

Less people ill equates to companies understanding their costs will be less by being in Iowa. One of the other issues to address is mental health, Iowa one of few that is county by county system and it doesn't provide timely care which has led to some tragedies. We do need to have a state wide system that is well managed focused on providing services as close to home as possible.

Delivery system has changed and we need community based care vs. institutional with 24 by 7 care regardless of what county you live. Chuck Palmer has been working with house and senate to set up the program. Hope to complete in the next 4 years. The Governor has every confidence in Chuck Palmer and Mariannette to help get things done.

Medicaid and mental health will be two of the biggest issues Iowa needs to deal with. It will be done a thoughtful and caring way and working with partners that can be effective. Those are some the challenges that we are facing and the goal of being the healthiest state in the country is doable and an exciting goal for Iowa to reach. Doing this will help business around the country to choose Iowa as a place for their business.

Governor thanked the State Board of Health members for their service on this board. "Nothing is more important than good health and we need to do what we can to encourage and inspire others to be aggressively involved"

II. Rules

A. Department of Public Health [641]—Barb Nervig, Jim Goodrich

1. Adopted and Filed

a) Chapter 126, "State Medical Examiner"

This amendment increases some of the fees that apply to autopsies conducted by the state medical examiner division. The autopsy fee is increased from \$1200 to \$1400. The hourly rate for the state, deputy or associate medical examiner time for all court cases is increased from \$350 to \$450. A cremation permit fee of \$75 shall be assessed for each permit investigated and authorized by the state medical examiner's office. No comments were received.

Question by Maggie Tinnsman: What is the reason for raising fees? Director Miller-Meeks responded: With increases in transportation costs and travel to counties this is a valid increase.

A motion was made by Justine Morton and seconded by Elizabeth Kressin to adopt and file the amendments to Chapter 92. Motion carried unanimously.

b) Chapter 155, "Licensure Standards for Substance Abuse and Problem Gambling Treatment Programs"

Iowa Code section 136.3(13) allows the State Board of Health to appoint a Substance Abuse and Gambling Treatment Program

Committee to approve or deny applications for licensure received from substance abuse programs and gambling treatment programs and to perform other functions delegated to the Committee.

These amendments define a Substance Abuse and Gambling Treatment Program Committee and specify the duties of the Committee. The amendments also change “board” to “committee” throughout the chapter in rules where the Board’s duties are assumed by the Committee. No one attended the public hearing. One written comment was received regarding the makeup of the committee. In response to that comment, the following sentences were added in Item 2: “The committee will be comprised of three members of the board, recommended by the board chair and approved by the board; including two members who have direct experience with substance abuse treatment or prevention and one member representing the general public. The committee chair will be one of the substance abuse treatment or prevention members as recommended by the board chair and approved by the board.” The remaining Items are identical to those published under Notice.

A motion was made by Elizabeth Kressin and seconded by Michael Wolnerman to adopt and file the amendments to Chapter 7. Motion carried unanimously.,

2. **Adopted and Filed Emergency After Notice**

a) **Chapter 88, “Volunteer Health Care Provider Program” – Specialty physicians**

These amendments provide clarification on surgery to be performed in a volunteer health care provider clinic, where surgery can be performed, who can perform the surgery, and the required follow-up for the surgery. The amendments also alphabetically organize the health care provider professions eligible to receive Volunteer Health Care Provider Program (VHCPP) protection. Definitions have been added to provide further clarification regarding the VHCPP.

Notice of Intended Action was published in the Iowa Administrative Bulletin on December 1, 2010, as ARC 9245B. Comments were received at a public hearing that was held on Tuesday, December 21, 2010. One comment referred to Item 5 requesting the CRNA language be consistent with the privileging of the facility where the operation is performed and Item 8 (now Item 7) requesting the physician language be consistent with the privileging at the facility where the surgery is performed. No change was made as the Department determined it is the facility’s responsibility to check for the credentialing required for the physician and CRNA. Another comment was made to add major surgery to the podiatrist’s language. No change was made as the

Department determined this expansion of the VHCCP is for the specialty care physicians.

The following changes have been made since the publication of the Notice. Definitions of “major surgical procedure” and “outpatient surgical center” were added. The word “only” was added to the new sentence in subparagraph 88.5(1)d(18).

The Department has met with the Iowa Dental Board and has determined that additional discussion is needed before proceeding with the amendments pertaining to the Volunteer Health Care Provider Program and dentists. Therefore, the definition of “major dental surgery” and “minor dental surgery”, and the modifications to services dentists may provide that appeared in the noticed rules have been removed. The language pertaining to dentists and the VHCCP that is currently in the rules will remain.

Two letters of support have been received.

A motion was made by Donald Skinner and seconded by Jay Hansen to adopt and file the amendments to Chapter 92. Motion carried unanimously.

3. **Adopted and Filed Emergency**

a) **Chapter 88, “Volunteer Health Care Provider Program” – Student volunteers**

These amendments relate to the addition of health care profession students at the protected clinics. These amendments will allow for additional volunteers in protected clinics by permitting students to volunteer at the protected clinics.

Pursuant to Iowa Code section 17A.4(3), the Department finds that notice and public participation are impracticable because there are students who begin a summer session soon who wish to participate at the protected clinics.

The Department also finds, pursuant to Iowa Code section 17A.5(2)“b”(2), that the normal effective date of these amendments should be waived and these amendments should be made effective on May 11, 2011, as the amendments confer a benefit on the students who wish to participate and on the public as additional volunteers will be provided at the protected clinics.

Received one letter in support.

A motion was made by Jay Hansen and seconded by Justine Morton to adopt and file the amendments to Chapter 92. Motion carried unanimously.

4. **Notice of Intended Action**

a) **Chapter 88, “Volunteer Health Care Provider Program” – Student volunteers**

This is a part of the double barrel process connected with item above. As this is a notice only there is no need for a motion as clarified by Heather Adams.

III. Substance Abuse

A. Report from Substance Abuse/Problem Gambling Treatment Program Committee

Jay Hansen

Jay Hansen reported they met prior to this meeting for approximately 1 hour. The licensure committee Kathy, Deann, Heather, Justine and Jay. Approved three (3) one year licenses for comprehensive programs, three (3) one year licenses for correctional programs, one (1) three year license for a substance abuse program and then accepted one dean status. There were no complaints.

Had a discussion about the mental health efforts in the state, where does substance abuse fit in relation to healthcare reform and the many complications of life and behavioral healthcare.

Board should follow up on the governor's comments on what role we might play in those meetings regarding mental health. One of the big concerns is co-occurring disorders how does this fit together with substance abuse here and mental health DHS both places need to be able to provide co-occurring services and we need to make sure we are involved.

Cheryl Jones will follow up with Michael Busselot about his comments that this board should be involved to help insure that there is a coordinated system.

Cheryl Jones shared that language has been put in for children and need to make sure to deal especially with abused children who are at higher risk.

Cheryl Jones thanked the group and shared that she is really impressed with the work of this group and it is producing what the Board of Health had invisioned.

IV. Department Reports

A. Director's Update – Director Miller-Meeks

1. Legislative Update

Tracking document was shared with the board. The focus has certainly been on the budget wrapping up FY11 and able to get out restorative funding out to those entities and contracts that deliver services to people.

Additional efforts include Health Information Network (HIN) and in the end it did not pass through the legislature. Medicaid's system has to change to meet the new requirements. The big question and focus of effort is to determine HIN's self-sustainability no matter where it is

finally situated. Will present to the legislature and Governor what plan to go forward.

Milk raters are being moved over to the Department of Agriculture similar to most other states. A raw milk bill did not go forward to make it into the final stage.

Plumbing board had a significant amount retained revenue. As a result when licenses are being renewed we are actually not charging which results in refunding. Fees may need to be altered in the future based.

Julie McMahon reported that Iowa did receive funds for home visiting program HOPES program for close to 15 years. Home visitor to establish evidence based programs in communities where there is the least capacity and greatest need. That is how Public Health identified Appanoose/Wapello and Blackhawk counties for evidence based programs. RFP currently out there to determine which entity or entities will provide these services.

Cheryl Jones recognized and thanked Director Miller-Meeks for all the work she and the department have done at the Capitol.

2. Laptop/Wireless Capabilities

Department going wireless and we have funds to support. Laptops that have been used for the State Board of Health will be pulled back into the pool for the department. Where tech is feasible we will use it to enable to use our dollars more efficiently. IDPH will update the board on the wireless.

It was approved by the Board to remove the laptops after the July meeting.

V. Old Business

A. None

VI. New Business

A. Annual Review to Assure the IDPH is in Compliance With Code, Administrative Code, and the Standards - Heather Adams

Heather Adams has completed the review and affirmed that the department is in compliance.

Some sections of statute for the State Board of Health have been updated and antiquated sections removed. Section 136.3 includes the duties of this Board and has been updated. Subsection 5, adopting and implementing Iowa Public Health standards is now a duty.

The rule making provisions in subsection 10 are important as the Board is the rule making body for the entire department that have the force and effect of law.

Subsection 13 is the new section allowing the Board to organize substance abuse and gambling committee.

Subsection 14 is new and requires that the Board perform certain duties as it pertains to e-health, medical home advisory council and prevention and chronic care advisory council.

B. Review Public Health Standards: Governance – Joy Harris

Reviewing public health standards and on the last section which is governance. The State Board of Health is required to provide educational opportunities about public health law to county attorneys, local boards of health and local supervisors. State health assessment is in process and the board will be briefed in July on this process.

The governance standards are being revised and state standards will be reviewed in July.

Board pointed out that it could be hard for the Board of Health to approve the budget before submission this year because of the legislature timing. Wording in standards need to review how this is worded because of the timing. It was decided that the Board will be updated by the Director, in a fall meeting, on budget information prior to the department's submission.

Concludes the annual update of the standards.

C. Bi-Annual Endorsement of the Iowa Public Health Standards – Joy Harris

It was agreed to move this agenda item to September due to the current process of revising the standards.

D. Posting of the Annual Report – Jonn Durbin

http://www.idph.state.ia.us/adper/common/pdf/annual_reports/2010_ar.pdf

Questions can be brought back at the July Board of Health meeting. It was requested of the board to identify items that the board would like to have added. Comments will be sent to Shayne Huston.

E. Written Update Report on Lead-Safe Renovator Program

http://www.idph.state.ia.us/eh/common/pdf/lead/board_of_health_update_04182011.pdf

It was estimated that about 15,000 individuals would be affected. Trainings are held across the state for renovators through providers. Once a renovator has been certified then they are placed on a list that can be searched on the website. Anyone who does

renovation for pre-1978 residential houses is required to be certified. Certification is annual and done through a refresher course each year.

There has to be at least one certified lead renovator per site. If renovation does not disturb paint then there is no need for the certified personnel.

VII. Next Meeting

A. Items for July 13, 2011 Agenda

1. **Election of Officers (Terms Expiring: Jones and Kressin)**

2. **Questions on Annual Report – Jonn Durbin**

3. **Questions on Lead Program Report – Rita Gergely**
Remove from this agenda item for July 13th meeting

VIII. Adjournment

At 12:03pm a motion was made by Justine Morton, seconded by Elizabeth Kressin, to adjourn the meeting. Motion carried unanimously.

Mariannette Miller-Meeks, Director
Secretary of the Board
Iowa Department of Public Health

G. Shayne Huston
Recording Secretary
Iowa Department of Public Health

Mary Jones, Deputy Director
Acting Secretary of the Board
Iowa Department of Public Health