

MINUTES

**IOWA STATE BOARD OF HEALTH
MAY 4, 2010 12:00 P.M.
DIRECTOR'S CONFERENCE ROOMS
LUCAS STATE OFFICE BUILDING
321 EAST 12TH STREET, DES MOINES, IA**

This electronic meeting of the State Board of Health is being held in accordance with section 21.8 of the Code of Iowa entitled "Electronic Meetings." The code states that a governmental body may conduct a meeting by electronic means only if circumstances are such that a meeting in person is impossible or impractical, and if the governmental body complies with the provisions of section 21.8. An in person meeting was impractical due to budget restraints, board members schedules, and the fact that a regularly scheduled board meeting will be held May 12. The purpose of this meeting is to review the concise statement and determine if the board members believe that it accurately captures their discussion, comments, and their eventual adoption and vote on the rule. The electronic meeting was held in the Director's Conference Room, 6th floor, Lucas Building. Notices and agendas were posted on the State Board of Health Web page.

CALL TO ORDER

Cheryll Jones called the meeting to order.

ROLL CALL

Present:

Cheryll Jones
Elizabeth Kressin
Gregory Garvin
Jay Hansen
John Stamler
Justine Morton
Michael Wolnerman
Rowe Winecoff

Absent:

Hattie Middleton
Maggie Tinsman

I. New Business

A. [Iowa Society of Anesthesiologists' Response](#)

Heather Adams addressed the board and reviewed the reason for the special meeting today.

Iowa law, Chapter 17A allows anyone that is interested in a rule to request a concise statement from the board after the board adopts a rule that they are interested in. The concise statement needs to include the reasons for adoption of

the rule, the reasons against adoption of the rule, and the principal reasons for overruling considerations urged against the rule.

The Board received a letter from Nick Mauro dated March 31, 2010 requesting they issue a concise statement under Iowa Code section 17A.4(2).

Staff has taken a look at all of the comments received, both favorable and in opposition to the rule. As well as reviewing minutes in addition to their own personal notes from the two Board meetings where the rule was discussed and compiled a draft concise statement for the boards review.

Cheryll asked Board members for additional comments. Board members discussed and confirmed that the draft does accurately reflect the manner that the Board made its decision.

A motion was made by Jay Hansen, seconded by Gregory Garvin to approve the draft Concise Statement. A roll call vote was taken, eight board members voted in favor of the document. Motion carried unanimous.

II. Adjournment

At 12:10 PM a motion was made by Rowe Winecoff, seconded by Elizabeth Kressin, to adjourn the meeting. Motion carried unanimously.

Thomas Newton, Director
Secretary of the Board
Iowa Department of Public Health

Ramona Cooper
Recording Secretary
Iowa Department of Public Health