



Minutes

State Health Services Council Meeting

Department of State Health Services (DSHS)

Robert E. Moreton Building, M-739

1100 W. 49th Street, Austin, Texas

Wednesday, January 30-31, 2008

1:00 p.m.

Chair's Welcome and Introduction of Guests: Ms. Kane called the meeting to order at 1:12 p.m.

Members Present:

Ms. Glenda Kane, Chair – Corpus Christi

Dr. Jeffrey Ross, Vice-Chair – Houston

Ms. Graciela Cigarroa – San Antonio

Dr. Jacinto Juarez – Laredo

Dr. Rudy Arredondo – Lubbock

Ms. Beverly Barron – Odessa

Dr. Lewis Foxhall – Houston

Members Absent:

Mr. James Springfield – Harlingen

Dr. Jaime Davidson – Dallas

Registered Guests: Norma Reyna, Raul Flores, Nilda Tull, Lorelei Noble, Jim Zukowski, Russell Rust, Starr West, Tina Williams, Kathie Malorey, Jessica Olson, Stephanie Stephens, Schelen Walker, Mark Fussell, Greg Loveledse, Jennifer Hollisworth, Nancy Walker, Aaryce Hayes, Pam Ferguson, Alex Matthews, D. Frank Davis, and Cynthia Humphrey.

Agenda Item #1 – Approval of Minutes: Motion by Dr. Juarez to approve the minutes from the October 10-11, 2007 meeting, seconded by Dr. Arredondo. Motion carried. See http://www.dshs.state.tx.us/council/agendas/013008/1_Oct2007_Meeting_Minutes.pdf for meeting minutes.

Agenda Item #2 – Chair's Staff Acknowledgements: Ms. Glenda Kane, Chair expressed appreciation for the efforts of staff at the first anniversary of Dr. Lakey as DSHS Commissioner and Luanne Southern as Deputy Commissioner.

Agenda Item #3 – Commissioner's Report: Dr. Lakey introduced Dr. Adolfo Valadez, Assistant Commissioner for Prevention and Preparedness. He also provided an overview of the last year's events including:

- a. Leadership Team Development and priorities.
- b. Regulatory Services Division Exchange Building flood, as well as, the transfer of part of the radiation program to Texas Commission on Environmental Quality and the Center for Medicare and Medicaid Services initial certification inspections.
- c. Mental Health and Substance Abuse Services Division Crisis Services Redesign program, hospital capacity issues, Provider of Last Resort advances, the Electronic Medical Records system and incorporation of Tobacco Prevention and Control.
- d. Regional and Local Health Division (RLHS) completion of first year in new regional structure and accreditation work with the local health authorities and local health departments.
- e. Prevention and Preparedness Services Division Newborn Screening program, improvements in laboratory reporting system, continuation of update of Laboratory information; response to Hurricane Dean and disease outbreaks, release of the first state epidemiology report since 1999, application to the CDC for integration of

several chronic disease programs in a more comprehensive way, and application for additional funding for obesity prevention through the Robert Wood Johnson Foundation.

- f. Community and Family Health Services Division implementation of the Alberto N and Frew lawsuit initiatives, Women Infant Child Electronic Benefit Transfer, Women's Health Waiver, and 10 newly funded grants for Federally Qualified Health Centers (FQHCs). Also funded 18 additional grants to existing FQHCs including access points and expanded capacity.
- g. Office of Chief Operating Officer (COO) advancements to respond to all types of disasters, integration of Information Technology (IT) systems with Department of Information Resources. Also part of the COO, the Center for Health Statistics has found new ways to get critical healthcare quality data into the hands of consumers including the Pediatric Hospital Report, reports on hospital acquired infections, and improving Consumer Access to Health Information.
- h. Office of Chief Financial Officer legislative session work, large funding opportunities in the area of Mental Health Redesign, and improvements in staff travel reimbursements.
- i. Visited all DSHS regional offices, several local health department offices, and over half of the state hospitals to focus on building stronger relationships and bringing back critical information.
- j. Working with staff regarding stakeholders, partnerships, funding opportunities, legislative session, and strategic planning.

Agenda Item #4 – Recommend to the Health and Human Services Commission (HHSC) proposal of the following rule actions for public comment:

- a. Amendments to rules and a new rule concerning the collection and release of outpatient surgical and radiological procedures at hospitals and ambulatory surgical centers. Bruce Burns provided rule overview. Motion by Glenda Kane to recommend HHSC approval for publication of the rules contained in item 4(a) contingent on modifications based on comments, review, and approval by Dr. Foxhall and Dr. Juarez, seconded by Dr. Arredondo. Motion carried. No public comment was provided.
- b. A new rule concerning contract protests. Mary Ann Slavin provided rule overview. Motion by Dr. Juarez to recommend HHSC approval for publication of the rules contained in item 4(b), seconded by Ms. Barron. Motion carried. No public comment was provided.
- c. Amendments, repeal of rules, and new rules concerning the provision of family planning in Texas. Evelyn Delgado introduced the rule and David Hagerla provided rule overview. Motion by Dr. Ross to recommend HHSC approval for publication of the rules contained in item 4(c), seconded by Dr. Arredondo. Motion carried. No public comment was provided.
- d. Amendments to rules concerning the Spinal Screening Program. Evelyn Delgado introduced the rule and Jann Melton-Kissel provided rule overview. Motion by Dr. Foxhall to recommend HHSC approval for publication of the rules contained in item 4(d), seconded by Dr. Ross. Motion carried. No public comment was provided.
- e. Amendments and new rules concerning the reporting, treatment, and investigation of child blood lead levels. Casey Blass introduced the rule and Dr. John Villanaci provided rule overview. Motion by Dr. Juarez to recommend HHSC approval for publication of the rules contained in item 4(e), seconded by Dr. Ross. Motion carried. No public comment was provided.
- f. Amendments, repeal of rules, and new rules concerning the immunization registry. Casey Blass introduced the rule and Jack Sims provided rule overview. Motion by Dr. Ross to recommend HHSC approval for publication of the rules contained in item 4(f), seconded by Dr. Juarez. Motion carried. No public comment was provided.
- g. New rule concerning the establishment of a pilot program for the reporting of Methicillin-resistant Staphylococcus aureus (MRSA), a bacteria primarily associated with skin and soft tissue infections. Casey

Blass introduced the rule and Jeffery P. Taylor provided rule overview. Motion by Dr. Ross to recommend HHSC approval for publication of the rules contained in item 4(g), seconded by Dr. Arredondo. Motion carried. No public comment was provided.

- h. Amendments to rules concerning the care of animals by circuses, carnivals, and zoos. Casey Blass introduced the rule and Tom Sidwa provided rule overview. Motion by Dr. Juarez to recommend HHSC approval for publication of the rules contained in item 4(h), seconded by Dr. Arredondo. Motion carried 4 for, 3 opposed. No public comment was provided.
- n. Repeal of rules and new rules concerning the licensing and regulation of massage therapists, massage therapy instructors, massage schools, and massage establishments. Kathy Perkins introduced the rule, and Yvonne Feinleib provided rule overview. Public comment was provided by Norma Reyna, Russell Rust, Lorelei Noble, Kathie Maloney, Lauren Schmeits and Tina Williams, Nilda Tull, Raul Flores – all public comments were in opposition of the rule. Motion by Dr. Foxhall to table this rule to be re-presented at the next council meeting, seconded by Dr. Juarez. Motion carried.

Ms Kane recessed at 4:50 pm and announced the meeting would reconvene at 8:30 am on January 31, 2008.

Ms Kane called the meeting to order at 9:07 am on January 31, 2008.

Members Present:

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| Ms. Glenda Kane, Chair – Corpus Christi | Dr. Rudy Arredondo – Lubbock |
| Dr. Jeffrey Ross, Vice-Chair – Houston | Ms. Beverly Barron – Odessa |
| Ms. Graciela Cigarroa – San Antonio (arrived at 9:40 am) | Dr. Jacinto Juarez – Laredo |

Members Absent:

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| Dr. Lewis Foxhall – Houston | Mr. James Springfield – Harlingen |
| Dr. Jaime Davidson – Dallas | |

Registered Guests: Need to complete.

Agenda Item #4 – Recommend to the Health and Human Services Commission (HHSC) proposal of the following rule actions for public comment:

- i. Repeal of rules and new rules concerning the voluntary registration and regulation of opticians. Kathy Perkins introduced the rule and David Olvera provided rule overview. Motion by Dr. Juarez to recommend HHSC approval for publication of the rules contained in item 4(i), seconded Dr. Arredondo. Motion carried. No public comment was provided.
- j. Amendments to rules, a repeal, and new rule concerning the regulation of bedding products. Kathy Perkins introduced the rule and Annabelle Dillard provided rule overview. Motion by Dr. Ross to recommend HHSC approval for publication of the rules contained in item 4(j), seconded Dr. Juarez. Motion carried. No public comment was provided.
- k. Amendments to rules concerning the term of radiation permits and the transfer of regulatory authority for licensing and inspection of low-level waste processing and uranium recovery and disposal. Kathy Perkins introduced the rule and Cindy Cardwell provided rule overview. Motion by Dr. Juarez to recommend HHSC approval for publication of the rules contained in item 4(k), seconded by Dr. Arredondo. Motion carried. No public comment was provided.
- l. Repeal of rules and new rules concerning the licensing and regulation of chemical dependency counselors. Kathy Perkins introduced the rule and Stewart Myrick provided rule overview. Public comment was provided by Frank Davis, Jennifer Holbrook, Brad Loveledge (not present) in support of rule change. Motion

by Ms. Barron to recommend HHSC approval for publication of the rules contained in item 4(l), seconded by Dr. Arredondo. Motion carried.

- m. Amendments to rules, a repeal, and a new rule concerning the requirements for an emergency medical services provider license, continuing education, and an emergency medical services instructor certification. Kathy Perkins introduced the rule and Maxie Bishop provided rule overview. Motion by Dr. Ross to recommend HHSC approval for publication of the rules contained in item 4(m), seconded by Dr. Juarez. Motion carried. No public comment was provided.

Agenda Item #5 – Medicaid Reform Update – Not presented

Agenda Item #6 – Health and Human Services Strategic Plan: Dr. Rick Danko provided overview HHS strategic planning process and timelines. DSHS section draft to be available March 1, 2008. Draft schedule and location of the public hearings can be found at: http://www.dshs.state.tx.us/council/agendas/013008/6_08_HHSC_Strat_Plan_Pub_Hearing_Sched.pdf HHSC has requested that at least one council member attend each of the public hearings.

Agenda Item #7 – DSHS Presentations and Council Discussions: Implications for HHSC strategic planningGlenda Kane and Dr. Rick Danko

- a. **Preparedness** – Martha McGlothlin provided an overview of preparedness activities. A full presentation can be found at: http://www.dshs.state.tx.us/council/agendas/013008/7a_Preparedness.ppt.
- b. **Regional and Local Health Services** – Not presented
- c. **Regulatory Services** – Kathy Perkins provided an overview of regulatory services and their function. A full presentation can be found at: http://www.dshs.state.tx.us/council/agendas/013008/7c_Regulatory.ppt
- d. **Family and Community Health Services** – Evelyn Delgado provided an overview of family and community health services. A full presentation can be found at: http://www.dshs.state.tx.us/council/agendas/013008/7d_Family_Comm_Health_Services.ppt
- e. **Chief Operating Officer** – Not presented
- f. **Mental Health Services** – Joe Vesowate provided an overview on substance abuse services activities. A full presentation can be found at: http://www.dshs.state.tx.us/council/agendas/013008/7f_MH_Services.ppt

Agenda Item #8 – Next Steps in the Strategic Planning Process, Timelines, Public Hearings – Not presented.

Agenda Item #9 General Public Comment – Public comment was provided by Aaryce Hayes.

Adjournment: Glenda Kane moved that the meeting be adjourned. The motion seconded by Dr. Ross. Ms. Kane adjourned the Council meeting at 12:38 p.m.

Next Council meeting is scheduled for: April 9-10, 2008.

Glenda Kane, Chair

Date Approved by Council