



Minutes

State Health Services Council Meeting

Department of State Health Services

Robert E. Moreton Building, M-739

1100 W. 49th Street, Austin, Texas

Thursday, September 15, 2005

10:00 a.m.

Chair's Welcome and Introduction of Guests: Dr. Arredondo called the meeting to order at 10:16 a.m.

Members Present:

Dr. Rudy Arredondo, Council Chair - Lubbock

Ms. Glenda Kane - Corpus Christi

Dr. Jeffrey Ross - Houston

Ms. Beverly Barron - Odessa

Dr. Lewis Foxhall - Houston

Mr. James Springfield - Harlingen

Members Absent: Dr. Jaime Davidson - Dallas.

Registered Guests: John Callahan - JC Food Mart, Ray Solcher - Grocery Services, Inc., Larry Criswell - Nutrition Stores, LLC, Marcia Clachetsky - FACT, Norma Bangs - FACT, Nelda Tull, Sydney Kornman - Chimney Corners, Matt Wall - THA, Joe Lovelace - NAMI Texas, Laura Wolford - Legislative Budget Board, Jennifer Banda - THA, Dinah Welsh - THA, Ardas Kherson - HHSC, Kelley Chou - DBSA, Monica Thysson - Advocacy Inc., Karen Brown - DBSA.

Agenda Item #1 - Approval of Minutes: The Council voted to approve the minutes from the August 10, 2005 meeting. See <http://www.dshs.state.tx.us/council/minutes/081005.pdf> for meeting minutes.

Agenda Item #2 – 2006 Council Meeting Dates: The Council voted to approve the 2006 Council meeting dates. Approved meeting dates are: January 12-13, March 2-3, May 4-5, August 3-4, October 5-6, and November 16-17.

Agenda Item #3 – Consent Agenda for Amendments to twelve sets of rules relating to fee increases for the Regulatory Programs located in 25 Texas Administrative Code:

- (1) §117.14 - End Stage Renal Disease Facilities;
- (2) §123.4 - Respiratory Care Practitioners;
- (3) §133.26 -Hospital Licenses;
- (4) §135.3 - Ambulatory Surgical Centers;
- (5) §141.2 - Massage Therapists;
- (6) §143.4 - Medical Radiologic Technologists;
- (7) Chapter 205, Product Safety:
 - §205.11 - Bedding;
 - §205.44 - Labeling of Hazardous Substances;
 - §205.57 - Inhalant Abuse;
- (8) Chapter 229, Food and Drug:
 - §229.145 - Narcotic Treatment Programs;
 - §229.182 - Food Manufacturers, Food Wholesalers, and Warehouse Operators;

- §229.372 - Retail Food Establishments;
- §229.439 - Device Distributors and Device Manufacturers;
- (9) §267.3 - Pesticide Applicators;
- (10) §289.204 - Radiation Control;
- (11) §295.42 - 295.56, 295.61 - Asbestos Health Protection; and
- (12) §448.408 - Chemical Dependency Treatment Facilities.

Richard Bays provided an overview of the proposed amendments to the regulatory program rules related to fee charges.

The Council voted to approve the motion to recommend HHSC approval for publication of rules contained in consent agenda items 3a (1)-(3) and 3a(5)-(12). The Council then approved the motion to recommend HHSC approval for publication of the rule contained in consent agenda item 3a(4). Dr. Ross abstained from the second vote.

Agenda Item #4-rule actions for public comment

- a. Mike Montgomery provided an overview of proposed amendments to a rule relating to the farmers' market nutrition program and WIC. The Council voted to approve the motion to recommend HHSC approval for publication of the rule as contained in agenda item 4a. Dr. Arredondo asked that a workgroup of DSHS staff and Ms. Barron work on proposed amendments to the rule to eliminate the reapplication for WIC-only stores when stores are relocated.
- b. Kathryn Perkins provided an overview of an amendment to a rule relating to Designated Trauma Facilities and the EMS Account. The Council voted to approve the motion to recommend HHSC approval for publication of the rule as contained in agenda item 4b.
- c. Michael Minoia provided an overview of an amendment to a rule relating to the community right-to-know acts. The Council voted to approve the motion to recommend HHSC approval for publication of the rule as contained in agenda item 4c.
- d. Debbie Peterson provided an overview of an amendment to a rule relating to the licensing and regulation of perfusionists. The Council voted to approve the motion to recommend HHSC approval for publication of the rule as contained in agenda item 4d.

Agenda Item #5-Commissioner's Report: Dr. Sanchez reviewed DSHS' response to Hurricane Katrina. At the Commissioner's invitation, Mark Fussell, CDC Texas Senior Management Official, provided additional information on response efforts. The complete report can be found at:
<http://www.dshs.state.tx.us/commissioner/reports/CRSept05.pdf>

Agenda Item #6 - Public Comments: The following individuals provided public comments: Nilda Tull - N. TX School of Massage, Ray Solcher - Grocery Services, Inc., John Callanan - JC Food Mart, Kelly Chon - DBSA, Patti Derr - TXFFCMH, Sydney Korman, and Karen Brown - DBSA.

Adjournment: Dr. Rudy Arredondo adjourned the Council meeting at 1:53 p.m.

Next meeting is scheduled for: November 17, 2005 at 10:00 a.m.


Dr. Rudy Arredondo, Chair

November 17, 2005
Date Approved by Council