



State Health Services Council Work Session

Department of State Health Services (DSHS)
Robert E. Moreton Building, Public Hearing Room
1100 W. 49th Street, Austin, Texas
November 19, 2014

Minutes

Council Members Present

Jacinto Juarez, Ph.D., Laredo – Chair
Dr. Kirk Calhoun, Tyler
Dr. Lewis Foxhall, Houston
Carmen Pagan, McAllen
Nancy Townes, Granbury
Dr. David Woolweaver, Harlingen

Council Members Not Present

Rev. William Lovell, Dallas
Dr. Jeffrey Ross, Houston
Jay Zeidman, Houston

Visitors

Justin Alford – TMHP/Accenture
Haley Cornyn – HillCo
Albert Espinoza
Adrian Escobedo – A-Plus Food Inspections
Shelly Farrow – CHS/Cedar Park Hospital
Deidra Garcia – Jackson Walker
Don Hammers – Accent Food Service
Anthony Hanley – Baylor Scott and White
Harvey Hersch

Joanna Meyer – Texas Environmental Health
Association (TEHA)
Del Negron – Novartis Vaccines
Elizabeth Sjoberg – Texas Hospital Association
Kendall Smith – Texas Merchandise Vending
Association
Josh Ramirez – City of McAllen
Holly Turner – Merck
Tom Valentine – TXINSIGHT.com

Call to Order - Council Chair, Dr. Jacinto Juarez called the meeting to order at 2:00 p.m.

1. Rules Planned for Action at a Future Council Meeting
 - a. Amendment to a rule concerning the level of care designation for hospitals that provide neonatal and maternal care. Kathy Perkins introduced the rule and Jane Guerrero provided the rule overview.

The Council members had the following questions and comments:

- Dr. Woolweaver – What is the date that these will be effective?

There was no public comment provided.

- b. Repeal of rules and new rules concerning the regulation of chemical dependency treatment facilities. Kathy Perkins introduced the rule and Allison J. Hughes provided the rule overview

The Council members had the following questions and comments:

- Dr. Foxhall – What is the reason for two-year implementation period for the smoke free workplace? There is data that having these facilities smoke free is very doable and well received. If additional input is needed, MD Anderson or other stakeholders can provide.

There was no public comment provided.

2. Rules Scheduled for Action by Council on November 20, 2014

- a. Repeal of rules and new rules concerning Texas food establishments. Kathy Perkins introduced the rule and Christopher Sparks provided the rule overview.

The Council members had the following questions and comments:

- Dr. Foxhall – Clarify the demerit system. Do you expect the demerits to go down with the implementation of these revisions? Is there any correlation between demerits and food borne illness in the state?
- Dr. Calhoun – Do these rules address foods that are perishable at farmers markets? Do the rules address water storage facilities on food trucks and carts?
- Dr. Woolweaver – All of us eat out and want to feel safe when we do. Were restaurant owners and restaurant associations included in stakeholder meetings? Have there been illnesses related to water supply? Is testing needed monthly?
- Ms. Townes – Have we had a surge in food borne illnesses in family businesses?
- Dr. Juarez – Is the certification that food handlers receive independent of where they are working?

Public comment provided by:

- Joanna Meyer – TEHA – recommends acceptance of rules
- Adrian Escobedo – supports the rules
- Josh Ramirez – City of McAllen – supports the rules

- b. Amendment to a rule concerning immunization requirements in Texas elementary and secondary schools. Janna Zumbrun introduced the rule and Albert Rivera provided the rule overview.

The Council members had the following questions and comments:

- Ms. Pagan – What happens when parents choose not to vaccinate? Do we keep records of those exemption requests? Do we just keep track of how many are vaccinated?
- Dr. Foxhall – Does this rule address only mandatory vaccinations? Is the human papillomavirus (HPV) vaccine addressed?

There was no public comment provided.

- c. Repeal of rules concerning the training of animal shelter personnel. Janna Zumbrun introduced the rule and Tom Sidwa provided the rule overview.

The Council members had no questions or comments.

There was no public comment provided.

- d. Amendment to a rule concerning the Department of State Health Services Animal Friendly Account – Janna Zumbrun introduced the rule and Tom Sidwa provided the rule overview.

The Council members had the following questions and comments:

- Dr. Juarez – Do you look at areas without veterinarians when distributing the funds?

There was no public comment provided.

- e. Repeal of a rule and a new rule concerning the creation and maintenance of an electronic diabetes registry to track glycosylated hemoglobin levels and to govern the format and method of collecting glycosylated hemoglobin data. Janna Zumbrun introduced the rule and Richard Kropp provided the rule overview.

The Council members had the following questions and comments:

- Dr. Calhoun – Can the labs use this data for any purpose other than reporting to the health district? Can they sell it to pharmaceutical or blood testing companies?
- Ms. Pagan – How is the information used in planning?
- Dr. Foxhall – How are we using the collected data? While it is good to collect data, concerned that continuing to invest in this may not be a good use of funds.

There was no public comment provided.

- f. Repeal of rules and new rules concerning the regulation of training and certification of promotores or community health workers. Evelyn Delgado introduced the rule and Tammy Sajak provided the rule overview.

The Council members had the following questions and comments:

- Dr. Juarez – Do you translate this information into other languages? When it comes to communication skills, what language are you asking potential workers to use? In which language do they have to show proficiency?

There was no public comment provided.

- g. Amendments to rules concerning the provisions of the Epilepsy Program. Evelyn Delgado introduced the rule and Travis Duke provided the rule overview.

The Council members had the following questions and comments:

- Dr. Foxhall – If individuals are eligible under the Affordable Care Act, would they also be eligible for this program? If they were eligible for insurance, but chose not to get it, would they be eligible for this program?

There was no public comment provided.

3. General Public Comment - Dr. Juarez asked for general public comment. There was no public comment was provided.

Dr. Juarez asked if Council wanted to remove any of the items from the Consent Agenda for the meeting the following day. No motion made to remove any of the agenda items, so all items will appear on the consent agenda.

Adjourn – Council Chair, Dr. Jacinto Juarez asked for a motion to adjourn. Motion made by Dr. Woolweaver, seconded by Ms. Pagan. Meeting adjourned at 3:47 p.m. until 9:00 a.m. Thursday, November 20, 2014.

Approved by:



Jacinto Juarez, Ph.D., Chair

February 26, 2015

Date