



State Health Services Council Meeting

Department of State Health Services (DSHS)
Robert E. Moreton Building, Public Hearing Room
1100 W. 49th Street, Austin, Texas
November 20, 2014

Minutes

Council Members Present

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

Council Members Not Present

Jay Zeidman, Houston

Visitors

Janet Paleo – Texas Council of Community Centers
Del Negron – Novartis Vaccines
Bob Libel – Grassroots Advocacy
Justin Alford – TMHP/Accenture
Stacy Wilson – Texas Hospital Association
Mark Moreno – UT MD Anderson

Call to Order - Council Chair, Dr. Jacinto Juarez called the meeting to order at 9:00 a.m.

1. Approval of August 14, 2014 and October 14-15, 2014 Minutes. Dr. Juarez asked for a motion to approve the minutes of August 14, 2014 and October 14-15, 2014. Motion made by Dr. Woolweaver, seconded by Dr. Ross, motion approved.
2. Commissioner's Report – Commissioner David Lakey provided an update on the following items.
 - Ebola response – Dr. Lakey and staff spent considerable time in Dallas, providing coordination of activities, monitoring response, and working with federal and local officials. Dr. Lakey also recently testified before U.S. Senate and U.S. House committees. He is also serving on the Texas

Task Force on Infectious Disease Preparedness and Response. Dr. Lakey recognized the Laboratory BioThreat Team who tested and identified the samples that were delivered to the lab.

- Sunset update – The Sunset Commission held a hearing November 12-13 to receive testimony on the HHSC staff report.
- Texas Electronic Vital Events Registry (TxEver) – This system will replace the Texas Electronic Registrar (TER) System and expand the vital events registration process to include electronic registrations for all vital events.
- Texas Health Status Report – Updated data is available on the DSHS Internet site and copies of the report were provided to Council members. Dr. Lakey recognized Nagla Elerian, Erin Rice, and Dr. Linda Gaul for their efforts and expertise in bringing this report together.
- Tuberculosis Exposure of Babies in El Paso – 853 infants and 69 employees were tested. Of these 4 babies and 4 employees are being followed for additional treatment and follow up.
- Terrell State Hospital contract with GEO Care – The announcement of the tentative awardee means that the agency and GEO Care can start contract negotiations and determine if DSHS will move forward with the privatization of the hospital.
- Legislative Appropriations Request/Exceptional Item Request – These include funding for mental health facilities, Expanded Primary Health Care Program, community mental health initiatives, Children with Special Health Care Needs, prevention of chronic diseases, and information technology infrastructure.
- Behavioral Health Public Awareness Campaign – The first phase of the campaign was very successful. Additional community conversations are being scheduled for the second phase.

Staff Updates

Disease Control and Prevention Services

- Inger Marie Vilcins – Coauthored an article entitled “Large Scale Spatial Risk and Comparative Prevalence of *Borrelia Miyamotoi* and *Borrelia burgdorferi* Sensu Lato in *Ixodes pacificus*” (Lyme Disease) published in the *Plos One Journal*.
- Dr. Sheronika Denson – Selected as Secretary for the Epidemiology and Biostatistics Section of the Texas Public Health Association.
- Mathias Forrester – Published “NBOME Designer Drug Exposures Reported to the Texas Poison Control Centers” in the *Journal of Addictive Diseases*.
- Melanie Williams – Accepted to serve as a volunteer member of the American Joint Commission on Cancer – 8th Edition Cancer Staging System, Data Collection Taskforce.

Family and Community Health Services

- Sandra Brown – Received the Texas Association of Local WIC Directors customer service award.
- DSHS Texas Health Steps Program – Awarded First Place in the Poster Division by the National Association of Government Communicators.
- Dr. Manda Haalm – Appointed by Governor Perry to the Early Childhood Intervention Advisory Committee.

Mental Health and Substance Abuse Services

- Lorrie Dunnam – Received from the Office of the Secretary of Defense the “Employer Support of the Guard and Reserve” and was named “Patriotic Employer.”
- Debbie McDonald – Named President-Elect for the National Association of Nutritionists and Food Service Professionals.

- Rick Hoban – Named Administrator of the Year by the Texas Chapter of the National Association of Nutritionists and Food Service Professionals.
- North Texas State Hospital – Received the 2014 David Pharis Award for Hospital Safety and Quality for the Recovery Action Plan Wellness Toolbox.
- Brenda Sheridan – Recognized as a Fellow by the Academy of Nutrition and Dietetics, which is the world’s largest organization of food and nutrition professionals.
- Dr. Diane Robinson – Received the 2014 AccessAbility in Action Award signed by Governor Perry.

Office of General Counsel

- Tim Bray – Elected Chair of the National Association of State Mental Health Program Directors Legal Division for the 2015 term.

State Service Recognition

Tom Martinec, Director of Internal Audit – 40 years of state service

Carolyn Bivens, Center for Consumer and External Affairs – 35 years of state service

Bill Wheeler, Chief Financial Officer – 20 years of state service

The Council members had the following questions and comments on Dr. Lakey’s remarks:

- Dr. Woolweaver – Commended Dr. Lakey for aggressive action in Dallas responding to the Ebola crisis.
- Rev. Lovell – Commended and thanked Dr. Lakey on behalf of Dallas County for his work in Dallas responding to Ebola. Thanked Kirk Cole, Sandy Schroder, and the whole team. Shared suggestion of lesson learned: inform Council members, especially when there is an event in their area, so that they are able to be informed and serve as resources in their community. Help them be as informed as they can be on the issues.
- Dr. Ross – Complemented Dr. Lakey on the protocols that were developed. Was witness to a situation in Houston where there was a suspicion that a patient was exposed to Ebola. Proper protocols were followed. Patient determined to be Ebola free. If there had been a diagnosis, they were prepared.
- Dr. Ross – What protocols are we developing for Enterovirus disease?
- Dr. Calhoun – Congratulated Dr. Lakey on how things were handled with Ebola. Regarding tuberculosis outbreak in El Paso, were there lessons learned in this outbreak that would be beneficial to the industry in preventing a future outbreak?
- Ms. Townes – How did the nurse in El Paso contract tuberculosis?
- Dr. Foxhall – Expressed congratulations and appreciation to the team in dealing with the acute crisis of Ebola. Very appreciative that DSHS is including in LAR a funding request for dealing with number one cause of death, tobacco.
- Dr. Juarez – Of the data gathered from people tested for Ebola, what are the characteristics of those who tested positive vs. those who tested negative. Were there other nurses also taking care of this individual?

Break: 10:18 a.m. – 10:29 a.m.

3. Texas School Health Advisory Committee (TSHAC) Report – Anita Wheeler, School Health Program Coordinator for TSHAC, provided a report on the Committee duties, roles, and objectives. Dr.

Hungate was unable to attend due to a conflicting meeting. The full report can be found at: <http://www.dshs.state.tx.us/council/agenda.shtm>.

Council members had the following comments and questions:

- Dr. Calhoun – On their campus, they have the Southwest Center for Pediatric Health. Have been involved in the safety of high power lines. Wants to compliment TSHAC on what they have done with idling bus and car exhaust, and their focus on tangible issues that can be addressed easily.
 - Dr. Ross – Commend the group on activity over the years. School districts are always looking for people to speak on this topic and current health issues, such as youth suicide, bullying, school environment, mental issues, obesity, and after school programs. Urges Council member to volunteer to speak to their school districts about what this council does in terms of prevention.
 - Dr. Foxhall – Is there a recommended or best practice for introducing an issue to be taken up by the committee?
 - Dr. Juarez – Is there something they can do for students who fail a grade, or fail a class? What is being done to motivate these children to improve?
 - Dr. Ross – Do we have statistics on whether every school is providing a health educator?
4. Consent Agenda - Recommend to the Health and Human Services Commission the proposal of the following rule actions for public comment. Dr. Woolweaver requested that rule 4.a. be pulled from the consent agenda for further discussion.
- ~~a. Repeal of rules and new rules concerning Texas food establishments~~
 - b. Amendment to a rule concerning immunization requirements in Texas elementary and secondary schools
 - c. Repeal of rules concerning the training of animal shelter personnel
 - d. Amendment to a rule concerning the Department of State Health Services Animal Friendly Account
 - 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
 - f. Repeal of rules and new rules concerning the regulation of training and certification of promotores or community health workers
 - g. Amendments to rules concerning the provisions of the Epilepsy Program

Motion to recommend to HHSC the proposed rule actions 4b – 4g for public comment made by Dr. Lovell, seconded by Dr. Woolweaver. Motion carried.

The Council discussed the following rule item:

- a. Repeal of rules and new rules concerning Texas food establishments

The Council members had the following questions and comments:

- Dr. Woolweaver –What sort of exam is the food handler exam? What is the cost? How long is the course?
- Dr. Woolweaver – How many facilities in Texas will require water testing on well water? Does program have any statistics to indicate whether water borne illnesses have occurred in these establishments? One testing per month for these establishments seems punitive rather than practical. Recommends an amendment to say those particular establishments be tested every six months, and if found to have an issue, after remediation, then they will be tested once a month for

two years and have 12 months of good test results in order to revert back to being tested once every six months. Expressed concern with the cost; securing the water, filling out the paperwork, shipping the water and doing the tests exceeds the \$10.00 cost for the test itself.

- Rev. Lovell – Expressed support of Dr. Woolweaver’s recommendation.
- Lisa Hernandez – Can motion and call for a second to amend, or can rule on the amendment.
- Dr. Foxhall – Made a motion to move on what Dr. Woolweaver recommended.
- Rev. Lovell – Seconded the motion to approve as amended by Dr. Woolweaver.
- Dr. Juarez – Asked Dr. Woolweaver to restate the motion.
- Dr. Woolweaver – Motion is to amend the rule to indicate that those entities that are on well water be tested every six months. If there is a problem with the testing, then upon remediation they be tested monthly for two years and be required to have 12 months of good testing cycles in order to revert to being tested every six months.
- Dr. Calhoun – Is the rationale for using the Texas Commission on Environmental Quality (TCEQ) requirements based upon the recommendations they have for large municipalities? Does the TCEQ rule state that they are recommending monthly testing for any public water consumption?
- Dr. Foxhall – What metrics or data are used for these sort of decisions? What data is available as far as the frequency of contamination of water supplies? Requested that any infections or complaints reported that are related to this be reported back to Council. Requests report back in a year.
- Dr. Woolweaver – Of establishments you have identified, there is no data to indicate water borne illness. Are we trying to fix a problem that does not exist?

Motion to approve amendment as read by Dr. Woolweaver passed unanimously.

Motion to recommend to the Health and Human Services Commission the proposal of the rule action 4. a. as amended for public comment made by Ms. Pagan, seconded by Dr. Calhoun. Motion approved.

5. General Public Comment – Council Chair, Dr. Juarez asked for general public comment. Public comment provided by Bob Libal, Executive Director, Grassroots Leadership, regarding the privatization of Terrell State Hospital. He expressed his opposition to the proposal.

Dr. Ross – Regarding the TSHAC report that senior high school students do not have compulsory health education, requests the Commissioner and Assistant Commissioners speak to legislators about making public health education compulsory in high school.

6. Adjourn – Council Chair, Dr. Juarez asked for a motion to adjourn. Motion made Rev. Lovell, seconded by Dr. Woolweaver, motion carried. Meeting adjourned at 11:22 a.m. Next meeting is scheduled for February 25 and 26, 2015.

Approved by:



Jacinto Juarez, Ph.D., Chair

February 26, 2015

Date