

**State Board of Health**  
**Minutes**  
**November 30, 2017 – 9:00 a.m.**  
**Perimeter Center, 9960 Mayland Drive**  
**Richmond, Virginia 23233**

Members present: Faye Prichard, Chair; Gary Critzer; Jim Edmondson; Lisa Harrison; Linda Hines; Anna Jeng, ScD; Patricia Kinser, PhD; Wendy Klein, MD; Benita Miller, DDS; Holly Puritz, MD; Jim Shuler, DVM; Stacey Swartz, PharmD; Katherine Waddell; and Mary Margaret Whipple

Members absent: Tommy East

VDH staff present: Dr. Marissa Levine, State Health Commissioner; Richard Corrigan, Deputy Commissioner for Administration; Bob Hicks, Deputy Commissioner for Community Health Services; Dr. Hughes Melton, Chief Deputy Commissioner; Dr. Norm Oliver, Deputy Commissioner for Population Health; Joe Hilbert, Director of Governmental and Regulatory Affairs; Cathy Peppers, Administrative Assistant; Catherine West, Administrative Assistant; Maribeth Brewster, Communications Manager; Gary Brown, Director, Office of Emergency Medical Services; Cam Crittendon, Manager of Trauma and Critical Care, Office of Emergency Medical Services; Julie Henderson, Director, Division of Food and General Environmental Services, Office of Environmental Health Services; Olivia McCormick, Program Manager, Tourist Establishment Services and Bedding Upholstery Program, Office of Environmental Health Services; Leslie Hoglund, PhD, Division of Population Health Data Director, Office of Family Health Services; Cindy Hunting, Nurse Manager, Western Tidewater Health District; Jim Moore, Director, Lexington Field Office, Office of Drinking Water; and Cindy Shelton, Assistant Director, Office of Emergency Preparedness

Others Present: The Honorable Terence R. McAuliffe, Governor of Virginia; Robin Kurz and Grant Kronenberg, Office of the Attorney General; and Dr. Steve Haering, Director, Alexandria Health District

Call to Order

Ms. Prichard called the meeting to order at 9:00 a.m. Dr. Miller led those in attendance in the pledge of allegiance.

Welcome and Introductions

Ms. Prichard welcomed one new member to the Board, Katherine Waddell. Following introductions, Ms. Prichard welcomed the public to the meeting. Mr. Hilbert then reviewed the agenda and the items contained in the Board's notebooks. Mr. Hilbert told the Board that Dr. Oliver would be presenting the Board of Health Annual Report item rather than Leslie Hoglund as noted on the agenda. Ms. Prichard told the Board that the Governor would be attending the meeting and made the addition to the agenda to have the Governor speak to the Board when he arrived. The revised agenda was approved unanimously by a voice vote.

## Approval of Minutes

Ms. Hines made a motion to approve the minutes from the Board's September 2017 meeting with Ms. Swartz seconding the motion. The minutes were approved unanimously by a voice vote.

## Commissioner's Report

Dr. Levine provided the Commissioner's Report to the Board. She began with the introduction of the "agency stars" for the meeting: Cindy Hunting with the Western Tidewater Health District, Jim Moore with the Lexington Field Office, and Cindy Shelton with the Office of Emergency Preparedness.

Dr. Levine told the Board about the work being done around population health. Dr. Oliver has launched an intra-agency multidisciplinary team to bring together activities within the agency to guide population health initiatives. This team will align efforts for drivers that affect outcome which is critical for Virginia to move forward in this area.

Dr. Levine then updated the Board concerning the Application for a Letter Authorizing Cooperative Agreement, submitted by Wellmont Health System and Mountain States Health Alliance to VDH and the Tennessee Department of Health. A cooperative agreement can allow a merger of two health care systems while being insulated from anti-trust considerations. Tennessee approved their version of the agreement in September 2017. On October 30, 2017, Dr. Levine approved the Application with 49 conditions related to the 42 commitments the applicants provided. The Commissioner has appointed a Technical Advisory Panel and the panel is working to develop recommended metrics for active supervision of the cooperative agreement.

There was a brief discussion about the budget of the two systems and that the cooperative agreement does not affect the certificate of public need process.

The next item Dr. Levine briefed the Board on was the report that the March of Dimes recently released on premature births in Virginia. The data for this report is from calendar year 2015. The report shows that the rate of premature deaths has gone up in Virginia and that no state has had an improvement since the last report done by the March of Dimes. VDH will continue to work to provide family planning counseling; education about birth spacing; increased access to long-acting reversible contraceptives; and increased access to preconception, prenatal, and interconception care.

Dr. Levine then told the Board about the emergency department care coordination program which is a statewide technology solution to facilitate real time information and integration with hospital record systems. This project will enable real time alerts for patient information. An ED Advisory Council has been created. The Council selected a vendor after review of responses received to the request for proposals that was issued. The Council is in the process of negotiating a contract with the vendor. Next steps will be to create detailed implementation plans; implement the solution in hospital emergency departments across the state by June 30, 2018; integrate the solution to the prescription monitoring program and advance directive registry; and expand the program to downstream providers such as federally qualified health centers and community service boards.

Dr. Levine continued the Commissioner's report by telling the Board that the projected rate of death due to fatal drug overdoses is lower for this year. However, there will still be more deaths than ever from drug overdose. The reason for the lower rate is unclear. There has been a decrease in prescribed opioids. Efforts are ongoing but treatment capability is not adequate for the addiction number. There is still more work to be done with regard to the opioid crisis.

There was a brief discussion on whether physicians have lost their licenses due to overprescribing; the decrease of the number of prescriptions as well as pills per prescription; the issue of pain management and society's expectation of how to deal with pain; how to address "pill mill" problems; and comprehensive harm reduction efforts.

Next, Dr. Levine talked about two environmental health issues. The first was the recent foodborne illness outbreak on the Eastern Shore which affected individuals from nine other states. VDH staff worked to identify the bacteria and source involved in the outbreak. The second involved legislation from two previous General Assembly sessions, HB558 (2016) and HB2477 (2017) which deal with transitioning part of VDH's services with regard to onsite sewage evaluation and design services to the private sector. The legislation also revised the definition of maintenance for onsite sewage systems; operation and maintenance requirements for onsite systems; and provisions for fees for repairs, voluntary upgrades, and safe, adequate, and proper evaluations.

Dr. Levine ended the Commissioner's report by providing an update on recent VDH key personnel changes:

- Dr. Richard Williams – Director, Three Rivers Health District;
- Dr. Lauren James – Director, Portsmouth Health District;
- Dr. Robert Nash – Director, Piedmont Health Districts;
- Dwayne Roadcap – Director, Office of Drinking Water; and
- Dr. Lauren Powell – Director, Office of Health Equity

#### Matrix of Pending Regulatory Actions

Mr. Hilbert reviewed the summary of all pending VDH regulatory actions. Since the September 2017 meeting, the Commissioner did not take any action on behalf of the Board while the Board was not in session.

Mr. Hilbert advised the Board that there are 13 periodic reviews in progress:

- Public Participation Guidelines (12VAC5-11);
- Advance Health Care Directive Registry (12VAC5-67);
- Regulations Governing Virginia Newborn Screening Services (12VAC5-71);
- Regulations for Bedding and Upholstered Furniture Inspection Program (12VAC5-125);
- Virginia WIC Program (12VAC5-195);
- Virginia Medical Care Facilities Certificate of Public Need Rules and Regulations (12VAC5-220);
- State Medical Facilities Plan (12VAC-230);
- Regulations for the Licensure of Nursing Facilities (12VAC5-371);
- Regulations for Licensure of Hospice (12VAC5-391);

- Certificate of Quality Assurance Managed Care Health Insurance Plan Licensees (12VAC5-408);
- Rules and Regulations Governing the Virginia Nurse Practitioner/Nurse Midwife Scholarship Program (12VAC5-542);
- Regulations for the Nurse Educator Scholarship Program (12VAC5-545); and
- Schedule of Civil Penalties (12VAC5-650).

### Public Comment

Ms. Prichard reviewed the process to hear comments from the public. One individual, Melissa Peeler, spoke in support of the stroke triage plan and urged the Board to adopt the plan when it came before them later in the meeting. Ms. Prichard then closed the public comment period.

### Member Reports

By unanimous consent, the Board moved the Member Reports ahead on the agenda, in front of the Board Actions Items.

*Dr. Jim Shuler – Virginia Veterinary Medical Association (VVMA).* No report.

*Dr. Holly Puritz – Medical Society of Virginia (MSV).* No report.

*Gary Critzer – Emergency Medical Services (EMS) Representative.* – He told the Board about the annual EMS symposium, one of the largest EMS conferences nationally, which was held earlier in November. At the symposium, Bruce Edwards, former member and chair of the Board of Health, received the Governor’s EMS Award for Excellence in EMS. He also updated the Board on several other items regarding EMS including:

- Committees of the State EMS Advisory Board are working on recommendations concerning Virginia’s trauma system as well as reviewing the fall cycle for the rescue squad assistance fund grants;
- The first cycle of the new EMS education scholarship program is underway; and
- The phase out of testing and certification of the EMT-Intermediate 99 curriculum. Virginia will allow those with current EMT-1 certification to maintain it for the foreseeable future through continuing education.

### Visit of Governor McAuliffe

Ms. Prichard welcomed Governor McAuliffe to the Board meeting. Governor McAuliffe thanked the Board for its work and service to the Commonwealth. He also spoke about the work that was accomplished during his Administration.

### Member Reports – continued

After the Governor’s remarks and a brief break, the Board continued with Member Reports.

*Mary Margaret Whipple – Hospital Industry.* No report.

*Lisa Harrison – Consumer Representative.* No report.

*Jim Edmondson – Corporate Purchaser of Health Care.* He told the Board that he has concerns about mandates that impact health care.

*Dr. Benita Miller – Virginia Dental Association (VDA).* She told the Board about efforts by the VDA to provide access to care, such as providers who donate care through their everyday practice and finding solutions for the Mission of Mercy project in Southwest Virginia.

*Linda Hines – Managed Care Health Insurance Plans.* No report.

*Dr. Anna Jeng – Public Environmental Health Representative.* She told the Board that she met with the Director of the Chesapeake Health District, Dr. Nancy Welch, and other district environmental health staff to discuss outcome metrics to measure effectiveness. Dr. Jeng stated that she will be providing technical support for this effort.

*Stacey Swartz – Virginia Pharmacists Association (VPA).* No report.

*Katherine Waddell – Consumer Representative.* No report.

*Patricia Kinser – Virginia Nurses Association (VNA).* She told the Board that the VNA is holding an opioid conference for nurses in the spring of 2018. She stated that she serves on an opioid crisis committee as part of her association with VCU. She also told the Board that the VNA is partnering with the American Nurses Association in its Healthy Nurse, Healthy Nation Grand Challenge initiative by issuing a Take 5 challenge to all nurses in Virginia.

*Dr. Wendy Klein – Medical Society of Virginia (MSV).* She told the Board that MSV is preparing for the 2018 General Assembly session and will be focused on health care issues which include opioid prescribing/addiction treatment; certificate of public need program reform; preservation of team-based patient care; licensure of naturopaths; assignment of benefits/balance billing; and Medicaid expansion.

*Faye Prichard – Local Government.* No report.

#### Board Action Item

#### *Board of Health Annual Report – Virginia’s Plan for Well-Being*

Dr. Oliver presented the Board of Health’s annual report. He reminded the Board that at its last meeting, VDH presented the Board’s annual report by providing updated data for the Plan for Well-Being. At the Board’s request, VDH reviewed the data and disparities across Virginia and added a narrative document to conceptualize the data and to show the large areas of disparity. Although the numbers cannot be changed because the data is the data, the narrative helps to clarify the work that needs to be done, Dr. Oliver stated that in order to “move the needle” to improve population health, disparities must be addressed. Mr. Edmondson made a motion to approve the annual report with Dr. Jeng seconding the motion.

There was discussion about other agencies that could be involved with the population health action team; the importance of having graphics to show different key areas; the need to include strategies to improve measures in future updates; and including work involving frameworks that communities can work with that can be adapted for specific needs in different communities. There being no further discussion, Ms. Prichard called for a voice vote on the motion to approve the annual report as presented by VDH. The motion was approved unanimously.

#### *State Stroke Triage Plan*

Mr. Brown presented the state stroke triage plan, which has been revised to reflect current best practices in patient care. The stroke triage plan is a component of the statewide emergency medical services (EMS) plan. Once approved, the updated plan will be disseminated to EMS agencies and hospital emergency departments in Virginia. Mr. Critzer moved that the plan be approved with Dr. Miller seconding the motion.

There was discussion of how the updated plan is incorporated into local protocols and educating providers; how often the plan is reviewed and updated; and that there are locations within Virginia where the plan is not helpful due to distances to a stroke center. There being no further discussion, Ms. Prichard called for a voice vote on the motion to approve the state stroke triage plan as presented by VDH. The motion was approved unanimously.

#### Regulatory Action Item

##### *Rules and Regulations Governing Campgrounds (12VAC5-450) – Final Amendments*

Ms. Henderson presented the final amendments. The regulations were promulgated in 1971 and have not been updated since that time. The final amendments will update the regulations to address current camping practices; update terminology; and remove and replace outdated requirements. Dr. Kinser moved that the final amendments be approved with Ms. Prichard seconding the motion.

There was a discussion about how the regulations are enforced, as well as temporary camping permits. There being no further discussion, Ms. Prichard called for a voice vote on the motion to approve the final amendments as presented by VDH. The final amendments were approved unanimously.

#### Lunch Presentation

Mr. Hicks introduced Dr. Haering as the lunch speaker. Dr. Haering told the Board that the Alexandria Health District is the most densely populated area in Virginia. Dr. Haering talked about the services that are offered through the local health department. He told the Board about the efforts that are underway to address issues such as outreach to the community; clinics that provide services such as HIV testing; efforts to reduce teen pregnancy; and organized community efforts to positively influence good health. Dr. Haering also talked about the community health needs assessment which will help improve efficiencies and can be used to compare improvement

over time. There was a brief discussion concerning issues pertaining to immunization, obesity, adolescent pregnancy, and adolescent depression.

Adjourn

The meeting adjourned at approximately 12:46 p.m.