

State Board of Health Nominating Committee
Minutes
June 9, 2011 – 8:30 a.m.
Perimeter Center, 9960 Mayland Drive
Richmond, Virginia 23233

Members present: Bruce Edwards, Dr. Bennie Marshall, and Dr. Mary McCluskey

VDH staff present: Dr. Karen Remley, State Health Commissioner and Joe Hilbert, Director of Governmental and Regulatory Affairs

The members discussed the slate of officers to recommend to the Board. The meeting adjourned at 8:50 a.m.

State Board of Health
Minutes
June 9, 2011 – 9:00 a.m.
Perimeter Center, 9960 Mayland Drive
Richmond, Virginia 23233

Members present: Dr. Julie Beales, Chair; Paul Clements; Kay Curling; Eric Deaton;; Jim Edmondson; Bruce Edwards; Dr. Anna Jeng; Dr. Charles Johnson; Dr. Bennie Marshall; Dr. Mary McCluskey; Dr. Bhushan Pandya; and Gail Taylor

Members absent: Dr. John deTriquet and Ed Spearbeck

VDH staff present: Dr. Karen Remley, State Health Commissioner; Jeff Lake, Deputy Commissioner for Community Health Services; Dr. Marissa Levine, Deputy Commissioner for Public Health and Preparedness; Joan Martin, Deputy Commissioner for Administration; Joe Hilbert, Director of Governmental and Regulatory Affairs; Catherine West, Administrative Assistant; Carol Nixon, Policy Analyst; Gary Brown, Director, Office of Emergency Medical Services; Michael Berg, Regulation and Compliance Manager, Office of Emergency Medical Services; Scott Winston, Assistant Director, Office of Emergency Medical Services; Maribeth Brewster, Risk Communications Manager; Dr. Diane Helentjaris, Director, Office of Family Health Services; Janice Hicks, Policy Analyst, Office of Family Health Services; Susan Tlusty, Policy Analyst, Office of Family Health Services; Bob Hicks, Director, Office of Environmental Health Services; Allen Knapp, Director, Division of Onsite Sewage, Water Programs, Environmental Engineering and Marina Programs; Dwayne Roadcap, Program Manager, Division of Onsite Sewage, Water Programs, Environmental Engineering and Marina Programs; Marcia J. Degan, PhD, PE, Environmental Technical Services Manager, Division of Onsite Sewage, Water Programs, Environmental Engineering and Marina Programs; Dwayne Roadcap, Office of Environmental Health Services; Mihir Elchuri, Research Assistant, Commissioner's Office; Tricia VanHoy, Mount Rogers Health District; and Rochelle Altholz, Office of the Chief Medical Examiner

Others Present: Robin Kurz, Kerri Nicholas, Attorney General's Office; Cindy Speas, Director of Community Affairs, Washington Regional Transplant Community; and Andrew Mullins, Director of Hospital Development and Community Education, LifeNet Health

Call to Order

Dr. Beales convened the meeting at 9:00 a.m.

Matrix of Pending Regulatory Actions

Mr. Hilbert reviewed the listing of all of the pending VDH regulatory actions. There were no questions.

Approval of Minutes

A motion was made and seconded to approve the draft minutes of the March 11, 2011 Board meeting. The minutes were approved unanimously.

Commissioner's Report

Dr. Remley introduced Mihir Elchuri, who is working as a research assistant in the Commissioner's Office. Dr. Remley introduced Tricia VanHoy and Rochelle Altholz as the VDH "agency stars" for this meeting. Agency stars are VDH staff that best demonstrate and exemplify the mission and vision of VDH.

Dr. Remley briefed the Board on a variety of topics, including the AIDS Drug Assistance Program; development of contracts with charitable organizations receiving state funding through VDH's section of the Appropriation Act; the status of efforts to issue a RFP for the governance of a state health information exchange; and the status of efforts to draft emergency regulations for the licensure of facilities performing first trimester abortions.

Overview of State Emergency Medical Services System

Gary Brown gave an overview of the State Emergency Medical Services System. There was a discussion pertaining to pre-hospital data reporting, varying resource levels in localities, standardization of protocols by localities, volunteer vs. professional staffing, and variations in local response coverage.

Report of the Virginia Transplant Council (VTC)

Cindy Speas, Director of Community Affairs for the Washington Regional Transplant Community, and Andrew Mullins, Director of Hospital Development and Community Education, LifeNet Health, provided the report. VTC's mission is to run the Virginia donor registry. It is also charged with implementation of training and outreach for education. Organ donation is increasing but there is still a gap between people on the transplant waiting list and the number of donors available for transplant

There was a brief discussion concerning how the donor registry operates; medical conditions that may preclude organ donation; end of life care issues, tissue matching; and the importance of education and outreach concerning organ donation issues.

Public Comment

Diana DeBoe, Virginia Coalition for Life – Expressed support for regulation of facilities performing first trimester abortions. She told the Board that the South Carolina regulations are the standard to follow.

Ted McCormack, Virginia Association of Counties – He addressed the Board regarding the Regulations for Alternative Onsite Sewage Systems. He said that citizens must know that systems are safe and that systems must be managed correctly.

Drake Hoffman, Virginia Society for Human Life – He commented about the reporting requirements with regard to the regulation of facilities performing first trimester abortions. He said that all of the information required for reporting for spontaneous fetal death should be required for reporting terminated pregnancies, and that complications should be reported. He also said the regulations should include requirements regarding the proper disposal of products of conception.

Leigh Gorski –She expressed support for the regulations of facilities providing first trimester abortions. She indicated that the South Carolina regulations should be used as a model. She said that the regulations should include provisions for licensing and certification of personnel performing the abortion.

Regulations Governing the Newborn Screening and Treatment Program (12VAC5-71) – Notice of Intended Regulatory Action (NOIRA)

Dr. Helentjaris presented the NOIRA. There was a discussion about the length of time (about 18 months) for a draft regulation to go through the entire state regulatory review and approval process. The NOIRA was unanimously approved.

Regulations for Administration of the Virginia Hearing Impairment Identification and Monitoring System (12VAC5-80) – Final Amendments

Dr. Helentjaris presented the final amendments. There was a discussion concerning the equipment necessary to implement the test requirements; applicability of the test requirements to home births; and the significant changes from the proposed to final stage of the regulations. There was further discussion concerning the need to add a definition of chief medical officer and designee. There was a motion, duly seconded, that the Board adopt the final regulations subject to the inclusion of a further definition of chief medical officer. The Board further moved that Dr. Remley be authorized to approve the final amendments on the Board's behalf. The motion was approved unanimously.

Report of the Nominating Committee

Dr. Mary McCluskey provided the report of the Nominating Committee. The committee was comprised of Dr. McCluskey, Bruce Edwards, and Dr. Bennie Marshall. The following slate of Board officers for the year beginning July 1, 2011 was recommended:

Chairman – Bruce Edwards

Vice-Chairman – Dr. Bhushan Pandya

Executive Committee Member – Paul Clements

Executive Committee Member – Dr. Bennie Marshall

Dr. Beales opened the floor for other nominations. Hearing no other nominations, the Board unanimously approved the Nominating Committee report.

Lunch Presentation

Dr. Remley introduced Allen Knapp, Director, Division of Onsite Sewage, Water Programs, Environmental Engineering and Marina Programs. Mr. Knapp provided a presentation on public health issues for the Chesapeake Bay Watershed.

There was a discussion concerning the impact of nitrogen on the Chesapeake Bay; implications for land development; implications for the shellfish industry; and the role that the EPA is playing at the national level.

Regulations for Alternative On-Site Sewage Systems (12VAC5-613) – Final Regulations

Bob Hicks presented the final regulations which would replace the emergency regulations that were promulgated in April 2010. The emergency regulations will expire in October 2011. The final regulations have some additional components.

There was a discussion concerning how an alternative on-site sewage system (AOSS) works and the difference in cost over the expected life of an AOSS vs. conventional system. There was further discussion concerning how AOSS systems are regulated in other states as well as the fact that there are no federal requirements pertaining to AOSS. Dr. Remley told the Board that VDH has spent a lot of time reviewing this issue. Dr. Jeng said this is not a perfect regulation but is a good regulation that is based on a balance of competing interests. Dr. Beales agreed with and appreciated Dr. Jeng's comments. The regulations were approved unanimously.

Member Reports

Dr. Charles Johnson – Virginia Dental Association. No report.

Paul Clements – Nursing Home Industry Representative. The industry has met with Secretary Hazel concerning health care reform. The industry is continuing to examine long term care alternatives and is looking at 30 day re-admission criteria.

Dr. Bhushan Pandya – Medical Society of Virginia. MSV is monitoring the effects of health care reform and health information technology.

Dr. Anna Jeng – Public Environmental Health Representative. She discussed issues concerning pollution from both coal fired power plants and plastic grocery bags.

Dr. Bennie Marshall – Virginia Nurses Association. The VNA continues to be very active in implementing its nurse workforce initiative. She is appreciative of the efforts of the Mary Marshall Nursing Scholarship program.

Eric Deaton – Hospital Industry. The Virginia Hospital and Healthcare Association (VHHA) is focused on quality of care and health outcomes and wants Virginia to be a leading state in terms of health outcomes. VHHA continues to pay close attention to Medicaid reform efforts. Across Virginia, hospitals are partnering with local community colleges to facilitate nurse training programs.

Bruce Edwards – Emergency Medical Services Representative. He said that he hopes the Board members now have a better understanding of the state EMS system. He also indicated that the EMS community appreciates the Board's support.

Jim Edmondson – Consumer Representative. He discussed issues concerning hospital patient outcomes; lesbian, gay, bisexual, and transgender health; and mosquito borne illnesses. He also requested that, prior to the September 15 meeting, Board members receive the draft regulations three weeks before the meeting.

Gail Taylor – Consumer Representative. No report.

Kay Curling – Corporate Purchaser of Health Care. She expects that, as a result of health care reform regulations, 30% of employers will drop employee health coverage by 2014; most of which will probably be small employers. She attended a briefing with 300 employers and learned that survey findings show an enormous increase in high deductible health plans (these are less expensive for employers). Increases in medical costs represent the highest cost for employers while the costs for cost containment are shifted to employees.

Dr. Mary McCluskey – Managed Care Health Insurance Plans. She has observed relatively low medical cost increases in Medicaid for the past nine months. She indicated that there is a heavy focus in quality scores (receiving disincentives for poor scores). The focus is on improving quality scores for members.

Dr. Julie Beales – Medical Society of Virginia. This is her last meeting and as such, is a bittersweet moment. She has been with the Board for 10 years. She indicated that there has been a tremendous amount of information during her tenure on the Board. She also indicated that she is amazed by the quality of the people that work with VDH. Dr. Beales expressed her appreciation for the opportunity to serve on the Board.

Other Business

There was a brief discussion in response to a question about an E-coli investigation. Dr. Remley indicated that there have been a number of cases investigated in Virginia but they are not the same type as cases in Germany. There has been one death but the source has not been identified. Dr. Remley reminded the Board that fruits and vegetables should be well washed before consuming.

Adjourn

The meeting adjourned at approximately 2:20 p.m.