



## Minutes

### State Health Services Council Meeting

Department of State Health Services (DSHS)  
Robert E. Moreton Building, M-739  
1100 W. 49<sup>th</sup> Street, Austin, Texas  
Monday, August 6, 2007  
8:30 a.m.

**Chair's Welcome and Introduction of Guests:** Ms. Kane called the meeting to order at 8:50 a.m.

#### Members Present:

Ms. Glenda Kane, Chair - Corpus Christi  
Ms. Beverly Barron - Odessa  
Dr. Jaime Davidson – Dallas  
Dr. Jacinto Juarez – Laredo  
Mr. James Springfield – Harlingen

Dr. Rudy Arredondo - Lubbock  
Ms. Graciela Cigarroa - San Antonio  
Dr. Lewis Foxhall - Houston  
Dr. Jeffrey Ross - Houston

**Members Absent:** None

**Registered Guests:** Pamela Picard, Jessica Olson, Robin Plan, Joe Lovelace, Richard Poniston, Bob Rogers, Randall Ellis, Don Jansy, Danette Castle, Mark Russell, Judy Graham, Kimberly Anda Edwards, Stephanie Stephens, and Jane Tustin.

**Agenda Item #1 - Approval of Minutes:** Motion by Dr. Rudy Arredondo to approve the minutes from the April 12, 2007 meeting, seconded by Dr. Jacinto Juarez. Motion carried. See <http://www.dshs.state.tx.us/council/minutes/041207.pdf> for meeting minutes.

**Agenda Item #2 - Commissioner's Report:** Dr. Lakey provided an overview of the following items:

- a. 2007 Annual Texas Behavioral Health Institute - "Building Better Health through Resiliency and Recovery"
- b. DSHS Collaboration with Texas Youth Commission
- c. Suicide prevention grant awarded to DSHS by the Substance Abuse Mental Health Services Administration.
- d. Pertussis awareness campaign from July 13 through August 31
- e. Statewide Hurricane Evacuation and Sheltering Exercise June 4-7
- f. Statewide response to flooding in June and July.
- g. Children with Special Health Care Needs Services Program
- h. Expansion of Breast and Cervical Cancer services
- i. Women, Infants, and Children (WIC) Update
- j. US-MX Border Health Commission meeting in Washington, D.C.
- k. Robert Wood Johnson grants to address childhood obesity

Dr. Lakey introduced new executive staff: Dee Porter, Chief Operating Officer and Dr. Bill Race, Chief medical Officer for Mental and Behavioral Health; announced Debra Stabeno's retirement; and shared that Dr. Robert Bernstein, former commissioner of legacy Texas Department of Health passed away.

The Commissioner's Report can be found at:

[http://www.dshs.state.tx.us/council/agendas/080607/2\\_CAM\\_Comm\\_Report.pdf](http://www.dshs.state.tx.us/council/agendas/080607/2_CAM_Comm_Report.pdf)

**Agenda Item #3 - Recommend to the Health and Human Services Commission (HHSC) proposal of the following rule actions for public comment\* (public comments will be taken with each rule discussion):**

- a. Repeal of rules concerning the Community Hospital Capital Improvement Fund. Dr. Arredondo introduced the rule and Susan Rougeau provided rule overview. Motion by Dr. Arredondo to recommend HHSC approval for publication of the rules contained in item 3(a), seconded by Dr. Juarez. Motion carried. No public comment was provided.
- b. An amendment to a rule concerning the State Preventive Health Advisory Committee. Dr. Arredondo introduced the rule and Susan Rougeau provided rule overview. Motion by Dr. Arredondo to recommend HHSC approval for publication of the rules contained in item 3(b), seconded by Dr. Davidson. Motion carried. No public comment was provided.
- c. Amendments to rules concerning the distribution of tobacco settlement proceeds to political subdivisions. Dr. Arredondo introduced the rule and Susan Rougeau provided rule overview. Motion by Dr. Juarez to recommend HHSC approval for publication of the rules contained in item 3(c), seconded by Dr. Foxhall. Motion carried. No public comment was provided.
- d. New rules concerning inspection fees for retail food establishments. Dr. Davidson introduced the rule and Deborah Marlow provided rule overview. Motion by Dr. Foxhall to agree with HHSC's proposal of rules contained in Item 3(d) for public comment, seconded by Dr. Juarez. Motion carried. No public comment was provided.
- e. Repeal of rules and new rules concerning the licensing and regulation of birthing centers. Dr. Foxhall introduced the rule and Nance Stearman provided rule overview. Motion by Dr. Foxhall to recommend HHSC approval for publication of the rules contained in item 3(e), seconded by Beverly Baron. Motion carried. No public comment was provided.
- f. A new rule concerning emergency medical services providers conducting a comprehensive clinical management program. Dr. Foxhall introduced the rule and Maxie Bishop provided rule overview. Motion by Dr. Foxhall to recommend HHSC approval for publication of the rules contained in item 3(f), seconded by Mr. Springfield. Motion carried. No public comment was provided.
- g. Repeals, amendments, and a new rule concerning acoustic radiation, the Radiation Advisory Board, hearing and enforcement procedures, and the packaging and transportation of radioactive material. Mr. Springfield introduced the rule and Cindy Cardwell provided rule overview. Motion by Dr. Ross to recommend HHSC approval for publication of the rules contained in item 3(g), seconded by Dr. Davidson. Motion carried. No public comment was provided.
- h. Repeal of rules and new rules concerning permits for contact lens dispensers. Mr. Springfield introduced the rule and Yvonne Feinleib provided rule overview. Motion by Mr. Springfield to recommend HHSC approval for publication of the rules contained in item 3(h), seconded by Dr. Juarez. Motion carried. No public comment was provided.
- i. Repeal of rules and new rules concerning the regulation and certification of respiratory care practitioners. Mr. Springfield introduced the rule and Pam Kaderka provided rule overview. Motion by Mr. Springfield to recommend HHSC approval for publication of the rules contained in item 3(i), seconded Dr. Arredondo Motion carried. No public comment was provided.

- j. Amendments to rules concerning the collection and release of hospital discharge data. Ms. Cigarroa introduced the rule and Bruce Gunn provided rule overview. Motion by Dr. Juarez to recommend HHSC approval for publication of the rules contained in item 3(j), seconded by Dr. Davidson. Motion carried. No public comment was provided.
- k. Repeals, Amendments, and a new rule concerning data collection, designation of sites serving medically underserved populations, limited liability certification, and medically underserved areas and resident pharmacists. Ms. Cigarroa introduced the rule and Bruce Gunn provided rule overview. Motion by Dr. Foxhall to recommend HHSC approval for publication of the rules contained in item 3(k), seconded by Dr. Arredondo. Motion carried. No public comment was provided.
- l. An amendment to a rule concerning the immunization exemption form. Dr. Ross introduced the rule and Jack Sims provided rule overview. Motion by Dr. Ross to recommend HHSC approval for publication of the rules contained in item 3(l), seconded by Dr. Davidson. Motion carried. No public comment was provided.
- m. Amendments to rules concerning the Texas HIV Medication Program. Dr. Ross introduced the rule and Dwayne Haught provided rule overview. Motion by Dr. Ross to recommend HHSC approval for publication of the rules contained in item 3(m), seconded Mr. Springfield. Motion carried. No public comment was provided.
- n. New rules concerning the Texas HIV State Pharmacy Assistance Program. Dr. Ross introduced the rule and Dwayne Haught provided rule overview. Motion by Dr. Ross to recommend HHSC approval for publication of the rules contained in item 3(n), seconded by Dr. Davidson. Motion carried. Public Comment provided by Randall Ellis in support of the new rules.
- o. Repeal of rules and new rules concerning injury prevention and control. Dr. Davidson introduced the rule and John Villanacci provided rule overview. Motion by Dr. Davidson to recommend HHSC approval for publication of the rules contained in item 3(o), seconded by Dr. Ross. Motion carried. No public comment was provided.
- p. Amendments to rules concerning the control of rabies. Dr. Davidson introduced the rule and Tom Sidwa provided rule overview. Motion by Dr. Ross to recommend HHSC approval for publication of the rules contained in item 3(p), seconded by Mr. Springfield. Motion carried. Public comment was provided by Dr. Robert Reges and Pamela Picard.

**Agenda Item 4 – Council Operations:**

- a. The Chairperson opened the floor for nominations for DSHS Council Vice-Chair. Dr. Foxhall nominated Dr. Ross to Vice Chair. Mr. Springfield made a motion to approve, seconded by Dr. Juarez. Motion carried.
- b. The Chairperson provided proposed 2008 Council Meeting Dates: January 30-31, April 9-10, June 18-19, November 5-6. Dr. Arredondo made a motion to approve, seconded by Ms. Barron. Motion carried.

**Agenda Item #5 - Update on DSHS FY08-09 Legislative Appropriations:** Mabelle Pharr provided an update on the Legislative Appropriations. DSHS was appropriated \$5.23 billion with 9 of 13 exceptional items partially or fully funded. DSHS will be considering unfunded needs and legislative directives. The full report can be found at: [http://www.dshs.state.tx.us/council/agendas/080607/5\\_LAR\\_Update.pdf](http://www.dshs.state.tx.us/council/agendas/080607/5_LAR_Update.pdf)

**Agenda Item #6 – Legislative Session and Next Steps:** Kirk Coke provided a brief overview of the 80<sup>th</sup> Legislative Session, which ended on May 28, 2007. The full report can be found at: [http://www.dshs.state.tx.us/council/agendas/080607/6\\_Lege\\_Session\\_Update.pdf](http://www.dshs.state.tx.us/council/agendas/080607/6_Lege_Session_Update.pdf)

**Agenda Item #7 – Policy and Program Briefings**

- a. Mental Health Transformation (MHT) Update – Joe Vesowate provided an update of the latest MHT activities. Nine states have received the MHT grant, receiving just under \$3 million each year. Joe Vesowate and Dr. Lakey will represent DSHS on the Texas MHT work group. The grant is close to the end of year two of the five year grant period. In year two, a great deal of work was spent into creating separate workgroups, each defining specific priorities, roles, activities, and timelines. Workgroups were created for adult services, children’s services, workforce, data infrastructure, information technology, and housing. Year 3 strategies are due to the Department of Substance Abuse and Mental Health Services Administration on September 30.
- b. Substance Abuse Prevention and Treatment Block Grant – Joe Vesowate reported on the Substance Abuse Prevention and Treatment Block Grant activities. This grant provides funding for states to comply with reporting provisions of the Public Health Service Act and the Synar Amendment, as implemented by the Tobacco Regulation. Also, this grant is a federal funding mechanism for purchasing prevention and treatment services for youth adults in state’s 11 health and human service regions. In Texas the grant funds 87% of DSHS administered substance abuse services. DSHS priorities for the future are better integration of prevention, intervention, and treatment services to achieve an effective continuum of services. DSHS is taking stakeholder comments for the FY2008 Intended Use Plan through August 15, 2007 at <http://www.dshs.state.tx.us/cpi/saptbg>. The full report can be found at [http://www.dshs.state.tx.us/council/agendas/080607/7b\\_SAPT\\_BG\\_\(FY08\).pdf](http://www.dshs.state.tx.us/council/agendas/080607/7b_SAPT_BG_(FY08).pdf)
- c. School Health Advisory Committee – The Texas School Health Advisory Committee (TSHAC) was created by Senate Bill 42 in 2005 during the 79<sup>th</sup> Legislative Session with a membership that reflects the diversity of school health issues. Members include one representative from the Texas Education Agency and one representative from the Texas Department of Agriculture. During the first year of operation the committee met six times. Activities included receiving orientation and training, commenting on TEA commissioner’s rules, conducting strategic planning, developing guiding goals and principles, establishing subcommittees to study pandemic flu and mental health, developing a web page, providing support to the DSHS School Health Program, and interchanging ideas and information with partners. A detailed report may be found at: [http://www.dshs.state.tx.us/council/agendas/080607/7c\\_2007\\_TSHAC\\_Annual\\_Report.pdf](http://www.dshs.state.tx.us/council/agendas/080607/7c_2007_TSHAC_Annual_Report.pdf)

**Agenda Item #8 - General Public Comment:** No general public comment was provided.

**Adjournment:** Dr. Juarez moved that the meeting be adjourned. The motion seconded by Dr. Davidson. Ms. Kane adjourned the Council meeting at 2:45 p.m.

Next Council meeting is scheduled for: October 11-12, 2007 at 10:00 a.m.

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Glenda Kane, Chair

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Date Approved by Council