



State Health Services Council Meeting

Department of State Health Services (DSHS)

909 West 45th Street, Austin, Texas

Building 2, Public Hearing Room 164

February 27, 2014

Minutes

Council Members Present

Jacinto Juarez, Ph.D., Laredo – Chair

Dr. Kirk Calhoun, Tyler

Dr. Louis Foxhall, Houston

Rev. William Lovell, Dallas

Dr. Jeffrey Ross, Houston

Dr. David Woolweaver, Harlingen

Visitors

Andria Franco – Governor's office

Bonnie Bruce – TSA

Tom Valentine – TXINSIGHT.com

Bonnie Bacaisse – Sen. Wendy Davis

Truh Becke – HillCo

Katherine Yoder – Parkland

Elizabeth Raggio – Texas Medicaid & Healthcare Partnership (TMHP)

Tatiana Oria – Rep. Toni Rose

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

1. Approval of November 20-21, 2013 Minutes. Dr. Juarez asked for a motion to approve the minutes of November 20 and 21, 2013. Motion made by Dr. Ross, seconded by Dr. Woolweaver, motion passed.
2. Council Operations: Election of Vice-Chair. Dr. Juarez accepted the resignation of Dr. Ross as Vice-Chair and thanked him for his service. Dr. Ross said he was honored to have served as Council Vice-Chair and that he looks forward to continuing to serve on the Council and work with Dr. Juarez, other Council members, Dr. Lakey, and staff.

Dr. Juarez asked for nominations for the Vice-Chair position. Dr. Woolweaver nominated Rev. Lovell, second by Dr. Foxhall. No other nominations were made. Dr. Calhoun moved that nominations be closed. Dr. Ross seconded.

Dr. Juarez asked for a vote on Rev. Lovell as Vice-Chair. All members present voted for, none against. Rev. Lovell was elected Vice-Chair and accepted the position.

3. Commissioner's Report – Commissioner David Lakey reported on the following:

- Thanked Dr. Ross for service and congratulated Rev. Lovell on appointment as Vice-Chair
- Announced that Mr. Rupani has resigned from the Council
- Update on 2014 flu season
- Expanded Primary Health Care
- Maternal Morbidity and Mortality Task Force – First meeting scheduled for February 28, 2014. First report due to the Legislature by September 1, 2014.
- Interim Legislative charges
- Legislative Appropriations Request
- Strategic planning process for 2015-2019. Coordinated strategic plan will be submitted through HHSC to the Legislature
- Cross Agency Coordination – identifying issues impacting populations served by multiple agencies
- Sunset Review Update
- Mental Health Procurements
- Healthy Community Collaboratives Grant – S.B. 58
- NorthStar Medicaid Waiver Program
- Jail Based Competency Restoration Pilot Program
- Mental Health and Substance Abuse Public Awareness Campaign
- Long term plan for state hospital system – ten-year plan
- Drug Demand Reduction Advisory Committee
- Privacy of health records at state hospitals
- Council for Advising and Planning for the Prevention and Treatment of Mental Disorders
- Health Care Associated Infections (HAI)
- Newborn Screening Transportation – timeliness of receiving samples

Staff announcements:

- Mike Maples was introduced as the new Deputy Commissioner.
- Sonja Gaines was introduced as the new HHSC Associate Commissioner for Mental Health and Substance Abuse Services (position created in 83rd Legislature).
- Dorothy Mandell, Family and Community Health Services (FCHS), Office of Program Decision Support, co-authored manuscript for publication by the *Journal of Applied Research on Children*.
- Raquel Flores and Michelle Kormondy, FCHS, Office of Program Decision Support, prepared a poster that was accepted for presentation at the 2014 Society for Research on Adolescents for the biennial meeting to be held in March.
- Rusk State Hospital received the David Pharis Award from the Texas Society of Psychiatric Physicians for their Wellness Program.
- Tim Bray was elected Vice Chair of the National Association of State Mental Health Program Directors Legal Division for 2014.
- Disease Control and Prevention Services (DCPS), Texas Birth Defects Epidemiology and Surveillance Branch celebrated its 20 year anniversary; Dr. Lakey recognized Mark Canfield for his leadership.

- DCPS, Cardiovascular Disease and Stroke Program submitted a competitive application to the Million Hearts Stakeholder Conference.
- DCPS, Comprehensive Cancer Control Program was invited to participate in a special project to promote the Centers for Disease Control and Prevention’s Inside Knowledge: Get the Facts about Gynecologic Cancer Campaign.
- DCPS, Health Promotion and Chronic Disease Section is hosting a four day course focusing on specific content areas to improve public health. David Gruber, Assistant Commissioner for Regional and Local Health Services, is the keynote speaker.
- The U.S. Department of Agriculture, Food Safety and Inspection Service (FSIS) has determined that Texas State Meat and Poultry Inspection Program is at least equal to USDA FSIS standards. Kathy Perkins recognized Regulatory Services staff Adam Bruuch, Bradley Martin, and James Dillon, DVM, that work in this program.
- The DSHS Mammography Program was recognized by the U.S. Department of Health and Human Services for adequately and appropriately fulfilling its responsibilities as an FDA-approved state certifying agency. Kathy Perkins recognized Barbara Taylor for her leadership of the program.
- Kathy Perkins received the Journey of Excellence Award from the Governor’s EMS and Trauma Advisory Council.
- The Continuing Medical Education Program was awarded accreditation with commendation by the Texas Medical Association. Dr. Aileen Kishi, Mary Soto, Sherry Richardson-Roland, and Annette Lara were recognized for their work in the program.
- Lisa Hernandez was recognized for 20 years of state service.
- Dr. Juarez recognized Dr. Lakey for 15 years of state service.

The Council members had the following questions and comments:

Dr. Ross – The State has improved on HAI. What do you attribute the success to and are we doing any continuing medical education?

Pointed out articles on WIC and SNAP and drop in obesity rate by 43% in a decade. Why is that age group (under age five) affected? Attributed difference to cross cutting policy issue. If we capture these kids when they are young, they will have a healthy lifestyle throughout life. Older kids are still suffering.

3. Consent Agenda – Recommend that the Health and Human Services Commission (HHSC) proceed with the rulemaking process in the following rule actions:
 - a. New rules concerning the criteria for approving trainers of mental health first aid services
 - b. New rules concerning the standards for a Jail-based Competency Restoration Program

Motion to recommend that the Health and Human Services Commission proceed with the rulemaking process made by Dr. Woolweaver, seconded by Dr. Calhoun, motion passed.

Agenda Items 4.b. and 4.c. were removed from Consent Agenda Item 4 at the request of Council members.

4. Consent Agenda – Recommend to HHSC the proposal of the following rule actions for public comment:
 - a. New rules concerning newborn screening for critical congenital heart disease

- ~~b. Amendments to rules and new rules concerning the collection and release of hospital outpatient emergency room data, hospital discharge data, and outpatient surgical and radiological procedures at hospitals and ambulatory surgical centers~~
- ~~e. Amendments to rules concerning the licensing and regulation of hospitals~~
- d. Repeal of a rule and a new rule concerning the memorandum of understanding between the Department of State Health Services and the Texas Commission on Environmental Quality regarding radiation control functions
- e. Amendment to a rule concerning fees for certificates of registration, radioactive material licenses, emergency planning and implementation, and other regulatory services
- f. Amendment to a rule concerning the licensing of device distributors and manufacturers
- g. Amendment to rules concerning the licensure of tanning facilities
- h. Amendment to a rule concerning federal regulations on meat and poultry inspection
- i. Amendments to rules concerning fee schedules for clinical testing, newborn screening, and chemical analysis

Dr. Juarez asked for a motion to approve the remaining items 4.a., 4.d., 4.e., 4.f., 4.g., 4.h., and 4.i. on the consent agenda and recommend to HHSC the proposal of the rule actions for public comment. Motion made by Dr. Foxhall, seconded by Rev. Lovell, motion passed.

- b. Amendments to rules and new rules concerning the collection and release of hospital outpatient emergency room data, hospital discharge data, and outpatient surgical and radiological procedures at hospitals and ambulatory surgical centers

Council members had the following questions and comments:

Dr. Ross recused himself from the vote.

Dr. Juarez asked for a motion to approve item 5.b. and recommend to HHSC the proposal of the rule action for public comment. Motion made by Dr. Calhoun, seconded by Dr. Woolweaver, motion passed.

- c. Amendments to rules concerning the licensing and regulation of hospitals
Kathy Perkins provided an update on the questions asked during the work session regarding licensing and use of acronyms. Ms. Perkins provided amended language for the rule. The language is as follows:

“Proposed Rule 133.31(f)(4)(D)

(7) Services. The governing body shall be responsible for all services furnished in the hospital, whether furnished directly or under contract. The governing body shall ensure that services are provided in a safe and effective manner that permits the hospital to comply with applicable rules and standards. At hospitals that have a mental health service unit, the governing body shall adopt, implement, and enforce procedures for the completion of criminal background checks on all prospective employees that would be considered for assignment to that unit, except for persons currently licensed by this state as health professionals.”

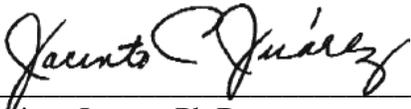
After review it was determined that the language as amended meets the public commenter’s and stakeholders’ concerns. The Occupation Code allows the use of acronyms.

Council members had no questions and comments.

Dr. Juarez asked for a motion to approve item 5.c. as amended and recommend to HHSC the proposal of the rule action for public comment. Motion made by Dr. Ross, seconded by Rev. Lovell, motion passed.

5. General Public Comment. Dr. Juarez asked for general public comment. There was no general public comment.

Dr. Juarez asked for a motion to adjourn the meeting. Motion made by Dr. Woolweaver, seconded by Dr. Calhoun, motion passed. Meeting adjourned at 10:12 a.m. Next meeting will be May 21 and May 22, 2014.



Jacinto Juarez, Ph.D.
Council Chair

May 22, 2014

Date