



## 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

August 26, 2010

9:00 a.m.

**Minutes**

### Council Members Present

Ms. Glenda Kane, Chair – Corpus Christi

Ms. Beverly Barron – Odessa (until 12:10)

Dr. Kirk Calhoun – Tyler

Dr. Lewis Foxhall – Houston

Dr. Jacinto Juarez – Laredo

Dr. Jeffrey Ross – Houston (until 12:10)

Dr. David Woolweaver – Harlingen

### Council Members Not Present

Ms. Graciela Cigarroa

Mr. Nasruddin Rupani

### Visitors

Joe Lovelace

Sarah Hambrick

Katie Coburn

Belinda Carlton

Nancy Fulshear

Natasha Boston

Gyl Switzer

Vilma Luna

Bobby Schmidt

Diana Sosa

Chris Yanas

Call to Order - Council Chair, Glenda Kane called the meeting to order at 9:00 a.m.

1. Approval of April 28 and 29, 2010 Minutes - Glenda Kane, Chair asked for a motion to approve the minutes from the last Council work session and meeting. Motion made by Dr. Woolweaver, motion seconded by Dr. Calhoun.

2. Commissioner's Report – Commissioner Lakey provided an update on Mental Health and Substance Abuse Services; Family and Community Health Services; Prevention and Preparedness Services; Regulatory Services; Regional and Local Health Services; 2012-13 legislative appropriations request and stakeholder meetings; Deep Horizon oil spill; health care reform; recent/upcoming legislative interim hearings; RFPs for substance abuse, primary health care, breast and cervical cancer and EMS/trauma registration; state health officials bi-regional meeting; Ready or Not Preparedness Campaign; hurricane response/Hurricane Alex; and Operation Lone Star.

Commissioner Lakey also highlighted the following staff and program accomplishments:

- Dr. Thomas P. "Tate" Ehrlinger is the new State Epidemiologist
- Terrell State Hospital celebrated its 125<sup>th</sup> Anniversary
- Rio Grande State Center was 2009-2010 Flu Vaccination Challenge winner
- Texas Shellfish Program recognized
- Organ Donation Registry reached 1 million registered donors
- WIC and IT recognized for communications in excellence award
- WIC interactive voice response system
- TB – Bi-national program border model for excellence
- Dr. Seaworth – National TB Controllers Association Outstanding Physician Award for 2010
- Dr. Charles Wallace – elected President of the National TB Controllers Association
- Dawn Ferrell – elected President of the National TB Controllers Association Nursing Section
- Dwayne Haught – received the Dr. Nicholas Rango Award presented by the federal Health Resources and Services Administration.
- Lucina Suarez – inducted into Texas A&M Health Science Center, Delta Omega as adjunct faculty in epidemiology for her lifetime of work and achievements in public health.
- Richard Greene – Texas Counselor of the Year last year, recipient of the Lora Rae Memorial Alcoholism and Drug Abuse Counselor of the Year Award this year.
- Kathy Perkins – Outstanding Women in Texas Government Award for 2010 for her outstanding work in public health.
- Machel Pharr – 25 year tenure award

Motion: Dr. Foxhall made motion to forward letters of commendation from Council to all staff recognized in today's meeting. Ms. Barron and Dr. Woolweaver seconded the motion.

3. Briefing on Hurricane Preparedness Activities – Dr. Adolfo Valadez provided an update on Hurricane Preparedness activities. The full presentation can be found at: [www.dshs.state.tx.us/council/agenda.shtm](http://www.dshs.state.tx.us/council/agenda.shtm)

Council members had the following questions/comments:

- Need to prioritize restoring power to health care providers following a disaster
- Need to reassure patients that their needs can be met if they evacuate
- Importance of small and mid-size towns to response efforts
- Preparations to deal with people crossing the border to receive care in response to border violence and other man-made types of disasters
- Use of electronic medical information encoded on electronic bracelets
- Including disaster preparedness as a part of patient plan and case management
- Need to quickly re-establish communication between patients and providers following a disaster

Dr. Valadez will follow-up with Dr. Foxhall after the meeting to discuss further possibilities related to the use health information exchange and other options to facilitate communication following a disaster.

10:44 a.m. – Council took as break and resumed at 11:19 a.m.

5. (Rules taken out of order.) Dr. Woolweaver made a motion to move the school based health centers (SBHC) rules back to the consent agenda, Dr. Juarez seconded. Motion approved to move SBHC rules back on to consent agenda for approval today.

Recommend to the Health and Human Services Commission proposal of the following rule actions for public comment\*

- a. The following rules are on the consent agenda:
  - i. Amendment to a rule and new rule concerning the caging requirements and registration for dangerous wild animals
  - ii. Amendment to a rule concerning reptile-associated salmonellosis
  - iii. Amendments to rules concerning school-based health centers
  - iv. Amendments to rules and the repeal of rules concerning the regulations addressing dietary supplements with ephedrine group alkaloids and restricting the sale and distribution of drugs containing ephedrine
  - v. New rule concerning the regulation of special care facilities

Glenda Kane asked for a motion to approve these rules by consent and recommend to the Health and Human Services Commission (HHSC) that they be posted for public comment. Motion made by Dr. Ross. Seconded by Dr. Calhoun. Motion to move rules a.i., a.ii., a.iii., a.iv., and a.v. to Health and Human Services Commission for public comment passed.

- 5b. Amendment to a rule concerning reimbursement methodology for Transition Assistance Services in the Youth Empowerment Services (YES) waiver. Sarah Hambrick presented the rule. Council members had questions about the funding source for these services and the possibility of overlap with services through DADS. The presenter clarified that YES is a Medicaid waiver program and that the clients have severe mental illness and are not typically clients of DADS. Motion to recommend to HHSC that the rule be posted for public comment made by Ms. Barron, seconded by Dr. Juarez. No public comment.
- 5c. New rules concerning children participating in rodeos. Rule overview provided by Dr. Valadez; Dr. Lauri Kalanges provided the background. There was a great deal of discussion and concern expressed by Council members about these proposed rules. Dr. Juarez moved to accept the rules as presented and send to HHSC with a cover letter detailing the concerns expressed by Council members. Motion seconded by Dr. Calhoun. Dr. Foxhall and Ms. Barron cast dissenting votes. Motion passed.

Council members had the following issues for future consideration: clarify terms; standardize the quality of head gear, require physical exam prior to participation, mandatory reporting of injuries, mandatory health insurance, age limits, and specifying the number of concussions before ineligible to participate. Ms. Kane asked that this item be considered for further discussion at a future Council meeting. There was no public comment.

6. General Public Comment – Taken after rules. Glenda Kane called for public comment. Joe Lovelace, Texas Council of Community MHMR Centers, provided public comment on the mental health funding in the LAR.
4. (Delayed until after rules were considered) DSHS Legislative Appropriations Request (LAR) for Fiscal Years 2012-2013 – Machel Pharr, CFO, provided an update on the LAR for FY 2012-2013, and the status of the budget reductions that have been submitted. LAR was submitted August 26, 2010. The presentation can be found at [www.dshs.state.tx.us/council/agendas/Aug2010/2012-13-LAR-82510.ppt](http://www.dshs.state.tx.us/council/agendas/Aug2010/2012-13-LAR-82510.ppt).

Mrs. Kane asked what the strategic plan would be to appropriately address issues of mental health and substance abuse in Texas if money were not an issue. She said it would be helpful to look at what the system should look like, where we need to be in ten years based on what health care needs are and the best interest of Texans. She suggested a workshop to develop a vision for public health and mental health services in Texas.

Adjourn - Glenda Kane asked for a motion to adjourn. Motion made by Dr. Juarez, second by Dr. Calhoun. Meeting adjourned at 12:45p.m.

\* Denotes Council action item.



Glenda Kane, Chair

11/09/10

Date Approved by Council