



State Health Services Council Work Session

Department of State Health Services (DSHS)

Robert E. Morton Building, M-739

1100 W. 49th Street, Austin, Texas

September 14, 2011

Minutes

Council Members Present:

Mrs. Glenda Kane, Chair – Corpus Christi
Mrs. Beverly Barron – Odessa – arrived at 2:45 p.m.
Dr. Kirk Calhoun – Tyler
Dr. Lewis Foxhall – Houston
Dr. Jacinto Juarez – Laredo
Rev. William Lovell – Dallas
Dr. Jeffrey Ross – Houston
Mr. Nasruddin Rupani – Sugar Land
Dr. David Woolweaver – Harlingen

Visitors:

Denise Rose – Texas Hospital Association
Gretchen Ellison – HillCo Partners
Miriam Williamson – Senior Advocacy Group
Rebecca Calderon – Senior Advocacy Group
Carol Wisdom – Senior Advocacy Group
Andria Franco – Office of the Governor

Chair, Glenda Kane called the meeting to order at 2:10 p.m.

1. Staff and Council Member Recognition - Mrs. Kane recognized newly appointed Council member, Rev. William T. Lovell, of Dallas. He replaces Graciela Cigarroa whose term has expired. Glenda Kane, Chair, provided a certificate of service to Rosamaria Murillo, who was the Council liaison from 2005 until 2008. Rosamaria Murillo's last day with the agency is September 14.
2. Rules Planned for Action at a Future Council Meeting. Public comments taken with each rule discussion for the following rules.
 - a. Amendments to rules concerning the reporting of healthcare-associated infections. Adolfo Valdez introduced the rule and Jeff Taylor provided the rule overview.

Discussion: Staff responded to Council members on the following questions:

- Dr. Foxhall asked if there a mechanism in place for public reporting the results of the information collected in a public network.

- Dr. Foxhall asked if there will be any attempt to apply risk adjustment or comparison on cancer centers vs. general hospitals.
- Dr. Foxhall asked if facilities that handle a large number of immunocompromised patients had input into the rules, and suggested that staff consider getting specific input from larger institutions who handle immunocompromised individuals.
- Dr. Ross asked how we will obtain statistics on hospital infections. Are we going by the figures that hospitals and doctors submit monthly or are we taking cultures?
- Dr. Ross also asked what reporting method we will be using.

There was no public comment.

4. General Public Comment

(Since three individuals had traveled from the Dallas area, general public comment was taken at this time.)

Public comment was provided by members of the Senior Advocacy Group – Miriam Williamson, Rebecca Calderon and Carol Wisdom – on a statewide caregivers campaign which could be a cost savings for the state.

Dr. Foxhall mentioned that there is a course offered at Coleman Community College entitled Grand Aides, which provides a formal education program for seniors who want to do this type of work.

Mrs. Kane suggested to Luanne Southern that we incorporate seniors into the workgroup for the mandated comprehensive study of the mental health system.

Since this subject matter is applicable to programs operated by the Texas Department of Aging and Disability Services (DADS), Mrs. Kane offered to forward the written testimony provided by these individuals to DADS staff.

Agenda order resumed with 2.b.

b. New rule concerning cottage food production operations. Kathy Perkins introduced the rule and Cheryl Wilson provided the rule overview.

Discussion: Staff responded to Council members on the following questions:

- Dr. Calhoun asked if we will be regulating the labeling, rather than the production; who will enforce the rules; and how will compliance be assessed. He suggested that production dates be required on the labels.
- Dr. Foxhall asked if we have any baseline as far as the number of people who have gotten sick eating these foods. He also asked whether there is a public health benefit.
- Dr. Foxhall mentioned that DSHS may want an educational component on how to prepare food safely.
- Dr. Calhoun asked what would be the protocol that DSHS or the local health department would follow if a member of the public calls with a complaint that they had gotten sick as a result of having eaten these foods.
- Dr. Juarez asked if labeling can include the verbiage “not for resale.”
- Dr. Ross asked if expiration dates will be included on labeling and how expiration dates will be determined.

There was no public comment.

- c. Amendments to rules and repeal of a rule concerning the regulation of the sale of food to consumers at food service establishments, including farmers markets. Kathy Perkins introduced the rule and Ruth Hendy provided the rule overview.

Discussion: Staff responded to Council members on the following questions:

- Glenda Kane asked what precipitated the move to eliminate the requirement for restaurants to post Heimlich maneuver posters.
- Dr. Foxhall asked if there is any data on the number of individuals who have been rescued by use of the Heimlich maneuver.
- Dr. Foxhall asked if training on these types of maneuvers is required for food handlers.
- Dr. Ross asked if non temperature controlled (ice packs) regulations would be required.
- Dr. Ross asked if we have any rules on live animals that are being sold.

There was no public comment.

3. Rules Scheduled for Action by Council on September 15 (Public comments taken with each rule discussion for the following rules.)

- a. Amendment to a rule concerning radiation fees. Kathy Perkins introduced the rule and provided the background. Barbara Taylor was available for clarification.

Discussion: Staff responded to Council members on the following questions:

- Glenda Kane asked about standard security controls with radioactive materials across facilities and suggested that this is something that DSHS needs to look at next session.
- Dr. Juarez asked if it would be possible to include the U.S. fees as a comparison during analysis.
- Dr. Foxhall asked how many individuals were injured in conjunction with the use of these machines, what the health risk impact was, and what information we track. **Staff was asked to research this information and to share the results with Council members.
- Dr. Ross asked how often we check radiation transport material cases for leakage, particularly in flourosopies and how safe are these smaller units for doctors, handlers and patients.

There was no public comment.

- a. Amendment to rules concerning certification of mammography systems and machines used for interventional breast radiography and mammography accreditations. Kathy Perkins introduced the rule and Barbara Taylor provided the rule overview.

Discussion: Staff responded to Council members on the following questions:

- Glenda Kane asked about the life of mammography machines. At what point do we determine that equipment is no longer valid because of erroneous reports and how often is equipment inspected? Ms. Taylor addressed Mrs. Kane's questions, particularly equipment standards, whether rules address breast MRI's, and which stakeholders were notified about the rules and their comments.
- Glenda Kane also asked if representatives from MD Anderson were included in the stakeholder notifications.

There was no public comment.

- c. Repeal of rules concerning the sanitary standards of barber shops, barber schools, and colleges. Kathy Perkins introduced the rule. Paula Anderson was available for questions.

There were no questions from the Council members or public comment.

- d. Amendments to rules concerning promotores and community health workers. Evelyn Delgado introduced the rule; Sam Cooper provided the rule overview and introduced three staff members, Beverly MacCarty, Beatrice (Bea) Smith, and Anna Garcia.

Discussion: Staff responded to Council members on the following questions:

- Reverend Lovell asked what promotora means in English and for examples of the types of situations when a promotora is used.
- Beverly Barron asked if there is a recruitment process in place to attract people for promotores workforce positions. She also asked if there is a linkage between promotores and the Women, Infants and Children (WIC) program.
- Dr. Foxhall asked what is the length of time that it takes for an individual to get certified as a promotora.
- Beverly Barron asked if there is a link between public school settings, university school systems, and the program. She suggested that the Texas Education Agency or a nursing coalition be approached to partner in recruitment efforts.
- Glenda Kane mentioned that the use of promotores may be an effective inexpensive way to address child behavior issues by partnering with schools.
- Dr. Juarez asked what the prerequisites are for a person to enter promotores training.
- Dr. Juarez asked about the curriculum for promotores training and the requirements for continuing education training to recertify promotores.

There was no public comment.

- d. Amendments to rules and repeal of rules concerning the Department of State Health Services/ Department of Aging and Disability Services Drug Formulary. Mike Maples introduced the rule; Emilie Becker provided the rule overview.

Discussion: Staff responded to Council members on the following questions:

- Glenda Kane said that elderly patients are given medication after surgery to make them come out of anesthesia quickly, but that this medication is indicated in early onset dementia. Mrs. Kane suggested that there must be a discussion about the use of this medication and the correlation with early onset dementia with anesthesiologists and medical community.
- Dr. Calhoun mentioned that DSHS may need to look at medication dosing in elderly patients.
- Dr. Foxhall asked if there have been any issues with drug shortages.
- Dr. Foxhall asked about the DSHS policy on the utilization of drugs that are dispensed to an individual when the person may not need it any longer.
- Dr. Calhoun asked how the dispensing of formularies interact with the implementation of electronic medical records.
- Dr. Calhoun asked if it would be up to the hospitals to upload changes in formularies into their data systems as the changes are given to them.
- Dr. Ross expressed concern with drugs dispensed after patients are discharged.
- Beverly Barron asked where DSHS' stands on the prescription and use of Xanax and opiod prescribing.

There was no public comment.

4. General Public Comment – Chair, Glenda Kane called for any general public comment: There was no general public comment other than that taken earlier in the agenda.

Adjourn – Chair, Glenda Kane adjourned the meeting at 4:24 p.m.

State Health Services Council meeting will begin at 9:00 a.m. on Thursday, September 15, 2011.



Glenda Kane, Chair
State Health Services Council

December 1, 2011
Date Approved by Council