



## **State Health Services Council Work Session**

Department of State Health Services (DSHS)  
909 West 45<sup>th</sup> Street, Austin, Texas  
Building 2, Public Hearing Room 164

### **Minutes**

November 28, 2012

2:00 p.m.

#### **Council Members Present**

Ms. Glenda Kane, Chair, Corpus Christi  
Ms. Beverly Barron, Odessa  
Dr. Kirk Calhoun, Tyler  
Dr. Louis Foxhall, Houston  
Rev. William Lovell, Dallas  
Dr. Jeffrey Ross, Houston - arrived 2:28 p.m.  
Ms. Maria Teran, El Paso  
Dr. David Woolweaver, Harlingen

#### **Council Members Not Present**

Mr. Nasruddin Rupani, Houston

#### **Visitors**

Norma Vela  
Tom Valentine  
Gretchen Ellison – Hillco Partners  
John Seago – Texas Right to Life  
Elizabeth Raggio – Texas Medicaid & Healthcare Partnership  
Janet Paleo – Texas Council of Community Centers  
Denise Rose – Texas Hospital Association

Call to Order – Council Chair, Glenda Kane called the meeting to order at 2:15 p.m. Ms. Kane introduced new Council member Maria Teran from El Paso.

1. Rules Scheduled for Action by Council on November 29, 2012 (Public comments will be taken with each rule discussion for the following rules.)
  - a. Amendments to rules concerning fee schedules for clinical testing, newborn screening, and chemical analysis. Susan Tanksley introduced the rules and provided the rule overview.

The Council members had the following comments and questions:

- Dr. Calhoun – Is there a provision for financial assistance for those that cannot afford the tests?

- Dr. Foxhall – Are all tests submitted by physicians? Are any submitted by individuals? Do we have any recourse, if there is an inability to pay? What will happen to those who are uninsured and not eligible for Medicaid? Are you confident in the methodology for cost accounting as directed by the legislature?
- Rev. Lovell – Please clarify the increase that is being referred to in this rule. How was this error made and detected?
- Dr. Woolweaver – Provide an example of low volume tests and the criteria used to determine low volume testing. Are most of these for pediatric tests?
- Ms. Teran – What alternatives are available when these tests are excluded?
- Ms. Kane – The recent pertussis outbreak indicates people are not being vaccinated. What is the length of time to get these tests back? How has this increase affected the lab?

Dr. Lakey explained that nationwide there is an increase in pertussis. DSHS put out a public health announcement to educate people throughout the state to try to increase vaccination rates around the state.

Dr. Lakey said that testing for Severe Combined Immunodeficiency Syndrome (SCID) is being brought online December 1, 2012. Dr. Tanksley provided an update on the importance of SCID testing for newborns.

Public comment – There was no public comment.

- b. Amendments to rules and new rules concerning administration and registration of vital statistics records. Ed House introduced the rule and Geraldine Harris and James Abshier provided the rule overview.

The Council members had the following comments and questions:

- Dr. Ross – Explain the decrease in statistics regarding marriage verifications from 2004 to 2012 and explain the increase in death certificates from 2007 to 2012? Dr. Lakey asked Ms. Harris and Mr. Abshier to discuss the quality improvement initiative regarding data imaging and how this has affected efficiency and turnaround time. Mr. Abshier explained the current system and how implementation has affected efficiency and increased production. Sandra Lackey discussed the electronic imaging process.
- Glenda Kane – What is the fiscal note on completing this project? What does it cost per record to produce? Does the revenue balance the workload?
- Dr. Calhoun – How are concerns about information security being addressed? For the public and researchers who want information, what mechanism is in place to access this information, or does the information need to be gleaned from public reports? Is there a charge for this information? Ms. Harris will get back to Dr Calhoun on public information procedures requested. How are electronic records being protected from outside hacking? Regarding Rider 72 implementation, will general findings be reported back to the legislature?
- Rev. Lovell – What procedures are in place as back up protection for records? How is this handled? How are local registrars protecting records?

Public comment – There was no public comment.

- c. Amendments to rules and the repeal of a rule concerning DSHS family planning services. Evelyn Delgado introduced the rule and Imelda M. Garcia provided the rule overview and itemized each of the proposed changes.

The Council members had the following comments and questions:

- Glenda Kane – What is current Medicaid policy in regard to the change in rule Section 56.9?
- Rev. Lovell – The wording “contractor” is used in some places and “providers” used elsewhere. Please explain the reason this is being changed back to provider in some areas. Ms. Garcia indicated they could change this and make it uniform for clarity.
- Dr. Ross – What is reason for the dramatic decrease in the number of women and men receiving family planning services from 2010 to 2012? Are the contractors receiving the same amount on reimbursements? Explain the included services referenced in Section 56.14 regarding adolescents. Should this be more specific rather than “meeting their needs”? Do adolescents understand what services they can receive or does this need to be spelled out more clearly? How do we review these contractors in terms of measurable outcomes; how are they assessed for renewal of contract?
- Dr. Foxhall – With 2/3 drop in number of persons receiving services, could we document any adverse outcomes? Has there been any change in the teen pregnancy rate? Will there be a report generated on adverse outcomes at some point? If there are not increases in this area, are there increases in other areas? Is this service addressing specific health issues for teens? Have we seen that change with the decrease in services? Can we identify the specific health-related measures affected by this program?
- Dr. Ross – How are healthy birth rates for children affected with the decrease in counseling services?
- Rev. Lovell – Is there some reason we cannot make all references to contractors and providers consistent. Lisa Hernandez stated that will be reviewed after the work session and presented at the Council meeting on November 29, 2012.

Public comment – there was no public comment.

- e. (This next item was taken out of order from the posted agenda.) Amendments to rules concerning the Oral Health Program. Evelyn Delgado introduced the rule and Margaret Bruch provided the rule overview.

The Council members had the following comments and questions:

- Ms. Kane – Can Medicaid managed care companies collect and give us the same data as the Oral Health Program collects? Can we make the forms used compatible with what dentists would already be required to fill out in their offices, or have a universal form that can be used to collect the data?
- Dr. Foxhall – What is the measurable outcome of this program? What part of the population of children in this age group is being served? Are these state funds or federal funds? If federal funding is targeting certain measures, how did we end up focusing on this particular group? Is the program implemented under a specific statute? What was the original intent? Can the data from Centers for Disease Control and Prevention be shared with the Council members?
- Dr. Woolweaver – Is the structure of the program federally mandated or based on state law? Is the program structured similarly in other states? Statistics being gathered on a very specific group only have application as compared to the same specific data from other groups or states. How will you extrapolate that data and compare it to the whole population?

- Glenda Kane – The Council will have a time on the agenda at the next Council meeting to discuss the overall vision for the program, what it means, where it came from, and how can it be done better.

Public comment – No public comment.

- d. Repeal of rules and new rules concerning Case Management for Children and Pregnant Women. Evelyn Delgado introduced the rule and Margaret Bruch provided the rule overview.

The Council members had the following comments and questions:

- Dr. Foxhall – What is the measurable outcome in recruiting more providers? What are key health measures for citizens receiving these services? How do we know when the clients are introduced to the provider source? Can Council members receive information on what measures are impacted and what the benefit is to the population?
- Dr. Calhoun – How is program operated? Are clients referred for case management? Who is a contractor and who is a provider; what is the difference in terminology used?

Public comment – there was no public comment.

2. General Public Comment – Council Chair, Glenda Kane called for any public comment. There was no public comment.

Adjourn – Council Chair, Glenda Kane adjourned the meeting at 4:08 p.m. Ms. Kane will not be in attendance for the Council meeting on November 29, 2012.

The Council will reconvene at 9:00 a.m. on Thursday, November 29, 2012 at 909 West 45<sup>th</sup> Street, Austin, Texas, Building 2, Public Hearing Room 164.



Glenda Kane, Council Chair

April 3, 2013  
Date