



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, December 1, 2008  
1:00 p.m.

Chair's Welcome and Introduction of Guests: Ms. Kane called the meeting to order at 1:12 p.m.

Members Present:

Ms. Glenda Kane, Chair – Corpus Christi  
Dr. Rudy Arredondo – Lubbock  
Ms. Beverly Barron – Odessa  
Ms. Graciela Cigarroa – San Antonio  
Dr. Lewis Foxhall – Houston  
Dr. Jacinto Juarez – Laredo  
Dr. David Woolweaver – Harlingen  
Dr. Kirk Calhoun – Tyler

Not Present:

Dr. Jeffrey Ross – Houston

Visitors:

Benton Carey, Fred Mitchell, Wendy Goyens

Ms. Kane welcomed the newest council member, Dr. David Woolweaver from Harlingen. Ms. Kane also welcomed Ben Delgado back to DSHS. Mr. Delgado has been serving as Interim Commissioner at DFPS for the past four months.

Agenda Item #1: Approval of Minutes: Motion by Dr. Juarez to approve the minutes from the July 9, 2008 meeting, seconded by Dr. Arredondo. Motion carried. See <http://www.dshs.state.tx.us/council/minutes/070908.pdf> for meeting minutes.

Agenda Item #2: Commissioner's Report: Commissioner David Lakey also welcomed Dr. David Woolweaver as the newest council member; he also welcomed back Ben Delgado who has been serving as the Interim Commissioner for DFPS. Anne Heiligenstein was recently named the new DFPS Commissioner.

Dr. Lakey provided an update on the agency's activities since the last Council meeting. He spoke about DSHS involvement in emergency responses this year.

FLDS – sheltering operation in support of DFPS  
National Salmonella Outbreak  
Hurricane Dolly  
Tropical Storm Edouard  
Hurricane Gustav  
Hurricane Ike

Dr. Lakey spoke about the role of DSHS during emergencies and the impact Hurricane Ike had on the State, as well as the challenges DSHS experienced. DSHS will be addressing these challenges and the resources needed to overcome future challenges during the upcoming legislative session.

Dr. Lakey spoke about Senate Bill 943 which directed DSHS to adopt rules relating to the maintenance of drug documentation (pedigrees) for all transactions. During the comment period, new information became available about the economic and small business impact of these rules. The impact of the implementation of these rules was not reflected in the preamble to the published rules. Therefore, the rules were withdrawn to address this issue. DSHS will reconvene stakeholders in December or early January.

The DSHS application for birth defects research funding, which DSHS has applied for since 1997, was approved but not funded, due to reductions in CDC funds for this purpose. This poses a loss of approximately \$1million. Currently DSHS is exploring options regarding this program. This is not the birth defects registry itself.

Dr. Lakey and senior staff have made several state hospital visits this fall, including Kerrville State Hospital on August 20,2008 and Big Spring State Hospital on October 29, 2008. Plans include visits to Terrell State Hospital on December 17, 2008 and North Texas State Hospital in January.

Rio Grande State Center recently held a groundbreaking for the renovation of the South Texas Health Care System facility. Dr. Lakey participated in the ground breaking. Senator Lucio and Representative Lucio were both in attendance for the ceremony.

A groundbreaking ceremony for the replacement facility which is to be built for Texas Center for Infectious Disease will be held on December 15, 2008. Council members will receive an invitation to the ceremony.

DSHS participated in an all HHS councils meeting on November 7, 2008. Glenda Kane, Graciella Cigarroa, and Dr. Juarez participated in the meeting.

The National Conference for State Legislators (NCSL) held a conference in New Orleans on November 6-8, 2008. Representatives from the Governor's office, Lieutenant

Governor's office and the Speaker's office attended, as well as Representatives Vicki Truitt and Aaron Pena. Mike Maples and Calvin Holloway represented DSHS.

Dr. Lakey provided an update on the Grand Rounds program which continues through December and the collaborative efforts of staff in working with the schools of public health in Texas to build a stronger relationship.

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

3a. Repeal of rules concerning the licensing of radioactive waste processing and storage facilities, and licensing of uranium recovery and disposal. Kathy Perkins introduced the rule and provided the rule overview. Motion by Mr. Arredondo to recommend HHSC approval to repeal this rule. Motion seconded by Dr. Woolweaver. Motion carried. No public comment was provided.

3b. New rule concerning the requirements for stroke facility designation. – Rule not considered, deferred to a future meeting.

3c. Repeal of rules and new rules concerning the Children's Outreach Heart Program. Evelyn Delgado introduced the rule and Jann Melton-Kissel provided rule overview. Motion by Dr. Calhoun to recommend HHSC approval for repeal of the rules contained in item 3(c), seconded by Beverly Barron Motion carried. No public comment was provided.

3d. Mike Maples introduced the rule and provided the rule overview. Repeal of rules concerning administrative hearings in contested cases. Motion by Dr. Juarez to recommend HHSC approval to repeal of the rules contained in item 3(d), seconded by Dr. Arredondo. Motion carried. No public comment was provided.

3e. Repeal of a rule concerning Medicaid fair hearings. Mike Maples introduced the rule and provided the rule overview. Motion by Dr. Arredondo to recommend HHSC approval repeal of the rules contained in item 3(d), seconded by Ms. Barron. Motion carried. No public comment was provided.

3f. Repeal of rules and new rules concerning mental health community services standards. Mike Maples introduced the rule and provided the rule overview. Motion by Dr. Juarez to recommend HHSC approval repeal of the rules contained in item 3(f), seconded by Dr. Arredondo Motion carried. No public comment was provided.

3g. New rule concerning the establishment of a diabetes pilot project that will create an electronic registry to track glycosylated hemoglobin levels and to govern the format and method of collecting glycosylated hemoglobin data. Dr. Adolfo Valadez introduced the rule. Cassandra Deleon provided the rule overview. Dr. Foxhall asked for clarification on the location and intent of the project. The Legislature was very specific as to the

location. Ms. Deleon provided response that this was a very high level program that will assist in identifying what can be done to treat/manage diabetes. Graciela Cigarroa asked if the program covered children. Ms. Deleon affirmed this and also confirmed that any test that is performed in San Antonio will be required to be reported under this pilot project. Motion by Dr. Calhoun to recommend HHSC approval for publication of the rules contained in item 3(g), seconded by Dr. Foxhall. Motion carried. No public comment was provided.

3h. Amendments to rules, repeal of a rule, and new rules concerning the standards for allowable methods of euthanasia for animals in the custody of an animal shelter. Dr. Adolfo Valadez introduced the rule. Tom Sidwa provided the rule overview. Motion by Dr. Juarez to recommend HHSC amendment, repeal and approval for publication of the rules contained in item 3(h), seconded by Dr. Calhoun. Motion carried. No public comment was provided.

Agenda Item #4: General Public Comment: There was no general public comment.

Agenda Item #5: Council Operations: 2009 Council meeting dates: January 29, 2009, April 23, 2009, June 25, 2009, and November 12, 2009

Mental Health and Substance Abuse work session will be held on Tuesday, December 2, 2008 beginning at 9:00 am.

Adjournment: Ms. Kane adjourned the Council meeting at 2:05 p.m. Council meeting for December 2, 2008 will begin at 9:00 a.m.

Glenda Kane, Chair

Date Approved by Council

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