



**State Board of Health
State Board of Senior Services
Meeting Minutes**



**January 24, 2012
Director's Office Conference Room**

Board of Health Members Participating: Joseph Forand, Nathalie Tungesvik, Annette Slack, Michael Weaver

Board of Senior Services Members Participating: Carol Gosselink, Ann Bannes, Edna Chavis, Mary Anne Brown, Jeffery Kerr

DHSS Staff Present: Margaret Donnelly, Gail Vasterling, Gena Terlizzi, Ellie Glenn, Sharon Ayers, Harold Kirbey, Teresa Generous, Celesta Hartgraves, Betty Nash, Carmen Grover-Slattery, Tracy Cleeton, Shelly Williamson, Anna Long, Matt Younger, Kristi Campbell, Cherri Baysinger, Barb Wilbers

TOPIC	DISCUSSION	ACTION
Welcome <i>Margaret Donnelly</i>	<p>Margaret opened the meeting and asked Barb to take roll. She then proceeded by introducing everyone who was in the room.</p> <p>Margaret indicated that we were going to move the agenda around a bit and take up the rules first.</p>	
Board of Senior Services Vote on Proposed Amendments/Emergency Amendments/Proposed Rescissions 19 CSR 30-85.022 <i>Fire Safety and Emergency Preparedness Standards for New and Existing Intermediate Care and Skilled Nursing Facilities (Proposed Amendment)</i> <ul style="list-style-type: none"> • <i>Fiscal Note – Private Cost</i> • <i>Fiscal Note – Public Cost</i> 	<p>Teresa Generous, Director – Division of Regulation and Licensure (DRL) introduced division staff present and available to field questions about 19 CSR 30-85.022.</p> <p>Carmen Grover-Slattery, DRL provided a summary of the changes.</p>	<p>Edna Chavis made the motion to approve proposed amendment 19 CSR 30-85.022.</p> <p>Jeffery Kerr seconded the motion.</p> <p>All in favor.</p> <p>None opposed.</p> <p>No abstentions.</p>
19 CSR 30-86.022 <i>Fire Safety and Emergency Preparedness Standards for Residential Care Facilities and Assisted Living Facilities</i>	<p>Carmen Grover-Slattery, DRL provided a summary of the changes.</p> <p>Margaret asked for questions/clarifications.</p>	<p>Jeffery Kerr made the motion to approve proposed amendment 19 CSR 30-86.022.</p>

<p>(Proposed Amendment)</p> <ul style="list-style-type: none"> • Fiscal Note – Private Cost • Fiscal Note – Public Cost 		<p>Edna Chavis seconded the motion.</p> <p>All in favor.</p> <p>None opposed.</p> <p>No abstentions.</p>
<p>19 CSR 30-81.015 <i>Resident Assessment Instrument</i> (Proposed Rescission)</p>	<p>Carmen Grover-Slattery, DRL provided a summary of the changes.</p>	<p>Jeffery Kerr made the motion to approve proposed rescission 19 CSR 30-81.015.</p> <p>Carol Gosselink seconded the motion.</p> <p>All in favor.</p> <p>None opposed.</p> <p>No abstentions.</p>
<p>19 CSR 30-84.030 <i>Level I Medication Aide Training Program</i> (Proposed Amendment)</p>	<p>Carmen Grover-Slattery, DRL provided a summary of the changes.</p>	<p>Jeffery Kerr made the motion to approve proposed amendment 19 CSR 30-84.030.</p> <p>Edna Chavis seconded the motion</p> <p>All in favor.</p> <p>None opposed.</p> <p>No abstentions.</p>
<p>19 CSR 30-86.043 <i>Administrative, Personnel and Resident Care Requirements for Facilities Licensed as a Residential Care Facility II on August 27, 2006 that Will Comply with Residential Care Facility II Standards</i> (Proposed Amendment)</p>	<p>Carmen Grover-Slattery, DRL provided a summary of the changes.</p>	<p>Carol Gosselink made the motion to approve proposed amendment 19 CSR 30-86.043.</p> <p>Ann Bannes seconded the motion.</p> <p>All in favor.</p> <p>None opposed.</p> <p>No abstentions.</p>

<p>19 CSR 30-86.043 <i>Administrative, Personnel and Resident Care Requirements for Facilities Licensed as a Residential Care Facility II on August 27, 2006 that Will Comply with Residential Care Facility II Standards</i> (Emergency Amendment)</p>	<p>Carmen Grover-Slattery, DRL provided a summary of the changes.</p>	<p>Carol Gosselink made the motion to approve emergency amendment 19 CSR 30-86.043.</p> <p>Ann Bannes seconded the motion.</p> <p>All in favor.</p> <p>None opposed.</p> <p>No abstentions.</p>
<p>19 CSR 30-86.047 <i>Administrative, Personnel and Resident Care Requirements for Assisted Living Facilities</i> (Proposed Amendment)</p>	<p>Carmen Grover-Slattery, DRL provided a summary of the changes.</p>	<p>Jeffery Kerr made the motion to approve proposed amendment 19 CSR 30-86.047.</p> <p>Ann Bannes seconded the motion.</p> <p>All in favor.</p> <p>None opposed.</p> <p>No abstentions.</p>
<p>19 CSR 30-86.047 <i>Administrative, Personnel and Resident Care Requirements for Assisted Living Facilities</i> (Emergency Amendment)</p>	<p>Carmen Grover-Slattery, DRL provided a summary of the changes.</p>	<p>Jeffery Kerr made the motion to approve emergency amendment 19 CSR 30-86.047.</p> <p>Ann Bannes seconded the motion.</p> <p>All in favor.</p> <p>None opposed.</p> <p>No abstentions.</p>
<p>19 CSR 30-88.020 <i>Resident's Funds and Property</i> (Proposed Amendment)</p>	<p>Carmen Grover-Slattery, DRL provided a summary of the changes.</p>	<p>Carol Gosselink made the motion to approve proposed amendment 19 CSR 30-88.020.</p> <p>Ann Bannes seconded the motion.</p>

		<p>All in favor.</p> <p>None opposed.</p> <p>No abstentions.</p>
<p>Board of Health Vote on Proposed Amendments/Proposed Rescissions</p> <p>19 CSR 30-40.365 <i>Reasons and Methods the Department Can Use to Take Administrative Licensure Actions</i> (Proposed Amendment)</p>	<p>Teresa Generous, Director – Division of Regulation and Licensure (DRL) talked about changes to this rule.</p> <p>Gail Vasterling indicated that this is already in statute (190.165) and all we are doing is putting them into rule.</p>	<p>Joseph Forand made the motion to approve proposed amendment 19 CSR 30-40.365.</p> <p>Annette Slack seconded the motion.</p> <p>All in favor.</p> <p>None opposed.</p> <p>No abstentions.</p>
<p>19 CSR 20-26.040 <i>Physician Human Immunodeficiency Virus (HIV) Test Consultation and Reporting</i> (Proposed Amendment)</p>	<p>Kristi Campbell, Division of Community and Public Health, Section for Disease Prevention provided a summary of the HIV rules.</p>	<p>Michael Weaver made the motion to approve proposed amendment 19 CSR 20-26.040.</p> <p>Nathalie Tungesvik seconded the motion.</p> <p>All in favor.</p> <p>None opposed.</p> <p>No abstentions.</p>
<p>19 CSR 20-26.030 <i>Human Immunodeficiency Virus (HIV) Antibody HIV Treatment Program</i> (Proposed Rescission)</p>	<p>Kristi Campbell provided a summary of the HIV rules.</p>	<p>Michael Weaver made the motion to approve proposed rescission 19 CSR 20-26.030.</p> <p>Joseph Forand seconded the motion.</p> <p>All in favor.</p> <p>None opposed.</p> <p>No abstentions.</p>
<p>Department/Budget Update <i>Margaret Donnelly</i></p>	<p>The Governor presented his budget during the State of the State last Tuesday. The</p>	

	<p>Governor’s recommendation has us now surpassing one billion dollars with 1,793 FTE. The two major areas for reduction were in our core public health contracts with the LPHAs (two million dollars) and some funding in our non-medicaid home and community based services (1.2 million). The rest of our reductions are relatively small. Total of 24 FTE reductions. We did request and the Governor agreed that we can request 90 individuals to perform the assessments to handle the care plan changes and calls for the home and community based services. We did get some increases in our appropriations for our federal programs. Other than that, it’s a fairly stable budget.</p> <p>Dr. Kerr indicated that he has received calls that folks have called the hotline and couldn’t get a real person.</p> <p>Ann Bannes commented that she is hearing the same complaints and that folks don’t feel they can rely on the hotline any more.</p> <p>Celesta indicated that we did implement some changes in August. The hours of operation are 8:00 a.m. to 8:00 p.m.</p> <p>Harold suggested the overnight calls go to the MIAC. We will need to pull the MOA/MOU and see what it says and if this is a possibility. Celesta will discuss with Harold.</p> <p>Margaret commented if you have individuals coming to you with this or any issue, they can call Celesta and discuss. Celesta provide her phone number. In the meantime, we will continue to think this through.</p>	
<p>Introduction of Deputy Department Director – Gail Vasterling <i>Margaret Donnelly</i></p>	<p>Margaret introduced Gail Vasterling, Deputy Department Director. Gail joined the Department on January 18th. Gail comes to DHSS from the Governor’s Office where she served as the Deputy Counsel to Gov. Nixon. While in the Governor’s Office she worked closely with DHSS as the Governor’s Office</p>	<p>FYI</p>

	liaison to the department.	
Introduction of Chief, Office of Public Information – Gena Terlizzi <i>Margaret Donnelly</i>	<p>Margaret introduced Gena Terlizzi, new spokesperson for the Department. Gena will oversee all communications coming from the department. Gena previously worked as a reporter in Topeka, KS and then as the communications director for the Kansas Department of Revenue.</p> <p>Gena indicated that her first month at DHSS has been very, very busy and educational.</p>	FYI
Legislative Update <i>Ellie Glenn</i>	<p>Ellie provided the following legislative update on bills the department is following:</p> <p>Breast Cancer License Plate – Sponsors have been identified in both the house and senate. Bills should be filed this week.</p> <p>Crimes Committed Against the Elderly and Disabled – Filed in Senate (SB689) and will be filed in House soon.</p> <p>TB Testing – Filed in the house (HB1471) and will be filed in Senate by Sen. Lamping sometime this week.</p> <p>Expand and Support the Population of Women who Breastfeed (SB639) - This act adds a nursing mother to the list of persons entitled to be excused from jury service and public decency laws for expressing milk in public.</p> <p>Breast Cancer Screenings – Requires health care providers to provide a mammography patient with a copy of the mammography report and information regarding the benefit of supplemental screenings for dense breast tissue patients.</p> <p>Heritage Birth Certificates – Allows the State Registrar to issue a heritage birth certificate. Will also be updating statutes since we've moved to electronic submission.</p> <p><u>Technical Correction</u> Organ Donor language from last year – change transplantation to transportation.</p>	

	Margaret asked if there were any other questions about other legislation that anyone has heard about that they would like more information on.	
Approval of Minutes from October 11, 2011 Meeting <i>Margaret Donnelly</i>		Carol Gosselink made the motion to approve the minutes from the October 11, 2011 meeting. Ann Bannes seconded the motion. All in favor. None opposed. No abstentions.
Division of Senior and Disability Services <i>Celesta Hartgraves, Director</i> Home and Community Based Services Transition Update	When we met in October, we talked about the fact that the department hired temporary staff to help with the backlog. The temporary staff continues to help and have taken care of the backlog. They have touched 17,000 cases since Sept. 1 st . We have had numerous meetings with association and key providers and talked about the different options going forward and there was an agreement that these temporary staff continue to do the initial assessments. Margaret indicated that we feel like things are very much stabilized.	
Proposed 2012 Board Meeting Dates <i>Margaret Donnelly</i> <ul style="list-style-type: none"> • April 24, 2012 • July 24, 2012 • October 16, 2012 	Proposed Board of Health/Board of Senior Services meeting dates for 2012 are April 24 th , July 24 th , and October 16 th at 11:00 a.m. If anyone knows a reason that these meeting dates would be problematic, please let us know.	
Questions/Open Discussion		
Adjourn	Margaret thanked everyone for their time.	Ann Bannes made the motion to adjourn. Jeffery Kerr seconded

		the motion. All in favor. None opposed. No abstentions.
Next Meeting	April 24, 2012 at 11:00 a.m.	

Approved: _____ Date: _____
Chair, Board of Health

Approved: _____ Date: _____
Chair, Board of Senior Services