State Board of Health
State Board of Senior Services
Meeting Minutes

August 27, 2009
Magnolia Conference Room

*Board Members Present:* Michael Gerdine, Anne Petersen, Joseph Forand, Jeffery Kerr, Michael Weaver, Nathalie Tungesvik, Ann Bannes, Mary Anne Brown

*DHSS Staff and Guests:* Margaret Donnelly, Nancie McAnauugh, Patrick Lynn, Aaron Winslow, Teresa Generous, Kathy Quick, Sue Porting

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<th>TOPIC</th>
<th>DISCUSSION</th>
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| **Welcome**<br/>*Margaret Donnelly* | Margaret welcomed Board of Health and Board of Senior Services members participating on today’s call. She also indicated that members of the press and/or members of the public are also listening in on the call and welcomed them. If at any time anyone has trouble hearing, please let us know.  

Margaret thanked everyone for their flexibility in regards to the last minute change to hold this meeting via conference call vs. face-to-face. Each department has been asked to look at every expenditure and determine whether it is necessary to spend certain funds, thus the change. Margaret felt we could complete our business over the phone and appreciates everyone phoning in.  

Margaret welcomed new State Board of Health member, Dr. Michael Gerdine. Dr. Gerdine replaced Donna Mannello whose term had expired. |        |
| **Department/Budget Update**<br/>*Margaret Donnelly* | As directed by Governor Nixon, the Department worked closely with the state budget office to achieve Fiscal Year 2010 cost savings. Margaret reported the details of the final plan approved by the state budget office.  

Total amount we have found at this point |        |
that we could save is $3,875,243.

All aspects of Department operations were examined in crafting the plan, with each of the divisions providing input. The hope was to minimize the adverse impact on services provided to Missourians.

Unfortunately, given the necessity of achieving millions of dollars in cost saving, it was impossible to leave staff untouched. Forty positions have been eliminated – three were layoffs, while cost savings for the other 37 positions was achieved by maintaining vacancies or through attrition.

We don’t know what the revenue picture will hold, but we can anticipate it will not get better in the near future, but we can work to continue to give the highest level of service that we can. Staff has maintained a good attitude. The department has fantastic staff and everyone has stepped up to the plate.

**H1N1 Update**  
*Margaret Donnelly*

The Department has been increasing its efforts to prepare for the probable spread this fall of the H1N1 virus. We spent this summer planning from our experience with the H1N1 virus in the spring and looking at any gaps. We know this will be starting very early in the fall and will most likely affect our most vulnerable populations.

Margaret and a number of staff have been attending many meetings and participating on many conference calls with CDC and HHS.

Staff is also meeting across state agencies. Planning is challenging as things are changing daily at the national level which drives changes at the state level. We can’t overemphasize the need for all of us to remain flexible and keep the lines of communication open.

We are following five focus areas to
organize all H1N1 efforts. Those focus areas include: Vaccines, Community Mitigation, Communication, Surveillance, Health Systems Readiness.

A joint statement from Chris Nicastro (Commissioner, DESE) and Margaret Donnelly (Director, DHSS) was sent to all School Administrators in the state urging all schools to get ready for a possible resurgence of the H1N1 flu. State education officials are working closely with staff of DHSS to provide local school officials with the latest flu-related guidance.

Ann Bannes asked if there was concern about the people who should be, but will not be, getting the vaccine. Is that going to be a concern?

Aaron Winslow indicated that you hear a lot of rumors and speculation and there is a segment of the population that is vaccine shy and worried about its safety and effectiveness. It’s a little too early to tell at this time, but certainly we can all do our part and continue to educate about vaccines.

Joe Forand asked when the clinical trials are going to be done.

Nancie McAnaugh responded by stating that CDC was thinking that we would be getting an initial shipment of the vaccine in mid to late September, but it will now be mid to late October and the clinical trials should be done by then.

**Missouri Health Information Exchange Regional Discussion Meetings**

*Margaret Donnelly*

Margaret and Ron Levy, Director-Dept. of Social Services have been traveling the state attending Missouri Health Information Exchange Regional Discussion Meetings with local stakeholders. The Department of Health and Senior Services and the Department of Social Services, along with the Missouri Foundation for Health (MFH) and the
Health Care Foundation of Greater Kansas City (HCF) are hosting these meetings to talk to interested stakeholders about health information exchange and the American Recovery and Reinvestment Act (ARRA) grant opportunity. Meetings have been held in St. Louis, Kansas City, Cape Girardeau, Columbia, Kirksville, and Springfield. It has been exciting and informative to go and talk with stakeholders. Some very consistent issues came up across the state with surprisingly little differences from rural to urban areas.

As of Friday (8/21) guidance for the ARRA 2009 State Grants to Promote Health Information Technology/Health Information Exchange Planning and Implementation Projects was released. A letter of intent for the first level is due September 11th and the grant application is due by October 16th. We are working across departments and hope to have on board a consultant that will help with what will be needed in the grant.

**Pseudoephedrine Tracking System**

*Patrick Lynn*

During the 2008 session, the Missouri General Assembly enacted CCS HCS SCS SB 724, which became effective January 1, 2009, requiring pharmacies to maintain a sales log for certain pseudoephedrine and other methamphetamine precursor drug products used to manufacture methamphetamine. Although the bill provided for the maintenance of sales logs in a statewide electronic database, no funding was available for implementation. We have recently learned that the Consumer Healthcare Products Association (CHPA) has decided they will provide funding for any state who wants a pseudoephedrine tracking program.

The Department must now file emergency rules. We don’t have those done yet, but they are working their way up through the system. It is anticipated that we will have to conduct a special Board meeting/conference call to get them approved.
Once approved, it becomes a timing issue as we have to get the system up and running within 180 days from the date the emergency rules are filed.

| Federal Health Care Reform  
| *Patrick Lynn* |
|-------------------|------------------|
| Health Care Reform is currently being debated. Patrick distributed a copy of the comparison of the senate and house bills (handout). |

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<th>Approval of Minutes from May 21, 2009 Meeting</th>
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<td>Nancie requested a motion to approve the minutes from the May 21, 2009 meeting.</td>
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<th>Board of Health Vote on Proposed Child Care Amendments</th>
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<td>Nathalie Tungesvik commented that it looks like these proposed amendments are deregulating child care facilities.</td>
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Teresa Generous indicated that there seemed to be some inconsistencies between the statutory authority and the regulations that are in place. The Division of Regulation and Licensure has worked with the department's Office of General Counsel to bring these in line with the statutory authority and then we will begin to acquire additional statutory authority. The first step is to revise the rules and delete the sections for which we have no authority. This will allow us to clean up and go to the legislature and propose new legislation to have some statutory authority.

Nathalie expressed her fear that it might be several years before the additional statutory authority is acquired.

Joseph Forand noted that he understands our legal authority and our quandary and is reluctant to vote.

Anne Petersen expressed that she is uncomfortable deleting some of this and she’d prefer to ask the legislature to pass
the legislation first and then clean up later. She is reluctant to vote, but is willing. Theresa Generous asked everyone to keep in mind that when/if these are approved, there will be a time for public comment.

| Board of Health Vote on Proposed Amendment: | 19 CSR 30-60.010 Definitions Relating to Child Care Facilities | Motion made by Anne Petersen to approve proposed amendment. Seconded by Joe Forand. Opposed by Nathalie Tungesvik. |
| Board of Health Vote on Proposed Amendment: | 19 CSR 30-60.020 Application for Annual Fire Safety and Health and Sanitation Inspections and Inspection Procedures | Motion made by Joseph Forand to approve proposed amendment. Seconded by Michael Weaver. Opposed by Nathalie Tungesvik. |
| Board of Health Vote on Proposed Amendment: | 19 CSR 30-60.050 Staffing Requirements | Motion made by Joseph Forand to approve proposed amendment. Seconded by Anne Petersen. Opposed by Nathalie Tungesvik. |
| Board of Health Vote on Proposed Amendment: | 19 CSR 30-60.070 Responsibilities of Caregivers | Motion made by Joseph Forand to approve proposed amendment. Seconded by Anne Petersen. Opposed by Nathalie Tungesvik. |
| Board of Health Vote on Proposed Amendment: | 19 CSR 30-60.090 Sanitation Requirements | Motion made by Joseph Forand to approve proposed amendment. Seconded by Michael Weaver. |
| **Board of Health Vote on Proposed Amendment:** | **Weaver.**  
**Opposed by Nathalie Tungesvik.**  
Motion made by Anne Petersen to approve proposed amendment.  
Seconded by Michael Gerdine.  
Opposed by Nathalie Tungesvik. |
| **Board of Health Vote on Proposed Amendment:** | **19 CSR 30-60.100 Physical Plant, Space, Supplies and Equipment**  
Motion made by Anne Petersen to approve proposed amendment.  
Seconded by Michael Gerdine.  
Opposed by Nathalie Tungesvik. |
| **Board of Health Vote on Proposed Amendment:** | **19 CSR 30-60.110 Transportation and Field Trip Requirements**  
Motion made by Anne Petersen to approve proposed amendment.  
Seconded by Joseph Forand.  
Opposed by Nathalie Tungesvik. |
| **Board of Health Vote on Proposed Amendment:** | **19 CSR 30-60.120 Admission Procedures and Required Reports and Records**  
Motion made by Michael Weaver to approve proposed amendment.  
Seconded by Joseph Forand.  
Opposed by Nathalie Tungesvik. |
| **Questions/Open Discussion** | **Nancie thanked everyone for working with us on this difficult issue we have with these Child Care rules. She assured Board Members that we would be working diligently this legislative session to get new legislation passed and will call on board members for help.** |
| **Adjourn** | **Motion made by Ann Bannes to adjourn. Seconded by Nathalie Tungesvik.** |
| **Next Meeting** | **November 17, 2009, 10:00 a.m. – 2:00** |
p.m., Jefferson City, MO

Approved: ___________________________ Date: ___________________________
          Chair, Board of Health

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