

MINUTES OF THE MEETING OF THE
INDIANA STATE DEPARTMENT OF HEALTH
EXECUTIVE BOARD

November 9, 2016

The meeting of the Executive Board of the Indiana State Department of Health (ISDH) was called to order at 10:00 am in the Robert O. Yoho Board Room of the ISDH building by Brenda Goff, Chair. The following

Board members were present for all or part of the meeting:

Naveed Chowhan, MD
Brenda Goff, HFA (Chair)
John Gustaitis, MD
Robin Marks, DVM
Joanne Martin, DrPH, RN, FAAN
Richard Martin, DDS
Suellyn Sorensen, PharmD, BCPS
Patricia Spence, PE
Stephen Tharp, MD (Vice Chair)
Jerome M. Adams, MD, MPH, Secretary

Members not attending:

Blake Dye
Tony Stewart, MBA, FACHE, HFA

The following staff members were present for all or part of the meeting:

Jennifer Walthall, MD, MPH, Deputy State Health Commissioner
Eric Miller, Chief of Staff
Judy Lovchik, PhD, Assistant Commissioner, Public Health Protection and Laboratory Services
Art Logsdon, JD, Assistant Commissioner, Health and Human Services
Eldon Whetstone, Director, WIC
Hilari Sautbine, Office of Legal Affairs
Kelly MacKinnon, Office of Legal Affairs
Manda Clevenger, Office of Legal Affairs
Mike Mettler, Director, Environmental Public Health
Dennis Stover, Director, HIV/STD/Viral Hepatitis
Ann Alley, Director, Chronic Disease, Primary Care and Rural Health
Martha Allen, Director, Maternal and Child Health
Krista Click, Director, Food Protection Program

Guests:

Spencer Grover, Indiana Hospital Association
Cliff Beyler, Indiana Hospital Association
Tyler Lansky, St. Vincent
Hon. Jim, Merritt, Indiana State Senator
Jordan Rose, Senator Merritt's Legislative Liaison

Call to Order

Brenda Goff, Chair stated that a quorum was present and called the meeting to order at 10:05 am. She then asked if Board members had any known conflicts of interest to declare. Hearing none she proceeded with the meeting.

Minutes

Ms. Goff asked for discussion and/or corrections to the minutes of the July 13, 2016 Executive Board meeting. Hearing none she entertained a motion for approval. On a motion made by Dr. Tharp, seconded by Joanne Martin and passed unanimously, the Board approved the minutes as presented.

Official Business of the State Department of Health

Dr. Adams introduced Senator Jim Merritt and asked the Board members to introduce themselves. Senator Merritt stated that we have an opportunity in the next five years to wipe out the opioid academic and #killheroin. He has introduced one, three and five year goals to accomplish this in conjunction with existing initiatives. Dr. Adams stated that the Board members can personally take steps in this fight. Senator Merritt thanked the ISDH staff for their work in containing the HIV outbreak in Scott County.

He also provided an update on the lead situation in East Chicago due to low income housing on the site of a former smelting company. The ISDH has provided lead testing and case management to over 1,300 residents. 33 under the age of seven are above the minimum blood lead levels.

Public Health Protection and Laboratory Services Commission

Dr. Judy Lovchik, Assistant Commissioner, Public Health Protection and Laboratory Services Commission introduced Dr. Nicholas Epie, new Director of the Virology Laboratory.

Re-adoption of Rule 410 IAC 7-23 Food Establishment: Schedule of Civil Penalties for Violations

Krista Click, Director, Food Protection Program presented Rule 410 IAC 7-23 to the Board for Re-adoption. Once approved by the Board a notice of re-adoption will be filed with the *Indiana Register* and the rule will not expire on January 1, 2017. The rule will continue in effect for another seven (7) years or until amended. Staff recommended the Board approve Rule 410 IAC 7-23 for re-adoption.

Ms. Goff asked for comments from the Board, staff and public. Hearing none she entertained a motion for approval. On a motion made by Dr. Gustaitis, seconded by Patricia Spence and passed unanimously, the Board approved Rule 410 IAC 7-23 for re-adoption.

Re-adoption of Rule 410 IAC 7-24 Sanitary Standards for the Operation of Retail Food Establishments

Krista Click, Director, Food Protection Program presented Rule 410 IAC 7-24 to the Board for re-adoption. Once approved by the Board a notice of re-adoption will be filed with the *Indiana Register* and the rule will not expire on January 1, 2017. The rule will continue in effect for another seven (7) years or until amended. Staff recommended the Board approve Rule 410 IAC 7-24 for re-adoption.

Ms. Goff asked for comments from the Board, staff and public. Hearing none she entertained a motion for approval. On a motion made by Dr. Tharp, seconded by Suellyn Sorenson and passed unanimously, the Board approved Rule 410 IAC 7-24 for re-adoption.

Re-adoption of Rule 410 IAC 6-12 Plan Review, Construction Permits and Fees for Services

Mike Mettler, Director, Environmental Public Health presented Rule 410 IAC 6-12 to the Board for re-adoption. Once approved by the Board a notice of re-adoption will be filed with the *Indiana Register* and the rule will not expire on January 1, 2017. The rule will continue in effect for another seven (7) years or until amended. Staff recommended the Board approve Rule 410 IAC 6-12 for re-adoption.

Ms. Goff asked for comments from the Board, staff and public. Hearing none she entertained a motion for approval. On a motion made by Patricia Spence, seconded by Suellyn Sorenson and passed unanimously, the Board approved Rule 410 IAC 6-12 for re-adoption.

Health Care Quality & Regulatory Services Commission

Final Adoption of Rule 410 IAC 17-12-2 Home Health Administration and Management Rule (LSA #16-223)

Terry Whitson, Assistant Commissioner, Health Care Quality & Regulatory Services Commission presented Rule 410 IAC 17-12-2 for final adoption. Proposed amendments are to the Quality Assessment and Performance Improvement section of the rule. These amendments will change the notice period home health agencies must provide when the agency will no longer be providing services to a patient from five calendar days to 15 calendar days. The *Notice of Intent to Adopt a Rule* was published in the *Indiana Register* on June 8, 2016, starting the one-year period to adopt this rule. The proposed rule was preliminarily adopted by the Board at the July 13, 2016 meeting. No changes have been made since that time.

Ms. Goff asked for comments from the Board, staff and public. After brief discussion, she entertained a motion for approval. On a motion made by Dr. Tharp, seconded by Joanne Martin and passed unanimously, the Board approved the amendments to the Home Health Administration and Management Rule 410 IAC 17-12-2 for final adoption.

Epidemiology Resource Center

Re-adoption of Rule 410 IAC 1-5 Sanitary Operation of Tattoo Parlors

Pam Pontones, State Epidemiologist and Director of the Epidemiology Resource Center presented Rule 410 1-5 to the Board for re-adoption. Once approved by the Board a notice of re-adoption will be filed with the *Indiana Register* and the rule will not expire on January 1, 2017. The rule will continue in effect for another seven (7) years or until amended. Staff recommended the Board approve Rule 410 IAC 1-5 for re-adoption.

Ms. Goff asked for comments from the Board, staff and public. Hearing none she entertained a motion for approval. On a motion made by Dr. Tharp, seconded by Joanne Martin and passed unanimously, the Board approved Rule 410 IAC 1-5 for re-adoption.

Pam also provided a brief update on the Zika Virus. The risk of widespread local transmission in Indiana is low due to our improved sanitation and standard of living when compared with epidemic areas, fewer international travelers when compared with other US states, temperate climate and absence of *Aedes aegypti*. There is routine surveillance and reporting of human arboviral disease cases and routine surveillance for vector mosquitoes in Indiana. There is a “Fight the Bite” communication campaign in Indiana and grant funding for local health departments and the Indiana Environmental Health Emergency Response Team (IN-EHRT) for local transmission events. The ISDH Laboratory can now perform the tests for the Zika Virus.

Health and Human Services Commission

Art Logsdon, Assistant Commissioner, Health and Human Services Commission introduced Dennis Stover, new Director for the HIV/STD Division. Art thanked Ann Alley, Director of Chronic Disease, Primary Care and Rural Health for her efforts as interim Director of the HIV/STD Division.

Re-adoption of Rule 410 IAC 1-7 HIV Counseling and Testing of Pregnant Patients

Art Logsdon, Assistant Commissioner, Health and Human Services Commission presented Rule 410 IAC 1-7 to the Board for re-adoption. Once approved by the Board a notice of re-adoption will be filed with the *Indiana Register* and the rule will not expire on January 1, 2017. The rule will continue in effect for another seven (7) years or until amended. Staff recommended the Board approve Rule 410 IAC 1-7 for re-adoption.

Ms. Goff asked for comments from the Board, staff and public. Hearing none she entertained a motion for approval. On a motion made by Suellyn Sorenson, seconded by Dr. Richard Martin and passed unanimously, the Board approved Rule 410 IAC 1-7 for re-adoption.

Update on Cancer, Cardiovascular/Diabetes, Asthma, Primary Care and Rural Health Division

Ann Alley, Director, Chronic Disease, Primary Care and Rural Health Division stated they continue integration of public health and health care by extending cancer, cardiovascular health, diabetes, and asthma programming into community health centers (CHC).

The Cancer Early Detection Section partnered with three Federally Qualified Health Centers (FQHC) to pilot a state colorectal cancer screening program to increase colorectal cancer screening rates. The focus was in improving linkages between FQHCs and specialty providers to expand access to the full continuum of follow-up care. Indiana was one of only six states to receive grants from the CDC to increase cancer survivorship interventions.

The Asthma program partnered with the American Lung Association in a learning collaborative. CHCs were targeted with improvement of asthma management plans, asthma education, and reported a combined increase of well-controlled asthma patients.

Update on WIC Electronic Benefit Transfer (EBT) Project

Eldon Whetstone, Director, WIC gave an overview of the WIC program. WIC provides healthy food, nutrition education, breastfeeding support and referrals. WIC serves 145,000 Hoosiers each month. There are 650 authorized WIC retailers. The EBT replaces a 15-year old system. With the EBT system we can: track

demographic data; arrange appointments; track biometric data; assign risk factors; provide nutrition education; provide referral data; track breastfeeding data; assign food packages; issue benefits; and track authorized retailers and redemption data. There are many advantages of having the EBT cards: they are discreet and function like a debit card; they are convenient – any authorized quantity of food can be purchased during the benefit cycle; they are less burdensome on retailer cashiers and provide a speedier check-out.

Distribution

Ms. Goff thanked staff for the Professional New Hire and Separation Reports, Summary of Final Orders and Consent Decrees, updated ISDH Organizational Chart, and variance waiver approvals.

Adjourn

Ms. Goff asked if the Board had any other comments. There was some discussion on Appeal Panels and the restrictions the ALJ and panel members must adhere to.

Dr. Richard Martin inquired about the regulation of dental grills. Mr. Logsdon will have Jim Miller, Director, Oral Health Services, get in touch with him to discuss and provide information.

Hearing no additional comments from the Board, staff and public, Ms. Goff adjourned the meeting at 12:00 pm. The next meeting is scheduled for January 11, 2017.