

**State of Board of Health
Minutes
April 18, 2008 – 9:00 a.m.
Doubletree Hotel, 301 West Franklin Street
Richmond, Virginia**

Members Present: Jack O. Lanier, Dr. P.H., Chairman; Dr. Bennie Marshall; Jim Edmondson; Dr. Craig Reed; Kandy Elliott; Ed Spearbeck; Dr. Charles Johnson; Fred Hannett; Dr. Bushan Pandya; and David Summers

Members Absent: Dr. Julie Beales; Barbara Favola; and Scott Burnette

VDH Staff Present: Dr. Karen Remley, State Health Commissioner; Dr. Jim Burns, Deputy Commissioner for Public Health; Jeff Lake, Deputy Commissioner for Community Health Services; Dr. Lisa Kaplowitz, Deputy Commissioner for Emergency Preparedness and Response; Joan Martin, Deputy Commissioner for Administration; Joe Hilbert, Executive Advisor; Martha Pulley, Policy Advisor; Catherine West, Administrative Assistant; Michael McMahon, Deputy Director, Office of Financial Management; A.J. Hostetler, Public Relations Coordinator; Gary Brown, Director, Office of Emergency Medical Services; Dr. Carl Armstrong, Director, Office of Epidemiology; Dr. David Suttle, Director, Office of Family Health Services.

Others Present: Matt Cobb, Robin Kurz, and Nelson Daniel, Attorney General's Office; Randy Abernathy, First Vice Chair, EMS Advisory Board; Jennie Collins, Second Vice Chair, EMS Advisory Board.

Call to Order

Dr. Lanier convened the meeting at 9:00 a.m.

Approval of Minutes

The minutes of the January 25, 2008 Board meeting were approved unanimously, subject to the following revisions. First, VDH staff were directed to include additional detail concerning the presentation by Secretary of Technology Aneesh Chopra. Second, VDH staff were directed to include in the section of the minutes describing the Board's priorities– as an additional approach to be used by the Board to achieve its priorities – “coordination and collaboration with community partners.”

Commissioner's Report

Dr. Remley provided the Commissioner's Report. The report included discussion of the four Commissioner's goals: emergency preparedness, billing/collections, agency fees, and communications.

Dr. Remley told the Board that Dr. Bill Nelson, Director of the Chesterfield Health District, had been named the top Public Health Doctor in Richmond by Richmond Magazine. The Board expressed its appreciation for Dr. Nelson's service to VDH.

Dr. Remley told the Board about a recent visit by her and other VDH staff to Glenwood Elementary School in Danville. This school has been awarded a childhood obesity prevention grant by VDH, using funds obtained from the National Governors Association. Dr. Remley told the Board that, according to the Danville Superintendent of Schools, increased physical activity levels among these students has a positive affect on Standards of Learning test results.

Budget Update

Michael McMahon presented the budget update. As part of the update, Dr. Remley described recent efforts by the Administration to secure approval of the VirginiaShares health insurance program, including possible funding sources to support such a program.

There was a brief discussion concerning the impact of certain ongoing reductions in the VDH budget. It was noted that, while each of the VDH programs that has been the subject of budget reductions has value, during times of reduced revenues VDH management has had to make difficult decisions concerning program funding levels.

Funding for trauma centers was discussed. It was noted that while general fund support for trauma centers was reduced, the amount of nongeneral fund fee revenue received by trauma centers increased greater than projected. Funding for abstinence education was discussed. VDH staff explained to the Board that federal funding was discontinued, thereby eliminating the need for state matching funds. In addition, there are other abstinence-based programs that remain in effect.

There was a discussion of a \$550,000 reduction in the VDH budget for electronic health record grants and interoperability funds. Fred Hannett observed that this was the same program that Secretary of Technology Chopra had discussed with the Board at the January 2008 meeting.

Dr. Lanier requested that, for the July 2008 meeting, VDH prepare a briefing assessing the programmatic impact of recent reductions to the agency budget. VDH staff stated that this would be provided using the best information that is available

Emergency Medical Services Advisory Board Update

Randy Abernathy, First Vice Chair, EMS Advisory Board, provided the update. He thanked VDH for approving a part-time Operational EMS Medical Director position.

Mr. Abernathy observed that citizen expectations for EMS services are unbelievable, but noted that leadership from the VDH Office of EMS has been remarkable. He said that over the last ten years there has been a real unification of the state's EMS system.

Mr. Abernathy said that the Board can help the EMS community by educating the Board's constituents. He noted that most public inquiries concerning EMS services occur only after someone has had a negative experience with the EMS system. According to Mr. Abernathy, only seven percent of individuals will ever ride in an ambulance.

Mr. Abernathy urged the Board to support the requests of the EMS Advisory Board. He questioned a recent budgetary decision to reallocate interest earnings on the “4 for Life” fund to the general fund. He pointed out that the Rescue Squad Assistance Fund is funded by the “4 for Life” program. While the RSAF contains \$4 million, there is \$10 million in needs on the part of rescue squads.

A recent report by the Institute of Medicine concluded that, nationally, the EMS system is fragmented. Mr. Abernathy said that EMS Advisory Board is working to address this issue in Virginia. System leadership, especially at the volunteer level, is crucial. A key challenge is that there is no control over the demand for EMS services.

He told the Board that Virginia needs to undertake various prevention efforts designed to reduce the inappropriate use of EMS services by the public.

There was a brief discussion by the Board concerning EMS staff recruitment and retention issues, including the importance of staff training. There was additional discussion concerning funding streams for EMS services in Virginia, including the extent to which EMS providers bill commercial insurance carriers.

Access Now Community Partnership

Deborah Love, Executive Director, Richmond Academy of Medicine; and Dr. Patricia Reams, Access Now Coordinator, briefed the Board on this initiative.

There was a brief discussion by the Board concerning necessary transportation arrangements in order for patients to travel to providers. There was additional discussion concerning the potential for replicating this program model in other parts of the state, and the potential eligibility of Access Now providers for state tax credits.

2008 Legislative Session Update

Joe Hilbert provided the update. There was a brief discussion concerning the extent to which third party payment data reported to VDH pursuant to HB603/SB396 would be correlated with HEDIS quality data.

Governor’s Health Reform Commission Update

Joe Hilbert provided the update. The Commission’s final report contained 79 recommendations. Forty-one of those recommendations were subsequently categorized into three tiers of priority recommendations.

Nominating Committee Report

Kandy Elliott, Chair of the Nominating Committee, recommended the following slate of Board officers for the year beginning July 1, 2008:

Chair: Fred Hannett

Vice Chair: Dr. Craig Reed

Member, Executive Committee: Dr. Julie Beales
Member, Executive Committee: Jim Edmondson

The slate of officers was approved unanimously by the Board.

Luncheon Speaker

The Honorable John M. O'Bannon III, M.D., Virginia House of Delegates, 73rd District, provided remarks to the Board.

Delegate O'Bannon said that population based change is behind all significant health improvements. He challenged the Board to strive for improvements in the following areas: patient safety/quality of care; tobacco prevention/cessation; obesity prevention; chronic disease prevention; and mental health "first aid."

Overview of VDH Fees

Joan Martin provided the overview to the Board. She explained that VDH has established an internal workgroup to examine what services each of the fees are intended to support, what each of these services actually cost to provide, and to compare the revenue derived from each fee to the cost required to provide each service. VDH will provide a quarterly report to the Board.

The Board requested, for the next quarterly report in July 2008, for information concerning which entity (e.g., Board of Health, General Assembly) is authorized to change each of the fees, the process (i.e., statutory change, budgetary change, regulatory change) by which each of the fees could be changed, and how long it would take to make changes to each of the fees.

It was noted by Dr. Reed that the Summer Camp Plan Review fee has yielded a very small amount of revenue. He asked how VDH can justify the cost of assessing this fee.

Public Comment

There were not any members of the public who were present or signed up to provide comments to the Board.

Board Regulatory Action Items

12 VAC 5-195 Virginia WIC Program State Regulations (Exempt Action - Proposed Regulations)

Dr. David Suttle presented the proposed regulations to the Board. The Board approved the proposed regulations unanimously.

12 VAC 5-481 Radiation Protection Regulations (Fast Track Regulation – Increased Control Requirements)

Dr. Carl Armstrong presented the proposed regulation to the Board. The Board approved the proposed regulations unanimously.

Member Reports

David Summers (Managed Care Health Insurance Plans). He briefed the Board on comments provided by the Virginia Association of Health Plans concerning the new contract between the Department of Medical Assistance Services and managed care organizations. Mr. Summers described the Virginia Acute Long Term Care Program, which will be piloted in Hampton Roads in 2009.

Jim Edmondson (Consumer Representative). Mr. Edmondson represented the Health Commissioner at the Virginia Public Health Association meeting on March 21. He will be representing the Board on the VDH Hospital Licensure Regulation workgroup. Mr. Edmondson described his concerns regarding state funding reductions imposed on the regional health systems agencies (HSAs). He wants to know more about the likely impact of these funding reductions on HSA operations.

Kandy Elliott (Nursing Home Industry). The Virginia Health Care Association (VHCA) has requested that the VDH Office of Licensure and Certification remove the current hiring freeze from the Minimum Data Set Coordinator position. She discussed concerns of VHCA concerning HJR 79, agreed to by the 2008 General Assembly. HJR79 requests the Governor and the Secretary of Health and Human Resources to develop a policy barring physicians or other health care practitioners from prescribing an alternative brand of medication because of financial incentives without first disclosing the incentives to the patient or the patient's parent, legal guardian, or other authorized representative. The Governor and Secretary are required to report to the General Assembly on progress in meeting the request of this resolution. VHCA has questions about the intent of HJR79 and likely direction that will be taken in response to it. In addition, Ms. Elliott updated the Board on plans for the upcoming Mission of Mercy dental clinic in Roanoke. She will be volunteering again this year.

Dr. Craig Reed (Virginia Veterinary Medical Association). Dr. Reed described examples of strong cooperation between the VVMA and VDH in the area of rabies prevention. He is going to urge the VVMA to work closely with VDH and the Department of Game and Inland Fisheries to educate the public concerning the avoidance of wild animals in order to guard against the spread of rabies. Dr. Reed also mentioned the importance of handwashing and raw food handling messages in order to promote food safety over the summer.

Dr. Charles Johnson (Virginia Dental Association). He briefed the Board concerning legislation enacted by the 2008 General Assembly concerning the regulation of dental assistants. Dr. Johnson also discussed his role in the development of a new dental clinic in Presque Isle, Maine.

Dr. Bennie Marshall (Virginia Nurses Association). The VNA is working to increase the number of nurses represented on state boards and commissions. The VNA is stressing the importance of reducing health disparities, and preventing chronic disease. Dr. Marshall told the Board that the VNA will invite VDH to make a 100th Anniversary presentation in the fall.

Ed Spearbeck (Virginia Pharmacists Association). He told the Board about federal legislation that would make e-prescribing mandatory for the Medicare Part D program in 2011. In addition, any Medicare Part D prescription must be e-transmitted beginning in 2009. Mr. Spearbeck discussed issues surrounding medication errors involving pharmacy technicians, and how that is related to the call for state registration of pharmacy technicians. He also briefed the Board concerning drug importation, in particular problems with the importation of drugs manufactured in China and prescribed via the internet.

Fred Hannett (Corporate Purchaser of Health Care). Mr. Hannett told the Board that he is on a panel charged with responding to a Robert Wood Johnson Foundation report concerning how to overcome health disparities. He also described the Health Information Management Systems Society Annual Conference. According to Mr. Hannett, there seems to be a consensus that the electronic health record is a good thing, in that it will bring about improved quality and reduced cost. However, there are some privacy issues. The difficult thing with EHR is getting the data necessary to convince payors to make the necessary up front investment.

Dr. Jack Lanier (Consumer Representative). At the request of the American Hospital Association, Dr. Lanier continues to serve on the Special Advisory Committee for Improving Health Care Outcomes for Minorities. He told the Board about the National Minority Quality Forum. Dr. Lanier discussed the PBS television series “Unnatural Causes.” Finally, in his final report as Board chairman, Dr. Lanier urged the Board to do a better job of forming partnerships with other organizations. He also told the Board to be “intolerant of the status quo.”

Evaluation of Meeting

Mr. Edmondson complimented Delegate O’Bannon on the luncheon presentation, and requested that the Board invite him back to speak again next year.

Other Business

The next Board meeting will be held at the Sheraton Moorefield Hotel in Richmond on July 18th. The meeting will include a tour of the State Emergency Operations Center.

Adjourn

The meeting adjourned at approximately 3:00 p.m.