

**State Board of Health
Nominating Committee
June 12, 2025- 9:00am
Wytheville Meeting Center**

Members Present: Maribel Ramos, chair; Ann B.R. Vaughters, and Cindy Warriner.

Dr. Vaughters, MD participated virtually.

Virginia Department of Health Staff Present: Michael Capps, Acting Director of Policy and Planning; Joe Hilbert, Deputy Commissioner for Governmental and Regulatory Affairs;

Call to Order and Welcome

Maribel Ramos called the meeting to order at 9:03 am. Ms. Ramos welcomed those in attendance to the meeting.

Nominations of Officers

Cindy Warriner made a motion to nominate the following slate of officers: Michael Desjadon for Chair, Dr. Melissa Nelson for Vice Chair, Cindy Warriner and Dr. Walter Vest for the Executive Committee.

Dr. Vaughters seconded the motion and it was passed unanimously by voice vote.

Adjourn

Dr. Vaughters made a motion to adjourn the meeting, seconded by Ms. Warriner. The motion passed unanimously by voice vote and the meeting adjourned at 9:07am.

**State Board of Health
June 12, 2025- 9:30am
Wytheville Meeting Center**

Members Present: James Cole; Gary Critzer, Chair; Michael Desjadon; Anna Jeng, ScD; Patricia Kinser, PhD, WHNP-BC, RN; Melissa Nelson, MD; Maribel Ramos; Vickie Runk; Ann B.R. Vaughters, MD; Walter Vest, MD; and Cindy Warriner.

Members Absent: Douglas Daniels, DVM; Elizabeth Ruffin Harrison; and Lee Jones, DMD.

Dr. Patricia Kinser and Dr. Vaughters participated virtually.

Virginia Department of Health (VDH) Staff Present: Katelyn Briguglio, Interim Policy Administrator; Michael Capps, Acting Director of Policy and Planning; Dr. Susan Fischer Davis, Chief Deputy Commissioner for Community Health Services; Stephanie Dunkel, Deputy Commissioner for Population Health and Preparedness; Joe Hilbert, Deputy Commissioner for

Governmental and Regulatory Affairs; John Kotyk, Legislative and Regulatory Coordinator; R. Christopher Lindsay, Chief Operating Officer; Maria Reppas, Director of Communications, Office of Communications; Dr. Karen Shelton, State Health Commissioner.

Other Staff Present: Robin Clair Cummings, Virginia Telehealth Network; Wendy DiGiacomo, Accountant Sr., Mount Rogers Health District; Mary Anne Hall, Sr. Public Health Nurse, Mount Rogers Health District; Dr. Meagan Helmick, Director, Mount Rogers Health District; Julie Henderson, Director, Office of Environmental Health Services, Darrell Kuntz, Assistant Attorney General; Robin Kurz, Senior Assistant Attorney General; Dr. Cynthia Morrow, Regional Health Director; Tim Perkins, Community Health and Technical Resources Division Director Linda Scarborough, Public Information Officer; Sandra Serna, Director, Office of Health Equity; Mara Servaites, Virginia Telehealth Network.

Darrell Kuntz from the Office of the Attorney General participated virtually.

Call to Order

Mr. Critzer called the meeting to order at 9:39am.

Introductions

Mr. Critzer welcomed those in attendance to the meeting. The Board members and VDH staff present introduced themselves.

Mr. Stephen Bear, Wythe County Administrator, gave opening remarks welcoming the Board to Wytheville.

Review of Agenda

Mr. Hilbert reviewed the agenda, and the items contained in the Board's meeting notebook.

Approval of March 20th Minutes

The minutes from the March 20th meeting were reviewed. With no objection, the minutes were approved by consensus.

Commissioner's Report

Dr. Shelton provided the Commissioner's Report to the Board. She updated the Board on key issues and projects VDH is engaged in including:

- Agency Stars
- Key Personnel Changes
- Infectious Disease Update
- Maternal Health Dashboard
- Federal Funding Update
- Nursing Home Oversight
- Electronic Health Record Project Status
- HIPAA & Privacy Update
- Harmful Algal Blooms
- Hurricane Season Preparation
- Emergency Medical Services Update

- VDH Internship Academy
- Development of Accountability and Performance Metrics
- Public Health Reaccreditation

There was discussion with Cindy Warriner regarding if the confirmed Measles cases in Virginia were vaccinated or not. Dr Shelton confirmed that two of three confirmed cases were unvaccinated.

There was a brief discussion regarding the vaccine schedule for Meningococcal Disease.

There was a discussion regarding federal grants that have been rescinded and/or reduced as well as the federal government's placing of more controls on the ability of VDH to draw down federal funds, , There was further discussion regarding the potential impact of federal fund reductions on the Virginia Medicaid program. Christopher Lindsay spoke to how VDH has began preparing for federal funding reductions in the event they occur.

Dr. Maribel Ramos asked the dollar amount of the federal grants that have been rescinded. Chrsitopher Lindsay responded that the three COVID-19 grants totaled about \$219 million.

Mr. James Cole asked if VDH could share updates and relevant data concerning the status of VDH's implementation of the JLARC recommendations. Christopher Lindsay provided some details regarding improved staff vacancy rates in the Office of Human Resources and the Office of Financial Management, as well as information about the most recent VDH Employee Engagement Survey. Mr. Lindsay said that this year, the employee response rate for the survey was 80 percent, which is the highest it has ever been. Mr. Lindsay also explained that at the end of June 2025 the VDH Office of Drinking Water will no longer receive federal grant funding from the EPA on a "reimbursement" basis but will be place back on normal funding operations. Vickie Runk commended the efforts of VDH and the Board for addressing the oversight of nursing homes with a sense of urgency and resolve.

Dr. Anna Jeng thanked Christopher Lindsay for his remarks, and thanked Dr. Shelton.

Regulatory Action Update

Mr. Kotyk reviewed the summary of all pending VDH regulatory actions. There are 55 pending actions under development:

- 13 NOIRAs
- 11 proposed actions
- 11 final actions
- 20 fast track actions

Regulatory Actions Taken by the Commissioner on Behalf of the Board pursuant to § 32.1-20 of the Code of Virginia since the March 20, 2025 Board Meeting while the Board was not in Session:

Approved Final Exempt Regulatory Action for 12VAC5-410 – Regulations for the Licensure of Hospitals in Virginia

- This action is being taken to comply with Chapters 207, 249, 441, and 505 of the 2024 Acts of Assembly.

Approved Final Exempt Regulatory Action for 12VAC5-90 – Regulations for Disease Reporting and Control

- This action is being taken to comply with Chapter 375 of the 2024 Acts of Assembly.

Non-Regulatory Actions Taken by the Commissioner on Behalf of the Board since the March 20, 2025 Board Meeting while the Board was not in Session:

None

Mr. Kotyk advised the Board that there are 8 periodic reviews in progress:

- 12 VAC 5-125 Regulations for Bedding and Upholstered Furniture Inspection Program
- 12 VAC 5-371 Regulations for the Licensure of Nursing Facilities
- 12 VAC 5-381 Home Care Organization Regulations
- 12 VAC 5-507 Guidelines for General Assembly Nursing Scholarships and Loan Repayment Program Requiring Service in a Long-Term-Care Facility
- 12 VAC 5-520 Regulations Governing the State Dental Scholarship Program
- 12 VAC 5-545 Guidelines for the Nurse Educator Scholarship
- 12 VAC 5-590 Waterworks Regulations
- 12 VAC 5-620 Regulations Governing Application Fees for Construction Permits for Onsite Sewage Disposal Systems and Private Wells

Mr. Kotyk gave a brief overview of the regulatory development and review processes.

Mr. Kotyk also briefly mentioned a Petition for Rulemaking that has been received.

Public Comment Period

There were 4 people signed up for the public comment period:

Mr. Grant May spoke regarding in support of Petition 432 on behalf of the Family Foundation and asked the Board of Health to vote in favor of the petition and adopt regulations that adopt safe facilities for women. He highlighted the alleged biological advantages men have over women, the higher risk of injury when transgender women compete with women. He provided some anecdotal accounts that have occurred of transgender women injuring women.

Ms. Sofia Van Arsdale spoke in support of Petition 432 and asked the Board of Health to vote in favor of the petition. As a former Division I athlete she focused on the psychological impact of biological men participating in women sports.

Mr. Matthew McGuire spoke in support of Petition 432 and asked the Board of Health to vote in

favor of the petition. He also provided some anecdotal accounts of transgender women in female-only spaces and the impacts it had on women. He considers “transgenderism” a personal choice, and one that hurts females.

Ms. Reka Gyorgy spoke in support of Petition 432 and asked the Board of Health to vote in favor of the petition. She shared personal anecdotes of her experience as a Division I swimmer at Virginia Tech and having to share a locker room with a transgender woman. She said that the shock and discomfort of that experience drove her to file the petition.

Lunch presentation: Maternal & Child Health Home Visitation Programs

Vicky Richardson, BSN, RN, Nurse Supervisor, Mary Anne Hall, BSN, RN, Nurse Senior, Rebecca Riggins, CCHW, Resource Mother, Donna Surber, CHW, Maternal Health Doula, and Patricia VanHoy, BSN, RN, Nurse Manager Senior gave a presentation on the Mount Rogers Health District’s Maternal & Child Health Home Visitation Programs. The presentation included maternal data from the Mount Rogers Health District. The programs discussed in the presentation included BabyCare Program, Resource Mothers Program, and the Maternal Health Doula Program. The presentation concluded with a few heartfelt success stories highlighting how powerful and important these programs are to the mothers in their community.

Dr. Nelson asked what happens if district staff find developmental delays in children. Mary Anne Hall responded with how they utilize the resources in their community and the partnerships and stakeholders involved, including schools and community services boards, to provide support to those children.

Dr. Jeng asked a question regarding how that care is specifically delivered and some of the challenges that arise. Mary Anne Hall responded that staffing and funding is a challenge and explained that post COVID-19 they have worked hard to rebuild trust. She and Dr. Helmick commented on efforts to help their community members become comfortable having these services provided in their homes or other locations.

Dr. Vest asked if there is data on comorbidities among mothers who pass away in the first year postpartum. Dr. Helmick and Dr. Shelton both referred to the VDH Maternal Health Dashboard for exact numbers in localities. According to the dashboard data, over 80% of deaths are preventable, and prenatal care is an extremely important factor. Mary Anne Hall added that from her experience more women today have a higher incidence of physical ailments than years prior. Patricia VanHoy added that prenatal visits early during pregnancy are important for identifying issues.

Non-Regulatory Item: Virginia Telehealth Plan and Presentation Slides

Mara Servaites, MSW, PCMH CCE and Robin Clair Cummings, MSHA presented the 2026-2030 Virginia Telehealth Plan. The presentation described the proposed 2026-2030 plan to embed and leverage telehealth as a solution to achieve health priorities of the Commonwealth of Virginia.

There was a brief discussion on the regulation of telemedicine providers by state health professional licensing, as well as the applicability of HIPAA requirements. There was also discussion concerning the

concepts of digital literacy and health literacy.

Ms. Warriner made a motion to approve the plan. Dr. Jeng seconded the motion. The motion passed unanimously by voice vote.

Regulatory Action Item: Final Exempt Actions

Ms. Henderson presented a bloc of Final Exempt Actions Amending: the Rules and Regulations Governing the Construction of Migrant Labor Camps (12VAC5-501), the Sewage Handling and Disposal Regulations (12VAC5-610), and the Private Well Regulations (12VAC5-630).

The action allows other qualified individuals to preside over informal fact-finding conferences, giving the department greater flexibility in providing a presiding officer. In both the Sewage Handling and Disposal Regulations and the Private Well Regulations, this action also removes restrictions to subpoena power and aligns the timetable to render a case decision pursuant to 2.2-4021(B) of the Code of Virginia; and removes the requirement for a hearings officer to submit findings of fact to the Commissioner of Health for final decision. For the Sewage Handling and Disposal Regulations, this action further amends cross references to Title 9 of the Code of Virginia as it was recodified to Title 2.2.

Dr. Anna Jeng made a motion to approve the three final exempt actions in a bloc, seconded by Mr. James Cole. The motion passed unanimously by voice vote.

Final Exempt Regulatory Action: Rainwater Harvesting System Regulations 12VAC5-635

Ms. Henderson presented a Final Exempt Action Amending Rainwater Harvesting System Regulations (12VAC5-635).

The regulations currently exempt users of rain barrels. This exemption defines a rain barrel as an individual container of up to 100-gallon capacity used to collect and temporarily store rainwater solely for low exposure non-potable end use. The 100-gallon limitation in the regulations results in the unintended consequence that users of larger capacity rain-barrels are subject to the cost and technical requirements of the regulations. This represents an artificial subdivision of regulated versus unregulated rain barrel users when the regulatory intention is for all rain barrel use to be excluded from regulation. This action will remove that 100-gallon limit on the rain-barrel exemption.

Dr. Anna Jeng asked a question concerning the current regulation of rain barrels, and Julie Henderson answered that the current regulations technically apply to rain barrels over 100 gallons, but the intent was not to regulate these.

Ms. Warriner made a motion to approve the final exempt action, seconded by Dr. Vest. The motion passed unanimously by voice vote.

Electronic Meeting Policy

Mr. Hilbert presented Procedures for Electronic Participation in Board of Health Meetings and All-Virtual Meetings and declared there was no change from the policy approved by the Board in June 2024. He clarified there can be all virtual meetings, but there cannot two all-virtual meetings in a row.

Dr. Nelson made a motion to approve the Procedures for Electronic Participation in Board of Health Meetings and All-Virtual Meeting, seconded by Mr. Desjadon. The motion passed unanimously by voice vote.

There was discussion concerning applicable rules governing all virtual meetings of Board committees, such as the Nominating Committee and the Executive Committee.

Report of Nominating CommitteeMs. Ramos presented the slate of nominations approved by the nominating committee: Michael Desjadon as Chair, Dr. Melissa Nelson as Vice Chair, Dr. Walter Vest and Cindy Warriner to members of the Executive Committee.

Mr. Gary Critzer made a motion to approve the Report of the Nominating Committee. The motion passed unanimously by voice vote.

Other Business

Cindy Warriner brought forth concern for pharmacy deserts in Virginia and presented a map of the current landscape of pharmacy deserts and access to medications and other services in Virginia.

Cindy Warriner made a motion, seconded by Dr. Walter Vest, that the Board request a letter be communicated to the Administration to consider preventing the progression of pharmacy development in the Commonwealth and ensure more sustainable reimbursement methodologies to promote continued access to essential pharmacy services to include but not limited to; vaccinations, access to medications, opioid MAT services, infrastructure for telehealth, test and treat, etc.

Dr. Vest also discussed the 52 pharmacy deserts in Virginia, noting that 50 pharmacies closed in the past year and 50 more are anticipated to close this year. He said the Board should take action and it is very important to mitigate this impending crisis. He noted that pharmacy deserts are being misrepresented in some data because nursing home pharmacies are included, however they are not available to dispense medications to the public. Vickie Runk said this is of great interest to the nursing home industry. Nursing homes must have a backup pharmacy in the event of crisis.

There was discussion concerning the wording of the motion, and various changes were suggested and made.

The Board agreed on the following wording of the motion: “That the Board request a letter be sent by the Commissioner and the Board Chair, to the administration, to consider preventing the progression of pharmacy desert development in the Commonwealth and address root causes, in order to promote continued access to essential pharmacy services which may include, but are not limited to: vaccinations, access to medications, opioid MAT services, infrastructure for telehealth, test and treat, etc.”

Mr. Critzer called for a vote on Ms. Warriner's motion. The motion passed unanimously by voice vote.

Dr. Shelton acknowledged that this was the last board meeting for Mr. Critzer, Dr. Jeng, Dr. Kinser, Ms. Ruffin Harrison, and Ms. Runk.

Mr. Critzer expressed his gratitude for having the opportunity to serve on the Board and thanked the Board members and VDH Central Office members.

Adjourn

The meeting adjourned at 1:46pm.