

State Board of Health
September 19, 2024, 9:00am

Members Present: James Cole; Gary Critzer, Chair; Michael Desjaton; Elizabeth Ruffin Harrison; Anna Jeng, ScD; Patricia Kinser, PhD; Melissa Nelson, MD; Maribel Ramos; Vickie Runk; Ann B. R. Vaughters, MD; Yesli Vega; Walter Vest, MD; and Cindy Warriner

Maribel Ramos participated virtually from her home in Alexandria for personal reasons.

Members Absent: Douglas Daniels, DVM; Lee Jones, DMD.

Virginia Department of Health (VDH) Staff Present: Marcus Allen, Director, Children and Youth with Special Health Care Needs Program, Office of Family Health Services; Erin Callas, BSN, RN, VDH Agency Star; Michael Capps, Senior Policy Analyst; Jessica Coughlin, VDH Agency Star; Stephanie Dunkel, Deputy Commissioner for Population Health and Preparedness; Laurie Forlano, DO, State Epidemiologist; Joe Hilbert, Deputy Commissioner for Governmental and Regulatory Affairs, Marian Hunter, Public Information Officer; Alexandra Jansson, Senior Policy Analyst; John Kotyk, Legislative and Regulatory Coordinator; R. Christopher Lindsay, Chief Operating Officer; Karen Shelton, MD, State Health Commissioner; Maria Reppas, Director, Office of Communications; and John Ringer, Acting Deputy Commissioner for Administration

Other Staff Present: Robin Kurz, Assistant Attorney General, Office of the Attorney General

Call to Order

Mr. Critzer called the meeting to order at 9:08 am.

Introductions

Mr. Critzer welcomed the new Board members and those in attendance to the meeting. Mr. Critzer informed the Board of the tragic loss of Dr. Jones' daughter. He asked that the Board keep the family in their thoughts and prayers.

Review of Agenda

Ms. Jansson reviewed the agenda and the items contained in the Board's binder.

Approval of June 13, 2024 Minutes

The minutes from the June meeting were reviewed and 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
- Communicable Disease Updates
- Harmful Algal Blooms 2024
- Emergency Preparedness
- EMS Update

- Veteran Suicide Prevention
- Maternal Health Updates
- Electronic Health Record Update
- Language Access

There was discussion around COVID vaccines and the bridge program; parvovirus testing availability; membership, and implementation of the reestablishment of the Task Force on Maternal Health Data and Quality Measures (Executive Order 32); and the Veteran Identify Screen and Refer (VISR) partnership with the Department of Veterans Services.

There was also discussion regarding the VDH Internal Audit report concerning the Office of Emergency Medical Services (OEMS). Dr. Shelton informed the Board they would receive copies of the Internal Audit Report and the consultant report from Fitch & Associates. Mr. Critzer provided some additional comments concerning OEMS.

Regulatory Action Update

Mr. Kotyk reviewed the summary of all pending VDH regulatory actions.

There are 54 pending actions under development:

- 13 NOIRAs
- 10 proposed actions
- 7 final actions
- 24 fast track actions

Since the June 13, 2024, meeting the Commissioner has taken two regulatory actions on behalf of the Board. The first was approval of a Notice of Intended Regulatory Action (NOIRA) for the Sanitary Regulations for Hotels (12 VAC5-431). This action was initiated a result of a recent periodic review. Amendments will remove outdated information, reflect best practices and the most up to date scientific information, and consider public comment and regulatory reduction where possible. The second was approval of a NOIRA for the Regulations Governing Vital Records (12 VAC5-550). This action will provide clarity related to delayed birth filings, clarify requirements for establishment of a new birth certificate for registrants born via surrogacy, make style and form updates as needed, increase certain fees, and consider regulatory reduction where possible.

Mr. Kotyk advised the Board that there are 16 periodic reviews in progress:

- 12 VAC 5-67 Advance Health Care Directive Registry
- 12 VAC 5-125 Regulations for Bedding and Upholstered Furniture Inspection Program
- 12 VAC 5-215 Rules and Regulations Governing Health Data Reporting
- 12 VAC 5-216 Methodology to Measure Efficiency and Productivity of Health Care Institutions
- 12 VAC 5-217 Regulations of the Patient Level Data System
- 12 VAC 5-220 Virginia Medical Care Facilities Certificate of Public Need Rules and Regulations
- 12 VAC 5-371 Regulations for the Licensure for Nursing Facilities

- 12 VAC 5-381 Home Care Organization Regulations
- 12 VAC 5-391 Regulations for the Licensure of Hospices
- 12 VAC 5-405 Rules Governing Private Review Agents
- 12 VAC 5-407 Regulations for the Submission of Health Maintenance Organization Quality of Care Performance Information
- 12 VAC 5-507 Guidelines for General Assembly Nursing Scholarships and Loan Repayment Program Requiring Service in Long-Term-Care Facility
- 12 VAC 5-520 Regulations Governing the State Dental Scholarship
- 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

Public Comment Period

There was no one signed up for the public comment period.

Spotlight Presentation: Sickle Cell Programs at VDH

Mr. Allen presented on Sickle Cell programs at VDH including the Newborn Screening Bloodspot Program, the Virginia Sickle Cell Awareness Program, and the Adult and Pediatric Comprehensive Sickle Cell Clinic Network. A brief overview and updates for HB 252 Statewide Sickle Cell Disease Registry and HB 255 Adult Wellness Screening were presented to the Board. The Office of Family Health Services plans to further develop their adult clinic programs, and hire a statewide sickle cell coordinator, an epidemiologist, and other registry-related positions.

There was discussion concerning the following:

- How VDH addresses the mistrust of the healthcare system in the adult population, encouraging them to use the Sickle cell registry by focusing on building community partnerships, providing patient education, and public awareness.
- Current partnerships and possible future partnerships with ER physicians and hospital networks along with continuing efforts to reduce ER related crisis visits and produce better patient outcomes. Additionally discussed were possible opportunities for continuing education credits for physicians.
- The importance of care coordination and pain management for this patient population; breaking the drug seeking stigma often associated with the disease and other challenges.
- Electronic Medical Record systems should contain notes from visits from other physicians and will often contain medications prescribed including narcotics.
- Blood donations are welcomed and encouraged as the patients often receive multiple transfusions throughout their lifetime.

Lunch Presentation: Kepone to Blue Zone

Clifford Morris, MD, President, Morris Cardiovascular and Risk Reduction Center, and Director, and Hopewell Blue Zone Project presented on Kepone to Blue Zone: Life Span vs Health Span. Hopewell is known for manufacturing and chemical plants. In the 1970's, Kepone was dumped illegally into the James River, and made its way into Hopewell's water supply. Patients in Hopewell in the 1970's were found to have extremely highly toxic Kepone levels in their blood.

Blue Zones are regions in the world that in studies show the communities have healthier and longer lifespans. Dr. Morris educates the Hopewell community on achieving a heart healthy, pain free, and low medications lifestyle using the Power 9:

- Move naturally (Movement)
- Find your purpose (Mind)
- Slow down (Mind)
- Wine at 4 (Eating right)
- Plant Slant (Eating right)
- 80's rule (Eating right)
- Belong and give back (Connections)
- Loved ones first (Connections)
- Right tribe (Connections)

The goal of the Hopewell Blue Zone project is to make the community of Hopewell a healthier place to live and raise a family by 2025. Dr. Morris has partnered with various stakeholders at the local and state level to get support for the Blue Zone proposal. He wishes to jointly create a vision and support for the community.

There was a brief discussion concerning “Food as Medicine,” and the importance of educating people concerning how to make healthy nutrition choices.

Fast Track Action - Amendment to Regulations Governing Virginia Immunization Information System 12VAC5-115

Dr. Forlano presented the Board with Fast Track Action Amendment to 12VAC5-115 Virginia Immunization Information System (VIIS) following the 2024 Periodic Review.

The regulation is necessary to protect the public health, safety, and welfare of individuals by ensuring that public health information associated with immunization records are kept in an efficient, inclusive, and secure system.

The intent of this regulatory action is to amend the chapter governing VIIS as per the 2024 periodic decision. The amendment adds, removes, and updates regulatory language to enhance clarity; clarifies required and authorized participants in the VIIS system, updates the VIIS registration, onboarding, and training processes, clarifies authorized use of VIIS to protect patient confidentiality; updates the VIIS opt-out process; clarifies VIIS access and reactivation processes; and updates the list of demographic information required to be reported and the timing of VIIS immunization data reporting.

Dr. Vaughters moved, and Dr. Kinser seconded, that the Fast Track Amendments be approved.

Counsel for the board addressed questions regarding whether the statutory definition of “healthcare provider” includes pharmacists, and questions regarding the use of “shall” vs. “may.” It was confirmed the proposed regulatory language was based on language in the style guide. There was discussion about the patient confidentiality, the timeline and usage for the data, specifically after a patient is deceased.

That motion was approved unanimously by voice vote.

2025 Meeting Dates

Ms. Jansson reviewed the proposed 2025 meeting dates with the Board. Dr. Vest made a motion to approve the meeting dates, seconded by Ms. Warriner. The motion passed unanimously by voice vote.

The approved dates are as follows:

- Thursday, March 20
- Thursday June 12
- Thursday, October 2, and
- Friday, December 12.

Other Business

There was no other business brought before the Board.

Adjourn

The meeting adjourned at 1:44 pm.