

AGENDA
MISSISSIPPI STATE BOARD OF HEALTH
WEDNESDAY, AUGUST 8, 2007
10:00 AM

Call to Order and Introductory Remarks by Chairman

Approval of Minutes: July 2, 2007

Tom Hood, Executive Director, MS Ethics Commission

State Health Officer's Report: Ed Thompson, MD, MPH

FY '09 Appropriation Request

Board Regulatory Actions - Consent Agenda

Health Planning

1. Proposed Revision to Certificate of Need Review Manual (Effective November 12, 2006) Chapter 3, Section 100, Notice of Intent to Apply for a Certificate of Need to Clarify Time Period for Applicant Submission of Notice

The proposed change would remove extracorporeal shockwave lithotripsy services from the list of services requiring filing of a Notice of Intent to Apply for a Certificate of Need (CON) and require submission of a Notice of Intent to Apply for a CON at least thirty (30) days prior to the Application for a CON. Approved by Board of Health Committee on December 13, 2006, filed with Secretary of State for public comment on December 14, 2006 and oral proceeding held on January 4, 2007. No public comments received.

2. Adoption of Proposed Revisions to the Certificate of Need Review Manual (Effective November 12, 2006)

On September 15, 2006, the Department of Health filed Proposed Revisions to the Certificate of Need Review Manual (Revised August 12, 2006). Oral proceeding was held on October 5, 2006. No comments received. Final Adoption of CON Manual rule change approved by the Board at October 11, 2006 Meeting. Rule as approved by the Board filed with Secretary of State on October 13, 2006 and became effective November 12, 2006.

3. Proposed Revisions to MS J-1 Visa Waiver Guidelines Regarding Policy for National Interest Waiver Letters

The proposed change would clarify current requirements that apply to J-1 Visa applicants by stating that the requirements would also apply to applicants that may have completed J-1 obligation in another state or have H1-B status. Approved by Board of Health

Committee on December 13, 2006, filed with Secretary of State for public comment on December 14, 2006 and oral proceeding held on January 4, 2007. No public comments received.

4. Consider Recommendations of the MS Qualified Health Center Advisory Group for FY 2008 Grant Awards to MS Qualified Health Centers

The legislative appropriation for fiscal year 2008 is \$3.55 million which is the same as fiscal year 2007. The MQHC Advisory Council recommends the same distribution formula as utilized for fiscal year 2007.

Health Facilities Licensure

5. Minimum Standards for Personal Care Home – Assisted Living

Proposed modification to conform penalty language in Section 43-11-25 of the Miss. Code and to add patient pharmacy choice in conformity with House Bill 1439, 2007 Regular Legislative Session. Filed with Secretary of State for public comment on July 6, 2007 with oral proceeding scheduled for August 1, 2007.

6. Minimum Standards for Personal Care Home – Residential Living

Proposed modification to conform penalty language in Section 43-11-25 of the Miss. Code and to add patient pharmacy choice in conformity with House Bill 1439, 2007 Regular Legislative Session. Filed with Secretary of State for public comment on July 6, 2007 with oral proceeding scheduled for August 1, 2007.

7. Minimum Standards for Institutions of the Aged or Infirm

Proposed modification to regulations to add patient pharmacy choice in conformity with House Bill 1439, 2007 Regular Legislative Session. Filed with Secretary of State for public comment on July 6, 2007 with oral proceeding scheduled for August 1, 2007.

8. Minimum Standards for Operation of Abortion Facilities

Proposed modification to current regulations to add specific procedures that must be performed prior to performance of an abortion in conformity with the requirements of Senate Bill 2391, 2007 Regular Legislative Session. Filed with Secretary of State for public comment on July 6, 2007 with oral proceeding scheduled for August 1, 2007.

9. Regulations Governing Operation of Health Maintenance Organizations

Proposed deletion of regulations in conformity with statutes which moved regulatory authority to MS Department of Insurance in 1995. Filed with Secretary of State for public comment on July 6, 2007 with oral proceeding scheduled for August 1, 2007.

10. Regulations Governing Minimum Standards of Operation for Psychiatric Residential Treatment Centers

Proposed modification by the Art Therapist Advisory Council to add licensed Professional Art Therapists to the list of professional staff authorized to provide services to clients and to the list of ancillary service providers. Filed with Secretary of State for public comment on July 6, 2007 with oral proceeding scheduled for August 1, 2007.

Environmental Health

11. Revisions to the Regulation Governing the Certification of Municipal and Domestic Water System Operators

Proposed modification to regulations to eliminate ambiguous language and clarify sections regarding initial certification and recertification of operators. Approved by Board of Health Committee on December 13, 2006, filed with Secretary of State for public comment on May 4, 2006 and oral proceeding held on July 5, 2006. No public comments.

12. Revisions to Water Quality Analysis Fee Schedule for Public Water Suppliers for FY 2008 in Conformity with State Statutes

Fees must be adopted by the Department annually. The proceeds of these fees are used to fund direct and indirect costs of conducting water quality analyses for public water systems in MS as required by the Federal and MS Safe Drinking Water Acts. Filed with Secretary of State for public comment on July 6, 2007 with oral proceeding scheduled for August 1, 2007.

Communicable Disease

13. Rules and Regulations Governing Reportable Disease

Proposed modifications to clarify regulations regarding duty to report and tuberculin skin test. Approved by Board of Health Committee on December 13, 2006, filed with Secretary of State for public comment on December 15, 2006 and oral proceeding held on January 4, 2007. No public comments.

Vital Records

14. Proposed Revision of Rules Governing Registration and Certification of Vital Records

The Rules Governing Registration and Certification of Vital Records last revised in August 1994. At this time, some rules need clarification to assist Vital Records staff in the registration, certification and amendments of birth and death records. In addition, a new fee schedule is being proposed. The last fee increase was granted July 1, 1993. Filed with Secretary of State for public comment on July 12, 2007 with oral proceeding scheduled for August 1, 2007.

Professional Licensure

15. Reappointment to Advisory Council for Professional Art Therapists
Susan Ainlay Anand, MA, ATR-BC, LPAT, Flora, Madison County
16. Appointments to Council of Advisors for Respiratory Care Practitioners
Scott A. Lofland, BS, RRT - Madison County
William R. Edmonson, MD – Lee County

Reappointments to Council of Advisors for Respiratory Care Practitioners

G. Douglas Campbell, Jr., MD – Hinds County
Kenneth E. Thigpen, BS, RRT – Madison County
Betty Cash, RN, RRT – Hinds County
William A. Barnes – Hinds County
17. Appointment to Council of Advisors for Medical Radiation Technologists

Gregg Dickerson, MD – Madison County

Reappointments to Council of Advisors for Medical Radiation Technologists

David B. Wheat, MD – Hinds County
Joyce Brewer, PhD, RN, CNM, CFNP – Madison County
James Ketchum, RT – Yazoo County
Paula Young, BSRT – Rankin County
Andrew Fisher, ARRT, CNMTB – Rankin County
Georgeine Conner, ARRT (T) – Lauderdale County
Ruth Thigpen – Hinds County
Ali Lavassani, PhD – Madison County
Charles Stokes – Lee County
18. Reappointments to Advisory Council for Child Care Licensure

Marjorie B. Nobles, Petal, Forrest County
Julia Todd, Clinton, Hinds County
B. L. “Buddy” Fish, EdD, Ridgeland, Madison County

Appointment to Advisory Council for Child Care Licensure

Phyllis Kitchens, Mantachie, Itawamba County
19. Appointment to Onsite Wastewater Committee

Eddie Duran, MS Homebuilders Association
Ken Herring, MS Water and Pollution Control Operators Association

20. Appointment to Pearl River Valley Water Supply District

Keith Allen, Director, Public Water Supply, MS State Department of Health

Board Regulatory Actions - Regular Agenda

Health Planning

21. Staff Recommendation for Issuance of a National Interest Waiver Letter for Dr. Pramod Ganta currently holding an H1-B Visa

Dr. Ganta is being sponsored by Hattiesburg Clinic, PA in Hattiesburg (Forrest County) for employment as a specialist physician (Hospitalist) to improve access to internal medicine for residents of Hattiesburg, Forrest County and a sixteen county service in South Mississippi. Dr. Ganta has met requirements for issuance of a National Interest Waiver Letter and has provided letters of support.

Environmental Health

22. Food Protection Regulations

Proposed modification to regulations to establish a scoring system (A, B, C) for food service facility inspections. Approved by Board of Health Committee on December 13, 2006, filed with Secretary of State for public comment on December 15, 2006 and oral proceeding held on January 4, 2007. No public comments.

Emergency Planning and Response

23. Revisions to Emergency Medical Services Rules and Regulations

Proposed modification of regulations to adjust fees for EMS providers to offset loss of revenue due to statutory changes restricting use of Emergency Medical Services Operating Fund. Filed with Secretary of State for public comment on December 15, 2006 with oral proceeding held on January 4, 2007. No one attended. A few negative comments were received by way of telephone calls.

Old Business

New Business

Next Board Meeting

Adjourn