

MINUTES
MISSISSIPPI STATE BOARD OF HEALTH
OCTOBER 31, 2012

The Mississippi State Board of Health met on Wednesday, October 31, 2012, in the Alton B. Cobb Auditorium of the Osborne Building, Jackson, MS at 10:00 am.

Members Present:

Lucius M. Lampton, MD, FAAFP, Magnolia, MS – Chairman
J. Edward Hill, MD, FAAFP, Tupelo, MS – Vice Chairman
Elayne H. Anthony, PhD, Madison, MS
Ed D. Barham, MD, FACR, Clinton, MS
Albert Randel Hendrix, PhD, Overt, MS
Carl L. Nicholson, Jr., CPA, Hattiesburg, MS
Sammie Ruth Rea, RN, Brandon, MS
Ronald W. Robertson, Sr., Greenwood, MS
Kelly S. Segars, Sr., MD, FAAFP, Iuka, MS
Thad Waites, MD, Hattiesburg, MS
Ellen P. Williams, PhD, RN, Senatobia, MS

Members Absent:

None

The meeting was called to order by Chairman Luke Lampton, MD.

The first item of business was the approval of the July 11, 2012 Board Minutes. Upon motion by Dr. Segars and second by Dr. Anthony to accept aforementioned minutes, the Board unanimously approved the motion.

Mary Currier, MD, MPH, State Health Officer presented the State Health Officer's Report.

Dr. Lampton stated Items 7 through 13 and 17 were moved from the Consent Agenda to the Regular Agenda because they were not filed timely with the Secretary of State's Office.

Items 14 and 15 were also moved from the Consent Agenda to the Regular Agenda because considerable comments were received on those specific items. The proposed provisions will be discussed under the Regular Agenda.

Item 22 pertaining to the issue of a pilot for a freestanding emergency department was removed from the Agenda completely to allow for more discussion with the health care community.

Dr. Lampton asked that Item 1 be extracted from the Consent Agenda because a definition needs to be clarified.

Consent Agenda Items:

- Item 2** Reappointments to the Child Care Advisory Council
- Item 3** Final Adoption of the Regulations Governing the Licensure of Professional Art Therapists
- Item 4** Final Adoption of the Regulations Governing the Registration of Medical Radiation Technologists
- Item 5** Final Adoption of the Regulations Governing the Licensure of Respiratory Care Practitioners
- Item 6** Final Adoption of Minimum Standards for Adult Foster Care Facilities
- Item 16** Final Adoption of Minimum Standards of Operation of Prescribed Pediatric Extended Care (PPEC) Centers
- Item 18** Final Adoption of EMS Laws, Rules and Regulations
- Item 19** Final Adoption of Trauma Care System Regulations

Upon motion by Dr. Hendrix to approve the Consent Agenda and second by Dr. Waites, the Board unanimously approved the motion.

- Item 1** Guidelines for Patient Centered Medical Home

Dr. Lampton explained that on the second page, “the physicians that would be included in the patient centered medical home would be board certified” would be changed to reflect “have completed an accredited primary care residency” which is what the task force had wanted the definition to be. Upon motion by Dr. Segars to approve the guidelines as amended and second by Dr. Hendrix, the Board unanimously approved the motion.

Regular Agenda Items:

- Item 7** Final Adoption of Minimum Standards for the Operation of Ambulatory Surgery Facilities
- Item 10** Final Adoption of Minimum Standards of Operation for the Aged or Infirm
- Item 11** Final Adoption of Minimum Standards of Operation for Personal Care Homes Assisted Living

Item 12 Final Adoption of Minimum Standards of Operation for Personal Care Homes Residential Living

Item 13 Final Adoption of Minimum Standards of Operation for Alzheimer's Disease/Dementia Care Unit

Item 17 Final Adoption of Minimum Standards of Operation for Mississippi Hospitals

Upon motion by Dr. Anthony to approve Items 7, 10, 11, 12, 13 and 17 and second by Dr. Hendrix, the Board unanimously approved the motion with the caveat that the Board will review if there are any significant public comments.

Item 8 Final Adoption of Minimum Standards of Operation for Home Health Agencies

Item 9 Final Adoption of Minimum Standards of Operation for Hospice

Dr. Lampton and Mr. Carl Nicholson recused themselves. Dr. Edward Hill, Vice-Chairman of the Board, recognized Mr. Jim Craig to present these items. Mr. Craig stated that these regulations were not filed with the Office of Secretary of State in sufficient time for the Board to approve for final adoption at the October 2012 Meeting, and he requested the Board approve the regulations subject to compliance with the requirements of the State Administrative Procedures Law. Mr. Craig stated that if there were no substantive comments, the regulations would become effective at the end of the filing period required by law. Upon motion by Dr. Anthony to approve these items and second by Dr. Hendrix, the Board unanimously approved the motion.

Item 14 Final Adoption of the Regulations Governing the Licensure of Child Care Facilities

Item 15 Final Adoption of the Regulations Governing the Licensure of Child Care Facilities for 12 or Fewer Children in the Operator's Home

Upon motion by Dr. Anthony to table Items 14 and 15 until the January Board Meeting and second by Dr. Hendrix, the Board unanimously approved the motion.

Item 20 Final Adoption of Community Health Workers Responsibilities and Certification Standards for Mississippi

Upon motion by Dr. Williams to table until the January Board Meeting and second by Dr. Anthony, the Board unanimously approved the motion.

Item 21 Final Adoption of FY 2013 Mississippi State Health Plan

Upon motion by Mr. Nicholson to approve changes to the State Health Plan for 2013 and second by Mrs. Rea, the Board unanimously approved the motion.

Item 23 Radiological Health: Amend powers of the Board of Health to allow Board to set fees relating to and delete § 45-14-31

- Item 24** Amend various inspection and licensing services code sections to delete fees and allow Board of Health to set
- Item 25** Add a definition for “Emergency Medical Technician-Paramedic Critical Care” under § 41-60-11
- Item 26** Add Ezogabine (Potiga®), chemically known as N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester, including its salts, isomers and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible, to Schedule V of the Controlled Substance Act. Include classification of Prostanazol (17[beta]-hydroxy-5[alpha]-androstano[3,2-c]pyrazole) and methasterone (2[alpha], 17[alpha]-dimethyl-5[alpha]-androstan-17[beta]-ol-3-one, these steroids and their salts, esters, and ethers as anabolic steroids in Schedule III of the Controlled Substance Act.
- Item 27** Prohibit exposure to secondhand smoke in enclosed public places and places of employment
- Item 28** Extend repealer on the Child Death Review Panel
- Item 29** Medical radiation technologists; extend repealer
- Item 30** Increase by Three Million Five Hundred Thousand Dollars (\$3,500,000.00) the amount of state general obligation bonds that may be issued for the Local Governments and Rural Water Systems Improvements Revolving Loan Fund
- Item 31** Mississippi Individual On-Site Wastewater Disposal System Law; extend repealer and make various changes
- Item 32** Adding Three Services for CON Review: Neonatal Intensive Care, Hospice, Freestanding Emergency Departments

Upon motion of Dr. Anthony to approve Items 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32 with the removal of hospice from Item 32 and second by Mrs. Rea, the Board unanimously approved the motion.

Dr. Lampton recused himself from discussion of hospice in Item 32. Dr. Hill inquired if there was a motion to approve this proposal. Upon motion by Dr. Segars to approve and second by Mrs. Rea, the Board unanimously approved the motion.

Upon motion by Dr. Segars to go into Executive Session for the purpose of discussion of a personnel issue and second by Dr. Hendrix, the Board unanimously approved the motion. Executive Session began at 11:42 am. Upon motion by Dr. Segars and second by Mrs. Rea, the Board unanimously voted to exit Executive Session at 12:20 pm.

Dr. Lampton announced no action was taken in Executive Session.

Upon motion by Dr. Anthony to adjourn and second by Dr. Hendrix, the Board unanimously voted to adjourn at 12:23 pm.

Lucius M. Lampton, MD, FAAFP
Chairman

Mary Currier, MD, MPH
State Health Officer