

Iowa State Board of Health
01/11/2023
MEETING MINUTES

Members Present: Donald Macfarlane, MD, PhD, Chair
Andrew Allen, Vice-Chair
George Kovach, MD
Ann McBride, RN
Sandra McGrath, RN
Samantha Rozeboom, MD
Nick Ryan, JD

Members Absent: Leone Junck
Kierstyn Borg Mickelson
Chelcee Schleuger, RN, BSN

Staff Present: Robert Kruse, MPH, PhD, State Medical Director
Ken Sharp, Public Health Operations Deputy
Sarah Resissetter, J.D., Director of Compliance
Iesha Smith, Recording Officer

Staff Absent: Kelly Garcia, IHHS Director

In accordance with its statutory duties, the Iowa State Board of Health is the policy-making body for the Iowa Department of Public Health. The board's mission is to protect and promote the health of all Iowans by reviewing the field of public health and making recommendations to the department, the Iowa General Assembly, and the governor on a wide range of public health issues. The board also adopts rules consistent with the law for the protection of the public health and the prevention of substance abuse.

Call to Order & Roll Call

Donald Macfarlane called the video meeting to order at 10:03 AM. Roll call was taken to determine if a quorum was present.

Approval of Minutes from 11/09/2022

On a motion by Andrew Allen, seconded by George Kovach, all members present voted unanimously to approve the minutes.

Director's Report - Robert Kruse on behalf of Kelly Garcia, IHHS Director

Director Kelly was not able to attend the board meeting however Dr. Kruse presented the report on Director Garcia's behalf. The President signed the Consolidated Appropriations Act of 2023 which will end the Medicaid program's continuous coverage requirements as of April 1, 2023. Iowa Medicaid is actively onboarding a new Managed Care Organization and scheduling mailings for members who choose a different MCO.

HHS released an RFP on January 6th, 2023 seeking ethnic, community or faith-based organizations to assist critical wraparound support to refugees in Iowa. Critical support focuses on community integration, English proficiency, digital literacy, banking and financial planning, transportation, health and wellness, services for older refugees and youth supports.

The Healthy Iowans Partnership released the 2023-2027 State Health Improvement Plan (SHIP) which will serve as a guide for public health work throughout the state. The SHIP focuses on two main priorities: Access to Care: Behavioral Health and Healthy Eating & Active Living. The committee selected these priorities based on potential impact, feasibility, and equity considerations.

HHS is getting ready to launch the combined DHS and IDPH website on January 12th. This is an interim step to help the agency design the new webpages to be more human centered and user friendly.

The State Training School annual evaluation was filed on December 1, 2022 with the court. The reports show continued improvement as they increase their overall compliance. For the Resource Centers, a Department of Justice Consent Decree was re-filed on December 19, 2022. The court has not yet ruled on this but preparations are beginning for compliance and monitoring, which has been occurring over the last two years. HHS will hold a town hall meeting at Glenwood Resource Center for family and guardians to provide updates on transitions, community providers, and the DOJ consent decree. Dr. Bhasker Dave announced on January 4th that he will step down as the Superintendent at Independent Mental Health Institute but will remain on staff as the clinical director. Ben Shuberg has been named the interim superintendent while HHS begins the search for a permanent replacement. Shuberg currently serves as the deputy superintendent at Cherokee Mental Health Institute.

State Medical Director Report- Robert Kruse, State Medical Director

Dr. Kruse shared that since the Ebola outbreak in Uganda that started in September 2022, Iowa has received information about travelers arriving from outbreak areas. The agency has coordinated with local public health to contact those travelers to provide mitigation efforts. The Uganda health ministry has now declared the outbreak over. The outbreak has been low risk for Iowans since it was declared.

In December, three key roles for HHS were filled. Previously the Division Director for several public health teams, Ken Sharp accepted the role as Operations Deputy for the Division of Public Health. Erin Drinnin will head the Community Access Division and will oversee child support services, economic assistance programs and wellness and preventive health. Janee Harvey will lead the new Family Well-Being and Protection Division of HHS and will oversee policy and practice for child protective services, childcare and family services.

The state has reached its highest peak of COVID-19 in the weeks of December 17th and December 24th and has been on the decrease since. Positive testing has decreased and most of the results have been from Influenza A.

The Division of Public Health has hosted several sessions with Local Public Health to meet Dr. Kruse and other public health staff. These discussions focus on key public health efforts such as the agency's alignment updates, foundational capabilities, systems grants and systems development work.

Board member Andrew Allen asked about the lawsuit from Medicaid to mental health facilities. Dr. Kruse informed the board that they can direct those questions to the Public Information Officer from the Communications Team at IHHS. Board member Sandra McGrath inquired about the status of Executive 10 Moratorium from the Governor's office on the local boards of health and current licensing and regulations of programs. Board member Andrew Allen provided highlights from the Governor's state of union address that the moratorium provides a period of review for administrative rules from state agencies and to reduce complexities to rules and regulations. Board member Donald Macfarlane asked about the state of the board of health in relation to the alignment efforts. Dr. Kruse shared there are still discussions being had to discuss the makeup of the future entity. Questions about the ad hoc function of the new board have been shared in conversations but no official communication has been released.

Andrew Allen also shared insight about the opioid epidemic from the Governor's office and a campaign to address the dangers of opioids and fentanyl in Iowa. From Andrew's perspective as a provider, youth are a population of concern for this epidemic and the impacts on this community should be a priority for this board. Board member Donald Macfarlane chimed in about the need for this topic plus additional health concerns for youth to be a part of the board's future meetings. Board member Sandra McGrath had a question about concerns of vaping with CBD and THC in Iowa and its use by younger individuals. Board members Andrew Allen and Donald Macfarlane have indicated that we have little data about the impacts of THC on young adults and how we need additional information to help understand how to develop policies.

Administrative Rules - Iowa Department of Public Health [641] - Notice of Intended Action Chapter 15, "Swimming Pool and Spas"

The proposed amendments are intended to provide more clarity to existing provisions or reduce duplication of provisions. Board member Andrew Allen inquired about Ames High School and whether these rules are in relation to the high school not being open to the public due to construction not being permitted. Ken Sharp shared there are instances where rules and regulations are not followers for pool construction but the state will follow up with facilities to ensure they have proper standards to ensure health and safety.

Chapter 43, Chapter 131, "Emergency Medical Services—Providers—Initial Certification--Renewal and Reactivation—Authority—Complaints and Investigations," and Chapter 196, "Military Service, Veteran Reciprocity, and Spouses of Active Duty Service Members"

The proposed amendments implement the licensure-related provisions of 2022 Iowa Acts, SF 2383. The proposed rulemaking revises the requirements for licensure by verification, and

updates the requirements and parameters of licensure for veterans and their spouses. Board member George Kovach had a question about the length of time for a temporary license. EMS program staff member Brad VandeLune provided context about how the provisional license was implemented during COVID-19 to support licensees during the state's pandemic declaration to grant one year to hold a temporary license.

Administrative Rules - Iowa Department of Public Health [641] - Adopted and Filed

Chapter 9, "Outpatient Diabetes Education Program," Chapter 11, "Human Immunodeficiency virus (HIV) Infection and Acquired Immune Deficiency Syndrome (AIDS)," Chapter 91, "Iowa Domestic Abuse Death Review Team," Chapter 109, "Prescription Drug Donation Repository Program," and Chapter 142, "Out-of-Hospital Do-Not-Resuscitate Orders"

This rulemaking makes changes required by 2022 Iowa Acts, House File 803, by adding a definition for "physician assistant" in Chapters 9, 11, 109, and 142 and adding provisions regarding physician assistants in specific rules in Chapters 9, 11, 91, 109 and 142. Board member George Kovach motioned to approve with Andrew Allen seconded. All board members present voted unanimously to approve the rules.

Chapter 43, "Minimum Requirements for Radon Testing and Analysis"

The amendments have been drafted to implement the Radon Testing and Mitigation in Public Schools Act, 2022 Iowa Acts, House File 2412, which Governor Reynolds signed after the 2022 Legislative Session. The amendments include cleaning up outdated certification agency language throughout 641—Chapter 43. The National Environmental Health Association (NEHA) no longer certified radon professionals, updated rules to include the current national consensus radon measurement standards, and added rules about measurement training requirements and training course approval for school district employees as required by 2022 Iowa Acts, House File 2412. Board member George Kovach motioned to approve with Sandra McGrath seconded. All board members present voted unanimously to approve the rules.

Chapter 95, "Vital Records: General Administration"

These amendments implement 2022 Iowa Acts, Senate File 577, by establishing a process to request and issue a certificate of nonviable birth when a health care provider diagnoses a nonviable birth. Board member George Kovach inquired about language on how a certificate of nonviable birth can not be used to cause a civil cause of action and why it was inserted. Bureau Chief Melissa Bird commented that language was inserted by the legislature and could not comment on the origins why. The program was not consulted on the language in the legislative assessment and Ken Sharp shared that the program could work with the legislative team to get clarification. Board member Donald Macfarlane asked the importance of the \$15 fee so the fee is associated to fund the program given no state appropriation. Melissa Bird will provide additional information to Donald Macfarlane on fees associated with the Vital Statistics bureau. Board member George Kovach motioned to approve with Nick Ryan seconded. All board members present voted unanimously to approve the rules.

Substance Use/Problem Gambling Treatment Program Committee Report - New Committee Appointee Discussion

Andrew Allen led the discussion about the work of the committee to focus on licensure and providing general updates on substance use disorders in the state. The committee meeting was short and provided the following updates on licensure approvals:

- One - One year license
- One - Two year license
- One - Deemed status

Adjournment

On a motion by Nick Ryan seconded by George Kovach, all State Board of Health members present voted unanimously to adjourn at approximately 11:30 AM.

The electronic meeting of the State Board of Health is being held in accordance with Iowa Code section 21.8 entitled "Electronic Meetings." The code states that a governmental body may conduct a meeting by electronic means only if circumstances are such that a meeting in person is impossible or impractical and access is provided to the public. An in-person meeting of the Board is impractical due to the schedules of the Board members. The electronic meeting will originate in the Director's Conference Room, 6th floor, Lucas State Office Building, 321 E 12th Street, Des Moines and public access meetings shall be provided at this location. Notices and agendas were posted in the building and posted on the Department's website. Minutes of the meeting will be kept.

All meetings held by the Iowa Department of Public Health are accessible to everyone. If you are a person with a disability who requires reasonable accommodation in order to participate in this meeting, please contact Iesha Smith a minimum of five business days in advance at 515-281-7726 or at iesha.smith@idph.iowa.gov. If you have a hearing and/or speech impairment, please call Relay Iowa at 7-1-1 or 1-800-735-2942 (TTY or ASCII). For more information on Relay Iowa Services please view their website at: <http://www.relayiowa.com/services/>