

MINUTES
MISSISSIPPI STATE BOARD OF HEALTH
OCTOBER 8, 2014

The Mississippi State Board of Health met on Wednesday, October 8, 2014, 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
Elizabeth Aldridge, Madison, MS
Elayne H. Anthony, PhD, Madison, MS
Ed D. Barham, MD, FACR, Clinton, MS
Edward J. Langton, Hattiesburg, MS
Robert J. Moody, Louisville, MS
Sammie Ruth Rea, RN, Brandon, MS
Wheeler Timothy Timbs, III, Indianola, MS
Thad Waites, MD, Hattiesburg, MS

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

New Board Member, Wheeler Timothy “Tim” Timbs, III, was sworn in by Mr. Robert E. Fagan, Jr., Chief Legal Counsel.

The first item of business was the approval of the July 9, 2014 Board Minutes. Upon motion by Dr. Anthony and second by Mrs. Rea to accept aforementioned minutes, the Board unanimously approved the motion.

Dr. Lampton asked Dr. Rick Boyte to speak to the Board regarding Legislation Prohibiting Texting While Driving found under the Regular Agenda, Tab 3, Item No. 23. Upon motion by Mr. Langton to endorse Legislation Prohibiting Texting While Driving and second by Dr. Anthony, the Board unanimously approved the motion.

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

Mitchell Adcock, CPA, Chief Administrative Officer, presented the Financial Update.

Dr. Lampton stated the Board needed to go into Executive Session regarding a legal and personnel matter and asked for a motion. Upon motion by Mr. Langton to enter Executive Session and second by Dr. Anthony, the Board unanimously approved the motion. Executive Session began at 10:59 am. Upon motion by Dr. Anthony and second by Mrs. Rea, the Board exited Executive Session at 11:46 am. No action was taken by the Board in Executive Session.

Dr. Lampton asked Mr. Blake Bell, Legal Counsel for Mississippi State Medical Association, to speak to the Board regarding Support the “Mississippi Smoke Free Air Act of 2015” found under the Regular Agenda, Tab 3, Item No. 22. Upon motion by Mrs. Aldridge to support the Mississippi

Smoke Free Air Act of 2015 and second by Dr. Anthony, the Board approved the motion. Mr. Langton was not present during the vote.

Consent Agenda Items:

1. Appointments/Reappointments to the Child Care Advisory Council
2. Appointment to the Hearing Aid Advisory Council
3. Appointments to the Mississippi Advisory Council in Occupational Therapy
4. Appointments to the Council of Advisors for Speech-Language Pathology and Audiology
5. Final Adoption of Amendments to the Mississippi Boiler and Pressure Vessel Safety Act Rules and Regulations
6. Final Adoption of Bureau of EMS Fee Schedule
7. Final Adoption of the Regulations Governing the Licensure of Child Care Facilities
8. Final Adoption of the Regulations Governing the Licensure of Child Care Facilities for 12 or Fewer Children in the Operator's Home
9. Final Adoption of Amendments to the Mississippi On-Site Wastewater Disposal System, Rules and Regulations
10. Final Adoption of Appalachian Regional Commission "ARC" J-1 Visa Waiver Guidelines
11. Final Adoption of Mississippi Conrad State 30 J-1 Visa Waiver Guidelines
12. Final Adoption of Mississippi State Department of Health National Interest Waiver Guidelines

Dr. Lampton asked that Items 7, 8 and 9 be removed from the Consent Agenda and moved to the Regular Agenda. Upon motion by Mrs. Aldridge to approve the Consent Agenda with Items 7, 8 and 9 extracted and second by Mrs. Rea, the Board approved Items 1 through 12 with Items 7, 8 and 9 extracted. Mr. Langton was not present during the vote.

Dr. Barham exited the meeting at 12:02 pm and did not return.

Mr. Langton returned to the meeting.

Regular Agenda Items:

7. Final Adoption of the Regulations Governing the Licensure of Child Care Facilities
8. 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 Mrs. Aldridge to approve Items 7 and 8 and second by Mr. Langton, the Board unanimously approved the motion.

9. Final Adoption of Amendments to the Mississippi On-Site Wastewater Disposal System, Rules and Regulations

Upon motion by Mr. Langton to approve Item 9 as filed with the exception to ban the use of metal tanks in Mississippi and second by Mrs. Aldridge, the Board unanimously approved the motion.

13. Revise Miss. Code Ann. § 41-115-1 to Prohibit the Use of Tanning Facilities by Anyone Under the Age of 18
14. Amend Various Inspection and Licensing Service Code Sections to Delete Fees and Allow the State Board of Health to Set
15. Amend Miss. Code Ann. § 45-14-31 to Allow a Charge of Licensing Fees Equaling 25% of What the Nuclear Regulatory Commission (NRC) Charges its Licensees; Amend Powers of the State Board of Health to Allow the Board to Set Fees of Categories Not Regulated by the NRC
16. Amend Miss. Code Ann. § 33-15-15 to Provide Workers Compensation and Death Benefits Coverage for Registrants in the Mississippi Responder Management System (MRMS)
17. Final Adoption of the Annual Revisions to the Mississippi Uniform Controlled Substances Law
18. Adding Three Services for CON Review
19. Create the Maternal Mortality Review Committee
20. Extend the Repealer on Miss. Code Ann. § 41-85-7; Moratorium on Hospice Services
21. Amend Miss. Code Ann. § 41-87-13 to Allow the Mississippi State Department of Health to Bill Insurance for Services

Upon motion by Dr. Hill to approve Items 13 through 21 and second by Dr. Anthony, the Board unanimously approved the motion.

24. Final Adoption of Rules and Regulations Governing Reportable Diseases and Conditions

Upon motion by Mrs. Aldridge to approve Item 24 and second by Mr. Langton, the Board unanimously approved the motion.

25. Final Adoption of Regulations Governing Newborn Screening and Birth Defects Registry

Upon motion by Dr. Waites to approve Item 25 and second by Mrs. Aldridge and Mr. Langton, the Board unanimously approved the motion.

26. Final Adoption of FY 2015 Mississippi State Health Plan

Upon motion by Mrs. Aldridge to approve Item 26 and second by Mrs. Rea, the Board approved the motion. Those in support of Item 26 were Mrs. Aldridge, Dr. Anthony, Dr. Hill, Dr. Lampton, Mr. Langton, Mrs. Rea and Mr. Timbs. Those opposed were Mr. Moody and Dr. Waites.

Dr. Lampton asked to move discussion of the Strategic Plan, which was under Old Business, to the next Board Meeting.

Upon motion by Dr. Anthony to go into Executive Session regarding a personnel matter and a legal matter and second by Mr. Timbs, the Board entered into Executive Session at 1:48 pm. Upon motion by Dr. Anthony to exit Executive Session and second by Mr. Timbs, the Board exited Executive Session at 2:25 pm.

Upon return to open session, Dr. Lampton announced that during the Executive Session, Dr. Waites, Chair of the Audit Committee of the Board, stated the Committee had conducted an evaluation of Dr. Mary Currier as the State Health Officer recommending a positive evaluation to the Board and, further, the Committee proposed an Internal Audit Charter for consideration for adoption by the Board. Upon motion by Dr. Anthony to accept and approve both items presented and second by Mr. Timbs, the items were unanimously approved by the Board.

Upon motion by Mr. Timbs to adjourn and second by Dr. Anthony, the Board unanimously voted to adjourn at 2:35 pm.

Lucius M. Lampton, MD, FAAFP
Chairman

Mary Currier, MD, MPH
State Health Officer