

IDAHO BOARD OF HEALTH AND WELFARE
MINUTES
November 20, 2014

The Board of Health and Welfare convened at:
Pete T. Cenarrusa Building
450 W. State Street
Boise, Idaho 83720

BOARD MEMBERS PRESENT

Richard Roberge, Chairman
Richard Armstrong, Secretary
Senator Lee Heider
James Giuffré
Wendy Jaquet
Darrell Kerby
Commissioner Tom Stroschein
Stephen Weeg

STAFF PRESENT

Russ Barron, Deputy Director, Public Health, Welfare, and Family and Community Services
Denise Chuckovich, Deputy Director, Behavioral Health, Medicaid, and Managed Care Services
David N. Taylor, Deputy Director, Support Services
Tamara Prisock, Division Administrator, Licensing and Certification
Elke Shaw-Tulloch, Division Administrator, Public Health
Lori Wolff, Division Administrator, Welfare
Greg Kunz, Deputy Division Administrator
Christine Hahn, MD, Epidemiologist, Public Health
James Aydelotte, Bureau Chief, Vital Records and Health Statistics, State Registrar
Chris Ball, Bureau Chief, State Lab
Steve Bellomy, Bureau Chief, Audits and Investigations
Wayne Denny, Bureau Chief, Emergency Medical Services
Kathryn Turner, MD, Bureau Chief, Public Health
Tom Shanahan, Manager, Public Information
Niki Forbing-Orr, Public Information Officer
Fernando Castro, Program Supervisor, Criminal History Unit
Bruce Cheeseman, Program Supervisor, Emergency Medical Services
Patrick Guzzle, Program Manager, Public Health
Falen LeBlanc, Program Supervisor, Family and Community Services
Jamie Simpson, Program Supervisor, Licensing and Certification
Nicole Wisenor, Program Supervisor, Licensing and Certification
Kim Thurston, Administrative Assistant to the Board

OTHERS PRESENT

Peg Dougherty, Lead Deputy Attorney General
Robert Adelman, Deputy Attorney General
Sara Stover, Division of Financial Management
Pat Kelly, Executive Director, Your Health Idaho

CALL TO ORDER

Following proper notice in accordance with Idaho Code, Section 67-2343, and pursuant to call by the Chairman, the meeting of the Idaho Board of Health and Welfare was called to order by Dr. Roberge, Chairman of the Board, at 8:12 a.m. Thursday, November 20, 2014, at the Pete T. Cenarrusa Bldg., 450 W. State Street, Boise, Idaho.

ROLL CALL

Chairman Roberge called the roll. Roll call showed **seven (7)** members present. With **six (6)** voting members present, Chairman Roberge declared a quorum. Director Armstrong arrived after roll was called, changing roll to show **eight (8)** members present and **six (6)** voting members present. Absent and excused were Janet Penfold, Representative Fred Wood, and Tammy Perkins.

WORK SESSION

Work session included discussions with Bruce Cheeseman, Emergency Medical Services (EMS) Program Supervisor, and Licensing and Certification Division Administrator Tamara Prisock, regarding changes to respective rules. Questions regarding these changes were discussed and answered.

PUBLIC COMMENT PERIOD

Chairman Roberge opened the floor for public comment. There being none, the Board advanced to the next order of business.

ADOPTION OF MINUTES FROM BOARD MEETING ON AUGUST 21, 2014

Motion: Wendy Jaquet moved that the minutes of the August 21, 2014, Board meeting be adopted as prepared.

Second: Stephen Weeg

Roll Call Vote:

Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**

Nays: None

Motion Carried.

ADOPTION OF MINUTES FROM BOARD MEETING ON OCTOBER 21, 2014

Motion: Wendy Jaquet moved that the minutes of the October 21, 2014, Board meeting be adopted as prepared.

Second: James Giuffré

Roll Call Vote:

Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**

Nays: None

Motion Carried.

OFFICER ELECTION FOR BOARD CHAIR

Idaho Code requires the annual election of a Board Chair.

Motion: Wendy Jaquet nominated Darrell Kerby for the Chair of the Idaho Board of Health and Welfare.

Second: Commissioner Tom Stroschein

Roll Call Vote:

Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**

Nays: None

Motion Carried.

Chairman Kerby presided over the remainder of the meeting.

OFFICER ELECTION FOR BOARD VICE-CHAIR

Idaho Code requires the annual election of a Board Vice-Chair.

Motion: Wendy Jaquet nominated Commissioner Tom Stroschein for the Vice-Chair of the Idaho Board of Health and Welfare.

Second: Richard, Roberge, MD

Roll Call Vote:

Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**

Nays: None

Motion Carried.

SUMMARY OF RULES

Division Administrator Tamara Prisock distributed a list of rules the Department will be presenting to the 2015 Idaho Legislature.

SUMMARY OF LEGISLATIVE PROPOSALS

Division Administrator Tamara Prisock discussed and distributed handouts that contained a summary of legislative proposals the Department will be presenting to the 2015 Idaho Legislature.

PUBLIC HEALTH UPDATE

Elke Shaw-Tulloch, Public Health Division Administrator, gave Board members an update on the current status of the Ebola virus. States are currently working with public health district agencies, providers, hospitals, airports, and dispatch on protocols for first responders.

People who have traveled out of the country are tunneled through 5 major airports, are screened through a 2-step process, and will be monitored for 21 days. These individuals receive a care package with instructions for self-monitoring as well as contact information for each state's public health agency. Names of these individuals are put into a data-base and the traveler's state of destination is notified.

Christine Hahn, MD, Epidemiologist for Public Health, discussed the nationwide outbreak of the Enterovirus D68 (EV-D68). This virus is associated with severe respiratory illnesses. EV-D68 has been the most common type of enterovirus identified and is leading to increases in illnesses among children, severely affecting those with asthma.

APPROVAL OF RULES

Emergency Medical Services (EMS) - Rule Definitions

Docket No. 16-0102-1401:

Presenter: Bruce Cheeseman, Program Supervisor, (EMS), presented the EMS Rule Definitions, rule docket for the Board's approval.

This rule amends the EMS definition to align with the 2014 Legislation under Section 56-1012(12), Idaho Code.

Motion: Stephen Weeg moved that the Idaho Board of Health and Welfare adopt the "Pending" rules for the "Emergency Medical Services (EMS) - Rule Definitions," presented under Docket No. 16-0102-1401, effective Sine Die 2015.

Second: James Giuffré

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

Emergency Medical Services (EMS) - Rule Definitions
Docket No. 16-0107-1501:

Presenter: Bruce Cheeseman, Program Supervisor, (EMS), presented the EMS Personnel Licensing Requirements, rule docket for the Board's approval.

This rule amends the EMS personnel licensing rules to provide flexibility for continuing education venues and early submissions for licensure renewals. There was also a need to update the edition of the EMS Physician Commission Manual and timelines for licensure.

Motion: Commissioner Tom Stroschein moved move that the Idaho Board of Health and Welfare adopt the "Temporary" rules for the "Emergency Medical Services (EMS) - Personnel Licensing Requirements," presented under Docket No. 16-0107-1501, with an effective date of January 1, 2015.

Second: Wendy Jaquet

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

Vital Statistics Rules
Docket No. 16-0208-1401:

Presenter: James Aydelotte, Bureau Chief, Vital Records and Health Statistics, and State Registrar, presented the Vital Statistics Rules, rule docket for the Board's approval.

This rule docket increases fees to cover current costs to make the Bureau of Vital Records and Health Statistics self-sustaining. Increased fees are for certified copies of certificates, searches for certified copies, verifications, corrections, establishing new birth certificates for adoptions, establishing delayed certificates, amending certificates, and other related services.

Motion: Wendy Jaquet moved that the Idaho Board of Health and Welfare adopt the "Pending Fee" rules for the "Vital Statistics Rules" presented under Docket No. 16-0208-1401, effective July 1, 2015.

Second: Richard Roberge, MD

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

Use and Disclosure of Department Records

Docket No. 16-0501-1401:

Presenter: James Aydelotte, Bureau Chief, Vital Records and Health Statistics, and State Registrar, presented the Use and Disclosure of Department Records, rule docket for the Board's approval.

These rule changes will allow the Department to make "fact of death" verification to other state agencies, so no further communication will need to be sent to the decedent's family. Changes will also allow companies such as life insurance and pension companies to do this type of verification to facilitate the receipt of benefits by Idaho citizens.

Motion: James Giuffré moved that the Idaho Board of Health and Welfare adopt the "Pending" rules for the "Use and Disclosure of Department Records," presented under Docket No. 16-0501-1401, effective Sine Die 2015.

Second: Stephen Weeg

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

Rules Governing Idaho Reportable Diseases

Docket No. 16-0210-1401:

Presenter: Kathryn Turner, MD, Bureau Chief, Public Health, presented the Rules Governing Idaho Reportable Diseases, rule docket for the Board's approval.

These changes in the rule update language, provide clarification of rules, and consistency for the protection of public health and safety. This rule aligns with current taxonomy and public health practices. This adds Echinococcosis to the list of reportable diseases to improve surveillance for the disease.

Motion: Stephen Weeg moved that the Idaho Board of Health and Welfare adopt the "Pending" rules for the "Rules Governing Idaho Reportable Diseases," presented under Docket No. 16-0210-1401, effective Sine Die 2015.

Second: James Giuffré

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

**Food Safety and Sanitation Standards for Food Establishments (The Idaho Food Code),
Docket No. 16-0219-1401:**

Presenter: Patrick Guzzle, Program Manager, presented the Food Safety and Sanitation Standards for Food Establishments, rule docket for the Board's approval.

This rule allows hunters to donate wild game meat to food banks and other organizations that help feed Idaho's citizens.

Motion: Wendy Jaquet moved that the Idaho Board of Health and Welfare adopt the "Pending" rules for the "Food Safety and Sanitation Standards for Food Establishments (The Idaho Food Code)," presented under Docket No. 16-0219-1401, effective Sine Die 2015.

Second: Commissioner Tom Stroschein

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

**Idaho Radiation Control Rules
Docket No. 16-0227-1402:**

Presenter: Chris Ball, PhD, Bureau Chief, State Lab, presented the rewrite of Idaho Radiation Control Rules, rule docket for the Board's approval.

This rewrite of the Chapter aligns rules with statute for licensing of x-ray producing devices, adds licensure requirements, specifications of licensure cycles for various types of x-ray devices, streamlines rules by incorporating current standards and federal regulations to reduce publication costs, and sets licensure fees for inspection processes, information-technology infrastructure and quality improvement for licensure.

Motion: Richard Roberge, MD moved that the Idaho Board of Health and Welfare adopt the "Pending" rules for the rewrite of the "Idaho Radiation Control Rules," presented under Docket No. 16-0227-1402, effective Sine Die 2015.

Second: Commissioner Tom Stroschein

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

**Idaho Radiation Control Rules
Docket No. 16-0227-1401:**

Presenter: Chris Ball, PhD, Bureau Chief, State Lab, presented the repeal Idaho Radiation Control Rules, rule docket for the Board's approval.

This rule repealed the Chapter.

Motion: Wendy Jaquet moved that the Idaho Board of Health and Welfare adopt the "Pending" rules for the repeal of the "Idaho Radiation Control Rules," presented under Docket No. 16-0227-1401, effective Sine Die 2015.

Second: Stephen Weeg

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

**Rules Governing Intermediate Care Facilities for People with Intellectual Disabilities
(ICFs/ID)
Docket No. 16-0311-1402:**

Presenter: Tamara Prisock, Division Administrator, Licensing and Certification, presented the Rules Governing Intermediate Care Facilities for People with Intellectual Disabilities (ICFs/ID), rule docket for the Board's approval.

The rewrite of the Chapter updated current best practices and standards for the treatment and intervention strategies for individuals with intellectual disabilities. These changes updated licensing and enforcement areas, and incorporate by reference documents needed for health and safety standards.

Motion: James Giuffré moved that the Idaho Board of Health and Welfare adopt the "Pending" rules for the rewrite of "Rules Governing Intermediate Care Facilities for People with Intellectual Disabilities (ICFs/ID)," presented under Docket No. 16-0311-1402, effective July 1, 2015.

Second: Richard Roberge, MD

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

Rules Governing Intermediate Care Facilities for People with Intellectual Disabilities (ICFs/ID)

Docket No. 16-0311-1401:

Presenter: Tamara Prisock, Division Administrator, Licensing and Certification, presented the Rules Governing Intermediate Care Facilities for People with Intellectual Disabilities (ICFs/ID), rule docket for the Board's approval.

This rule repealed the Chapter.

Motion: James Giuffré moved that the Idaho Board of Health and Welfare adopt the "Pending" rules for the repeal of "Rules Governing Intermediate Care Facilities for People with Intellectual Disabilities (ICF/ID)," presented under Docket No. 16-0311-1401, effective July 1, 2015.

Second: Wendy Jaquet

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

Rules Governing Residential Care or Assisted Living Facilities in Idaho

Docket No. 16-0322-1401:

Presenter: Tamara Prisock, Division Administrator, Licensing and Certification, presented the Rules Governing Residential Care or Assisted Living Facilities in Idaho, rule docket for the Board's approval.

This rule addresses negotiated changes with providers which add definitions, add requirements for a plan of operation for an administrator of multiple facilities, and provide options for facilities around availability of employees to work prior to receiving a Department criminal history clearance, while maintaining resident safety.

Motion: Wendy Jaquet moved that the Idaho Board of Health and Welfare adopt the "Pending" rules for the "Rules Governing Residential Care or Assisted Living Facilities in Idaho," presented under Docket No. 16-0322-1401, effective July 1, 2015.

Second: Commissioner Tom Stroschein

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

Criminal History and Background Checks

Docket No. 16-0506-1401:

Presenter: Fernando Castro, Program Supervisor, Criminal History, presented the Criminal History and Background Checks, rule docket for the Board's approval.

This docket aligns rules with those adopted by the 2014 Legislature for classifications of individuals required to have criminal history background checks, update the statutory authority section, and removes reference to a section to meet legislative intent.

Motion: Stephen Weeg moved that the Idaho Board of Health and Welfare adopt the "Pending" rules for the "Criminal History and Background Checks," presented under Docket No. 16-0506-1401, effective Sine Die 2015.

Second: Jim Giuffré

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

Child and Family Services

Docket No. 16-0601-1401:

Presenter: Falen LeBlanc, Program Supervisor, Family and Community Services, presented the Child and Family Services, rule docket for the Board's approval.

The rule allows the Department to reimburse foster parents for the cost of car insurance for the foster child.

Motion: Wendy Jaquet moved that the Idaho Board of Health and Welfare adopt the "Pending" rules for the "Child and Family Services," presented under Docket No. 16-0601-1401, effective Sine Die 2015.

Second: Richard Roberge, MD

Vote: Ayes: **Giuffré, Jaquet, Kerby, Roberge, Stroschein, Weeg**
Nays: None

Motion Carried.

COMMENTS FROM BOARD MEMBERS

Board members discussed excluding working sessions from future agendas. Future agendas will utilize presentation times for rules and omit working sessions.

IDAHO HEALTHCARE COALITION/ STATE HEALTHCARE INNOVATION PLAN (SHIP) UPDATE

Deputy Director Denise Chuckovich updated the Board members on the status of Idaho's proposed Model Test Proposal (MTP) to the Center of Medicare and Medicaid Innovation (CMMI). Idaho's Healthcare Coalition (IHC) received a request from CMMI to submit a revised MTP budget from \$60,870,782 to \$39,683,811. Ms. Chuckovich stated that despite the size of the requested reductions IHC is committed to maintaining all aspects of the proposed model and its goals. Key reduction strategies were discussed.

YOUR HEALTH IDAHO (YHI) UPDATE

Stephen Weeg, Your Health Idaho Board Chairman, introduced Pat Kelly, Executive Director of Your Health Idaho, Lori Wolff, DHW Welfare Division Administrator, and Greg Kunz, DHW Welfare Deputy Division Administrator. Mr. Weeg thanked them for the amazing job they did working on YHI, describing them as a large part of the success of YHI going live. YHI had a successful launch on Saturday, November 15, with the technology platform functioning well and substantial traffic going to the YHI website.

Lori Wolff, Welfare Division Administrator, described how the Department of Health and Welfare has partnered with YHI creating a very unique insurance exchange. Eligibility shared services highlights are listed below:

- Cost allocations
- Renewal Process Final Outcomes
- Number of submitted Idalink applications
- Call Center volume by day
- Cumulative sign-on accounts
- Department Idalink portable applications submitted by hour
- Amount of Medicaid and Advanced Premium Tax Credit Eligibility (APTC) household mix

DIVISION OF SUPPORT SERVICES REPORT

Deputy Director David Taylor discussed changes the Department has made to the budget submission. These receipts and expenditures are listed by major program, fund source, and standard class for Fiscal Years 2014 and 2015.

Executive Order 2014-03 requires the Department to show the impact of a possible 10% reduction of federal funds. Mr. Taylor distributed handouts that showed the top 4 Department programs that would be affected.

The last report Mr. Taylor distributed were handouts containing data from the Governor's Medicaid Redesign Workgroup's recommendation, Option 3.5. Highlights are listed below:

- Projected expansion costs
- Projected offsets and savings
- Total costs for expansion versus no expansion
- Total funds from State, County, and Federal funding scenarios

DIRECTOR'S REPORT

Director Armstrong reported on property the Department owns located next to the SWITC location in Nampa. This property is over 600 acres and it will be designed, rezoned, and sold off in parcels.

New rules will be coming from the Department of Administration that will oversee the management of purchasing and contracts. This will affect purchases or contracts over \$5 million. Amounts over \$5 million will have strict guidelines and will require oversight by a delegated authority.

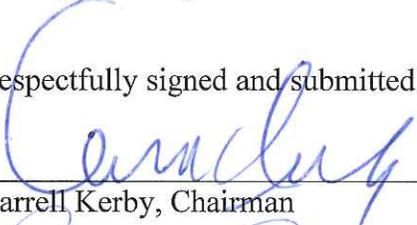
BOARD MEETING DATES FOR YEAR 2015

February 19, 2015
May 21, 2015
August 20, 2015
November 19, 2015

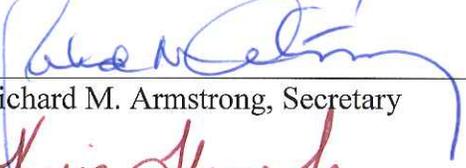
ADJOURNMENT

The next meeting of the Idaho Board of Health and Welfare is scheduled to be held February 19, 2015. There being no further business to come before the Board, Chairman Kerby adjourned the meeting at 3:47 p.m.

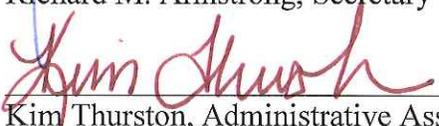
Respectfully signed and submitted by:



Darrell Kerby, Chairman



Richard M. Armstrong, Secretary



Kim Thurston, Administrative Assistant