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| **Present:** | Kristy Cottrell, Division Director, FHSS |
| Don Wood, Chair | Anna Dillingham, PM/QI Coordinator |
| Scott Zigich, Vice Chair | Neal Geddes, ATTY |
| Bret Millburn, Commissioner | Dennis Keith, EHS |
| Dr. Warren Butler | Bob Ballew, RCC/PIO |
| Dr. Gary Alexander | Isa Perry, COP |
| Dr. Colleen Taylor | Dee Jette, EHS |
| Ben Tanner | Linda Ebert, EHS |
| Mayor Randy Lewis |  |
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| **Excused:** |  |
| Brent Petersen |  |
| Ann Benson | **Visitors/Guests:** |
|  | Bryon Saxton, Standard Examiner |
| **Department Staff:** |  |
| Lewis R. Garrett, Director of Health |  |
| Brian Hatch, Deputy Director of Health |  |
| Liz Carlisle, Administrative Asst |  |
| Dave Spence, Division Director, EHS |  |
| Wendy Garcia, Division Director, CD/EPI |  |
| Ivy Melton Sales, Division Director, CHS |  |

The meeting of the Davis County Board of Health (Board) was held Tuesday, November 25, 2014 at the Davis County Health Department, Board Room, 22 South State Street, Clearfield, Utah. The meeting was called to order at 7:30 a.m. by Mr. Don Wood.

**Welcome**

Mr. Wood welcomed Board members, staff and visitors to the meeting.

**Minutes (Action)**

The minutes of August 12, 2014 were presented and reviewed.

*Mayor Lewis motioned to accept the minutes of August 12, 2014. Dr. Alexander seconded. The vote was unanimous.*

**Vice-Chair Nomination/Election (Action)**

Mr. Garrett reported the nomination committee met and recommended Dr. Gary Alexander as the 2015 vice-chair nominee. Mr. Wood opened the floor for any other nominations.

*Dr. Butler motioned to elect Dr. Alexander to the 2015 Vice-Chair seat. Mr. Zigich seconded. The vote was unanimous.*

**Public Hearing Report of Proposed Electronic Smoking Device Regulation/Adoption (Action)**

Mr. Spence reported on the public hearing held on October 6, 2014 regarding the proposed Electronic Smoking Device regulation. Dr. Alexander served as the hearing officer. No public comment was received from the local stake holders that attended the public hearing. The department received written comments from the Utah Vapors Association.

Amendments to the regulation address six areas: 1) Allowing warning labels that are substantively similar to the prescribed language in the regulation; 2) Allow some variation in the nicotine and ingredient label; 3) Eliminate requirement for a tamper-evident seal on the e-liquid bottles; 4) Eliminate requirement for retailers to provide information on converting nicotine content from mg/ml to percent nicotine; 5) Add the word “walls” in section 5.4.2.2. This section outlines the requirements for e-liquid preparation areas; 6) clarify the requirement to display e-liquid in a manner not directly accessible to individuals under the age of 19.

The Board reviewed the proposed Findings of Fact and Conclusions of Law prepared by staff.

*Dr. Alexander motioned to approve the Findings of Fact and Conclusions of Law regarding the Electronic Smoking Device Regulation. Mr. Zigich seconded. The vote was unanimous.*

Mayor Lewis questioned if the legislature is planning to take action regarding e-cigarettes during the 2015 session. Mr. Garrett responded that Representative Paul Ray will likely run a bill similar to one he put forward last year.

Mr. Tanner questioned how the labeling numbers on the product relate to a traditional cigarette. Mr. Garrett responded that users of electronic smoking devices likely absorb more nicotine as the product does not continue to burn down when not being used like a traditional cigarette.

Dr. Butler expressed concern regarding removing the nicotine labeling requirements and not requiring information regarding nicotine conversion chart of mg/ml to percent nicotine. Mr. Garrett responded that products often have sufficient labeling but may not meet the exact language requirements in the regulations. Also, stores have found it unreasonable to ask that clerks be experts on the complicated conversion process. Information gathered supports that users of these products understand what the labeling means.

*Mr. Zigich motioned to adopt the proposed Electronic Smoking Device Regulation. Mr. Tanner seconded. The vote was unanimous.*

**Medicaid Expansion Presentation (Action)**

Mr. Nate Checketts provided the Board with a presentation regarding the Governor’s Medicaid Expansion proposal for Utah called the Healthy Utah Plan. In 2012, the Supreme Court handed down a decision regarding the Affordable Care Act (ACA) ruling that existing federal Medicaid dollars cannot be withheld if the state does not expand to new adult population; left intact other ACA provisions, including new taxes; and, created a state option to expand coverage through Medicaid.

The Governor’s proposal is a three year pilot program that includes the following four principles and supporting strategies.

1) Promote Individual Responsibility

* Charge premiums for adults over the poverty level
* Collect co-pays from all adults
* Automatically enroll adults that can work in a job program
* Offer incentives for health behaviors

2) Support Private Markets

* Use employer-sponsored insurance when available
* Provide assistance to buy private market plans
* Use Avenue H, Utah’s small business health exchange to facilitate plan selection and enrollment

3) Maximize Flexibility

* Use savings achieved form Utah’s current waiver program to support quality improvement efforts
* Allow Medicaid children to join parents on private plans
* Establish three year pilot program that allows the state to evaluate the effectiveness of Healthy Utah

4) Respect the Taxpayer

* Recoup some of the ACA taxes that Utah are already pays
* Terminate plan if federal funding fails to be provided as promised

Mr. Wood and Dr. Butler expressed concern regarding the number of doctors that will accept Medicaid clients due to reduced rates of reimbursement and the possible scarcity of providers this issue may cause. Doctors who are willing to accept Medicaid may be overwhelmed and unable to meet the needs of the population. Mr. Checketts responded that individuals will be contracting with private insurance companies through Healthy Utah and those companies reimburse doctors at their contracted rates.

Mr. Tanner questioned how the co-pay would be collected and managed. Mr. Checketts responded that the individual providers would be responsible for the co-pay fees. Mr. Tanner expressed concern regarding the burden collecting the fee would place on providers and clients alike.

Mayor Wood asked what entity would handle individuals is automatically enrolled in a work program. Dr. Butler followed up by asking if there was a mechanism to ensure those enrolled in the work program are actively applying for positions. Mr. Checketts responded that individuals would be enrolled through the Department of Workforce Services and that the Governor’s plan does not include a mechanism that ties participation in the work program to coverage.

Dr. Alexander questioned if Mr. Checketts had a sense of how supportive the Legislature is of the proposal. Mr. Checketts responded that several lawmakers are supportive of the proposal, several are against any type of expansion but that most lawmakers are in the middle and still need to review and study the proposal and the financial figures before the voice their opinions.

Mr. Garrett asked the Board if they would be willing to provide a letter of support and allow staff to contact and encourage the Davis County Caucus to support the Governors proposal.

Mr. Tanner responded that due to the controversial nature of the issue and insufficient time to research and fully understand all the implications he is uncomfortable making a recommendation in favor of the plan.

Commissioner Millburn asked if staff has had any discussions with local legislatures to identify their opinions on the issue. Mr. Garrett responded that meetings have not been scheduled to discuss the proposal.

Mayor Lewis and Dr. Alexander expressed their support of the proposal and allowing staff to contact the local Davis County Caucus to encourage their support as well.

*Mayor Lewis motioned to provide a letter of support for the Governor’s proposal and to allow staff to meet with and encourage the Davis County Caucus to also support the proposal. Dr. Alexander seconded. The motion failed with 2 in-favor (Mayor Lewis and Dr. Alexander) and 6 dissenting votes (Mr. Wood, Comm. Millburn, Dr. Taylor, Dr. Butler, Mr. Zigich, and Mr. Tanner). Staff will remain neutral on the Governor’s proposal.*

**Performance Improvement/Quality Council Presentation (Information)**

Ms. Anna Dillingham provided the Board with an update on the department’s latest performance improvement efforts.  Over the last few years the department has carried out a number of improvement efforts including the development of the Community Health Improvement Plan, the department’s Strategic Plan, a wide-scale customer satisfaction survey and related improvement projects, and a number of quality improvement (QI) projects.

To facilitate further growth of its quality improvement work, department staff conducted two assessments.  In 2013, the Senior Leadership Team administered the *Turning Point Self-Assessment for Performance Management*, and earlier this year the newly formed Quality Council conducted an assessment specifically designed for local health departments*, NACCHO’s Roadmap to a Culture of Quality*. Both of these assessments found common targets for improvement which include 1) establishing processes for QI; 2) communicating consistently to all staff key messages about QI; 3) providing QI training and resources; and 4) coordinating QI efforts among divisions and programs.

In response to finding of these assessments the department has implemented a number of activities to help address identified gaps.   First, the Quality Council developed the department’s first QI Plan, which delineates roles and responsibilities for staff members, provides a description of QI methodology used by the department, identifies goals and objectives for the next year, prioritizes training needs, and outlines the process for selecting and carrying out QI projects.  There are five QI projects currently under-way in the department.

**Budget Report (Information)**

Mr. Garrett presented the year-to-date Department budget numbers.

**Director’s Report (Information)**

Mr. Garrett presented the annual fluoride average report. The required annual average is 0.7 with a control range of 0.6 and 0.8 ppm. Due to complicated documentation requirements of House Bill 72, one water district was ordered to stop fluoridation activities until the proper documentation could be obtained. This caused the district to briefly fall below the control range. The proper documentation has since been submitted and all water districts are in compliance. Mr. Garrett informed the Board that staff did not recommend any adjustments to the annual average or control ranges in the Regulation. The current requirements are consistent with Center for Disease Control (CDC) recommendations.

**Passing of the Gavel**

Mr. Wood expressed his gratitude to the Board for the opportunity to serve and thanked staff for their hard work and support. Mr. Wood also welcomed Mr. Zigich as the 2015 Board Chair.

**Adjournment**

The meeting was adjourned at 9:05 a.m.

**NEXT MEETING: February 10, 2015**

**7:30 a.m.**