

Approved August 21, 2013

COLORADO BOARD OF HEALTH

MEETING MINUTES

July 17, 2013

NOTE: These minutes are a summary of the proceedings and motions of the July 17, 2013 meeting of the Colorado Board of Health. The complete and accurate record is the audio recording of the meeting. Documents referenced in the minutes are available for public inspection at the Board of Health Office, Colorado Department of Public Health and Environment, Bldg. A, 5th Floor, 4300 Cherry Creek Drive South, Denver, CO., or call 303-692-3464 to request copies.

Call to Order/Roll Call

The July 17, 2013 Colorado Board of Health meeting was called to order at approximately 10:05 a.m. at the Colorado Department of Public Health and Environment, Sabin Conference Room, 4300 Cherry Creek Drive South, Denver, Colorado, by Laura Davis, president.

Members Present

Via telephone: Christopher Stanley, M.D., District 1; Laura Davis, District 2; Jill Hunsaker-Ryan, County Commissioner, District 3; Gary L. Teague, District 4; Betty McLain, District 5; Joan Sowinski, District 6; Christine Nevin-Woods, D.O., At-Large; Sue Warren, At-Large.
In person: Rick Brown, District 7

Members Absent

None.

Staff Present

Ann Hause, Interim Board Administrator and Director, Office of Legal and Regulatory Compliance; Joni Reynolds, Health Programs Director; Jamie L. Thornton, Program Assistant; Jennifer L. Weaver, First Assistant Attorney General, legal counsel.

Approval of Minutes

BY UNANIMOUS CONSENT, the Board approved the June 19, 2013 meeting minutes as amended.

Public comments regarding matters not on the agenda

George Swan, retired hospital administrator, stated that he was interested in the Colorado Health Assessment. He mentioned that he reviewed the 2009 Colorado Health Improvement plan and that he was unable to locate any updates regarding the plan. He asked the Board if they receive updates regarding the outcome of items outlined in the plan and he asked how he could obtain a report. Ms. Davis stated that the Office of Planning and Partnerships (OPP) provides a monthly update on the Public Health Act to the Board. She remarked that the Board receives formal presentations regarding the status of the plan when the Board needs to approve certain sections of the plan. Ms. Davis suggested that Mr. Swan contact Kathleen Matthews, Director of OPP.

Board comments regarding matters not on the agenda

Ms. Davis welcomed the new Board members and stated that she is looking forward to working with them. She thanked Dr. Nevin-Woods for conducting the June 19th meeting in her absence. She thanked Mr. Brown and Ms. Warren for agreeing to represent the

Board in the grant review committees.

Request for Appointment to the Cancer, Cardiovascular Disease and Chronic Pulmonary Disease Grant Program Review Committee – filling vacancies for a pulmonary expert and a public health professional

Averil Strand, RN, MSN, Larimer County Public Health Director/Chair, Cancer, Cardiovascular Disease and Pulmonary Disease Review Committee (the Review Committee), requested the Board approve the Review Committee's recommendation to fill the vacancies on the Review Committee.

Ms. Strand submitted the following names for the Board's consideration:

- Rebecca Mortenson, MD, Pulmonary Physician, Colorado Permanente Medical Group – chronic pulmonary disease professional
- Chris Wiant, MPH, PhD, President and CEO of Caring for Colorado Foundation – public health professional

MOVED by Ms. Warren, seconded by Commissioner Hunsaker-Ryan, to appoint Dr. Mortenson and Dr. Wiant to the Cancer, Cardiovascular Disease and Chronic Pulmonary Disease Grant Program Review Committee.

MOTION CARRIED UNANIMOUSLY

Request for Approval of Modification of Grantee Funding- Tobacco Education, Prevention and Cessation Grant Program

Jennifer Schwartz, Tobacco Education, Prevention and Cessation Grant Program, respectfully requested the approval to increase the FY14 funding level for Northeast Colorado Health Department from \$257,007 to \$258,607. Ms. Schwartz stated that the \$1600 increase reflected the funding recommendation approved by the Tobacco Review Committee on December 14, 2012 but there was a calculation error that resulted in the lower funding amount being requested for approval by the Board of Health in April 2013. She said that the approval would allow the grantee to successfully implement the proposed project which targets low income pregnant women in northeast Colorado.

MOVED by Dr. Stanley, seconded by Ms. Sowinski, to approve the Tobacco Education, Prevention and Cessation Grant Program's recommendation to increase funding to Northeast Colorado Health Department by \$1,600.

MOTION CARRIED UNANIMOUSLY

Discussion/Request for a Rulemaking Hearing: 6 CCR 1011-1, Standards for Hospitals and Health Facilities, Chapters II, General Hospitals, Part 5, Section 5.2.3.4 – Access to Patient Medical Records

Laurie Schoder, Policy Analyst, Health Facilities and Emergency Medical Services Division, requested that the Board schedule a public hearing for September 18, 2013 regarding the copy fees for patient records. Ms. Schoder remarked that the proposed amendments are necessary in order to comply with the January 30, 2013, Amended Order of Denver District Court in Colorado *Consumer Health Initiative v. Colorado Board of Health*.

BY UNANIMOUS CONSENT, the Board scheduled a public rulemaking hearing for September 18, 2013 to consider proposed amendments to 6 CCR 1011-1, Standards for Hospitals and Health Facilities, Chapter II, General Hospitals.

Ms. Davis will chair the rulemaking hearing.

Attorney General Report – Jennifer Weaver, First Assistant Attorney General, Health Care Unit

Ms. Weaver updated the Board on the status of the *Boyer and Todd v. Hickenlooper and Colorado Board of Health* case. She stated that the case was dismissed because the court found that the plaintiffs did not suffer actual injuries and thus, lacked legal standing to challenge the rules.

Executive Director and Chief Medical Officer Report – Joni Reynolds, Health Programs Director on behalf of Interim Executive Director Karin McGowan

Ms. Reynolds discussed: a) the status of the application process for a new executive director/chief medical officer; b) the results of the legislative audits of the tobacco and medical marijuana registry programs; c) the events occurring at the Laboratory Services Division; and d) Dr. Tista Ghosh appointment as the Interim Chief Medical Officer.

Administrative Business – Ann Hause, Interim Board Administrator and Director of the Office of Legal and Regulatory Compliance

Ms. Hause discussed plans for the Board to dovetail its September retreat and business meeting with the annual "Public Health in the Rockies" Conference at The Village at Breckenridge, Breckenridge, CO, September 18-20. The theme of this year's conference is health equities/health disparities. She remarked that holding the retreat and business meeting in conjunction with the conference provides a great opportunity for Board members to meet and mingle with Colorado's dedicated public health professionals and to learn more about the topic. She discussed possible agenda items for the retreat. She encouraged Board members to bring forward any items they would like to see on the retreat agenda. Board member suggestions included:

- Explaining or establishing ways for department to communicate information to Board members; and
- Connecting the department's mission to different communities in the state.

Public Health Act Update – Kathleen Matthews, Director, Office of Planning and Partnerships, Community Relations

Ms. Matthews updated the Board on continued efforts to build capacity as it pertains to the Public Health Act.

This meeting was adjourned at approximately 11:00 a.m.