R. Murali Krishna, President of the Oklahoma State Board of Health, called the 387th regular meeting of the Oklahoma State Board of Health to order on Tuesday, March 11, 2014 at 11:00 a.m. The final agenda was posted at 11:00 a.m. on the OSDH website on March 10, 2014, and at 11:00 a.m. at the building entrance on March 10, 2014.

ROLL CALL

Members in Attendance: R. Murali Krishna, M.D., President; Ronald Woodson, M.D., Vice-President; Martha Burger, M.B.A., Secretary-Treasurer; Jenny Alexopulos, D.O.; Terry Gerard, D.O.; Charles W. Grim, D.D.S.; Robert S. Stewart, M.D.; Cris Hart-Wolfe.

Absent: Jenny Alexopulos, D.O.; Timothy E. Starkey, M.B.A.;

Central Staff Present: Terry Cline, Commissioner; Julie Cox-Kain, Chief Operating Officer; Henry F. Hartsell, Deputy Commissioner, Protective Health Services; Steve Ronck, Deputy Commissioner, Community and Family Health Services; Toni Frioux, Deputy Commissioner, Prevention and Preparedness Services; Mark Newman, Director of Office of State and Federal Policy; Don Maisch, Office of General Counsel; Leslea Bennett-Webb, Director of Office of Communications; Melissa Lang, Chief Financial Officer; VaLauna Grissom, Secretary to the State Board of Health; Commissioner’s Office; Janice Hiner, Felesha Scanlan.

Visitors in attendance: (see sign in sheet)

Call to Order and Opening Remarks

Dr. Krishna called the meeting to order. He welcomed special guests in attendance.

REVIEW OF MINUTES

Ms. Wolfe moved Board approval of the minutes of the January 10, 2014, Regular Board meeting as presented. Second Dr. Grim. Motion carried.

AYE: Gerard, Grim, Krishna, Stewart, Wolfe, Woodson

ABSTAIN: Burger

ABSENT: Alexopulos, Starkey

APPOINTMENTS

Oklahoma Food Service Advisory Council (Presented by Henry F. Hartsell, Jr.)

Appointments: John Kelly, Harold Kelly, Roy Escouba, John H. Williams, Bill Ricks, Bill Ryan, Jim Hopper, Park Ribble.

Authority: 63 O.S., § 1-106.3

Members: The Advisory Council shall consist of 13 members. Eight members are appointed by the Commissioner, with the advice and consent of the State Board of Health. Members serve three-year terms.

Ms. Burger moved Board approval of the recommended appointees as presented. Second Dr. Stewart. Motion carried.

AYE: Burger, Gerard, Grim, Krishna, Stewart, Wolfe, Woodson

ABSENT: Alexopulos, Starkey
OKLAHOMA STATE BOARD OF HEALTH MINUTES March 11, 2014

STRATEGIC MAP UPDATE PRESENTATION

Henry F. Hartsell, Jr., Deputy Commissioner for Protective Health Services

LONG TERM CARE SETTINGS

TARGETED IMPROVEMENTS: TODAY’S TOPICS

- Long term care settings
- Core priorities: mandates
- Improving resident outcomes
- Shared responsibilities
- Opportunities

A TYPICAL NURSING FACILITY RESIDENT

- Passport
- Widow with prostate, between 50 – 60
- Can participate in activities or social interactions
- Wants to choose clothing, help with belongings, choose bedtime, go outside to fresh air, attend religious services, listen to favorite music and do favorite activities
- Nursing, medical, and health:
  - Uses wheelchair, generally does not walk
  - Needs help lying down, sitting up, turning in bed, standing up
  - Admitted after hospital stay
  - Hypertension, depression, gastro esophageal reflux disease or ulcer, non-Alzheimer’s dementia, hypertension, diabetes mellitus, anxiety disorder, heart failure/myocardium, heart attack, asthma, chronic obstructive pulmonary disease
  - Incontinence of bowel and bladder
  - Reclines assistance dressing, toileting, bathing and eating

TARGETED IMPROVEMENTS

LONG TERM CARE SETTINGS

TARGETED IMPROVEMENTS

CORE PRIORITIES: MANDATES
A TYPICAL LONG TERM CARE SURVEYOR WITH OSDH

- Registered nurse (90%)
- 55 years of age
- 8 years experience surveying

Number of Surveyors

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Source: OSDH Long Term Care Service, February 2014

PERFORMANCE ON MANDATES JULY - DECEMBER 2013

- 174 of 174 (100%) immediate jeopardy complaint investigations initiated within two days
- 159 of 174 (91%) complaint investigations for high priority complaints that do not constitute immediate jeopardy initiated within 10 days
- 221 of 295 (75%) of other lower-priority complaint investigations initiated within 30 days
- Nursing facility and assisted living survey intervals within 12.5 month requirement
- All residential care homes inspected at least once

Source: OSDH Protective Health Services, February 2014

INCREASING SURVEYOR STAFFING

Long Term Care Surveyor Staff Increases 27% July 2012 to February 2014

- Surveyors in training
- Surveyors trained

Source: OSDH Long Term Care Service, February 2014

TARGETED IMPROVEMENTS RESIDENT OUTCOMES

INCREASING SURVEY PRODUCTION

Surveys and complaint investigations performed monthly increase 36% from Jan. 2012 to Jan. 2014

Source: OSDH Long Term Care Service, February 2014

OKLAHOMA PARTNERSHIP TO IMPROVE DEMENTIA CARE

Opportunity to reduce unnecessary antipsychotic medications in nursing facility residents with dementia

Source: OSDH Long Term Care Service, February 2014
SUCCESS STORY

Dementia patients administered fewer drugs

Benefits:
- Enhanced quality of life
- Enhanced relationships
- Reduced medication errors
- Opportunity for person-centered care
- Function of highest practicable well-being

OSDH LONG TERM CARE SERVICE

Facility Reported Incidents Evaluated

Source: OSDH Long Term Care Service, February 2014

Immediate Jeopardy Situations Filed

Source: OSDH Long Term Care Service, February 2014

REDUCTION IN USE OF PHYSICAL RESTRAINTS

Nurse Aide Certifications Added to Registry

Certificate of Need Acquisition Applications Approved

Source: OSDH Long Term Care Service, February 2014

OSDH HEALTH RESOURCES DEVELOPMENT SERVICE

TARGETED IMPROVEMENTS

SHARED RESPONSIBILITIES

OSDH QUALITY IMPROVEMENT AND EVALUATION SERVICE

Minimum Data Set (MDS) Resident Assessments

Source: OSDH Quality Improvement and Evaluation Service, February 2014
OSDH OFFICE OF GENERAL COUNSEL

- Involuntary discharges
- Nurse aide incidents
- Office of the Attorney General
- CLEET certified investigators
- Enforcement and litigation

TARGETED IMPROVEMENTS

OPPORTUNITIES

FEDERAL AND STATE AGENCIES AFFECTING LONG TERM CARE

- U.S. Department of Health and Human Services
- Centers for Medicare & Medicaid Services
- Office of Inspector General
- Oklahoma Department of Human Services
- Adult Protective Services
- Long Term Care Ombudsmen State Council on Aging
- Oklahoma Health Care Authority
- Oklahoma Attorney General
- Medicaid Fraud Control and Abuse Unit
- Oklahoma Department of Mental Health and Substance Abuse Services

QUALITY IMPROVEMENT

- Process changes
  - Quality assurance and performance improvement (QAPI)
  - Quality indicator surveys (QIS)
- Clinical outcomes
  - Medications
  - Mobility
  - Infections
  - Pain
  - Pressure ulcers

OTHER PARTNERS

- Oklahoma Foundation for Medical Quality
- LeadingAge Oklahoma
- Oklahoma Association of Health Care Providers
- Oklahoma Assisted Living Association
- Oklahoma Residential and Assisted Living Association
- Alzheimer’s Association – Oklahoma Chapter
- More than 700 long term care facilities

TRANSFORM THE CULTURE OF CARE TOGETHER

- Promote choice, purpose, meaning in daily life
  - Consistent assignments
  - Staff stability
- Make long term care facilities better places to live, work and visit
- Innovate to enhance environment & quality
- Funding opportunities this year
Mary Fleming, Director of Long Term Care Surveys was asked to define Immediate Jeopardy complaints in nursing facilities and provide examples of complaints or incidents that would be triaged as Immediate Jeopardy under that definition.

The presentation concluded.

CONSIDERATION OF STANDING COMMITTEES' REPORTS AND ACTION

Executive Committee

Dr. Krishna congratulated Dr. Alexopulos. She has been re-appointment to the Board of Health through 2023 and awaiting full Senate Confirmation. Dr. Krishna provided a few reminders to Board members.

- The April Board of Health meeting will be held in Cherokee County.
- Board members will receive a draft of the State’s Health report for review and feedback beginning April 1st through April 15, 2014.

Finance Committee

Dr. Woodson directed attention to the Financial Brief provided to each Board member and presented the following SFY 2014 Finance Report and Board Brief as of February 18, 2014:

- Approximately $426 million budgeted for state fiscal year 2014.
- Forecasted expenditure rate of 99.16% through June 30, 2014.
- “Green Light” overall for Department and all divisions.
- Overall projected available balance for the Department is less than last month due to increased payroll obligations and the transfer out, per legislation, of numerous licensing boards and associated revenue.

The Financial Brief this month focuses on Federally Qualified Health Centers (FQHCs)

- The department has a program that provides reimbursement to the FQHCs for providing primary health care services to the uninsured.
- The Legislature appropriated $3.2 million this year for the program with an additional $674 thousand available from carryover funding.
- Due to increased demand for services and eligible billing to the fund, the FQHC budget is nearly exhausted and will be totally exhausted after making partial payments for December services.
- Studies have shown that children of pregnant women who participate in WIC have better medical outcomes, including fewer premature births and fewer fetal and infant deaths.
- Medicaid participants on WIC have an average 29% lower Medicaid costs for infant hospitalization.

Accountability, Ethics, & Audit Committee
Public Health Policy Committee
The Policy Committee met on Tuesday, March 11, 2014. Dr. Gerard and Dr. Grim were present. Both met with Mark Newman at the Oklahoma State Department of Health in Oklahoma City, Oklahoma. The Policy Committee discussed the legislative priorities of the Board and the fact that only one agency request bill, HB 2904 by Rep. Ownbey and Sen. Simpson remained alive. HB 2904 would prohibit the sale of e-cigarettes to minors and has no tax implications. Copies of the legislative tracking reports are being sent electronically to each member of the BOH and will continue on a weekly basis throughout the legislative session.

The Policy Committee also discussed legislation regarding those bills which could have an impact on current and future state employees and the agency going forward. Some of the legislation discussed involved changes to open meetings, retirement, pay increases, shared services, and the merit system. If members of the Board have any questions regarding any policy issues or proposed legislation, please do not hesitate to contact Mark Newman for additional information or to provide your input.

The next meeting of the Policy Committee will be prior to the May Board Meeting.

PRESIDENT'S REPORT
Dr. Krishna asked Julie Cox-Kain to briefly address the new Shape Your Future campaign which launched in February 2014. Julie Cox-Kain displayed some media clips from the campaign that have begun airing in February 2014.

COMMISSIONER'S REPORT
Dr. Cline highlighted the recent Bridges to Access meeting. There were approximately 350 medical students in attendance whose primary focus around volunteerism and giving back to the community. The keynote address was presented by Dr. Steven Schroeder, Distinguished Professor of Health and Healthcare at the University of California, San Francisco, and former President of the Robert Wood Johnson Foundation. The event is concluded by awarding the R. Murali Krishna award for volunteerism. Dr. Cline thanked Dr. Krishna for his leadership in this area.

Next, Dr. Cline discussed his participation in a recent House interim study on ecigarettes. The initial interim study agenda had overrepresentation of the Tobacco Industry and Vaping Association. The agenda was later modified to include representatives from the Cancer Association. The concern around ecigarettes is that this field is completely unregulated. Because these devices are an excellent chemical delivery system there is also concern about the use of illegal substances in these devices as well as increased calls to the poison control center for children obtaining these devices. We are seeing many of the same tactics used in the tobacco legislation push.
Lastly, Dr. Cline highlighted the 5th annual Mission of Mercy event conducted in Enid, Oklahoma. The purpose of the event is to provide free dental services to Oklahomans in need. Volunteers provided free dental services to approximately 1400 people. As part of the collaboration, Christy Love organized transportation from the panhandle for a group of 162 individuals needing dental services. Dr. Cline recognized the efforts of these remarkable volunteers during the February ice storm.

The presentation is concluded.

NEW BUSINESS
No new business.

PROPOSED EXECUTIVE SESSION
Ms. Burger moved Board approval to go in to Executive Session at 12:21 PM pursuant to 25 O.S. Section 307(B)(4) for confidential communications to discuss pending department litigation, investigation, claim, or action; pursuant to 25 O.S. Section 307(B)(1) to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee and pursuant to 25 O.S. Section 307 (B)(7) for discussing any matter where disclosure of information would violate confidentiality requirements of state or federal law.
- Discussion of potential or anticipated investigation or litigation concerning long term care issues
- Office of Accountability Systems Complaint #2014-005

Second Ms. Wolfe. Motion carried.

AYE: Burger, Gerard, Grim, Krishna, Stewart, Wolfe, Woodson
ABSENT: Alexopulos, Starkey

Dr. Grim moved Board approval to move out of Executive Session. Second Ms. Burger. Motion carried.

AYE: Burger, Grim, Krishna, Stewart, Wolfe, Woodson
ABSENT: Alexopulos, Gerard, Starkey

ADJOURNMENT
Ms. Wolfe moved Board approval to Adjourn. Second Ms. Burger. Motion carried.

AYE: Burger, Grim, Krishna, Stewart, Wolfe, Woodson
ABSENT: Alexopulos, Gerard, Starkey

The meeting adjourned at 1:40 p.m.

Approved

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R. Murali Krishna, M.D.
President, Oklahoma State Board of Health

April 8, 2014