

MINUTES OF THE MEETING OF THE  
INDIANA STATE DEPARTMENT OF HEALTH  
EXECUTIVE BOARD  
November 13, 2019

The meeting of the Executive Board of the Indiana State Department of Health (ISDH) was called to order at 10:00 am in the Robert O. Yoho Executive Board Room of the ISDH building by Brenda Goff, Chair. The following Board members were present for all or part of the meeting:

Naveed Chowhan, MD, FACP, MBA  
Brenda Goff, HFA (Chair)  
Robin Marks, DVM  
Joanne Martin, DrPH, RN, FAAN  
Martin Hanneman, DDS  
Suellen Sorensen, PharmD, BCPS  
Patricia Spence, PE  
Stephen Tharp, MD (Vice Chair)  
Kristina M. Box, MD, FACOG, Secretary

Members attending via telephone:

Blake Dye  
Holly Robinson, MD

Members not attending:

Tony Stewart, MBA, FACHE, HFA

The following staff members were present for all or part of the meeting:

Eldon Whetstone, Assistant Commissioner, Health & Human Services Commission  
Judy Lovchik, Assistant Commissioner, Public Health Protection and Laboratory Services  
Mike Mettler, Director, Environmental Public Health  
David Hopper, Director, Local Health Department Outreach  
Amy Kent, Director, Office of Legislative & External Affairs  
Kristin Schwartz, Deputy Director, Office of Legislative & External Affairs  
Manda Clevenger, Director, Food Protection Program  
David Nauth, Director, Medical Radiology Services Program  
Paul Krievins, Director, Lead and Healthy Homes (via phone)  
Eric Hawkins, Director, Epidemiology Resource Center  
Brenda Buroker, RN, Director, Long-Term Care  
Kelly MacKinnon, Deputy Director, Office of Legal Affairs  
Deana Smith, Office of Legal Affairs  
Christopher Kulik, Office of Legal Affairs

Guests:

Andrew VanZee, Indiana Hospital Association

## **Call to Order**

Brenda Goff, Chair, stated that a quorum was present and called the meeting to order at 10:00 am. She then asked if Board members had any known conflicts of interest to declare. Hearing none she proceeded with the meeting.

## **Minutes**

Ms. Goff asked for discussion and/or corrections to the minutes of the July 24, 2019 (changed from July 10, 2019 original date) Executive Board meeting. Hearing none, she entertained a motion for approval. On a motion made by Dr. Stephen Tharp, seconded by Dr. Martin Hanneman and passed by majority roll call vote, the Board approved the minutes as presented.

## **OFFICIAL BUSINESS OF THE STATE DEPARTMENT OF HEALTH**

Paul Krievins, Director, Lead and Healthy Homes provided an update on the Lead Advisory Council via phone. The Council is comprised of representatives from FSSA Office of Medicaid Policy & Planning, American Academy of Pediatrics-Indiana Chapter, CareSource, Local Health Departments, Apartment Association, Builders Association, Hoosier Environmental Council, IU McKinney School of Law and the NAACP. The Council is focused on helping local health departments to bill Medicaid, educate parents and providers on the risks and impacts of lead, and aid the ISDH in moving the baseline for lead testing.

## **SECRETARY'S REPORT**

Dr. Box provided an update on the Overdose Data to Action Grant. As part of this Grant, the Division of Trauma and Injury Prevention recently released a request for proposal for their Indiana Communities Advancing Recovery Efforts (IN CARES) Extension for Community Healthcare Outcomes (ECHO) Grant for \$1.2 million. Counties can apply for \$25,000 to \$200,000 for a one-year grant. The grant focuses on identifying a central convening organization in each community that is willing to serve as an organizer to assemble a multi-disciplinary community team and serve as a connector and catalyst for combatting the opioid epidemic within their community. 47 organizations have applied, representing 45 counties across the state.

The newly established Maternal Mortality Review Committee has started reviewing all pregnancy-related deaths in 2018.

Nationally, there have been 104 vaping-related deaths confirmed (or probable). Indiana has had three vaping-related deaths. FDA is working on requirements for vaping devices.

Two hospitals have been surveyed and received levels of care certification – Community Munster and Franciscan Crown Point. There are three more hospitals scheduled to be surveyed yet this month – Community North, Memorial Hospital South Bend and St. Joseph Health System Mishawaka.

Dr. Box reported she is in the process of attending OB Navigator Program information sessions across the state. This program will be rolled out in 2020.

## **Health and Human Services Commission**

### **Amendment to the Diagnostic Testing and Hyperbaric Oxygen Treatment (HBOT) Pilot Program Rule 410 IAC 37-1-15, LSA #19-575**

Eldon Whetstone, Assistant Commissioner, Health and Human Services Commission presented the amendment to the Diagnostic Testing and Hyperbaric Oxygen Treatment Pilot Program Rule 410 IAC 37-1-15, LSA #19-575 to the Board as information. The ISDH requested an exception to the current rule-making moratorium so that it may amend the rule.

The proposed amendment will extend program rules in accordance with IC 10-17-13.5-6. The current rule is set to expire on June 30, 2020. By statute, the HBOT Program is extended to June 30, 2021. A Notice of Intent will be published on the *Indiana Register* website on November 13, 2019, starting the one-year period to adopt this rule amendment.

Re-adoption of (LSA #10-391)

Eldon Whetstone, Assistant Commissioner, Health and Human Services Commission also presented the following rules for re-adoption. Following re-adoption a Notice of Re-adoption will be filed on the *Indiana Register* website and the rules will not expire on January 1, 2020. The rules will continue in effect for another seven years or until amended. Staff recommends the Board re-adopt these rules.

- 410 IAC 3-2 – Lead Poisoning Testing; Sickle Cell Anemia Testing (Standards, Measures and Procedures)
- 410 IAC 3.2 – Children’s Special Health Care Services (Administration & Eligibility)
- 410 IAC 21-1 – Cancer Registry (Collection of Data)
- 410 IAC 34 – Trauma Registry (Collection of Data)

**Consumer Services and Health Care Regulation Commission**

Re-adoption of (LSA #19-391)

Kelly MacKinnon, Deputy Director, Office of Legal Affairs presented the following rules for re-adoption on behalf of Matt Foster, Assistant Commissioner, Consumer Services and Health Care Regulation Commission. Following re-adoption a Notice of Re-adoption will be filed on the *Indiana Register* website and the rules will not expire on January 1, 2020. The rules will continue in effect for another seven years or until amended. Staff recommends the Board re-adopt these rules.

- 410 IAC 5 – Radiological Health (Devices)
- 410 IAC 6-11 – School Age Child Care Facilities (Plan Review)
- 410 IAC 21-1 – Commercial Weighing and Measuring Devices (National Standards)
- 410 IAC 12.1 – Motor Fuel (Pumps, Octane Testing & Water in Pumps)
- 410 IAC 13 – Sanitary Bedding
- 410 IAC 16.2 – Health Facilities; Licensing and Operational Standards

**Public Health Protection & Laboratory Services Commission**

Re-adoption of (LSA #19-391)

Dr. Judy Lovchik, Assistant Commissioner, Public Health Protection & Laboratory Services Commission presented the following rules for re-adoption. Following re-adoption a Notice of Re-adoption will be filed on the *Indiana Register* website and the rules will not expire on January 1, 2020. The rules will continue in effect for another seven years or until amended. Staff recommends the Board re-adopt these rules.

- 410 IAC 5.1 – Radon (Certification of Testers & Reporting Standards)
- 410 IAC 6-6 – Mobile Home Community Sanitation and Safety (Inspection, Operation & License)
- 410 IAC 6-9 - Agricultural Labor Camp Sanitation and Safety (Inspection, Operation & License)
- 410 IAC 7-5 – Food Misbranding (Packaged Food Product Labeling)
- 410 IAC 7-6 – Labeling Requirements; Exemptions in Case of Food (Exemptions to Labeling Requirements)
- 410 IAC 7-15.5 – Sanitation of Bed and Breakfast Establishments (Food Safety Requirements)
- 410 IAC 29 – Reporting, Monitoring, and Preventive Procedures for Lead Poisoning (Reporting Requirements)
- 410 IAC 38 – Inspection and Clean-up of Property Contaminated with Chemicals Used in the Illegal Manufacture of a Controlled Substance (Remediation Standards)

## **Epidemiology Resource Center**

### **Re-adoption of (LSA #19-391)**

Kelly MacKinnon, Deputy Director, Office of Legal Affairs presented the following rules for re-adoption on behalf of Eric Hawkins, Director, Epidemiology Resource Center. Following re-adoption a Notice of Re-adoption will be filed on the *Indiana Register* website and the rules will not expire on January 1, 2020. The rules will continue in effect for another seven years or until amended. Staff recommends the Board re-adopt these rules.

410 IAC 1-2.2 – Notification of Person-at-Risk (HIV)

410 IAC 1-3 – Infectious Waste (Proper Disposal)

410 IAC 1-4 – Universal Precautions (Health care professionals following requirements)

410 IAC 25 – Artificial Insemination (Testing for certain diseases prior to use)

## **Local Health Department Outreach**

### **Re-adoption of (LSA #391)**

David Hopper, Director, Local Health Department Outreach presented the following rules for re-adoption. Following re-adoption a Notice of Re-adoption will be filed on the *Indiana Register* website and the rules will not expire on January 1, 2020. The rules will continue in effect for another seven years or until amended. Staff recommends the Board re-adopt these rules.

410 IAC 24 – Local Health Services (Local Health Maintenance Fund Scale for Services)

Ms. Goff asked for comments from the Board, staff and/or public on all rules being re-adopted. Hearing none, she entertained a motion for approval. On a motion made by Suellyn Sorensen, seconded by Joanne Martin and passed unanimously by roll call vote, the Board approved all rules presented for re-adoption.

## **Distribution**

Ms. Goff thanked the staff for the Professional New Hire and Separation Reports, Summary of Final Orders and Consent Decrees, and Variance Waiver Approvals.

## **Adjournment**

Hearing no additional comments from the Board, staff and/or public, Ms. Goff adjourned the meeting at 10:55 am. The next meeting is scheduled for January 8, 2020.