

**MINUTES OF THE ARKANSAS STATE BOARD OF HEALTH
QUARTERLY MEETING
JANUARY 25, 2024**

MEMBERS PRESENT

Phillip Gilmore, PhD, President
Darren Flamik, MD, President Elect
Renee Mallory, RN, Secretary of Health
Kay Chandler, MD, Surgeon General
Loy Bailey, RS
Robert Bonner, DVM
Mellie Bridewell
Eddie Bryant, MD
Chris Cathey, DC
Lane Crider, PE
Dwayne Daniels, MD
Brad Erney, DMD
Justin Franks, OD PA
Anthony Hui, MD
David Kiessling, DPM
Donald Ragland
Mike Riddell, MD
Jim Terry
Blake Torres, PharmD
Clay Waliski
James Zini, DO

MEMBERS ABSENT

Balan Nair, MD
Vanessa Falwell, APRN

GUESTS PRESENT

Jennifer Dillaha, MD, ADH Director, Secretary of AR
State Board of Health
Don Adams, ADH, Chief of Staff
Cassie Cochran, ADH, Deputy Director for
Public Health Programs
Naveen Patil, MD, ADH, Deputy State Health Officer
Namvar Zohoori, MD, ADH, Deputy State
Health Officer
Mike Cima, PhD, ADH State Epidemiologist
Austin Porter, DrPH, MPH, ADH, Deputy Chief
Science Officer and Deputy State Epidemiologist
William Greenfield, MD, ADH, Senior Physician
Specialist
Chychy Smith, ADH, Director, Health Disparities
Elimination
Rachel Sizemore, ADH, Director, Office of Oral Health
Katie Seely, PhD, ADH, Director, Public Health Laboratory
Connie Melton, ADH, Director, Center for Health Protection
Meg Mirivel, ADH, Director, Communications
Sherian Kwanisai, ADH, Director, Center for Local
Public Health
Jim Carter, ADH, Chief Information Officer
Joe Martin, ADH, Director, Office of Preparedness and
Emergency Response Systems
Jeremy Courtney, MPH, RD, ADH, Center for Public Health
Practice
Shirley Louie, ADH, Nuclear/Radiological and
Environmental Liaison Officer
Laura Shue, ADH, General Counsel
Reginald Rogers, ADH Deputy General Counsel
Brian Nichols, ADH, Attorney
S. Craig Smith, ADH, Attorney
Chuck Hardin, ADH, Attorney/Privacy Officer
Deborah Reagan, ADH, Attorney
Erin Whitfield, ADH, Law Clerk
Terry Paul, ADH, Environmental Health Branch Chief
Ric Mayhan, ADH, Director, Protective Health Codes
Geray Pickle, ADH, Associate Director for Management and
Operations, Center for Health Advancement
Christy Kresse, ADH, EMS Section Chief
Haley Ortiz, ADH, Policy and Special Project
Coordinator
Donald McCormick, ADH, CPHP Epidemiology
Richard McMullen, PhD, Local Public Health

Dr. Laura Rothfeldt, ADH, State Public Health
Veterinarian
Cat Waters, ADH, Section Chief, Outbreak Response
Hattie Scribner, PhD, ADH, Family Health Branch Manager
Shelly Matthews, Women's Health Program Nurse Facilitator
David Vrudny, ADH, Stroke/STEMI System Manager
Kelli Kersey, ADH, Section Chief for Cosmetology, Body
Art, and Massage Therapy
Kelli Adcock, ADH, Cosmetology, Body Art, and Massage
Therapy, Administrative Analyst
Alan Goss, ADH, EMS Specialist
Rhonda Kitelinger, ADH, Maternity Nurse Coordinator
Kris Richardson, ADH, Executive Assistant
Savanna Ledford, ADH, CDC EIS
Emily Fletcher, ADH, CDC EEP Intern
Stephen Hedges, Epidemiologist
Mike Wilson, ADH, EOC Technical Manager
Steven Speer, ADH, A/V Contractor
Patrick Judkins, ADH, Computer Support Analyst
Craig Wilson, ACHI
Jeff Tabor, Metro EMS

The quarterly meeting of the Arkansas State Board of Health was held on Thursday, January 25, 2024, in the Main Conference Room, Room 906, Freeway Medical Tower, of the Arkansas Department of Health.

CALL TO ORDER

Dr. Mike Riddell, President, called the meeting to order and asked for a roll call which was conducted by General Counsel Laura Shue.

Ms. Shue asked the new board members to introduce themselves and who they were representing. Robert Bonner is representing veterinarians, Chris Cathey is representing chiropractors, Justin Franks is representing optometrists, and Jim Terry is the consumer representative.

DECEMBER 8, 2023 NOMINATING COMMITTEE MINUTES /RECOMMENDATION

Dr. Mike Riddell presented to the Board the nomination from the Nominating Committee December 8, 2023, meeting, the recommendation of Dr. Darren Flamik for the President-Elect position, to be the President of the Board for the calendar year 2025.

Dr. Brad Erney moved, and Dr. Anthony Hui seconded, to approve the nomination. Motion carried by unanimous vote.

JANUARY 5, 2024 NOMINATING COMMITTEE MINUTES/RECOMMENDATION

Dr. Mike Riddell also presented to the Board the nomination from the Nominating Committee January 5, 2024, meeting, the recommendation for Dr. Phillip Gilmore to serve as President for the 2024 calendar year. Dr. Riddell noted that Sue Weinstein was previously voted as President-Elect for 2024 but was not re-appointed to the Board.

Dr. Brad Erney moved, and Dr. Anthony Hui seconded, to approve the nomination. Motion carried by unanimous vote.

APPROVAL OF MINUTES

Dr. James Zini moved, and Mr. Donald Ragland seconded, that the Minutes of the October 26, 2023, Quarterly Meeting be approved. Motion carried by unanimous vote.

RESOLUTIONS

General Counsel Laura Shue presented the expense and travel resolution. She informed that the law allows expense and travel to be reimbursed upon request up to the allowable amount provided.

Lane Crider moved, and Dr. Anthony Hui seconded, to pass. Motion carried by unanimous vote.

General Counsel Laura Shue also presented the stipends resolution. The law provides that the Board of Health members are allotted a stipend of \$85 per meeting, examination, evaluation, and inspection attended.

Dr. Eddie Bryant moved, and Dr. Darren Flamik seconded, to pass. Motion carried by unanimous vote.

OLD BUSINESS

General Counsel Laura Shue reminded board members to turn in the required Statement of Financial Interest. The original request and forms had been sent in an email in December, but a copy would be provided if needed. The form requires a notarized signature and is to be filed with the Secretary of State by the end of the month. Any questions about the form can be directed to the Ethics Commission as noted on the form or the ADH Legal Team.

RURAL HEALTH COMMITTEE MINUTES/REPORT

Mellie Bridewell presented an overview of the first Rural Health Committee meeting and expressed intention to discuss various world health topics in future meetings and provide a presentation to the Board of Health at some point. Ms. Bridewell also noted the Rural Health Association will be having their second conference in February and will be having a legislative day bringing up topics prevalent to rural health. The next meeting will concentrate on emerging rural health issues such as birthing centers and community paramedic programs.

NEW BUSINESS

RULES PERTAINING TO RABIES CONTROL

Dr. Laura Rothfeldt presented on the amendments from the last legislative session regarding the rabies control act. Acts 161 and 522 of 2023 allow for health quarantine for vaccinated dogs and cats and added persons in addition to licensed veterinarians that can administer rabies vaccinations. There were definition updates, revisions and updates to section 3, parts A and B, and section 3C to describe the duties of the person administering the vaccinations. The authorized persons in 3C include licensed veterinarians, veterinarian technicians, veterinarian technologists, and veterinarian technician specialists. The proposed amendments removed

content about confinement and quarantine from the definitions section and updated it to reflect the act home quarantine. Dr. Rothfeldt clarified that intact bats can be submitted so it was no longer needed to take the head off the bat and send that. Dr. Rothfeldt further detailed that they revised the procedures about when a domesticated dog or cat has rabies. Corrected some errors in monitoring protocols. The proposed amendments updated and revised wording to reflect procedures when a domesticated animal other than a dog or cat is exposed to rabies. Corrected every instance where the word "brain" is used to read "brain stem," to comply with proper testing needs. The vaccine appendix at the end was deleted.

Dr. Mike Riddell asked if the committee was monitoring avian flu, and whether it was a problem and had carried over to poultry houses. Dr. Rothfeldt explained that avian flu was still a problem and that it had carried over. She detailed that there is a command center that has been set up for the ongoing clean-up of Madison, Carroll, and Pope Counties. Dr. Riddell asked if there was a CWD update, and Dr. Rothfeldt responded that there was no update but there is an ongoing investigation.

Dr. Robert Bonner asked for clarification on the mentioned "persons other than veterinarians," and whether they include certified veterinarian technicians. Dr. Rothfeldt explained that the three new categories encompass all types of certified veterinarian technicians.

Dr. Mike Riddell moved, and Dr. Anthony Hui seconded, to approve the proposed amendments. Motion carried by unanimous vote.

RULES GOVERNING MEDICAL MARIJUANA REGISTRATION, TESTING, AND LABELING IN ARKANSAS

Attorney, Craig Smith, presented an overview of the tasks assigned to the Department of Health that include outlining the process for patients to get identification cards, detailing testing requirements for the lab to do from growth to dispensaries, and for labeling requirements before it can be dispensed. The rules have not changed for four years and have not been updated since 2017. The team is currently working on getting this right, getting public comments, and having them reviewed. Since the last legislation in 2023, it has been reviewed to update labeling requirements to keep this out of the hands of children, including the number for poison control on each package and universal warning symbols.

Dr. Mike Riddell asked if there were any warnings specific to women who are pregnant or may become pregnant. Mr. Smith detailed that he would have to look but there are warnings for those who are in "at risk" categories and their labeling requirements that are like the ones seen on tobacco products from the past 20 years. Dr. Riddell commented that there should be specific labels if there aren't any and was informed that they would be investigated and adjusted if they weren't.

Dr. Anthony Hui moved, and Dr. Mike Riddell seconded, to approve the proposed amendments. Motion carried by unanimous vote.

RULES FOR EMERGENCY MEDICAL SERVICES

Ms. Christy Kresse, Section Chief for Emergency Medical Services, presented proposed amendments to the Rules for Emergency Medical Services that required changes from recent legislation, general updates to outdated language, and revised language for clarification. Act 54 of 2023 detailed the reduction of community paramedic clinical hours from 300 to 160 and

removed the emergency department clinical hours requirement. Act 258 of 2023 detailed a new licensure level for Emergency Medical Responder. It set out the rules for initial licensure, renewal, and education standards. Ms. Kresse pointed out that section 2(a)(3) revised the deadline to submit data from services from 14 days to 7 days.

Dr. Blake Torres moved, and Dr. Mike Riddell seconded, to approve the proposed amendments. Motion carried by unanimous vote.

RULES FOR HOME CAREGIVER TRAINING IN ARKANSAS

Attorney, Craig Smith, presented proposed amendments to the Rules for Home Caregiver Training in Arkansas, resulting from Act 70 of 2023 which revised the training requirements for home caregivers for Alzheimer's disease and dementia, requiring at least four hours to include specific topics related to providing care for those diagnosed with Alzheimer's disease or dementia.

Dr. Darren Flamik moved, and Mr. Donald Ragland seconded, to approve the proposed amendments. Motion carried by unanimous vote.

RULES PERTAINING TO PLUMBERS LICENSE FEE, EXPIRATION, RENEWAL, JOURNEYMAN PLUMBER, MASTER PLUMBER AND RESTRICTED PLUMBER QUALIFICATIONS

Mr. Ric Mayhan, Environmental Health Manager, discussed recent updates and revisions to rules. The changes regarding the rules were just combining different classes together. Updates to the rules were those to be in line with Acts 137 and 457 of 2023 legislative actions taken. The proposed amendments were adjustments to requirements for the backflow assembly license for testing or repair to be aligned with more national standards.

Dr. Lane Crider moved, and Dr. James Zini seconded, to approve the proposed amendments. Motion carried by unanimous vote.

RULES PERTAINING TO ONSITE WASTEWATER SYSTEMS

Mr. Terry Paul, Environmental Health Branch Chief, presented the proposed amendments to the Rules Pertaining to Onsite Wastewater Systems. Mr. Paul provided an overview of the opportunity taken by the committee to deal with concerns coming from outside interests. They held a public hearing, and the most substantive comment regarded the inclusion of drip disbursement systems in subdivision review, which are expensive and can be misunderstood by potential homeowners. A meeting was held with the Individual Sewage Disposal Systems Advisory Committee, where a compromise was come up with how to look at it and do a few extra things on the sale of the property. Generally, if an alternate system it would be best to try to have larger lots and plenty of room to keep one of the other and contain anything that may be leaking from a system that's been disinfected and property cleaned that is going to be away from someone else's property.

After discussion, Loy Bailey moved, and Lane Crider seconded, to approve the proposed amendments. Motion carried by unanimous vote.

RULES FOR COSMETOLOGY AND BODY ART IN ARKANSAS

Kelli Kersey, Section Chief for Cosmetology, Body Art, and Massage Therapy presented the proposed amendments for the Rules for Cosmetology and Body Art in Arkansas. Ms. Kersey explained that this was the second attempt to propose combined rules for cosmetology and body art. The first attempt was based on Act 900 of 2021,. Act 900 was significantly revised by Act 688 of 2023 and the proposed amendments were to effect the changes by Act 688.

Donald Ragland moved, and Dr. Darren Flamik seconded, to pass. Motion carried by unanimous vote.

COUNTY HEALTH OFFICER APPOINTMENTS

Dr. Namvar Zohoori, Chief Science Officer, requested approval of Dr. Blayne Beene, the nominee for Grant County.

Dr. Mike Riddell moved, and Loy Bailey seconded, to approve the nomination. Motion carried by unanimous vote.

OTHER BUSINESS

Don Adams, Chief of Staff, reported the Legislative Audit Findings for Fiscal Year 2022. Only two findings to report, both of which were considered as administrative errors. One with the medical board, and the other with a local health unit. The medical board randomly selected four items from their asset list, and one item, a computer, wasn't located. The item ended up being found, it was sent to maintenance for repair for non-viability but the appropriate paperwork to remove it from the asset list wasn't submitted. A freezer was listed as missing from the local health unit, but it was found that a number was transposed when sending the asset number. The error was able to be corrected.

PUBLIC HEALTH SCIENCE/PROGRAM UPDATES

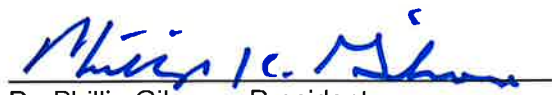
No updates to be given in lieu of educational session.

PRESIDENT'S REPORT

Dr. Phillip Gilmore requested each member provide the group or industry they represent and a short background for the new Board members. Dr. Gilmore also praised Secretary Mallory, noting a recent interview she gave and requested staff to make copies of the article available to Board members.

SECRETARY'S REPORT

Secretary Mallory provided praise for both Dr. Mike Riddell for his recent service as Board President and Dr. Phillip Gilmore for his long-standing service to public health in the State. Secretary Mallory also informed the Department is undergoing a strategic plan that is done every four years. She informed the board that once finished, Dr. Simon would present it during the July meeting.

A handwritten signature in blue ink, reading "Phillip C. Gilmore", written over a horizontal line.

Dr. Phillip Gilmore, President
Arkansas State Board of Health