

Board of Community Health
Meeting
December 13, 2012

Members Present

Norman Boyd
Clay Cox
Jamie Pennington
William Wallace
Kiera von Besser
Donna Moses
Rick Jackson

Members Absent

Jack Chapman

The Board of Community Health held its regularly scheduled meeting at the Department of Community Health, Fifth Floor Board Room, 2 Peachtree Street, N.W., Atlanta, Georgia. Commissioner David A. Cook was also present. (An agenda and a List of Attendees are attached hereto and made official parts of these Minutes as Attachments #1 and #2). Vice Chairman Norm Boyd presided and called the meeting to order at 10:35 a.m.

Committee Reports

The resignation of Mr. Ross mason has created a vacancy in the office of Chairman. In order to fill the office, Vice Chairman Boyd appointed the following to the nominating committee: Jamie Pennington-Chairman, Bill Wallace, and Dr. Chapman. The Department of Community Health Representative will be Richard Greene.

Vice Chairman Boyd called on Mr. Wallace to give the report on the Policy Committee. Mr. Wallace stated that the Policy Committee had a guest speaker, Dr. Nicole Peoples, D. O., Campbell Family Medicine; Dr. Peoples presented a practice model for concierge medicine.

Minutes

The Minutes of the November 8, 2012 meeting were UNANIMOUSLY APPROVED.

Commissioner's Report

Commissioner Cook stated that there are three items on the agenda today, Personal Care Home rules for final adoption, and some technical changes to Healthcare Facility Regulation rules. There is also one Public Notice from the Medicaid division for initial adoption.

The Commissioner stated that before we move onto the action items on the agenda, he would like to remind the Board members of their annual Ethics filing to be completed by January 31, 2013. He indicated that his office is available to help any member that has questions or needs assistance.

The Chair recognized Mr. Brian Looby, Chief, Healthcare Facility Regulation, to present the Personal Care Home Rules for final adoption. Mr. Looby stated that a public hearing was held on November 14, 2012. There were sixteen oral comments at the hearing and twelve written comments received by the department during the public comment period. Two of the twenty eight comments received, supported adopting the rules as proposed by the department and noted that the changes would better protect vulnerable residents. The remaining comments requested that the rules be modified before being adopted. The department response includes: providing clear direction in the rules to the operators of personal care homes regarding the use of the term "assisted living", adopting rules that regulate levels of care provided, establishing guidelines for "self administration of medications", providing parameters for the \$20 weekly allowances for personal needs, specific guidelines regarding insulin administration, reiterating rationale for fees charged to care homes, upholding the definition of self-preservation, housing choices for disabled individuals and the exemption from memory care requirements. The department recommends that the rules be adopted as proposed. DR. MOSES MADE a MOTION to approve for final adoption, the Proposed Rule Changes for Personal Care Homes. DR. VON BESSER SECONDED the MOTION. ON THE MOTION, the yeas were 7, nays 0, and the MOTION was UNANIMOUSLY APPROVED. (A copy of the Proposed Rule Changes for Personal Care Homes is attached hereto and made an official part of these minutes as Attachment #3)

Mr. Looby Presented Technical Amendments to the following Healthcare Facility Regulation rules:

Chapter 111-8-09 Blood Labeling

Chapter 111-8-28 Eye Banks

Chapter 111-8-31 Home Health Agencies
Chapter 111-8-50 Long-term Care Bill of Rights
Chapter 111-8-65 Private Home Care Providers


Mr. Looby explained that the proposed changes repeal the rules under their existing chapters and restate them under Chapter 111-8 of the Official Code of Georgia Annotated. The only changes proposed involve assignment of new rule numbers and update of Georgia Code references. MS. PENNINGTON MADE a MOTION to approve for initial adoption, the Proposed Rule Changes for Healthcare Facility Regulation rules. MR. WALLACE SECONDED the MOTION. ON THE MOTION, the yeas were 7, nays 0, and the MOTION was UNANIMOUSLY APPROVED. (A copy of the Proposed Rule Changes Healthcare Facility Regulations are attached hereto and made an official part of these minutes as Attachments #4, 5, 6, 7, & 8)

The Chair recognized Dr. Dubberly, Chief, Medicaid Division to present the Patient Protection and Affordable Care Act (PPACA) Medicaid Primary Care and Vaccine Administration Rate Increase. Dr. Dubberly explained that these changes were necessary to be in compliance with the PPACA and is subject to federal approval by the Centers of Medicare and Medicaid Services. The department is proposing to increase Medicaid and primary care vaccine administration payments to 100% of the Medicare physician fee schedule. The intent of the increase is to improve access to primary care providers by encouraging participation. The fiscal impact of the increase is estimated at \$75,062,644 in FY13 and \$150,125,287 in FY14. The increase will be paid for with 100% federal funds. A public hearing will be held on December 20, 2012 at 1:00 in the 5th floor Board room. Dr. Dubberly answered questions from the Board members. MS. PENNINGTON MADE a MOTION to approve for initial adoption, the PPACA Medicaid Primary Care and Vaccine Administration Rate Increase Public Notice. DR. VON BESSER SECONDED the MOTION. ON THE MOTION, the yeas were 6, nays 1, and the MOTION was APPROVED. Mr. Cox voted nay on the motion. (A copy of the PPACA Medicaid Primary Care and Vaccine Administration Rate Increase Public Notice Attachments #9)

Adjournment

There being no further business to be brought before the board, Vice Chairman Boyd adjourned the meeting at 11:03 a.m.

THESE MINUTES ARE HEREBY APPROVED AND ADOPTED THIS THE 14th DAY
OF February, 2013.


JAMIE PENNINGTON
Secretary


Norm Boyd
Vice Chairman

Official Attachments:

- #1 List of Attendees
- #2 Agenda
- #3 Personal Care Home Rules
- #4 Healthcare Facility Regulation: Technical Amendments to the Rules for Blood labeling
- #5 Healthcare Facility Regulation: Technical Amendments to the Rules for Eye Banks
- #6 Healthcare Facility Regulation: Technical Amendments to the Rules for Home Health Agencies
- #7 Healthcare Facility Regulation: Technical Amendments to the Rules for Long Term Care bill of rights
- #8 Healthcare Facility Regulation: Technical Amendments to the Rules for Private Home Care Providers
- #9 Medicaid Primary Care and Vaccine Administration Rate Increase-Public Notice