

Board of Community Health
Meeting
February 14, 2013

Members Present

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

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 10:34a.m.

Vice Chairman Boyd introduced newly appointed Board member, Mimi Collins.

Committee Reports

Vice Chairman Boyd called on Ms. Pennington to give the report on the Nominating Committee. Ms. Pennington presented nominations to the board; Norm Boyd as Chairman and Bill Wallace as Vice chairman. MR. COX MADE a motion to close the nominations. MS. PENNINGTON SECONDED the MOTION. There were no objections. MS. VON BESSER MADE a MOTION to approve the nominations. MR. JACKSON SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0, and the MOTION was UNANIMOUSLY APPROVED. The new Officers were Norm Boyd, Chairman; and Bill Wallace, Vice-Chairman.

Chairman Boyd appointed Mr. Wallace Chairman of the Policy Committee. Ms Collins was appointed to the Policy Committee.

Chairman Boyd called on Mr. Wallace to give the report on the Policy Committee. Mr. Wallace stated that Deputy Commissioner, Blake Fulenwider spoke to the committee on the Affordable Care Act: Policy Primer, in which he presented relevant aspects of the Affordable Care Act and how it affects the Department of Community Health.

Chairman Boyd reported that the Audit committee reviewed a draft for a new charter that would be presented to the Board at the March Board meeting for approval. He stated that the department received a clean audit and the committee reviewed financial reports and audit finding. There was one significant budgetary control issue and that was a \$32 million dollar overspend. The overspend reflects one day of Medicaid payments. The Commissioner agreed that the department did not use all tools available to avoid the overspend, such as canceling provider contracts and stated that the department would not overspend their budget for this fiscal year. MR. WALLACE MADE A MOTION that the Board accept the report of the auditors. MS. PENNINGTON SECONDED THE MOTION. ON THE MOTION, the yeas were 8, nays 0, and the MOTION was UNANIMOUSLY APPROVED.

Minutes

The Minutes of the December 13, 2012 meeting were UNANIMOUSLY APPROVED.

Commissioner's Report

Commissioner Cook stated that there are several items on the agenda today, two sets of technical changes to Healthcare Facility Regulation rule, one Public Notice from the Medicaid division for final adoption, two SHBP Resolutions, along with a Budget Presentation and an OPEB update.

The Chair asked Mr. Looby to present Technical Amendments to the Rules for Ambulatory Surgery Centers, Anatomical Gifts, Clinical Laboratories, End Stage Renal Dialysis, Hospice, Hospitals, and Nursing Homes for initial adoption. Mr. Looby explained that many of these rules were developed years ago when Healthcare Facilities were regulated by another department, no longer in existence. Healthcare Facility Regulation now falls under the purview of the Department of Community Health, therefore the Title and Chapter numbers have to be changed along with any reference to another department. A Public hearing was held and the only public comments that were received were regarding Hospices. Therefore there would be continued effort to come to agreeable terms before new Hospice rules are presented. However the department would like to proceed with the other rules for final adoption.

MS. PENNINGTON MADE a MOTION to approve for FINAL adoption, the Technical Amendments to the Rules for Ambulatory Surgery Centers, Anatomical Gifts, Clinical Laboratories, End Stage Renal Dialysis, Hospitals, and Nursing Homes. MS. MOSES SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0, and the MOTION was UNANIMOUSLY APPROVED. (A copy of the Healthcare Facility

Regulation Technical Amendments to the Rules for Ambulatory Surgery Centers, Anatomical Gifts, Clinical Laboratories, End Stage Renal Dialysis, Hospitals, and Nursing Homes is attached hereto and made an official part of these minutes as Attachments #3, #4, #5, #6, #7 #8)

Mr. Looby Presented Technical Amendments to the following Healthcare Facility Regulation rules: Blood Labeling, Eye Banks, Home Health Agencies, Long-term Care Bill of Rights and 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. A Public Hearing was held and no comments were presented. MS. PENNINGTON MADE a MOTION to approve for final adoption, the Proposed Rule Changes for Healthcare Facility Regulation rules. MR. COX SECONDED the MOTION. ON THE MOTION, the yeas were 8, 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 #9, 10, 11, 12 & 13)

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 was held on December 20, 2012. There was one oral comment and two written comments received. All Comments were in favor of the proposal. The Department respectfully asks for the Board's favorable consideration and final adoption of this change. MS. PENNINGTON MADE a MOTION to approve for final adoption, the PPACA Medicaid Primary Care and Vaccine Administration Rate Increase Public Notice. MS. VON BESSER SECONDED the MOTION. ON THE MOTION, the yeas were 7, 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 is attached hereto and made an official part of these minutes as Attachment #14)

The Chair recognized Mr. Harris, Chief Operating Officer to present the Governor's Budget Proposal. Mr. Harris answered questions from the Board. (A copy of Governor's Budget Proposal is attached hereto and made an official part of these minutes as Attachment #15)

The Chairman called on Liz Brady, Deputy Chief financial Officer, to Present State Health Benefit Plan Employer/Teacher Contribution rate Resolution. Ms. Brady stated that the current Teacher Plan Employer Contribution Rate is set at \$912.34. As of March 2013 The Teachers Plan Employer Contribution rate will be increased to \$937.34 for each non-library employee enrolled in the Teachers Plan and library employees rate will remain at \$743.00 for the remainder of the Fiscal Year 2013. MR. COX MADE a MOTION to adopt the State Health Benefit Plan Employer/Teachers contribution rates; Resolution. MS. VON BESSER SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0, and the MOTION was UNANIMOUSLY APPROVED. (A copy of the State Health Benefit Plan Employer/Teachers contribution rates; Resolution are attached hereto and made an official part of these minutes as Attachment #16)

Liz Brady presented the State Health Benefit Plan Employer contribution rates; Resolution. The State Employee Plan Employer Contribution Rate is currently 24.454% and will be increased to 25.366% of total salaries for billings beginning in March 2013 and continued throughout the Fiscal Year 2013. If projections change, the Commissioner is authorized to set monthly rates that differ from 25.366% of total salaries, as long as the contribution rates do not exceed 30.281% of total salaries. . MS. MOSES MADE a MOTION to adopt, the State Health Benefit Plan Employer contribution rates; Resolution. MR. WALLACE SECONDED the MOTION. ON THE MOTION, the yeas were 8, nays 0, and the MOTION was UNANIMOUSLY APPROVED. (A copy of the State Health Benefit Plan Employer contribution rates; Resolution is attached hereto and made an official part of these minutes as Attachment #17)

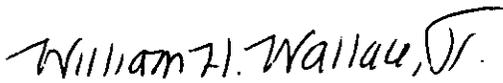
Vince Harris presented the OPEB update and answered questions from the board. (A copy of the OPEB Update is attached hereto and made an official part of these minutes as Attachment #18)

Mr. Jackson stated that he would like to applaud the Commissioner and Management Team for the management of the Department of Community Health particularly in light of the deficiency of funding from the State.

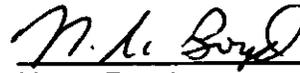
Adjournment

There being no further business to be brought before the board, Chairman Boyd adjourned the meeting at 12:18p.m.

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



Bill Wallace
Vice Chairman



Norm Boyd
Chairman

Official Attachments:

- #1 List of Attendees
- #2 Agenda
- #3 Healthcare Facility Regulation: Technical Amendments to the Rules for Ambulatory Surgery Centers
- #4 Healthcare Facility Regulation: Technical Amendments to the Rules for Anatomical Gifts
- #5 Healthcare Facility Regulation: Technical Amendments to the Rules for Clinical Laboratories
- #6 Healthcare Facility Regulation: Technical Amendments to the Rules for End Stage Renal Dialysis
- #7 Healthcare Facility Regulation: Technical Amendments to the Rules for Hospitals
- #8 Healthcare Facility Regulation: Technical Amendments to the Rules for Nursing Homes

- #9 Healthcare Facility Regulation: Technical Amendments to the Rules for Blood labeling
- #10 Healthcare Facility Regulation: Technical Amendments to the Rules for Eye Banks
- #11 Healthcare Facility Regulation: Technical Amendments to the Rules for Home Health Agencies
- #12 Healthcare Facility Regulation: Technical Amendments to the Rules for Long Term Care bill of rights
- #13 Healthcare Facility Regulation: Technical Amendments to the Rules for Private Home Care Providers
- #14 Medicaid Primary Care and Vaccine Administration Rate Increase-Public Notice

#15 Governor's Budget Presentation

#16 State Health Benefit Plan Employer/Teacher Contribution Rates; Resolution

#17 State Health Benefit Plan Employer Contribution Rates; Resolution

#18 OPEB Update