

Arkansas State Board of Health
Quarterly Meeting
April 23, 2009

MEMBERS PRESENT:

Glen Eddie Bryant, MD, President
Paul K. Halverson, DrPH, Secretary/Director
Lawrence Braden, MD
Clark Fincher, MD
Larry Fritchman, DVM
George Harper, JD
Anthony Hui, MD
Susan Ward Jones, MD
Tom Jones
Karen Konarski-Hart, DC
Marvin Leibovich, MD
Lynda Lehing
John Page, PD
Donald Phelan
Jack Porter, DDS
Russ Sword, FACHE
Joseph Thompson, MD
Rev. Dwight Townsend
P.J. Walker, RN, MSN
Anika Whitfield, DPM
Terry Yamauchi, MD

MEMBERS ABSENT:

Alan Fortenberry, PE
William Lagaly, DO
Patricia Westfall, OD

GUESTS:

Charles McGrew, ADH
Donnie Smith, ADH
Rick Hogan, ADH
Reginald Rogers, ADH
Robert Brech, ADH
Jodiane Tritt, ADH
Randy Lee, ADH
Ann Wright, ADH
Martin Nutt, ADH
Terry Paul, ADH
Dr. James Phillips, ADH
Bernard Bevill, ADH
Robert Hart, ADH
Terry Brumbelow, ADH
Scottie Burchett, Pulaski Tech
Milton Garris, Cabot Health Unit
Sheila Caudle, Cosmetology
Susan Burrough, Cosmetology
Karen Davis, City of Cabot
Bill Shepherd, ASCA
Connie Johnson, ADH

Arkansas State Board of Health Quarterly Meeting

The Quarterly Meeting of the Arkansas State Board of Health was held on Thursday, April 23, 2009, in the Hughes Conference Room at the Freeway Medical Building in Little Rock, Arkansas. President Eddie Bryant called the meeting to order at approximately 10:00 am.

President Bryant and Dr. Halverson both welcomed the two new board members in attendance today, Dr. Clark Fincher and Rev. Dwight Townsend.

APPROVAL OF MINUTES

President Bryant called for the approval of the minutes from the January 22, 2009, meeting. Dr. John Page made the motion to approve the minutes. Mr. Don Phelan seconded the motion and the motion carried.

President Bryant then called for the approval of the minutes from the special meeting that was called on March 11, 2009, to discuss the All Seasons Mobile Home Park in Hot Springs. Dr. Jack Porter made the motion to approve the minutes. Dr. Page seconded the motion and the motion carried.

OLD BUSINESS

Dr. Paul Halverson stated that there was no old business on the agenda; however, he wanted to report that the request of information made at the January Board of Health meeting regarding midwives would be presented at the July meeting.

NEW BUSINESS

Arkansas Drinking Water and Operators Licensing Committee Appointment

Mr. Martin Nutt, Water Officer Certification Officer, stated that Act 333 of 1957 established the Arkansas Drinking Advisory and Operator Licensing Committee. As reported in the information, this year's appointment is for the consulting engineer position. Four nominations were received from the organizations that represent the water operator industry groups. President Bryant stated that all of the nominees were well qualified. A motion was made to select Mr. Mathew Dunn to serve as the consulting engineer on this committee. The motion was seconded and the motion carried. Mr. Nutt stated that he would inform Mr. Dunn of his selection to serve on the Arkansas Drinking Water and Operators Licensing Committee.

Local Grant Trust Fund Recommendations

Mr. Terry Brumbelow reported that the Local Grant Trust Fund (LGTF) Committee met on March 25 and asked to submit two recommendations for the Board's approval. The first recommendation was for a minor grant of \$4,051.25 for the Pulaski County North Little Rock facility for remodeling of the waiting area to provide privacy and wheelchair accessibility. The second recommendation was for \$324,911 in additional funds for

Lonoke County Cabot for construction of a new facility. Mr. Brumbelow distributed a drawing of the proposed facility, which would be constructed in downtown Cabot.

Dr. Halverson stated that he had the pleasure of meeting with the Lonoke County Judge and the Cabot Mayor and visited the proposed site donated by the City of Cabot. He said that the City of Cabot was very proud to have the health unit be a prominent part of their downtown area and it would be a very attractive site. Dr. Konarski-Hart, Chair of the LGTF Subcommittee, stated that the city and county had worked with the architects to allow for necessary expansion, as well.

Dr. Porter made the motion to approve both of the recommendations for funding. A question was asked whether there was funding available for both projects. Mr. Brumbelow stated that the money was available in the Local Grant Trust Fund. Dr. Page seconded the motion and the motion carried.

The question was asked if this included salaries and was the staff already in place. Mr. Brumbelow reported that this grant only included construction cost. The Department already has staff in place at the old health unit in Cabot. The Department covers the salaries of the staff and the county pays the building expenses such as electricity, water, and other maintenance and operations costs.

Proposed Changes to Immunization Rules and Regulations

Dr. James Phillips, Infectious Disease Branch Chief, reported that a new set of rules and regulations were being distributed due to a legal change in the set included in the Board packets. The changes were a result of the legislative review.

Dr. Phillips reviewed the items listed in the summary of revisions including two minor changes in childcare facilities, six changes in K-12th grade section, and several changes in the college/university section.

There was a discussion regarding the issue of whether there is a relationship between the on-set of autism following immunizations and whether the Department was seeing an increase in illnesses related to the lack of immunizations. Dr. Phillips reported that Arkansas is having the same experience as other parts of the country as more individuals are applying for exception of vaccines or alterations of the required schedule. In 1994, Arkansas changed the exception policy to allow philosophic exemptions rather than just the standard medical exemption. Before the law changed, there were about 500 requests for medical exemptions, but since that time, there has been a steady rise in exemption requests, with about 1500 requests now received per year.

Dr. Terry Yamauchi stated that he has heard some discussions of hospitals requiring proof of immunizations before approval of staff privileges for physicians and questioned whether that was part of the immunization rules. Dr. Phillips stated that those rules would strictly be an individual hospital requirement, not part of the immunization rules and regulations. Mr. Rick Hogan stated he would do some research on this issue.

Mr. Russ Sword made the motion to begin the administrative procedures process for the proposed changes to the immunization rules and regulations. Dr. Marvin Leibovich seconded the motion and the motion carried.

Radiation Control Proposed Rules and Regulation Revisions

Mr. Bernard Bevill, Radiation Control Section, requested the Board's permission to begin the administrative procedure process to revise the Rules and Regulations for Control of Sources of Ionizing Radiation. The proposed changes, which are listed in the summary, relate to radioactive materials. As an Agreement State, Arkansas is expected to have regulations that are compatible with the U.S. Nuclear Regulatory Commission (NRC) regulations and these revisions are needed to achieve compatibility. These changes apply only to radioactive materials, not x-ray.

Dr. Page made the motion to begin the administrative procedures process. Dr. Konarski-Hart seconded the motion and the motion carried.

Proposed Rules and Regulations Pertaining to Drip Dispersal

Mr. Terry Paul, Environmental Health Branch Chief, requested the Board's permission to begin the administration procedure process to revise the Rules and Regulations for drip dispersal systems. Mr. Paul reported that drip dispersal is a type of on-site wastewater system that has a different effluent to the soil than convenient septic systems. The design of the system is highly technical and very intense as These regulations have been in the process for over five years by ADH staff and these regulations were written by a staff member who has traveled to Tennessee and other places to help him understand drip dispersal.

Mr. Paul reported that drip dispersal is not intended as a substitute for the mechanisms that are currently approved; however, utilizing drip dispersal will require separate regulations due to the fact that it is more difficult and more technical to install than the standard fill line trench. Drip dispersal is similar to some of the in-ground irrigation systems that are currently installed on home lawns. It is an automatic system and only puts out less than a half gallon of effluent per foot per day and also allows for evaporation.

Dr. Joe Thompson asked if the effluent from this system is an eligible effluent to be put in the environment. Mr. Paul stated that this effluent is treated through a high quality pretreatment system prior to discharge. In order for the system to work properly, the effluent must be high quality before it is discharged. These proposed rules and regulations are for individual home systems, not businesses. These systems can already be used by businesses, which are considered industrial systems, but are regulated by the Arkansas Department of Environmental Quality. Mr. Charles McGrew, ADH Deputy Director and Chief Operating Officer, stated that this system is a solution for soil conditions in certain parts of the state where other conventional systems will not work. He believes that the Agency has a very knowledgeable understanding of this system.

These systems must be monitored four times per year by a licensed company. This data is then reported to the Health Department's data base that tracks these systems for compliance. The average homeowner will not install this type of system due to the expense. The agency expects that applications for these systems will come from

individuals who have purchased an expensive lot with plans for an expensive home in an area that the soil doesn't allow for other systems.

Dr. Porter made the motion to begin the administrative procedures process for the proposed rules and regulations pertaining to drip dispersal systems. Dr. Anika Whitfield seconded the motion and the motion carried.

Proposed Revisions to the Rules and Regulations Pertaining to Onsite Wastewater Systems

Mr. Paul requested the Board's permission to begin the administrative procedures process for the proposed revisions to the Rules and Regulations pertaining to Onsite Wastewater Systems. Mr. Paul stated that these revisions include several minor wording changes and five other changes. The first substantive change is found on page 12, section 5.8.2.1., which includes the change from "the installation shall not be covered without approval from the authorized agent" to "within five (5) days, the installer shall certify that the system has been installed pursuant to the approved permit." This wording is verbatim from the enacted legislation. The next change is on page 38 under section 11.6.3.7.3., which includes the change from "each septic tank shall have only one inlet and one outlet" to "tanks with more than one outlet must utilize approved tank penetration seals." Some manufacturers make tanks with side inlets; therefore, this change is being requested to allow for these tanks to be used, ensuring that the outlet has a proper penetration seal so that it will not leak or break. The next change is located on page 39 under section 11.6.5., which is a technical change requiring that an inlet tee extends at least six inches below the liquid level in the tank. The fourth change is located under "DR responsibilities in application submittal" on pages 61-62, which changes the word "alternate" to "secondary" in several places. The final substantive change is located on page 63 under "designated representative site responsibilities," section 2, where an exception was added for flagging secondary sites. Upon approval of the new regulations, secondary sites need not be flagged in one of three conditions: (1) the lot is at least 1.5 acres in size, (2) the slope is less than 10 percent, or (3) the secondary site is clearly acceptable.

Dr. Larry Fritchman stated that he had a question related to the emergency meeting held regarding the malfunctioning system in Garland County. He reported that one of the problems was that no one was able to determine what type of system was originally installed, which illustrates his concern about records for tracking systems. He understood that that system was installed in 1976. Mr. Paul stated the law went into effective in 1977 and that there was not a great deal of coverage in the early years. The majority of sanitarians were not hired until around 1976-1977. Mr. Paul acknowledged that there are few adequate records kept on those systems, but offered that there is now a system in place to keep good records on all systems. He further stated that the agency is currently in the process of looking into how to best keep and be able to retrieve electronic records for onsite wastewater systems.

Dr. Porter questioned whether ADEQ or ADH has jurisdictional responsibility for cleaning up contamination. He further opined that should a public health issue arise, that ADH would have the jurisdiction, regardless of whether an individual system or an industrial system had malfunctioned. He stated that he believes that ADH should anticipate the potential of this problem and address it before an actual occurrence

happens. Dr. Halverson stated that this is an important point and, in fact, the department has had recent conversations regarding this issue. The Arkansas Department of Environmental Quality is also interested in this issue. In addition, Dr. Halverson stated that Charles McGrew represents the department on the Pollution Control and Ecology Commission and is aware of any potential problems. Dr. Halverson stated that this important issue had also been discussed as a topic for the upcoming Board workshop in October to explain the overlap and the role of both agencies. Mr. Paul stated that a specific example of collaboration between ADEQ and ADH is the recent request of ADH's Engineering section to assist in underground injection well issues. An underground injection well is where brine water is put back into the ground. ADEQ is doing its part to keep everything under control and it is sending that information to us voluntarily now. Dr. Halverson said that staff from both agencies meet on a regular basis to discuss these types of issues.

Cosmetology Technical Advisory Committee Appointments

Mr. Donnie Smith, Director of the Center for Health Protection, stated that Act 4 of 2009 transferred the State Board of Cosmetology to the State Board of Health and the Arkansas Department of Health and created the Cosmetology Technical Advisory Committee. Act 4 and subsequent Act 381 specified that the Advisory Committee would be comprised of seven members with one member serving as a licensed cosmetologist, one licensed nail technician, one owner of a licensed school of cosmetology or a director of cosmetology at a state-supported school, one licensed aesthetician, and three members representing the cosmetology industry at large. Member terms would be for two years with no member serving more than 10 years. The Advisory Committee will be responsible for providing technical expertise in the cosmetology industry. Mr. Smith handed out a list of the Department's recommendations for the seven member committee. He apologized for the delay in presenting these names to the Board, but stated that he had been waiting on recommendations and suggestions from the industry and legislators as well as their willingness to serve. Geographical location was also taken into consideration so that the entire state would have representation.

Mr. Smith stated that he is requesting the Board's approval of the Department's recommendation for the seven members. Mr. George Harper asked if this Advisory Committee would conduct preliminary hearings related to violations. Mr. Smith stated that the current rules and regulations for the Board of Cosmetology would apply to the Advisory Committee. If someone is found to be in violation and pay his or her fine, then the matter is closed. If the accused doesn't agree with the violation or doesn't pay the fine, then a hearing would be held with the Advisory Committee presiding. If the person appeals the decision of the Advisory Committee, then the matter would come before the Board of Health.

President Bryant asked if the Board of Health would set parameters in the practice of cosmetology. Mr. Smith reported that the Act allowed the existing rules and regulations of Cosmetology to transfer over to the Department of Health. In the future, if changes or additions need to be made, then the Department's administrative rule procedure process would have to be followed, which would bring these to the Board of Health for approval. Currently, each cosmetology facility is inspected twice a year with additional inspections done if a complaint is received.

Trauma System FY2010 Budget

Mr. Smith stated that this request is also a result of new legislation, Act 393 of 2009, creating a trauma system for Arkansas. He thanked the Board for their public support of the Trauma System. He also thanked Dr. Thompson and Dr. Halverson for their support and dedication in helping to get the legislation passed.

Mr. Smith stated that the Act gave the Department of Health the duty of developing a budget for available funds with the advice of the Trauma Advisory Committee and the approval of the Board of Health. Even though the system does not go into effective until July 1, 2009, the Department wanted to be proactive and request that the budget be approved prior to the July 1 deadline so that staff could begin to be put in place and implementation planning could begin on July 1.

The Act appropriated 25 million dollars to the Department for FY2010. Five million of the 25 million dollars is set aside specifically targeted for emergency medical development. One million of the five million was specified to ADH to provide grants for the Arkansas Department of Education to purchase AEDs for schools. The remaining 20 million dollars is ongoing with an appropriation of 28 million for FY2011. Mr. Smith stated that the budget presented in the packet represents months of work and has been reviewed and discussed with the Trauma Advisory Committee as well as by legislative committees. At the Trauma Advisory Committee (TAC) on April 9, 2009, the TAC voted unanimously to approve the budget. Mr. Smith stated that the next step is for Board of Health approval.

Dr. Leibovich stated that he has supported the trauma system for many years, but he has a concern regarding the budget. He stated that this budget is very long on ideas, but very short on specifics. He stated that he didn't believe it was being responsible to approve such a large budget with so much of it unaccounted for. He stated that he and three others wrote a grant several years ago to get a trauma registry system and \$500,000 was received, but Arkansans still don't have a trauma registry. Where has that money gone? Now there is money for yet another trauma registry and he is being asked to approve the budget.

Dr. Leibovich stated that he would like to make the motion to table this budget request until the next Board meeting so that the Department can provide a more detailed budget explanation. Mr. Sword seconded the motion.

Mr. Harper asked if the Board of Health actually approves the budget. Mr. Smith stated that the wording in the legislation states that the Department will develop the budget with the advice from the Trauma Advisory Committee and with the approval of the Board of Health.

Mr. Smith stated that he understood the concerns, but the implementation of the trauma system would have to be delayed until a budget is approved. For example, work that might occur from now until the next meeting, such as software purchase or getting staff in place, would have to be put on hold. Also, ADH has the plan in place to request information from the hospitals regarding a letter of intent and application to become a trauma center. Its hope was to release this letter in early May with the application deadline set for July 1.

Dr. Halverson stated that he was not at the department when the grant in question was received so he cannot address that issue; however, he can speak for the current budget in question. He stated that the department has worked diligently on this budget and there are many details in place, which the department would be happy to finish to the Board members. He stated that this is somewhat unprecedented issue because the Board of Health does not have budgetary authority on any other matter. It was the intent to create a place in government where there is a concurrence that represents the amalgamation of interest between the medical society, hospital association, emergency medical services, and other parties. Dr. Halverson stated again that the department would be happy to furnish the detailed budget to the Board members. He stated that Governor Beebe has actually advanced monies for the support of the registry and the department is moving forward in an emergency manner to actually purchase the registry software. Funding in the budget presenting today is actually for staff to work in the registry. He stated that he could assure the Board that Mr. McGrew, Mary Leath, Deputy Director of Finance, Mr. Smith and himself are very much vested in the budget process on a day to day basis making sure that every dollar spent so far has been spent wisely in according with the plan. He stated that he hated to stop this process even one day and that the detail could be presented as early as tomorrow.

Dr. Terry Yamauchi stated that with all respect to the leadership of the department, he still supported Dr. Leibovich's request to table this issue until another time. He stated that he didn't understand why the delay in approval would put a hold on the department due to the fact that work is currently being done without a budget.

Dr. Halverson stated that part of the problem is because this is an unprecedented issue and the department did not know what level of detail the Board members would want. Dr. Leibovich stated, with all respect, that if the department had a more detailed budget and needed the Board's approval, he believes that it would have been very reasonable for the Board to have been furnished that detailed information. There are 500 pages regarding the Radiation changes, but the Board was only furnished a one page budget involving 25 million dollars that he was unable to understand. He believes that the Board has a responsibility to the Governor and the citizens of the state of Arkansas to exercise their fiduciary responsibility to ensure that this is the right way to see the money spent.

Mr. Sword stated that he had seconded the motion to table this budget, but he would like to amend the motion to have a special called meeting where a detailed budget could be discussed. He didn't recommend a meeting tomorrow due to the fact that that wouldn't give anyone time to review a detail budget and didn't think that most members could rearrange their schedules on such short notice. One of his questions would be the dollars laid out for each hospital – does this mean that we would have one level one hospital that would receive one million dollars or three level one hospitals that would each receive one million each? The same question would be asked at each level.

Dr. Porter asked if it was possible to release part of the money so the department wouldn't run into the problems mentioned by the delay. He was just wondering if a balance could be reached. Dr. Leibovich stated that after listening to the discussion, he agrees that a special board meeting could be held to discuss the detailed budget, but doesn't believe that it should be handled by a conference call. He stated that he would like to amend his motion to have a special called board meeting to discuss the budget instead of discussing it at the next regular Board meeting. There was a second to the motion.

Dr. Halverson asked if the Board would agree to allow the department to continue with the plans until the budget could be approved. He stated that he would assure the members that these funds would be minimal compared to the overall budget. He asked for preliminary approval of these target amounts prior to the approval of the detailed budget. Dr. Halverson stated that he would ensure that no dollar would be spent that was not absolutely necessary to impede progress.

After much discussion, President Bryant stated that the motion on the table was to postpone the approval of the budget for one week until a more detailed budget could be provided and reviewed. There was discussion that if this motion fails, that certain funds would be released and have a more detailed budget presented later. So the vote was whether or not to postpone the budget in question for one week. A show of hands was taken and there were ten in favor of postponing for one week, eight against, and one abstaining. President Bryant asked for some discretion in the one-week timeframe, not necessarily seven days. Discussion ensued over the one-week timeframe. Dr. Halverson made the motion to have the meeting in one week or as soon as a quorum could be ensured. Dr. Leibovich seconded the motion and the motion carried. President Bryant made the suggestion to have the meeting later in the day so that the members wouldn't have to rearrange their entire day.

OTHER BUSINESS

County Health Officer Recommendation for Pulaski County

Mr. Rick Hogan, Chief Legal Counsel, stated that it was his honor today to recommend, based upon a letter of confirmation from Pulaski County Judge Buddy Villines and the Pulaski County Health Unit, that Dr. David Bourne be appointed as the Pulaski County Health Officer. Mr. Hogan stated that most of the Board members were familiar with Dr. Bourne, who was a staff member of the Department for many years and has a passion for public health. Dr. Bourne was very instrumental in helping with the smoke-free environment at both the Health Department and in restaurants in Little Rock.

Mr. Hogan stated that he was happy to report due to the good work of Dr. Joe Bates and others, that the antiquated language in the county health officers' responsibilities has been amended to bring the requirements of the county health officers in line with their current duties.

Mr. Harper made the motion to appoint Dr. Bourne as the Pulaski County Health Officer. Ms. P.J. Walker seconded the motion and the motion carried.

Emergency Rulemaking Request to Repeal Arkansas's Turtle Collection Law

Mr. Hogan stated that a petition for emergency rulemaking to immediately ban commercial harvesting and consumption of freshwater turtles due to public health concerns. The legal section has worked closely with the Game and Fish Commission on this issue, who voted on March 26, 2009, to deny the petition for an emergency ban. Based upon the decision of the Game and Fish Commission and the information provided to us by the Department of Environmental Quality, the Department of Health found that there was insufficient scientific data to warrant recommendation for an

emergency rule or ban based on chemical exposure. However, to allow both opinions to be voiced, Mr. Bill Shepherd, who requested the emergency ban, would like to address the Board.

President Bryant asked about the current policy of the collection of turtles for human consumption. Mr. Hogan stated that the Game and Fish Commission had been monitoring the commercial activities on fish and turtles quite extensively over the last three years and that the current set of rules governing turtles went into effect in January 2009. The Commission felt that these regulations were current and did not deem it necessary to recommend an emergency ban in Arkansas. President Bryant asked for clarification of the roles of the Health Department, and more specifically, of the Board of Health in this matter. Dr. Halverson stated that in order to override the Games and Fish Commission's ruling, ADH would have to declare an imminent health threat. Dr. Porter asked if there were commercial turtle harvesters in Arkansas. Mr. Hogan stated that the majority of the turtles harvested in Arkansas are shipped to other parts of the country, mainly overseas. The turtle consumption in Arkansas is usually limited to the turtle legs, but overseas the entire turtle is consumed.

Mr. Shepherd stated that he represented the Center for Food Safety, the Center for Biological Diversity, and the Audubon Society of Central Arkansas. Last month, a request was submitted to both the Game and Fish Commission and the Department of Health for an emergency ban to repeal commercial harvest of all freshwater turtles based upon the evidence supplied.

He would request again today that the Board adopt a rule banning commercial harvest of freshwater turtles until the Department has performed a bioaccumulation study of wild turtles that are harvested in Arkansas. The Department of Health has a duty to protect the health of all people. In Arkansas, all agencies have an obligation to commend rule making to protect public health. The Department of Health issues fish consumption advisories and, by the same token, the Department should also prohibited consumption of contaminated turtles in Arkansas.

Mr. Shepherd stated that more than 30 citations were provided that suggest that wild-caught turtles captured in both public and private waters where highly contaminated and posed a serious health risk to the people that eat turtles. This evidence warrants immediate closure of turtle harvest which started last month in Arkansas and ban turtle export. Mr. Shepherd stated that, next week, more than one thousand pounds of wild caught turtles are scheduled to be exported as food from Little Rock to China. While most wild caught turtles are shipped overseas to China and other parts of Asia, some of them are shipped to Asian food markets here in the United States, such as San Francisco, Houston, and New York. Turtle farms in Arkansas ship to other states, such as Louisiana. Unlike only turtle dishes in the United States, which uses only the turtle meat, Asian dishes include the turtle shell, organs, and skeleton. The concern is not about people getting food poisoning, but a matter of compromised central nervous systems and developmental defects in children that receive the contaminate in their mother's womb.

Mr. Shepherd again asked the Board to ban the commercial harvest of freshwater turtles and the export for human consumption.

Dr. Fritchman stated that Mr. Shepherd had stated that the Federal Wildlife Services and the EPA have both done studies, but it is the FDA that controls international shipping of this meat. He asked Mr. Shepherd if the FDA has taken any steps to ban or

control this issue. Mr. Shepherd stated that to his knowledge no federal or state agencies have taken the responsibility for this exporting of poisons for human consumption. Dr. Fritchman asked if there was data on adverse reaction to humans. Mr. Shepherd said yes there were data. Dr. Fritchman asked how many adverse reactions were on record. Mr. Shepherd stated that he could not answer that off hand.

Dr. Leibovich stated that he would make the motion to accept this report as information only. Mr. Harper seconded the motion and the motion carried

PRESIDENT'S REPORT

President Bryant stated that he felt that this was a very good meeting with very interesting topics being discussed. He stated that he realized the Department staff was disappointed with the decision to delay the approval of the trauma budget, but feels that everyone will be more comfortable approving a more detailed budget when it is presented.

DIRECTOR'S REPORT

Dr. Halverson stated that the Department looks forward to presenting the detailed budget for the trauma system. He also thanked the Board for their indulgence in this unprecedented issue.

Dr. Halverson reported that he would like to ask Mr. Reginald Rogers, Deputy Legal Counsel, to give an update on the All-Seasons Mobile Home Park issue. Mr. Rogers stated that the department has confirmation that all of the residents of the mobile home park are out of the facility. Environmental health specialists are making regular weekly trips to the area to ensure that the area is not being inhabited. Signage has been posted at the park stating that it has been closed. Mr. Rogers reported that it is listed on a website as a possible vacation site for those who like to fish and he hopes that vacationers from out of state will not visit the area. Also, the orders were sent to Mr. Santamaria at his last known address and on Tuesday, the agency received it back unclaimed. Mr. Santamaria did not appear to circuit court so the department will continue with the collection of the fine that was imposed by the Board. The Department feels that because the site has no inhabitants, it is basically safe at this point and poses no public health threat at this time. He thanked the engineering staff and the Center for Local Public Health environmental health specialists.

Dr. Halverson acknowledged and thanked the Board for their support and leadership in the legislative session. He thanked Dr. Joe Thompson for his leadership and stated that it was a pleasure to work with him during the session. Dr. Halverson also thanked Charles McGrew, Deputy Director and Chief Operating Officer, along with Jodiane Tritt and Mary Leath for their active participation in the legislative session. Dr. Halverson also commended Donnie Smith for his work during the session dealing with injury prevention including the trauma system legislation. He recognized the leadership of Governor Beebe and the members of the legislature for the passage of the tobacco tax, which will have a significant impact on the health of our citizens, particularly for our young people. In addition to the tobacco impact, there are many other health programs made possible by the increase in the tax. There is now legislation that provides for funding for our community health centers that play an important part in the health care in Arkansas. The department is now working with them to develop a procurement strategy for being

able to provide support to them. He acknowledged the work of Board member, Dr. Susan Jones, who heads up the community health center in West Memphis.

Dr. Halverson reported other important legislation from the session, such as the graduated driver's license and stated that he believes that these restrictions will have an important lifesaving effect for our youth. Another very important passage for injury prevention was the primary seat belt law. He again thanked Jodiane Tritt, our legislative liaison, who was instrumental in educating policy makers about the importance of these activities. Hopefully, at the Board retreat in October, a more comprehensive review of the acts that were passed in the last session can be provided. As the State's Health Officer, he believes that the activity of this session was tremendous for the health of Arkansas.

There was also legislation that the department was opposed to, such as the sale of raw milk. There are times that the department has to stand up against issues that affect the health of our state.

Dr. Halverson acknowledged receipt today of the resignation of Board member, Russ Sword, who will be retiring from his position as hospital administrator. This will be his last regular meeting, but we will look forward to having him attend the special meeting to discuss the trauma budget. Dr. Halverson thanked him for his service to the Board and the State of Arkansas.

Dr. Anthony Hui stated that he apologized for being late and not being present during the approval of the minutes, but he had one minor change to the minutes of the Special Called Emergency meeting on March 11. He was listed as attending in person, but he participated via conference call.

With no further business, the meeting was adjourned.