

**MINUTES OF THE QUARTERLY MEETING  
ARKANSAS STATE BOARD OF HEALTH  
OCTOBER 22, 2020**

**MEMBERS PRESENT**

Phillip Gilmore, PhD, President  
Balan Nair, MD, Present-Elect  
José Romero, MD, FAAP, FIDSA, FPIDS,  
FAAAS, Secretary of Health  
Greg Bledsoe, MD, Surgeon General  
James Zini, DO  
Marsha Boss, PD  
Dwayne Daniels, MD  
Clay Waliski  
Catherine Tapp, MPH  
Susan Weinstein, DVM  
Thomas Jones, RS  
Mike Riddell, MD  
Donald Ragland  
Terry Yamauchi, MD  
Stephanie Barnes-Beerman  
Eddie Bryant, MD  
Brad Erney, DMD, PLC  
Melissa Faulkenberry, DC  
Anthony Hui, MD  
David Kiessling, DPM

**GUESTS PRESENT**

Stephanie Williams, ADH, Chief of Staff  
Laura Shue, ADH, General Counsel  
Reginald Rogers, ADH, Deputy General Counsel  
Connie Melton, ADH, Center Director,  
Center for Health Protection  
Jennifer Dillaha, Medical Director, Immunizations  
Appathurai Balamurugan, MD, DrPH, ADH,  
Deputy Chief Medical Officer  
Renee Mallory, ADH, Deputy Director, Public Health  
Namvar Zohoori, MD, Chief Science Officer  
Shane David, ADH, Section Chief, Pharmacy Services  
Cristy Sellers, ADH, Center Director, Health Advancement  
Mallory Jayroe, ADH, CPHP Epidemiology  
Brian Nichols, ADH, Administrative Law Judge  
Brooks White, ADH, Administrative Law Judge  
Tressa Williams, ADH, Legal  
Michael St. Clair, ADH, Legal  
Bradey Chambers, ADH, Legal  
Aisosa Osaretin, ADH, Legal  
Joel Tumilson, Physician Specialist, Family Health

**MEMBERS ABSENT**

Perry Amerine, OD  
Lane Crider, PE  
Vanessa Falwell, ARPN  
Darren Flamik, MD

**MINUTES OF THE ARKANSAS STATE BOARD OF HEALTH MEETING**

The quarterly meeting of the Arkansas State Board of Health was held on Thursday, October 22, 2020, in the Charles Hughes Board Room of the Freeway Medical Building in Little Rock, Arkansas. Due to the Department of Health's directive on social distancing attributable to COVID-19, many of the Board of Health members and attendees attended via teleconference.

**CALL TO ORDER**

Dr. Phillip Gilmore, President, called the meeting to order at approximately 10:00 a.m. and asked for a roll call. General Counsel Laura Shue conducted the roll call.

## **APPROVAL OF MINUTES**

Dr. Mike Riddell moved, and Dr. Dwayne Daniels seconded that the minutes of the July 23, 2020, quarterly meeting be accepted. Motion carried by unanimous vote.

## **OLD BUSINESS**

### ***Litigation Update***

Reginald Rogers, Deputy General Counsel, gave a short update on litigation matters.

In the matter of *Sullivan, et al. v. Romero, et al.*, briefs were filed, and an oral argument was held before a circuit court judge. The judge ruled from the bench and dismissed the case. The case is expected to be appealed.

Mr. Rogers also gave a brief update on the Little Rock Family Planning Clinic and abortion clinics case, which involves three abortion laws. The Plaintiff facilities are asking that the laws be rendered unconstitutional. The court initially stopped the enforcement of any of the laws. This matter is still pending.

Dr. Terry Yamauchi asked whether the case against Dr. Romero and the Governor will likely end up in the Supreme Court. Mr. Rogers stated it is pending litigation and since the meeting is an open forum, he is not allowed to comment on the case.

### ***Rules Update***

Ms. Shue gave an update on pending Board of Health rules. Most of the rules are at the end of the Administrative Procedure Act process and some are awaiting legislative approval. These rules were promulgated to implement 2019 acts, which have been passed by the Legislature.

## **NEW BUSINESS**

### ***Approval of Dr. José Romero as Secretary of Health***

Mr. Rogers presented a summary of the actions taken by the Governor on Dr. Romero's role in the Department of Health and his appointment as the interim to the permanent Secretary of Health. Dr. Yamauchi moved, and Dr. Anthony Hui seconded to approve Dr. José Romero as Secretary of Health. Dr. Romero lodged a vote of abstention. Motion carried unanimously.

### ***Board of Health and Department of Health Directives***

Ms. Shue presented the latest directives for ratification by the Board. Dr. Balan Nair moved and Tom Jones seconded to ratify the Health directives issued during the public health emergency. Motion carried unanimously.

## ***Governor's Executive Orders***

Ms. Shue presented the Governor's Executive Orders 20-45 and 20-48 for review by the Board.

### ***List of Controlled Substances, Proposed Amendments***

Shane David, Pharm.D, Pharmacy Services Section Chief, presented ADH's proposed amendments to the list of controlled substances. Dr. Hui asked if the list of controlled substances matches those at the federal level and if not, what is the process for doing that at the state level? Mr. David stated the Arkansas list generally mirrors the DEA; however, some of the substances are listed separately under Schedule VI, which differs from the federal schedules.

Dr. Riddell moved and Dr. Daniels seconded to approve the proposed amendments to the list of controlled substances.

### ***Arkansas Central Cancer Registry Data Requests***

Mallory Jayroe, Cancer Epidemiologist, presented three North American Association of Central Cancer Registry studies for approval. Dr. Nair stated that the Cancer Subcommittee has met regarding these studies and felt them to be legitimate lines of inquiry.

Dr. Riddell asked if the requests had gone through the appropriate approval process. Ms. Jayroe stated they have been reviewed by the Executive Committee and Dr. Zohoori was present.

Dr. Nair moved and Dr. Riddell seconded to approve the Arkansas Central Cancer Registry data requests. Motion carried unanimously.

### ***County Health Officer Appointment for Pike County***

Dr. Namvar Zohoori, Chief Science Officer, presented to request approval of Dr. Matthew Hulseley for appointment of County Health Officer for Pike County.

Dr. Riddell asked if Dr. Hulseley had proof of medical malpractice insurance. Dr. Zohoori stated this is not normally included in the packet; however, he will verify that before final approval.

Dr. James Zini moved and Dr. Brad Erney seconded approval of Dr. Matthew Hulseley as County Health Officer for Pike County.

## **OTHER BUSINESS**

### ***Administrative Updates***

Renee Mallory, Deputy Director of Programs, presented to give an update on COVID from Dr. Dillaha, Dr. Tumilson, and Dr. Zohoori.

Dr. Jennifer Dillaha, State Epidemiologist and Medical Director for Immunizations and Outbreak Response, presented on the development of our state COVID-19 vaccination plan. The plan is based on a template received from the CDC. The plan is on ADH website and comments can be made by the public. She encouraged Board Members to review the plan and give input and comments.

Dr. Dillaha reported there are a lot of people reluctant to taking the vaccine. A group has been formed around communication and outreach to address those concerns and provide opportunities for people to get factual and accurate information and develop trust with the vaccination providers.

Dr. Joel Tumilson, Physician Specialist, Family Health, presented on how K-12 schools handle COVID cases and instances of possible exposure. Every school district has appointed a point of contact as their lead COVID person with the Department of Health and the Department of Education. There is a combined hotline at the Department of Health with both departments working together to answer calls from school districts regarding COVID cases. This process has been improved by creating a portal for web-based submissions.

Dr. Tumilson reported there has been limited transmission in classrooms and that guidance is given to teachers on the importance of seating charts in order to track cases.

Dr. Namvar Zohoori reported on higher education campuses. There is a point of contact on every campus. He stated that contract tracing on these campuses' mirrors that of the K-12 program.

Ms. Mallory reported on various machines and methods of COVID testing capability.

### **TERM EXPIRATION AND RECOGNITION OF BOARD OF HEALTH MEMBERS**

Mr. Rogers reported on several board members whose terms will expire on December 31, 2020, and all have expressed interest in remaining on the board except Catherine Tapp and Thomas Jones. Ms. Tapp stated she has been honored to serve. Mr. Jones reported that the Governor had appointed him to the Marine Sanitation Advisory Committee.

Mr. Rogers thanked all for their Board of Health service and stated those whose terms are expiring normally are carried over.

### **PRESIDENT'S REPORT**

Dr. Gilmore, on behalf of the Board of Health members, thanked the leadership team of the Health Department.

### **SECRETARY'S REPORT**

Dr. Romero echoed the sentiments of Dr. Gilmore regarding ADH leadership. He thanked the Board of Health for the work they are doing.

Dr. Romero talked about testing and that the ADH lab has been likened to a small commercial lab.

Dr. Romero reported on moving forward with IT infrastructure, which would establish electronic links to get testing and vaccine information to and from the Health Department. Dr. Romero spoke about revamping and bringing on new information management systems and the COVID vaccine delivery systems. He expects that a vaccine will be available sometime in the next 6 – 8 weeks, and added that safety has been the highest concern throughout the development of the vaccines.

Dr. Romero emphasized that the Health Department continues to do other things in the way of chronic health issues, maternal and infant health, and neonatal screening. He added that the overall health of the citizens of Arkansas is not being neglected.

Dr. Romero thanked the Board for their vote of confidence and stated he is humbled by the support he has been given.

Flyers were distributed concerning the Drug Takeback Day.

The meeting adjourned at 11:40 a.m.

  
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José R. Romero, M.D., FAAP, FIDSA, FPIDS, FAAAS  
Secretary of Health

