

**MINUTES OF THE QUARTERLY MEETING  
ARKANSAS STATE BOARD OF HEALTH  
October 27, 2022**

**MEMBERS PRESENT**

Lane Crider, PE, President  
Mike Riddell, MD, President-Elect  
Renee Mallory, Secretary  
Greg Bledsoe, MD, Surgeon General  
Loy Bailey, RS  
Marsha Boss, PD  
Mellie Bridewell  
Eddie Bryant, MD  
Dwayne Daniels, MD  
Brad Erney, MD  
Melissa Faulkenberry, DC  
Phillip Gilmore, PhD, MS, MHA  
Anthony Hui, MD  
David Kiessling, MD  
Balan Nair, MD  
Donald Ragland  
Clay Waliski  
Susan Weinstein, DVM  
James Zini, DO

**MEMBERS ABSENT**

Perry Amerine, OD  
Stephanie Barnes  
Vanessa Falwell  
Darren Flamik, MD  
Terry Yamauchi, MD (excused)

**GUESTS PRESENT**

Dr. Bala Simon, ADH, Deputy Chief Medical Officer  
Dr. Mike Cima, ADH, State Epidemiologist  
Don Adams, ADH, Chief of Staff  
Cassie Cochran, ADH, Deputy Director for Public Health Programs  
Dr. Naveen Patil, ADH, Deputy State Health Officer  
Dr. Joseph Bates, Senior Public Health Advisor  
Jo Thompson, ADH, Chief Financial Officer  
Dr. William Greenfield, ADH, Senior Physician Specialist  
Dr. Chychy Smith, ADH, Director, Office of Health Disparities Elimination  
Dr. Rachel Sizemore, ADH, Director, Office of Oral Health  
Dr. Srinivas Gokarakonda, ADH, Medical Director, PDMP Prescription Drug Monitoring Program  
Cristy Sellers, ADH, Director, Center for Health Advancement  
Connie Melton, ADH, Director, Center for Health Protection  
Shirley Louie, ADH, Nuclear/Radiological and Environmental Liaison Officer  
Sherian Kwanisai, ADH, Director, Center for Local Public Health  
Laura Shue, ADH, General Counsel  
Reginald Rogers, ADH, Deputy General Counsel  
Matt Gilmore, ADH, Coordinator, Boards and Commissions  
Kelli Kersey, ADH, Director, Cosmetology Board  
Shelly Matthews, ADH, Women's Health Program Nurse Facilitator  
Derica Mack, ADH, Women's Health Section Chief  
Ric Mayhan, ADH, Environmental Health Manager  
Lucy Im, ADH, Epidemiology Supervisor  
Alex Hooper, ADH Branch Manager  
Chuck Thompson, ADH, Managing Attorney  
Brian Nichols, ADH, Attorney  
S. Craig Smith, ADH, Attorney  
Marci Middleton-Yates, ADH, CHP Personnel Coordinator  
Meg Mirivel, ADH, Director of Communications  
Haley Ortiz, ADH, Health Policy Director  
Mike Wilson, ADH, EOC Technical Manager  
Kris Richardson, ADH, Executive Assistant to Chief of Staff  
Michael St. Clair, ADH, Law Clerk-Legal  
Tressa Williams, ADH, Legal Services Specialist  
Catherine Shoshone, ADH, Law Clerk-Legal  
Sloane Stine

The quarterly meeting of the Arkansas State Board of Health was held on Thursday, October 27, 2022, in the Joseph H. Bates Auditorium of the Arkansas Department of Health.

### **CALL TO ORDER**

Mr. Lane Crider, President, called the meeting to order at approximately 10:00 a.m. and asked for a roll call. Ms. Laura Shue, ADH General Counsel, conducted the roll call.

### **APPROVAL OF MINUTES**

Dr. Susan Weinstein moved, and Dr. James Zini seconded, that the Minutes of the July 28, 2022, Quarterly Meeting be approved. Motion passed by unanimous vote.

### **OLD BUSINESS**

#### *Danny Clark v. Board of Health*

Ms. Shue stated this case involved a water operator that falsified documents. A favorable ruling was granted on September 19, 2022, where the circuit court judge upheld the administrative decision of the Board of Health. Mr. Clark and his attorney immediately filed an appeal. An order was entered on October 13, 2022, staying the proceeding which means Mr. Clark can continue to provide services during the appeal.

#### *Nominating Committee*

Mr. Crider reminded the Board that the revised bylaws were recently adopted. The Nominating Committee shall bring a selection before the Board for the next President-Elect. The deadline for those submissions is today. The next nominee will be a non-MD.

#### *Committees*

Mr. Crider stated there are other committees for consideration and participation.

### **NEW BUSINESS**

#### *2019-2021 LLM Data Summary Report*

Ms. Shelly Matthews, ADH Women's Health Program Nurse Facilitator, presented the 2019-2021 Arkansas Licensed Lay Midwife Data Summary Report for the Board's review. Dr. Nair asked if a perinatal death occurred after the client was transferred to a hospital, does that count in this data or the hospital's data. Ms. Matthews replied that it counts in the LLM data.

#### *Leigh Anne Warriner Massage Therapy Technical Advisory Committee Appointment*

Ms. Kelli Kersey, ADH, Director, Cosmetology Board asked for approval for Leigh Anne Warriner as a replacement to the Massage Therapy Technical Advisory Committee. Dr. Hui moved, and Dr. Nair seconded the approval of appointment. Motion passed by unanimous vote.

*Rules Governing Medical Marijuana Registration, Testing, and Labeling*

Mr. Alex Hooper, ADH, Branch Manager for Personal Care Services, presented the summary of proposed amendment to the rules governing medical marijuana registration, testing, and labeling. Dr. Weinstein asked are the laboratories only doing marijuana testing or other things. Mr. Hooper stated they are not limited to only marijuana testing. Dr. Weinstein asked who approves them as a marijuana testing facility. Mr. Hooper stated ADH approves them, but their accreditation agency certifies them. Dr. Weinstein asked who follows up if there is an accusation that the laboratory is falsifying the results. Mr. Hooper stated those incidents are reported to their accreditation agency and they begin an investigation and report back to the Department.

Mr. Clay Waliski asked where the Department of Health steps in versus the ABC as it pertains to medical marijuana. Mr. Chuck Thompson, ADH attorney, stated that Amendment 98 lays out exactly who does what and their authority. ADH has authority over only patient registry cards, testing and labeling standards, and lab approvals, not licensing approvals. Everything else is ABC or the Medical Marijuana Commission.

Dr. Greg Bledsoe asked has the Department looked at the amendment on the ballot for recreational marijuana and what might change as far as regulation for instance, the THC content or other oversight for marijuana if the amendment passes. Mr. Thompson stated the amendment does not do anything when it comes to what ADH's regulatory authority is in Amendment 98 for medicinal use of marijuana.

Dr. James Zini asked how is it that clinics that request medical records of their patients' primary care physician qualify as meeting the requirement of a physician-patient relationship. Mr. Thompson stated the rules are based on ADH trying to ensure that it is in accord with the Medical Board rules. That would be a Medical Board determination.

Dr. Weinstein moved, and Dr. Erney seconded that the rules be approved as presented. Motion passed. Mr. Waliski abstained.

*Committee of Plumbing Examiner's Nominee for Consumer Representative Betty Burleson*

Mr. Ric Mayhan, ADH Environmental Health Manager, presented Betty Burleson for approval to the Committee of Plumbing Examiner's Consumer Representative position. Dr. Zini moved, and Dr. Hui seconded the nomination as presented. Motion passed by unanimous vote.

*Committee of Plumbing Examiner's Nominee for Master Plumber Representative Greg Brasher*

Mr. Mayhan presented Greg Brasher for approval to the Committee of Plumbing Examiner's Master Plumbing Representative position. Mr. Donald Ragland moved, and Dr. Zini seconded the nomination as presented. Motion passed by unanimous vote.

*Appointment of County Health Officer for Lee County*

Ms. Cassie Cochran, ADH Deputy Director for Public Health Programs, presented Dr. James T. Meredith for appointment for County Health Officer in Lee County. Dr. Mike Riddell moved, and Dr. Dwayne Daniels seconded the appointment. Motion passed by unanimous vote.

*Re-appointment of County Health Officer for Bradley County*

Ms. Cochran presented Dr. Michelle Weaver for appointment for County Health Officer for Bradley County. Dr. Phillip Gilmore moved, and Dr. Riddell seconded the appointment. Motion passed by unanimous vote.

**OTHER BUSINESS**

*Administrative Updates*

Mr. Don Adams, ADH Chief of Staff, presented progress on plans to refurbish and expand the main facility. Mr. Adams also gave a report on the County Health Officers meeting held on October 7-9, 2022. He reported a structural change in the Department with the creation of the Outbreak Prevention and Response Branch. The branch chief is Catherine Waters.

*Centers/Office Updates*


Mr. Donald McCormick, ADH Section Chief for Informatic Section, gave a Power Point presentation on the Informatics Program. The slide presentation will be sent to the Board members.

**PRESIDENT'S REPORT**

Mr. Crider gave information regarding a movement from the Governor's office and Department of Agriculture on providing funding for water infrastructure improvements. He will send a link for the information.

**ADJOURNMENT**

Meeting adjourned at 11:12 a.m.



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Lane Crider, President  
Arkansas State Board of Health