

STATE HEALTH COUNCIL
May 8, 2012

A meeting of the State Health Council was called to order by Chairman Marlene Kouba at 10:00 a.m. on Tuesday, May 8, 2012 in AV Room 212 of the Judicial Wing, State Capitol, Bismarck, ND.

Members present:

Marlene Kouba, Regent, Chairman
Gordon Myerchin, Grand Forks, Vice Chairman
Carmen Toman, Bismarck, Secretary
Howard Anderson, Turtle Lake
Hjalmer Carlson, Minot
Jerry Jurena, Bismarck, *by teleconference*
Lee Larson, Leeds, *by teleconference*
Wade Peterson, Mandan
Dennis Wolf, MD, Dickinson, *by teleconference*

Members absent:

Greg Allen, Jamestown
Mike Jones, Bismarck

Staff members present:

Terry L. Dwelle, State Health Officer
Arvy Smith, Deputy State Health Officer
John Baird, Special Populations Section
Kenan Bullinger, Health Resources Section
Gary Garland, Office of Community Assistance
Dave Glatt, Environmental Health Section
Karalee Harper, Community Health Section
Kirby Kruger, Medical Services Section
Londa Rodahl, Recording Secretary
Brenda Vossler, Emergency Preparedness & Response Section

Others present:

See ATTACHMENT A

Minutes

MS. TOMAN MOVED APPROVAL OF THE FEBRUARY 14, 2012 MINUTES. SECOND BY MR. ANDERSON AND CARRIED.

MR. ANDERSON MOVED APPROVAL OF THE APRIL 9, 2012 MINUTES. SECOND BY MS. TOMAN AND CARRIED.

Septic Tank Law

Dave Glatt briefed the Council on proposed ideas for amendments to the septic tank law and associated rules. With the increased oil activities in western North Dakota, illegal discharges of septic waste have also increased. The current law and rules are outdated for dealing with such discharges. Septic tank pumpers are licensed through the Division of Water Quality. The possibility exists for their licenses to be suspended or put on probation as a result of illegal discharges. The Department will begin work on proposed amendments.

Physician and Dental Loan Repayment Applications

Gary Garland indicated the loan repayment program funds come from a number of sources and one of the significant sources is the Community Health Trust Fund, which is the tobacco settlement money. Four years ago, those dollars were redistributed on how they can be used in the public sector. The interest rates obviously haven't been as high, so the Department anticipates a reduction in the amount of money that's available through the Community Health Trust Fund.

Thus, if there isn't sufficient money to fund all the new individuals coming into the program now, the law allows the Council to approve applications even if there isn't sufficient money available and then to make those payments when money is available. The Department will try to get additional money through other sources, perhaps in the next legislative session. The other option is to quit accepting applications until there is enough money.

Mr. Garland presented the application for Dr. Li Er Loo, who is practicing at Great Plains Women's Health Clinic and has admitting privileges to Mercy Hospital in Williston. She is requesting less than the \$45,000 allowable. Her balance is \$70,000—the state would pay \$35,000 and the community \$35,000.

MR. ANDERSON MOVED APPROVAL OF THE PHYSICIAN LOAN REPAYMENT APPLICATION FOR DR. LI ER LOO IN WILLISTON, ND. SECOND BY MR. CARLSON.

Discussion questioned if there is funding available for all applications to be presented to the Council today. Arvy Smith offered to bring back financial information later today.

MR. MYERCHIN MOVED TO TABLE THE MOTION UNTIL LATER IN THE MEETING WHEN THE COUNCIL WOULD FIND OUT IF FUNDS ARE AVAILABLE. SECOND BY MR. ANDERSON AND CARRIED.

Mr. Garland finished presenting the loan repayment applications while Ms. Smith gathered the financial information. He presented the physician loan repayment application for Dr. Katie O'Brien of Oakes, ND. She requested the entire amount of \$90,000. She accepts Medicaid patients and the Oakes Community Hospital and Clinic agreed to pay half of her award. She has strong letters of recommendation including those from two physician assistants that already received loan repayment awards. He recommended approval of this application.

Mr. Garland presented the dental loan repayment applications. He met last week with Kimberlee Yineman, from the Department's dental health program, and Joe Cichy, ND Dental Association, and they considered all the dental applications and recommended approval of three: Dr. Sterling Stevens, Cavalier; Dr. Jerome Messer, Williston; and Dr. Benjamin Garr, Carrington.

As the result of a tabled decision at the Council's February meeting, Mr. Garland distributed copies of the contract the Department has with a New Salem veterinarian, who questioned his loan repayment if he moved to Glen Ullin. In the contract's Scope of Service, "the contractor agrees to provide full-time veterinary services for a minimum of four years in the community identified in the application as approved by the Health Council and ..." New Salem is the community named in the contract. There is only \$5,000 remaining on his repayment contract. He entered a \$60,000 contract and has been paid \$55,000—15,000 the first year, \$15,000 the second year, and \$25,000 the third year.

MR. PETERSON MOVED THAT IF DR. TRAVIS KUHLKA LEAVES THE NEW SALEM VETERINARY PRACTICE AND MOVES TO GLEN ULLIN BEFORE HIS LOAN REPAYMENT CONTRACT IS COMPLETE, HE WILL NOT RECEIVE THE REMAINING \$5,000 OF THE CONTRACT. SECOND BY MS. TOMAN.

The Chair requested a ROLL CALL vote and the motion CARRIED. Anderson, Carlson, Jurena, Kouba, Larson, Peterson, Toman, and Wolf voted 'aye'. Myerchin voted 'nay'. Allen and Jones—absent.

Department Section Updates

The section updates were presented.

Nursing Shortage

Connie Kalanek, Ph.D., Executive Director of the North Dakota Board of Nursing, noted there are more licensed nurses than ever before in the state. According to their annual report, there are approximately 15,149 individuals—about 11,500 registered nurses, 3600 LPNs, and over 800 advanced practice nurses. Five years ago (2006-2007), there were about 12,700.

The new licenses issued last year: by exam, 557 and by endorsement, 625. They feel they've already met the endorsement numbers for this year and are at 101% of their budget for this year with two months remaining.

The Board has approved 19 nursing programs in the state. They've also approved programs at Concordia and Moorhead because those programs want the state's approval so they have access to clinical sites in North Dakota and that has worked well. In the past, the Board approved other Minnesota programs for that very reason; however, most of those dropped off due to faculty qualifications—they don't meet the faculty qualifications of the nursing programs in North Dakota.

The 2011 legislature tightened the law on the number of out-of-state nursing students coming into North Dakota. The Fargo and Bismarck facilities were becoming inundated with all types of students, not just nursing students, but PTs, OTs, RTs, med students, etc. This resulted in the North Dakota programs being bumped out of the clinical facility because the facilities were maxed out. Therefore, now an out-of-state student practicing nursing as part of a board-recognized program must notify the ND Board of Nursing and must have clinical site availability before the program can be recognized by the Board.

The Board has developed a faculty development program since there is a masters degree preference for faculty. The programs do not have qualified faculty in all areas. Even at the university level, they don't necessarily have doctorate degrees.

Total enrollment last year increased by 212 students, which is about the maximum the programs can take at this time. Overall, the graduates for this year increased by 20.

Patricia Moulton, Ph.D., Executive Director, ND Center for Nursing, presented a nursing needs study. This is the tenth year of the study. It was previously done through the UND Center for Rural Health and is now being done through the Center for Nursing. (See ATTACHMENT B)

State Health Council Budget

The Council had previously requested information on its budget and Arvy Smith presented ATTACHMENT C.

Loan Repayment Programs

Ms. Smith stated that funding for the loan repayment programs is a very complex issue. She felt there was room for more loan repayment contracts to be entered into in the current biennium; however, looking at the individual program categories, there isn't room for more, and some are actually showing a deficit. It depends on the allocation of the reduced revenue. For example, the veterinarian loan repayment program was budgeted mainly from the Community Health Trust Fund (CHTF) and about \$135,000 of general funds. So when allocating the CHTF reduced funding, it takes a bigger portion of it. The result is a \$20,000 deficit. Whereas the medical personnel loan repayment program was heavily general funded and thus takes a smaller portion of the CHTF cut and has about \$3,000 left.

Therefore, the veterinarian loan repayment program may not be able to fund additional loan repayments this biennium. The dental loan repayment program, by not approving today's applications, has a deficit of \$23,000. The dental 'new practice' loan repayment program has \$2,000 remaining. There is \$80,000 remaining in the physician loan repayment program and she recommended approval of the Williston application.

MR. MYERCHIN MOVED TO APPROVE THE PHYSICIAN LOAN REPAYMENT APPLICATION FOR DR. LI ER LOO, IN WILLISTON, FOR THE FULL AMOUNT BEING REQUESTED. SECOND BY MR. PETERSON.

The Chair requested a ROLL CALL vote and the motion CARRIED. Anderson, Carlson, Kouba, Larson, Myerchin, and Peterson voted 'aye'. There were no 'nay' votes. Allen, Jones, Jurena, Toman and Wolf—absent.

Other Business

Ms. Kouba noted that the National Association of Local Boards of Health (NALBOH) will hold their annual meeting in August. She and Kelly Nagel have attended the past two years. Marlene stated she's interested in attending this year's meeting in Atlanta if the Council approves.

MR. ANDERSON MOVED THAT MARLENE KOUBA BE ALLOWED TO ATTEND THE NALBOH ANNUAL CONFERENCE. SECOND AND CARRIED.

Ms. Kouba mentioned that she's aware the Health Department pays dues to the Coalition for Conservation & Environmental Education (C2E2). She has an individual membership and doesn't like what the organization does and would like the Department's involvement stopped. Dr. Dwelle and Arvy will check into this.

Ms. Kouba questioned the Council's wishes about the proposed State Health Council mission statement: *To promote the health and well-being of the citizens of North Dakota and to provide leadership to the ND Department of Health.*

MR. ANDERSON MOVED THAT THE STATE HEALTH COUNCIL ADOPT THE MISSION STATEMENT AS PRINTED IN THE MINUTES. SECOND AND CARRIED.

Further discussion was held on the loan repayment programs.

MR. MYERCHIN MOVED THAT GARY GARLAND BE ASKED TO REVIEW WHAT HAS BEEN GOING ON WITH THE LOAN REPAYMENT PROGRAMS, WHAT THE ISSUES ARE, AND COME BACK TO THE COUNCIL WITH A PROPOSAL AT THE NEXT MEETING. SECOND AND CARRIED.

The meeting adjourned at 2:50 p.m.

Carmen Toman, Secretary

ATTACHMENT B is lengthy.

Contact this office if you want a copy (701-328-2372).

**State Health Council
Comparison of Actual to Current Budget**

	2009-11 Actual	2011-13 Budget	* 2011-13 Expenditures
Salary & Wages	5,724	20,000	3,936
Travel	8,436	15,000	5,521
Miscellaneous (coffee, advertising, tele conference)	148	250	671
Total	14,308	35,250	10,128

* Through March 31, 2012