

S.C. Board of Health and Environmental Control

September 8, 2011

The S.C. Board of Health and Environmental Control met on Thursday, September 8, 2011, at 10:00 a.m. in the S.C. Department of Health and Environmental Control Board Room, 2600 Bull Street, Columbia, S.C. (Attachment 0-1)

The following members were in attendance:

- Allen Amsler, Chairman
Member-at-large
- Mark S. Lutz, Vice-Chairman
1st District
- R. Kenyon Wells
2nd District
- L. Clarence Batts
4th District
- Ann B. Kirol, DDS
5th District
- John O. Hutto, Sr., MD
6th District

Also in attendance were C. Earl Hunter, Commissioner, Carlisle Roberts, General Counsel, Lisa Longshore, Clerk, department staff and guests. (Attachment 0-2)

Mr. Amsler stated notice of this meeting has been provided to all persons, organizations and news media, which have requested notification, as required by Section 30-4-80(e) of the South Carolina Code of Laws.

Item 1: Consideration of Board Minutes – August 11, 2011, meeting minutes - For Approval (Attachment 1-1)

Dr. Kirol moved, seconded by Mr. Batts, to approve the minutes as submitted for the August 11 Board meeting. Approved.

Item 2: Monthly Award for Excellence for September 2011 (Attachment 2-1)

Commissioner Hunter recognized the following recipients:

Commissioner's Office – Adam Myrick: Adam Myrick has been selected as the recipient for the Monthly Award for Excellence for the Commissioner's Office. An integral part of the agency's Division of Media Relations, Adam's work and commitment to the people of this agency exemplifies the term public service. In recent weeks, Adam has worked closely with central office and regional staff on a long-standing groundwater contamination issue in Spartanburg County. An Upstate television station had been contacted by individuals who complained their health was being threatened by a plume of contamination from a facility. Those complaints led to a May series of reports on the station questioning the agency's actions. During the weeks prior to the series, Adam worked patiently with the reporter, including a two-hour on camera interview, to explain the process we have and must take in addressing such an issue. In spite of aggressive questioning by the reporter, Adam maintained his professionalism and steadfastly pointed out the steps the agency must take in working to resolve such an issue. The two-part report that subsequently aired on the station, while critical of the agency's actions, did report that DHEC had notified the responsible party that more needed to be done to resolve the matter. The series, which was heavily promoted and aired during the May ratings sweeps, garnered only a handful of comments on the station's website. Also recently, Adam worked extensively with Columbia and regional staff on a contact investigation of a case of bacterial meningitis in which a graduating high school senior attended a large weekend party of classmates and others just prior to the onset of

symptoms. Because of the large number and widespread location of attendees, Media Relations was asked to prepare messages asking for anyone who may have attended the party to contact local health officials. Adam volunteered and worked late into the evening preparing the information and on standby to issue the advisory. Thanks to the work of the DHEC staff in investigating the situation, enough information was obtained so that the advisory was not necessary. With these and other examples of his work and dedication to this agency and its people, Adam is worthy of receiving the Monthly Award for Excellence.

Environmental Quality Control – Adam Page: Adam Page in the Bureau of Air Quality, Air Quality Standards and Assessment Section, has been selected as the recipient of the Monthly Award for Excellence for Environmental Quality Control. When Adam first came to DHEC in 2008, we had just received funding from the federal Diesel Emissions Reduction Act (DERA) and were required to develop a grant program that would reduce emissions from existing, older diesel engines. In addition to the DERA grant, South Carolina also received funding through the American Recovery and Reinvestment Act (ARRA) of 2009 to fund even more diesel emissions reductions. The administration of these funds was placed in the Air Quality Standards and Assessment Section – a section that had never administered a grant program before. Adam was assigned to the team implementing these new grant programs. He participated in establishing a system of awarding grants, tracking progress, preparing multiple reports, processing invoices, performing inspections to ensure the funds had been spent on their intended use, and reimbursing the awardees – all from scratch. An EPA audit last year found no issues with our program – only praise. From the beginning, South Carolina’s program was recognized as a leader and an example to follow in EPA Region 4. Over time, Adam’s responsibilities grew, and he now coordinates all aspects of the grant program: reporting, tracking of grants, processing invoices, etc. Adam faced a huge learning curve, and the EPA made the program dynamic. Adam has adapted well to the challenges of being a project manager of these grants that require a lot of oversight. This program is successful because of the high level of performance by Adam, and he has faced many challenges. The EPA would require changes in reporting or in calculating job creation that would come just days before the reports were due. Unfamiliar terminology and requirements, such as the Davis-Bacon Act, MBE/WBE requirements, the Buy American Act, and all of the clean diesel federal requirements had to be understood and applied to make sure the awards were given, tracked and reported correctly. Contracts with awardees had to be amended based on these changes, and the timeframes were tight. Adam met these challenges and closely coordinated efforts with the Grants Section in EQC Administration, with EPA, and with the awardees to meet every deadline. In addition to the excellent customer service he provided to sub-grantees, staff and EPA, Adam’s efforts also helped produce immediate and long-term benefits for the public’s health and for the environment. More than 4,000,000 pounds of nitrogen oxides and 156,000 pounds of particulate matter will be prevented from entering the air we breathe over the life of current projects. Many of the areas targeted for projects were at-risk for violating the EPA’s National Ambient Air Quality Standards (NAAQS). Targeting projects where air quality improvements were most needed focuses efforts in communities that would benefit the most.

Health Regulation - Derrick Davis, Andrew “AJ” Leonard, Larry von Wessinger: Derrick Davis, Andrew “AJ” Leonard, and Larry von Wessinger have been selected as the recipients of the Monthly Award for Excellence for Health Regulation. These three individuals work throughout the Health Regulation deputyship in the area of IT. The Certification staff is very diverse with varying levels of computer competencies. Over the past 4-6 months, our Bureau has had several updates to the suite of software we use to conduct our surveys/inspections of healthcare facilities. That software had an e-mail feature built in that would allow us to create and e-mail with the file attached and send to the office from out on the road. With the change from GroupWise to Google, that e-mail feature no longer worked due to the type of file. This change created challenges for us in regards to meeting the Centers for Medicare and Medicaid Services (CMS) and DHEC security requirements for sending files through e-mail and still meeting our workload requirements. Larry and AJ came up with a solution that required developing a directory and subdirectories to transfer files from person to person and training was provided to our staff. So far, this new plan has worked. Larry and AJ have made themselves more available during this adjustment phase. As with any process the more one does, the more comfortable that person feels. Derrick has helped when neither Larry nor AJ were available. Besides keeping the 55 or more employees in Certification able to do our work, Larry and AJ, with some assistance from Derrick, are tasked with providing IT support throughout all of Health Regulation. While Larry, AJ, and Derrick don’t interact with the public as most of our programs do, they do provide all of us with a valuable service. These three are very much appreciated, though we sometimes don’t say it enough. Larry, AJ, and Derrick provide peace of mind as we know that there is someone in house to help if there are pressing issues. Certainly, Derrick Davis, AJ Leonard, and Larry von Wessinger are truly deserving of this award.

Health Services Central Office – Mary Kenyon Jones, Carol Reed, Karen Gambrell, Matt Alsup, Sara Stingel and Stephanie Copple: An “inter-agency team”, the Division of Oral Health led by Mary Kenyon Jones, Carol Reed and Karen Gambrell and the Art Department led by Matt Alsup, Sara Stingel and Stephanie Copple, has been selected as the recipient of the Monthly Award for Excellence for Health Services Central Office. Together the two worlds came together and created the first components of the *SC Head Start Oral Health Resource Center*. The Division of Oral Health and specifically Mary Kenyon have had a long history of working together to improve the oral health of children who participate with the Early Head Start/Head Start (EHS/HS) programs throughout the state. In 2003, participants of the Head Start Oral Health Forum focused on three general strategies to improve the oral health of EHS/HS children: 1) parent education; 2) provider education; and 3) cross-training of medical and dental professionals; 4) increased awareness of resources, which in turn have been integrated into the SC State Oral Health Plan. From 2002 to 2006 as part of the More Smiling Faces project, EHS/HS programs in six rural counties were key members of the local oral health networks of dentists, physicians, community health centers and churches. The goal of the project funded by the Robert Wood Johnson Foundation was to eliminate oral health disparities among minorities, children with special health care needs and those economically disadvantaged, focusing particularly on the needs of children from birth to age six. During this project, Mary Kenyon developed and continues to present a Department of Social Services an approved oral health continuing education course for childcare center staff. In 2010, the DOH received funding to develop a statewide DHEC Early Childhood Oral Health Resource Center that includes risk-based oral health toolkits for medical and dental providers and Early Head Start/Head Start Programs and parents in order to strengthen the Head Start Dental Home Initiative (DHI). The DOH team under the leadership of Mary Kenyon and Carol Reed engaged the SC Oral Health Coalition’s Early Childhood Workgroup to provide guidance in the development and finalization of the following components of the Early Childhood Oral Health Resource Center:

1. EHS/HS Center Tool Kit to support the effective implementation of the required oral health standards in the centers
2. Clinician Toolkit to support medical and dental providers in providing evidence-based oral health care.
3. EHS/HS Parent Toolkit will be developed to enhance parent education in medical and dental homes and EHS/HS programs. In addition an updated version of the “First Birthday Card” was produced and funded by the WIC program.

While the workgroup provided outstanding knowledge and expertise, it was the dedication of the Art Department that brought the toolkit to life. Their creativity and skills in the end gave birth to an outstanding resource that has been well received by all audiences. In any project, organization and attention to detail is critical. Karen Gambrell provides the glue that holds the project together ensuring that the kit was organized and presented in an efficient and easily accessible manner. As Vince Lombardi once said, “Individual commitment to a group effort - that is what makes a team work, a company work, a society work, a civilization work.” Here we have a great example of an interagency team that made a project work, a project that provides quality resources to improve the oral health of young children.

Region 1 Public Health Office – Charlotte Weber: Charlotte Weber, RN, in Preventive Health Services in Laurens County has been selected as the recipient of the Monthly Award for Excellence for Region I. Dedicated is the first word that comes to mind when describing Charlotte Weber. Charlotte is a RN in Preventive Health Services in Laurens and works with our patients in Family Planning and Adult Health. She is an excellent employee – seldom absent from work for any reason, always on time, even coming early to ensure clinic rooms are stocked with needed supplies so that we are ready for our first patient in clinic at 8:30 a.m. She is very helpful to all – our patients, our nursing, and administrative staff. Charlotte is a true team player and always willing to work together with nursing and administration to be sure that all our clients are served to the best of her ability and in the timeliest manner. Charlotte is very flexible in clinic, and easily goes from Family Planning to STD to Adult Immunizations. She is always on hand to help out her fellow nurses when problems arise. She can always be counted on to do her job to the best of her ability. Charlotte is very conscientious in giving the best care possible to her patients. She is always courteous, polite and respectful to her patients and their privacy. She is a non-judgmental person and this carries over to her work. These qualities make her well liked by her patients and at times asked for by name for appointments. Diligence in pursuing the Family Planning required follow-up of teens starting new birth control methods is also one of her qualities. She informs her patients that she will call them to see how they are progressing on their new method and follows up as promised. Work with the Perinatal Hepatitis B, HIV and congenital syphilis follow-up for Laurens County is also managed by Charlotte. When the nurse who previously handled this retired,

Charlotte stepped in without any hesitation and has again proven her diligence in assuring infants receive the vaccine or medicines needed according to policy. Charlotte completes the Family Planning and STD drug inventory monthly. If the drug count is incorrect, she diligently looks for the cause. She is always reminding her peers to “sign out the drugs”. She also assures CLIA QA is completed according to lab policy when the lead nurse for this responsibility is on leave. Charlotte is a very helpful, conscientious, knowledgeable and caring person who gives excellent customer service to our clients and to her peers each day in our clinics at Laurens County Health Department.

Region 2 Public Health Office – Elizabeth McArthur and Jeremy Wright: Elizabeth McArthur and Jeremy Wright have been selected as the recipients of the Monthly Award for Excellence for Region 2. Part of the clean-up efforts for the Spartanburg County Health Department included repainting the second floor hallways and removing everything hanging on the walls. While the painting made a tremendous difference in the hallway appearance, the bare walls left a feeling of something missing. Rather than put up the same photos - which had been in place for more than 10 years - the Region Leadership Team decided to tap into the talents of two of our own employees. Elizabeth McArthur and Jeremy Wright were charged with photographing various scenes around Spartanburg County. They used their creative abilities and provided more than 30 professional quality outstanding photos. It is a treat to peruse the hallways and see a variety of local photos that include flowers, birds, and county landmarks. They are to be commended for taking on this task, and providing an amazing group of photographs.

Region 3 Public Health Office – Jackqueline B. Sims, APRN: Jackqueline B. Sims, APRN with the Fairfield County Health Department has been selected as the recipient of the Monthly Award for Excellence for Region 3. Jackqueline is a Nurse Practitioner in Region 3 and works in Fairfield and Newberry Counties. She is always willing to do whatever it takes to get the job done. Jackqueline is a mentor and uses her skills and knowledge to teach others. She always involves other nurses with new skills and updates in procedures. Clients in the Family Planning and STD/HIV clinics love her. She is always striving to process clients through the clinic area in a timely, efficient, and caring manner and shows understanding and compassion when needed. Any request is met with a friendly attitude, and if possible, is taken care of as timely as it can be. Her customer service attitude is an excellent example for all to follow. She receives many compliments from our customers on “The 3P’s of Customer Service” forms. Jackqueline is recognized for her outstanding work ethics and her dedication to Public Health Nursing. She is always communicating with staff about solutions and ideas of ways to make clinic flow more effective with optimal service delivery. Even during this time of budget cuts and staffing issues, she continues to go above and beyond to meet the needs of the citizens of Fairfield County. Jackqueline is a hard worker, team player, and dedicated to Public Health Nursing, and for this is being recognized for the Monthly Award for Excellence.

Region 4 Public Health Office – Janie McKenzie, RN: Janie McKenzie, RN at the Hartsville Health Department has been selected as the recipient of the Monthly Award for Excellence for Region 4. Janie McKenzie is well known in the community, not only by her clients, but also by the hospitals and physicians she works with. Her involvement with the Post Partum Newborn Home Visits (PPNBHVs) and Carolina Pines Hospital has helped with the health department-hospital relationship. Mrs. McKenzie looks at her clients holistically and has made a difference in client-nurse relationships. While Mrs. McKenzie completes PPNBHVs, she communicates with her clients on a personal level and collaborates with community resources as appropriate. She is devoted to her clients. Mrs. McKenzie is a professional, responsible, kind and caring person. She always has a positive attitude, a smile for everyone and helps all staff in any clinic.

Recently, Mrs. McKenzie worked closely with the Carolina Pines Regional Medical Center, Medical Records, computer staff and Labor and Delivery/Newborn nursery. This was to give Mrs. McKenzie computer access from the health department to complete the referral forms for easy access online and to obtain information she needs for the PPNBHV referrals. This process will save DHEC time and travel in Mrs. McKenzie not having to travel to and from the hospital. And, the needed referral information can be accessed between busy clinics, if needed. Mrs. McKenzie is blazing new territory and hopes this will be a model for other sites in the future. Mrs. McKenzie rose to the occasion and is to be commended on the job she does for the Hartsville and Darlington communities and the work she does with our women and children populations.

Region 5 Public Health Office – Celia Lattimore, RN: Celia Lattimore, RN has been selected as the recipient of the Monthly Award for Excellence for Region 5. Celia has been a faithful DHEC employee for more than 30 years, currently providing services in Bamberg and Orangeburg counties in Family Planning, TB, and HIV. She is a flexible employee, as evidenced by her recent willingness to travel to Aiken County, more than an hour from her

headquarters, to assist with staff shortages. She covered services in the Family Planning/STD clinics, working well with unfamiliar staff and clinic areas. Her positive attitude and gracious demeanor was much appreciated by the Aiken staff and management.

Region 6 Public Health Office – Sadhana Tolani: Sadhana Tolani has been selected as the recipient of the Monthly Award for Excellence for Region 6. Sadhana has been with DHEC for 18 years. She moved up as a Nutritionist to become the Regional Nutrition & WIC Director. She sets high standards for her staff and leads by example. Sadhana never hesitates to tackle a difficult task and will see things through to fruition. Her work ethic is strong and she ensures that everything in her area is managed properly. Her program consistently meets their target goals. She encourages her staff to be creative and recognizes them for their efforts. Quite often, Sadhana tells of accomplishments of those in her program. Central Office acknowledges that Sadhana has a well-run program and discipline in Region 6. She is also a strong supporter of the Regional Leadership Team. Sadhana is generous and professional and we are proud to have her in Region 6.

Region 7 Public Health Office – Region 7 Finance Team: The Region 7 Finance Team (Karen Hunter, Cindie Pellos, Carolyn Schwarz-Seitz and Sharon Fischer) has been selected as the recipient of the Monthly Award for Excellence for Region 7. Throughout the year, this team's professionalism and commitment to customer service is obvious with every encounter. Karen's ability to navigate the new SCEIS system and successfully manage numerous funding sources while maintaining sanity and a healthy sense of humor calls for well-deserved recognition. Cindie's favorite phrase seems to be "we can do that!" Her knowledge of resources is invaluable while finding just the right product for the right price. Carolyn is proactive keeping constant communication with her "buyers" regarding the status of their particular orders. Sharon always remains calm as she assists her customers, often going above and beyond what is expected of her.

Recently, the Finance Team encountered an unusual rise in the number of purchase requests to be processed. While facing the challenge of navigating the new SCEIS, this team maintained a steady course in processing these requests completing all in a most efficient and timely manner. They have a combined can-do attitude and stay on top of every transaction to ensure proper and complete execution while getting the best "bang for our buck". Through it all, each team member has kept a smile on her face, remained positive and maintained a willingness to serve. As many here will attest, their excellent teamwork resembles a well-oiled machine! Hats off to the Region 7 Finance Team for a job well done!

Region 8 Public Health Office – Hampton County Preventive Health Team: The Hampton County Preventive Health Team (Gerri Buhler, RN; Christy Ferguson; Evelyn Ginn; Wanda Mixon; Terri McCrary, RN; Peggy Phalen, APRN) has been selected as the recipient of the Monthly Award for Excellence for Region 8. Change is one of the surest factors of life and being able to adapt to change and embrace the challenges it affords is one of the hallmarks of dedicated professionals. Recently our Hampton Preventive Health Team was chosen to pilot a new way of rendering services in Region 8. In the past, several service models have been used and implementation of the newest model seems to be the most customer-friendly and most efficient to date. This model allows the client to call for and get an appointment the same day or the next at the very latest, regardless of visit type. The implementation of "by provider" clinic scheduling in combination with an exceptional team and spirit has produced remarkable results and has energized both the staff and clients. These professionals consistently treat each client with respect and see them in a more complete and efficient manner while providing quality service to each individual. The Hampton Team not only met the challenge, but surpassed all goals set. The pilot program worked! Better yet, "Team Hampton" is not only dedicated when it comes to clinic expectations but also when there is a community challenge as well. This team recently participated in the Hampton County Relay for Life and won numerous awards at the event, proving they are committed to the health and wellness of the community as a whole and are recognized as active and involved community partners. Region 8 is extremely proud of "Team Hampton" and the dedication and professional spirit they exhibit both on and off the job providing for the welfare of the entire Hampton community.

OCRM – Will McGoldrick: Will McGoldrick has been selected as the recipient of the Monthly Award for Excellence for OCRM. Will has worked for OCRM since August of 2005, starting as a temporary Compliance Inspector. He transitioned into his current role as a Stormwater Permit Coordinator in August 2006. Mr. McGoldrick puts forth great effort and is always willing to assist. This has been evident throughout his career at DHEC-OCRM. Back in 2006, Mr. McGoldrick assisted with processing a high volume of construction stormwater compliance inspections in the Myrtle Beach office during a period of reduced staffing and significant workload

while working out of the Charleston office. More recently, Mr. McGoldrick has taken a great deal of initiative to learn the workload reporting capabilities available in the EFIS database. He has worked closely with IT staff over the last several years to develop automated workload reports and identify necessary modifications to EFIS to make this happen. He has played a key role in improving the quality and efficiency of workload reporting that is vital to the management of the Section. Mr. McGoldrick has accomplished this while assisting applicants and consultants with the permitting application process in a highly responsive manner. He is professional and continues to seek ways to make our permitting and certification processes more efficient.

Commissioner Hunter also recognized the following activities in Public Health Region 3:

2011 Preventive Health & Health Services Block Grant Champion Award for Public Policy

SCDHEC Region 3

On August 15, 2011, Public Health Region 3 of the South Carolina Department of Health and Environmental Control was presented with the National Champion Award for Public Policy from the U.S Preventive Health & Health Services Block Grant Program in Albuquerque, New Mexico. The award is presented to the Local Public Health Agency that has been the most successful in assisting communities in developing and implementing Public Health Policies to improve health outcomes for its citizens. South Carolina's statewide Clean Indoor Air Law has many exemptions and does not specifically address exposure to tobacco smoke in the workplace. Following the Surgeon General's Report of 2006, "The Health Consequences of Involuntary Exposure to Tobacco Smoke" and bolstered by a state Supreme Court finding that local municipalities are not preempted from passing stronger local ordinances than the state law, health advocates began to campaign for the adoption of comprehensive local smoke-free ordinances to include restaurants, bars and all public workplaces. Currently, there are 41 comprehensive local ordinances spread throughout South Carolina. During the past 3 years, leaders and staff of DHEC Public Health Region 3 have distinguished themselves by providing high-level policy advocacy through the adoption of twelve local ordinances since June of 2008. Supported by various community health and chronic disease prevention funds including the Preventive Health and Health Services Block Grant and the efforts of Ernie Bell, Regional Health Director, Suzanne Sanders, Director of Health Education, Kathy Brewer, Chronic Disease Registered Nurse, and the County Health Supervisors, Region 3 has provided newspaper editorials, testimony, and education on the importance of smoke-free environments, the dangers of secondhand smoke exposure, the key findings of the U.S. Surgeon General's Report and other pertinent information to assist local council members in their decisions to protect all workers and honor their right to breathe clean air while on the job. As a result of these efforts, twelve comprehensive local ordinances were adopted, including nine municipalities and three counties. As a result of these ordinances, 687,371 citizens are protected from exposure to secondhand smoke where they eat, work and play, which represents 14.86 % of the state's population.

Mission 2011

The hospitals, physicians, optometrists, and dentists from the six counties of the midlands along with the United Way of the Midlands , BC/BS , the State Guard, City of Columbia, Richland County Sheriff's Department, the Metropolitan Medical Response System, the University of South Carolina, the Metropolitan Baptist Association, and DHEC started planning Mission 2011 Midlands over 10 months ago. The plan was to provide free medical, dental and eye care services for anyone without health insurance at the Carolina Coliseum on August 4th and 5th. The Mission depended upon volunteer health care professionals to see those in need on a first come, first served basis. The planning process began with a steering committee which identified subcommittees necessary to pull all the pieces together. As Regional Health Director for DHEC Region 3, I was asked to serve on the Steering Committee. Originally the Steering Committee identified a need for medical, dental, eye care, public relations, volunteers, follow-up and patient flow subcommittees. It became obvious that major factors such as logistics, communications, and command and control throughout the Mission would have to be coordinated. I explained to the Steering Committee that DHEC Region 3, through our Public Health Preparedness Section and our experience in coordinating Emergency Support Function 8, was in a unique position to assist with logistics, communications and setting up an Incident Command Center. I was asked to chair the logistics committee and with the aid of Roger Hovis, Region 3 PHP Director, his staff and the PHP Directors from the hospitals, we were able to coordinate the acquisition of the logistical needs, provide radios for communications between the sections, and provide cones and chains to control lines and patient flow. Sandra Tucker, Regional Nursing Director, served as the Communications Director in the Incident Command Center which we called the Mission Management Center. Richard Funderburk, Regional Administrator, took a lead role in coordinating and controlling the flow of patients and routing individuals

into the various sections. The efforts of Region 3 personnel and the experience of the Region 3 leadership team were instrumental in the success of the Mission, the effectiveness of the decision making by the Mission leadership in the Mission Management Center, and the ultimate service delivery to over 2000 individuals over the two day event. Over 1000 volunteers assisted those in need and we provided medical services for over 1000, dental services to 500 and eye care including free glasses to over 650. The Mission was not able to serve everyone that came, but we certainly made a difference in lives of those we did serve. The Mission Leadership team has met since the event and plans are underway to try and host Mission 2012 next year. DHEC volunteers worked in the medical, follow-up, patient flow, logistics, communications, and leadership units of the mission. Comments from staff following the event centered on the tremendous sense of accomplishment and the reward of seeing the gratitude on the faces of those served. This was truly an example of Public Health partnering with the private health care delivery system to meet a great need in our State.

The Board extended its thanks to all recipients.

Item 3: Administrative and Consent Orders issued by Environmental Quality Control (Attachment 3-1)

Ms. Robin Stephens, Assistant to the Deputy Commissioner, Environmental Quality Control, stated twenty-three (23) actions had been taken with penalties of \$84,140.

After discussion, *the Board accepted this item as information.*

Item 4: Orders issued by Office of Ocean and Coastal Resource Management (Attachment 4-1)

Mr. Sean Briggs, Acting Manager, Enforcement Section, stated one (1) action had been taken with a penalty of \$2,375.

The Board accepted this item as information.

Item 5: Status Report – Environmental Fees and Time Frames (Attachment 5-1)

Mr. Mike Rowe, Director, Division of Research and Planning, presented this item. This is a quarterly report as required by Regulation 61-30, passed by the General Assembly in 1995, requiring the Department staff to make quarterly reports to the Board on fees collected and expended, permitting activities, and permit review time frames.

After discussion, *the Board accepted this item as information.*

Item 6: Proposed New Regulation, Access to Restricted Information, Legislative Review is required
(Attachment 6-1)

Ms. Claire Prince, Office of General Counsel, presented this item to the Board. The S.C. Freedom of Information Act, S.C. Code Section 30-4-40(c), provides for access to Restricted Information, the unrestricted access to which could increase the risk of acts of terrorism. S.C. Section 30-4-45 requires an agency that is the custodian of such information to promulgate regulations to regulate access to the information. To satisfy the requirements of the Act, the Department of Health and Environmental Control is proposing a new regulation that will establish procedures for access to Restricted Information.

Dr. Kirol moved, seconded by Mr. Batts, to grant approval to publish a Notice of Proposed Regulation in the State Register, to provide opportunity for public comment, to conduct a Staff Informational Forum, to receive and consider comments, and allow staff to proceed with a public hearing before the Board. Approved.

Item 8: Approval of proposed addition to the state pre-hospital Emergency Medical Services (EMS) drug formulary (Attachment 8-1)

Ms. Bradshaw presented this item to the Board. The EMS Medical Control Committee has recommended the addition of Rocuronium Bromide (Zemuron) to the EMS drug formulary as an alternative to Vecuronium Bromide (Norcuron) which is currently unavailable to EMS Agencies to due to a manufacturing shortage. Rocuronium Bromide is a drug that is used to facilitate endotracheal intubation by non-depolarizing paralysis of skeletal muscle

and to increase pulmonary compliance during mechanical ventilation.

Mr. Lutz moved, seconded by Mr. Batts, to approve the addition of Rocuronium Bromide (Zemuron) to the state approved pre-hospital drug formulary and for staff to develop administrative and training guidance to fully implement this drug into the paramedic training curriculum. Approved.

Item 9: Review of the Certificate of Need (CON) Program (Attachment 9-1)

Ms. Pam Dukes, Deputy Commissioner for Health Regulation, presented this item. The Department seeks to form an ad hoc committee to explore if further changes to the Certificate of Need statutes and regulations are warranted.

Mr. Batts moved, seconded by Dr. Kirol, to approve the formation of an ad hoc committee to evaluate and consider additional changes and make recommendations regarding the Certification of Need Law and to direct staff to present proposed members of committee at the October 13 meeting. Approved.

Item 10: Handling of Requests for Final Review (RFR) requiring action by October 13, 2011 (RFR Docket No. 11-RFR-41 through 11-RFR-44) (Attachment 10-1)

Mr. Amsler stated the Board would consider each pending Request for Review individually.

Mr. Amsler announced that Docket No. 11-RFR-41 had been withdrawn.

After discussion, *Dr. Hutto moved, seconded by Mr. Batts, not to conduct a review conference on Docket No. 11-RFR-42, Southeast Renewable Energy Allendale. Approved.*

After discussion, *Mr. Lutz moved, seconded by Mr. Wells, not to conduct a review conference on Docket No. 11-RFR-43, Greenville Water. Approved.*

After discussion, *Mr. Wells moved, seconded by Mr. Batts, not to conduct a review conference on Docket No. 11-RFR-44, Nicholas Palassis. Approved.*

Agenda Items 11 and 12 were withdrawn from the agenda.

Item 13: Agency Affairs

Proposed 2012 Meeting Dates (Attachment 13-1)

Dr. Kirol moved, seconded by Mr. Wells, to approve the dates which will continue to be the 2nd Thursday of each month unless otherwise public noticed. Approved.

Item 14: Legal Report

Mr. Roberts stated he had no legal matters on which to brief the Board.

There being no further business, Chairman Amsler declared the meeting adjourned.

All referenced attachments are made a permanent part of these minutes.

Respectfully submitted,
Mark S. Lutz
Vice-Chairman

Minutes approved this 13th day of October 2011.

ATTEST:
Allen Amsler
Chairman

Attachments

- 0-1 Agenda
- 0-2 Sign-in Sheet
- 1-1 August 11, 2011 minutes
- 2-1 Monthly Award for Excellence Recipients for September 2011
- 3-1 Administrative and Consent Orders issued by Environmental Quality Control
- 4-1 Orders issued by Office of Ocean and Coastal Resource Management
- 5-1 Status Report – Environmental Fees and Time Frames
- 6-1 Proposed New Regulation, Access to Restricted Information
- 8-1 Proposed addition to state pre-approved EMS drug formulary
- 9-1 Review of Certificate of Need Program
- 10-1 Handling of Requests for Final Review needing action by October 13, 2011
- 13-1 Proposed 2012 Meeting Dates