

1 BEFORE THE OHIO DEPARTMENT OF HEALTH

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3 Legislative Committee :
4 of Public Health Futures :
5 October 23, 2012 :

6 Ohio Department of Health
7 35 East Chestnut Street
8 Basement Training Room A
9 Columbus, Ohio 43215
10 October 23, 2012
11 1:07 p.m.

1 APPEARANCES

3 MEMBERS PRESENT:

- 4 Senator David Burke, Chairman
- 5 Vice-Chairman Christopher Press
- 6 Martin Tremmel, Secretary
- 7 Kim Edwards
- 8 Heidi Fought
- 9 Tim Ingram
- 10 Gene Nixon
- 11 Dr. D. J. McFadden
- 12 Nancy Shapiro
- 13 Representative Nickie Antonio
- 14 Jennifer Wentzel
- 15 Jennifer Scofield
- 16 Anita Scott-Jones
- 17 Will McHugh
- 18 Representative Lynn Wachtmann

19 Also Present:

- 20 Joseph Mazzola
- 21 Jessica Crews
- 22 Maggie Greiner
- 23 Melissa Bacon
- 24 Amanda Sines
- 25 Lindsay English
- 26 Duane Stansbury
- 27 David Beimel
- 28 Beth Wymer

18 Kimberly McConville
Anthony Brigano
Zack Holzapfel
19 Laura Abu-Asi
Adriana Pust
20 Steven Wagner

21 Present via audio link:

22 James Watkins
Wes Vins
23 Kristen Hildreth
Frank Kellogg
24 Tracey Freeman
Senator Capri Cafero

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1 AGENDA

- 3 1) Welcome
- 4 * Chair, Senator David Burke
- 5 * Vice-Chair, Christopher E. Press
- 6 2) Approval October 9, 2012 Meeting Summary Notes
- 7 3) Review and Finalize Recommendations 1-10
- 8 4) Consideration Amendment/Replacement Language
Recommendation 11
- 9 5) Approve Entire Recommendation Document
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4 CHAIRMAN BURKE: I will go ahead and call
5 the October 23rd meeting on the Legislative Committee on
6 Public Health Futures to order.

7 Again, I would like to welcome everybody for
8 taking time to be here for our final meeting.

20 CHAIRMAN BURKE: Thank you. And with that
21 we'll go ahead and start on the Agenda. The first item
22 is approval of the October 9th, 2012 Meeting Summary

23 Notes; do we have any --

24 REPRESENTATIVE WACHTMANN: Move for
25 approval.

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1 CHAIRMAN BURKE: Move to approve.

2 COMMISSIONER WENTZEL: Second.

3 CHAIRMAN BURKE: Second on that. All those
4 in favor say aye.

5 (Thereupon all Commission Members voted
6 affirmatively.)

7 CHAIRMAN BURKE: Those opposed nay.

8 Motion carries, the Minutes are approved.

22 Would just like to reiterate real briefly
23 with No. 11 here, then we'll jump into No. 8, but on the
24 original document that you had received in the mail, of
25 course, No. 11 was not on it, and that was, on my part,

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1 intentional.

2 Because we had received strong feedback on
3 No. 11 and it was my desire to get that ironed out and
4 submitted to you by the deadline, pushing out the work
5 that we had completed first in an effort to avoid
6 today's meeting, that did not occur, so hence we are
7 here today.

8 So that's the explanation of why you
9 received 1 through 10 for digestion, and then No. 11 at

10 a later time hoping to iron that out.

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1 final read, and then if you want to have a motion we
2 will look for a motion.

3 It would be, No. 8, Reimbursable Services
4 should read, the Ohio Department of Insurance should
5 work to enhance the ability of local health districts to
6 contract and credential with private payers and Medicaid
7 for services such as immunizations and other public
8 health and clinical services integrating health
9 management and other care models.

10 This recommendation is not to be interpreted
11 as supporting new legislative mandates or the placing of
12 mandates upon local health districts.

13 Do we have a motion for No. 8 as read?

14 COMMISSIONER NIXON: Move.

15 CHAIRMAN BURKE: Mr. Nixon.

16 COMMISSIONER SHAPIRO: Second.

17 CHAIRMAN BURKE: Ms. Shapiro. All those in
18 favor signify by saying aye.

19 (Thereupon all Commission Members voted
20 affirmatively.)

21 All those opposed nay.

22 Motion carries. No. 8 is as read and
23 motioned.

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20 MS. SCOFIELD: The issue that I
21 raised with No. 10, reconvene committee in just either
22 three or five years. I mean most of us recall three
23 years, but no more than five.

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10 CHAIRMAN BURKE: On Recommendation No. 10,
11 do we have a motion to change five years to three years?

12 REPRESENTATIVE ANTONIO: So move.

13 CHAIRMAN BURKE: Second?

14 COMMISSIONER SCOTT-JONES: Second.

15 CHAIRMAN BURKE: All those in favor say aye.

16 (Thereupon all Commission Members voted
17 affirmatively.)

18 Opposed nay.

19 Recommendation 10 is changed to three years.

23 CHAIRMAN BURKE: We'll next move to
24 Recommendation No. 11, and this was the one that caused
25 some angst.

4 REPRESENTATIVE WACHTMANN: Mr. Chairman, I
5 think it would be extremely premature and inappropriate
6 for us to recommend any reference to increase taxes,
7 whatever fancy way you want to say that.

8 In my opinion we clearly do not know what
9 the best objectives are for health departments or maybe
10 they don't know as far as what the best outcomes are,
11 money spent on et cetera, et cetera.

12 And I mean frankly this report will be dead
13 before it gets to the House, if it references tax
14 increases, because the whole discussion that I recall
15 having when I was here was about gaining efficiencies,
16 more productive and things like that, and I would, Mr.
17 Chairman, if you're open to a motion, I would move that
18 we would start out by repealing that No. 11, that whole
19 section and having that discussion over again.

20 VICE-CHAIRMAN PRESS: Second.

21 DR. MCFADDEN: Just so that I understand, to
22 rescind a motion is something that individuals, other
23 than the individual making the motion can do, correct?

24 CHAIRMAN BURKE: Could you repeat the
25 question again, I'm sorry.

1 DR. MCFADDEN: So a motion was made,
2 seconded, voted on, we had passed, I'm asking about the

3 appropriateness of --

4 CHAIRMAN BURKE: I understand at the last
5 meeting that we had we discussed that if everyone was in
6 agreement with the document, it would stand as approved,
7 but we have received descent, so in that case this is
8 still an open topic.

9 Which is why, again, as we said in the
10 previous meeting, we have to come back, work on
11 individual issues, and then concur on the entire
12 document.

13 DR. MCFADDEN: So my question is more of
14 just that the votes that we took were merely straw poll
15 and not binding votes; is that how I understand it?

16 CHAIRMAN BURKE: Assuming that we had
17 agreement on the document in its entirety, which we did
18 not. So it was kind of contingent hoping to avoid a
19 second meeting, because then had we all agreed we'd have
20 had to come back and vote on a document that we already
21 agreed to, and that's what I was trying to avoid.

22 MS. SCOFIELD: I guess I'm a little
23 bit confused as well, because I thought at the last
24 meeting -- I thought at the last meeting that all of the
25 11 recommendations that we talked about we discussed to

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1 be put in, we voted, and then said yes.

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8 CHAIRMAN BURKE: Was there any discussion on
9 Representative Wachtmann's motion?

10 COMMISSIONER EDWARDS: I guess, well, I'm
11 just going to say it. I had an issue with this
12 recommendation coming out and there not even being a
13 comment that it was removed, that's what I had an issue
14 with.

15 I have no problem with discussing it today.
16 And I think in light of how others feel we probably
17 should, but my issue was there was no lead into that,
18 that it was removed, there was no discussion on that
19 when it came out to all of us in the e-mail form.
20 That's my problem.

21 CHAIRMAN BURKE: Well, and then openly your
22 problem would be with me.

23 COMMISSIONER EDWARDS: Probably.

24 CHAIRMAN BURKE: That's all right, I'll own
25 up to whatever. Again, there are 11 recommendations in

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1 this, there was an issue with one of them.

2 I was hoping to get that ironed out so that,
3 again, we wouldn't have today's meet and for that
4 recommendation then to be communicated to you, all
5 right, on its own or in its entirety with the other 10
6 to make a total of 11.

7 Recommendation 11 was never removed from our

8 recommendations, to be clear.

9 COMMISSIONER EDWARDS: Okay.

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21 CHAIRMAN BURKE:

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1 So I guess with that being said, and, again,
2 this would be an open discussion, I'll go ahead and call
3 the vote of Representative Wachtmann's motion to rescind
4 Item No. 11, all those in favor signify by saying aye.

5 (Thereupon all Commission Members voted
6 affirmative, with the exception of Dr. McFadden and
7 Commissioner Edwards.)

8 All those opposed nay.

9 DR. MCFADDEN: Nay.

10 COMMISSIONER EDWARDS: Nay.

11 CHAIRMAN BURKE: Is there a motion for a
12 roll call vote?

13 Hearing none, in the opinion of the Chair
14 the ayes have it and No. 11 is rescinded.

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23 VICE-CHAIRMAN PRESS:

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24 We have the opportunity to raise more
25 revenue in public health, we can put that issue to the

1 constituents locally, and if we make a good case, we
2 have a good program, they'll support it.

10 SENATOR CAFARO: I just want to go on
11 record in saying that I do not support any kind of tax
12 on tobacco or sugar drinks, period.

13 I don't believe in taxing to create or evoke
14 any kind of behavioral changes, so just - I don't know
15 if we're voting and I've been sort of on and off this
16 conference call, but I want to be on record saying that
17 I am not in favor of that.

18 CHAIRMAN BURKE: Thank you, Senator, and I
19 guess if I could just move the conversation forward in
20 one fell swoop, is there anybody at this table in a
21 newer recommendation that would support the use of the
22 word tax?

20 DR. MCFADDEN:

3 I don't know how we look at sustainable, you

4 know, even if we look down the road and we say this
5 funding doesn't start until after you've demonstrated
6 that you're PHAB eligible, you know, four years down the
7 road, two years, whatever it is, I don't know how you
8 look at sustainable when we're saying it's going to come
9 from the existing pool and we can have the fight then
10 down the road, talk about kicking the can farther down
11 the road.

12 We're going to have to fight at some point
13 to take money from someone to get that to happen, and
14 that's the concern that I have when we limit ourselves
15 to just existing dollars.

16 That's my own gut check, because I need to
17 be here for the long haul to protect public health
18 either in private practice or in public health, one of
19 those places I need to be here doing that, and I don't
20 know how we get there just looking at --

21 COMMISSIONER SCOTT-JONES: Senator Burke.

22 CHAIRMAN BURKE: If I could just add one
23 thing, and then I'll get to you Anita. One of the
24 original charges, I would say, if not the original
25 charge before us was answering the question, is 125

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1 health districts too many or too few; is a hundred
2 thousand the right number; is 25,000 too small; looking
3 for efficiencies and service delivery outcomes, right, a

4 little bit of scope and a few other things.

5 I think additional funding, even if it's
6 reallocation, and I spoke to this several times before,
7 is probably a tertiary issue at best, because of the
8 other items that need to be addressed.

9 I can't allocate dollars into a system when
10 I can't measure what I'm paying for, and we can't
11 achieve that, and I appreciate PHAB eligibility, but
12 that's one step out of -- just becoming PHAB eligible
13 doesn't mean that I feel more enticed to give you more
14 money, because that doesn't mean that anybody's life
15 improved, that smoking rates went down, that obesity
16 went away.

17 I'm not being critical, I'm just saying,
18 when you move this forward, I understand if we do due
19 process and you achieve these goals in the coming years,
20 and there was a message that if we do these things and
21 we get these outcomes, then the General Assembly should
22 look at continuing to investigate funding in an outcomes
23 driven model.

24 But I don't even think we have an outcomes
25 driven model yet in terms of what we set before us, and

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1 I'm not saying you're not achieving outcomes, I'm just
2 saying I can't measure them.

17 MS. SCOFIELD:

6 If we come back in these three to five years
7 and have shown progress and have made these improvements
8 and are seeing results, can we then say the state should
9 or shall consider making additional investments in the
10 public health system.

11 Investments could be local innovation -- the
12 local innovation funds, it could be something else, but
13 it's an investment in the system, because I do believe
14 the state has a meaningful role in investing in a public
15 health system.

7 COMMISSIONER EDWARDS: I just want to make
8 sure that we're not too late to get any recommendations
9 in.

16 REPRESENTATIVE WACHTMANN: Well, again, I
17 think the most likely outcomes would be one of several
18 things. I would guess maybe the Governor's office would
19 put forth some of these policy changes in their budget,
20 possibly.

21 I think -- I know -- I know as Chair of
22 Health I clearly want to get some of these done, because

23 I think some of them are good recommendations, and I
24 will push them.

25 Now, whether it's in a budget, whether some

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1 of these policy changes are involved in health committee
2 and put in a budget, you know, a lot of different
3 scenarios that can take place as to how things get done,
4 but in the end I think there's a number of avenues at
5 different -- executive branch and legislative branch
6 will pursue, because I think a lot of these are good
7 solid recommendations that we're setting forth.

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20 CHAIRMAN BURKE: So let me try this one more
21 time then on a reading, at least the way I have it
22 written, hopefully we agree, Joe.

23 Ohio should explore sustainable funding to
24 achieve Ohio's public health mission and
25 responsibilities. This work should include steps to

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1 implement standard measures of outcomes, examine the
2 link between funding disparities at the health district
3 level and health outcomes, identify any additional

4 opportunities for operational efficiencies, review
5 incentives to drive outcomes at the local level and
6 pursue federal funding opportunities.

7 I see heads nodding, so hopefully we're in
8 the right ballpark.

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23 CHAIRMAN BURKE: So we do have a motion for
24 No. 11 as read by Mr. Nixon; do we have a second?

25 COMMISSIONER SHAPIRO: I'll second it.

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1 CHAIRMAN BURKE: We have a second, Ms.
2 Shapiro, all those in favor signify by saying aye.

3 (Thereupon all Commission Members voted
4 affirmatively.)

5 All those opposed nay.

6 No nays, the ayes have it. The motion
7 carries, No. 11 is adopted into the recommendation.

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20 CHAIRMAN BURKE: So we could just have a
21 blanket motion to change where noted local health
22 districts shall be struck and read -- I'm sorry, I'll
23 repeat that, where the -- in the recommendations where
24 it states local health departments, the motion would be
25 to change that to local health districts.

1 COMMISSIONER NIXON: I'll make that motion.

2 CHAIRMAN BURKE: I have a motion by Mr.
3 Nixon; is there a second?

4 COMMISSIONER FOUGHT: Second.

5 CHAIRMAN BURKE: All those in favor signify
6 by saying aye.

7 (Thereupon all Commission Member voted
8 affirmatively.)

9 Those opposed nay. Motion carries. The
10 final document will reflect that change where
11 appropriate.

12 Any other individual items anybody wishes to
13 bring forward. We did receive feedback on whether or
14 not you can get traction to change your amendment at
15 this time, this is your discussion.

16 Otherwise just to know where we're at here,
17 we'll make a motion to accept the entire document here
18 hopefully shortly, but I want to give any passionate
19 individuals one last bite at the apple.

20 DR. MCFADDEN: I think I've made my thoughts
21 abundantly clear, but I would be remiss and my District
22 Advisory Council would have my head, if I did not
23 express that I feel that the current system is built on
24 the backs of local constituents, and that I do feel that
25 we have an opportunity to change that, and hopefully

1 going forward we will have another opportunity to do
2 that in another three to five years.

3 I was excited by the level of discussion
4 that No. 11 generated, because I think that in that
5 discussion we found the beginning of the transformative
6 sort of thing that we were trying to do.

7 I think that that has slipped through our
8 grasp, but that we will have an opportunity to revisit
9 that in the future.

7 As we move forward I believe that -- I still
8 contend that the state will need to have some soul
9 searching as to how that -- how we support the boots of
10 the ground; how we do that.

11 I think that's going to be a real soul
12 searching and I hope in another three years we get to
13 that. Those would be my closing comments.

14 COMMISSIONER INGRAM:

12 So there is at stake here that we all must
13 remember that that's working, whether it's fungal
14 meningitis, because we had some potentially contaminated
15 drugs, or the food bourne illness outbreaks that just

16 hit at one of our hospitals yesterday, okay, somebody
17 has to pick that piece up.

18 And as the health care system is
19 transforming, and it is, regardless of what happens,
20 it's going to change, it's already changed, it's going
21 to change dramatically in the future, I agree with Dr.
22 McFadden, there is a place for us, if we work together
23 and I think that there's a challenge ahead for us as
24 citizens and the legislature to help find that, because
25 the two -- the two cannot work independently of each

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1 other. We have to be one going forward, if we're
2 serious about improving health of all Ohioans.

16 REPRESENTATIVE ANTONIO: Well, I appreciate
17 everyone's participation, and certainly I also serve on
18 the Health Committee and so going back around not just
19 the work that we did here, but I do see some of these
20 recommendations being able to be followed through
21 through the legislative process.

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22 COMMISSIONER EDWARDS: I agree, I've learned
23 a lot through this process, but I have to say that there
24 are still issues that counties will have.

25 Even through this whole process there are

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1 issues that counties will have and that is my, not
2 necessarily burden to bear, but that is my yolk to
3 carry, to continue to seek and advocate for counties and
4 I will continue to do that, so I'm sure that I'll be
5 seeing all of you very soon.

9 CHAIRMAN BURKE: With that being said, do we
10 have a motion to accept the final proposal before us for
11 the Legislative Committee on Public Health Futures Items
12 1 through 11?

13 REPRESENTATIVE ANTONIO: So moved.

14 CHAIRMAN BURKE: Second?

15 MS. SCOFIELD: Second.

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1 CHAIRMAN BURKE: I mean, you know, I'm more
2 than happy to draft a brief cover letter on my own
3 behalf. We also have -- I can give you a little bit of
4 an idea that we can show you kind of how this will look.

5 It obviously will be distributed to the
6 folks that by law this has to go to, as well as, of
7 course, an open document, and, of course, I'll give the
8 call to action that we've had and some previous findings
9 of previous groups, just like this, back in 1993 and
10 1960, that we've kind of referenced in the past.

11 COMMISSIONER EDWARDS: Can we get a copy of
12 that first?

13 CHAIRMAN BURKE: Oh, most definitely you
14 will get a copy of that.

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13 CHAIRMAN BURKE: Excellent. Assuming that's
14 palatable to everybody, again, we do have a motion on
15 the 11 recommendations, you've got an idea now how
16 they're going to be packaged in the final document,
17 ready to call a quick vote on that. All those in favor
18 signify by saying aye.

19 (Thereupon all Commission Members voted
20 affirmatively.)

21 All those opposed nay.

22 Okay. In the opinion of the Chair the 11
23 recommendations have been unanimously passed. I'm not
24 sure if my Vice-Chair has any kind of --

25 VICE-CHAIRMAN PRESS: Thank you everyone for

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1 the privilege, and congratulations to the Chair and
2 everyone else, I think it's a great report.

3 CHAIRMAN BURKE:
7 I think that we have presented very
8 actionable and concise items. I know the 19
9 recommendations that were handed to us in the original
10 study required maturity, and I feel that we have matured
11 those items to something that is presentable into an

12 action point, 11 of them to be exact, and I applaud
13 everybody for their work.

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2 And, again, for an issue that's been handled
3 since 1960 I applaud the committee and I really do feel
4 like we have moved the ball forward, even if it's just
5 one or two yards at a time, we're getting closer to the
6 in zone. With that being said, I will call this meeting
7 adjourned, and thank you, again, for your time.

8 (Thereupon the commission meeting was
9 adjourned at 2:57 p.m.)