



**BOARD OF DIRECTORS
SPECIAL MEETING
February 12, 2014**

**Health District Office Building
120 Bristlecone Drive, Fort Collins**

MINUTES

BOARD MEMBERS PRESENT: Celeste Holder Kling, President
Bernard J. Birnbaum, MD, Vice President
Timothy S. O'Neill, Secretary
Steven J. Thorson, MD, Treasurer
Joe D. Hendrickson, Liaison to PVHS Board

STAFF PRESENT: Bruce Cooper, M.D., Medical Director
Dan Sapienza, Policy Coordinator
Chris Sheafor, Support Services Director
Karen Spink, Assistant Director
Nancy Stirling, Assistant to Executive Director

OTHERS PRESENT: Kathryn Southard, Policy Intern

CALL TO ORDER; APPROVAL OF AGENDA

President Celeste Kling called the meeting to order at 5:50 p.m. It was noted that Ms. Plock was not in attendance due to not feeling well. No changes were made to the meeting agenda.

MOTION: To approve the agenda as presented.
Motion/Seconded/Carried Unanimously

DISCUSSION AND ACTIONS

Policy Review, Discussion, Possible Action

The 2014 Legislative session is now 36 days into the session with 418 bills introduced thus far. 45 of those bills have already been postponed indefinitely and 1 "housekeeping bill" has been signed. Mr. Dan Sapienza, the Health District's Policy Coordinator, provided an update on various bills of interest as well as additional bills for the Board's consideration.

Bill Updates:

- *HB14-1045 – Breast & Cervical Cancer Treatment* – The Health District Board voted to support this bill at the last meeting. The bill passed the House Committee and was referred to Appropriations. There is a cost attached to the bill which is largely federal.
- *HB14-1051 – Developmental Disability Strategic Plan* – This bill passed out of the House Committee and passed 3rd reading in the full House unanimously. It has been assigned to the Senate HHS Committee and is expected to be heard on February 19. The Board previously

took the position to Strongly Support this bill. The bill, if it passes, would require that a strategic plan be developed by the end of this year that would address reducing and eventually eliminating the waiting list (over 5 to 7 years) for those with developmental disabilities who need services. A related bill, HB14-1252, was recently introduced that would reallocate approximately \$9 million towards admin and systems capacity and would be used to provide the services needed. Per Mr. O'Neill, it seems to be an attempt to put back dollars that had been cut over the past couple or so years.

- *HB14-1164 – Local Government Election Code* – This bill passed the Senate on 3rd reading yesterday and now goes back to the House to review Amendments. The intent of this bill is to fix some of the problems of last years' bill which made the election process a uniform process but not conducive to special districts. This bill separates out special districts and other local government elections and clarifies and codifies what was in the previous bill.
- *SB14-018 – Prohibit Nicotine Product Distribution to Minors* – This bill is moving along; passed Senate HHS Committee. Two of our local legislators on the Committee, Senator Kefalas and Senator Lundberg, both supported this bill.
- *Mental Health First Aid in 2014-15 Budget* – In a previous meeting, the Board voted to Strongly Support. Staff has met with some legislators concerning this issue. The next step will be a hearing with the Joint Budget Committee on March 5.

Bills for Discussion/Consideration:

- *HB14-1263 – Prohibiting tobacco products for persons under 21 years of age* – Ms. Kathryn Southard, a Public Health Intern working with our Policy Coordinator, provided a brief overview of this bill. House Bill 1263 would raise the minimum purchase and sale age of tobacco to age 21 (from age 18). It would also allow the grandfathering in of those who are 18 on or before June 30, 1996. The bill has bi-partisan sponsors, including one of our local legislators, Senator Kefalas. Ms. Southard provided background information of tobacco use and of other cities that have implemented similar legislation, which does show significant decrease in use by youth. The Board inquired whether other options, such as increasing tax on tobacco products, had been considered. In light of TABOR restrictions, it would be very difficult to pass such an increase. Though the analysis of this bill and issue is presently in draft form, staff inquired if the Board had a position on the issue.

MOTION: To STRONGLY SUPPORT HB14-1263.
Motion/Seconded/Carried Unanimously

Mr. Hendrickson complimented staff on the draft analysis stating that it takes a neutral stance and was very well written, providing strong arguments for both sides. It was noted that both Ms. Kling and Dr. Birnbaum support the economic argument.

- *HB14-1253 – Recommendations of the Civil Commitments Task Force* – This bill is one of the bigger health related bills of this session and the issue has been in the works for years. An analysis of the bill that will explain what it does and what it is trying to do will be forthcoming. In the meantime, staff is arranging to meet with community leaders on the issue, such as Dan Dworkin with the Fort Collins Police Department, Randy Ratliff of Touchstone Health Partners, and Curtis Royer with Poudre Valley Hospital, in order to gain more understanding of what this bill will do. The bill would implement the recommendations of the 2013 Civil Commitment Statute Review Task Force which was created by HB13-1296. That bill also modified definitions of “gravely disabled” and “danger

to self and others.” The Health District Board did not take a position on that bill at that time. Mr. Sapienza reviewed some of the recommendations from the Review Task Force’s Report. (See slides for details.) The question that comes up when talking to people about this is capacity; although the concept is great, there is concern about the capacity of both mental health beds and acute care beds. Cost is also an issue – these types of admissions require one-to-one care. Staff is planning to develop an in-depth analysis of this bill.

Board Comments: Overall, it makes a lot of sense to treat alcohol and substance abuse the same in the courts. Concern was expressed, however, that if it only addresses the commitment system and not the care delivery system as well, it will not solve the whole problem... this is a good idea, but there could be unintended consequences. The Board suggested other individuals staff might consider interviewing as they gather information: the Larimer County district judge that handles mental health cases; Dr. Glen Pearson, a psychiatrist and an inpatient consult liaison who decides on commitment at the hospital; as well as a hospital administration person as they may be concerned about compensation for these types of visits.

- *HB14-1225 – Require Hands-Free Telephones when driving* – This bill prohibits the use of mobile applications while driving; as well as prohibits making a phone call without a hands-free device. It was pointed out that, per the current wording of the bill, it would be impossible (and unenforceable) to prove whether a phone call caused an accident and that that language needs to be reworded. There was also concern that the bill could perpetuate the false assumption that hands-free cellphone use is better or less dangerous than hand-held cellphone use, which has been proven false in a University of Utah study. Mr. Birnbaum offered the following motion:

MOTION: To SUPPORT the notion of limiting telephone use in the car with the caveat that it may not make a difference whether it is handheld or not handheld, and that there is no difference on where the offense occurs.
Motion/Seconded/

After brief discussion, the following amended motion was presented:

MOTION: The Health District Board of Directors SUPPORT the prohibition of mobile application use while driving; and SUPPORTS a more complete prohibition of use of a cellphone for making a voice call beyond the scope of the proposed legislation, noting that evidence suggests there is little difference in the safety level of hands-free versus hand-held cellphone use while driving.
Motion/Seconded/Carried Unanimously

- *HB14-1099 – Schedule II Prescription Authority for Optometrists* – This bill would allow optometrists the authority to prescribe Schedule II drugs. The language was recently amended in Committee to “Schedule II drugs limited to hydrocodone combination drugs” (rather than “stronger hydrocodone drugs”). These drugs will be rescheduled from Schedule III to Schedule II as of May 2014. Concern has been expressed that by allowing optometrists to prescribe Schedule II drugs it could increase the misuse and/or misdirection of such drugs. Are optometrists trained to recognize drug abuse? Does federal law allow optometrists to

prescribe Schedule II drugs? (If not, state statute cannot supercede federal law.) The Board asked staff to investigate these questions.

- *HB14-1192 – Repeal Health Benefit Exchange* – This bill would repeal the health benefit exchange effective January 1, 2015. It is expected that this bill will die.

Local Issues – Marijuana. At the Fort Collins City Council work session meeting last night, they took a look at retail marijuana shops. Options being considered include extending the current moratorium, banning or restricting edible marijuana products, marketing restrictions, as well as restricting to existing medical marijuana providers. The Board has already sent a letter to the City Council (last July) about local regulation of marijuana. Mr. Sapienza suggests that another letter be sent that would recommunicate the same points. The Board supports that suggestion.

Executive Director Review – Ms. Kling reminded the Board that last year they had promised to do the next Executive Director Review in March prior to the arrival of new board members. She asked the board members if they want to complete a new survey or whether they had sufficient information to do a review without a survey. The Board was in agreement that no new survey was necessary and they would conduct the review during the March 4 Board Retreat.

ANNOUNCEMENTS

Executive Director Announcements/Updates – In Ms. Plock’s absence, Ms. Karen Spink provided a brief update on the Larimer Health Connect project. Staff has been diligently working on plans to market the program and get more people signed up before the March 31 deadline. LHC staff has been working with the evaluation team and with communications on information distribution, including a special informational insert, similar to what was included in the Compass newsletter last fall, which would be mailed to residents throughout the county. In addition, the LHC web site was revamped and the scheduling system is connected to the Facebook page. The board suggested also providing the information to doctors offices and to the hospital for distribution.

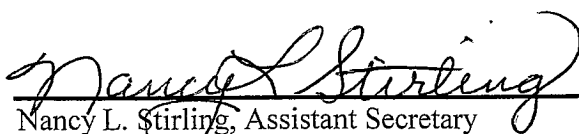
- February 25, 5:30 pm – Board of Directors Regular Meeting
- Tuesday, March 4, 2:00 pm – 9:00 pm – Board “Mini-Retreat”, at Tapestry House, LaPorte
- March 12, 5:30 pm (Wednesday) – Board of Directors Special Meeting

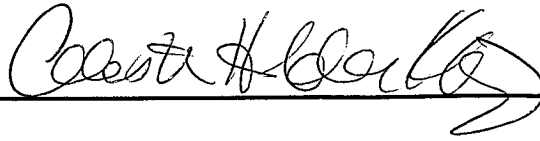
ADJOURN

MOTION: To adjourn the meeting.
Moved/Seconded/Carried Unanimously

The meeting was adjourned at 7:35 p.m.

Respectfully submitted:

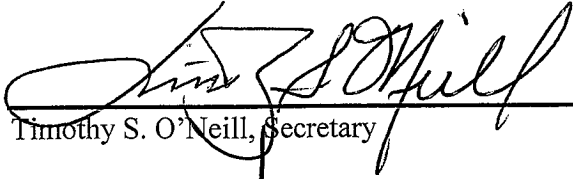

Nancy L. Stirling, Assistant Secretary



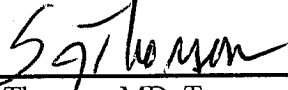
Celeste Holder Kling, President



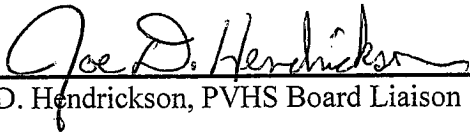
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Joe D. Hendrickson, PVHS Board Liaison