

**MINUTES OF THE QUARTERLY MEETING  
ARKANSAS STATE BOARD OF HEALTH  
January 26, 2023**

**MEMBERS PRESENT**

Mike Riddell, MD, President  
Susan Weinstein, DVM, President-Elect  
Renee Mallory, RN, Interim Secretary  
Greg Bledsoe, MD, Surgeon General  
Perry Amerine, OD  
Loy Bailey, RS  
Mellie Bridewell  
Eddie Bryant, MD  
Lane Crider, PE  
Dwayne Daniels, MD  
Brad Erney, DMD  
Darren Flamik, MD  
Phillip Gilmore, PhD  
Anthony Hui, MD  
Donald Ragland  
Blake Torres, Pharm.D  
Clay Waliski  
James Zini, DO

**MEMBERS ABSENT**

Vanessa Falwell, APRN  
David Kiessling, MD  
Balan Nair, MD

**GUESTS PRESENT**

Dr. Bala Simon, ADH, Deputy Chief Medical Officer  
Dr. Jennifer Dillaha, ADH, Director  
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, ADH, Senior Public Health Advisor  
Dr. William Greenfield, ADH, Senior Physician Specialist  
Dr. Namvar Zohoori, ADH, Deputy State Health Officer  
Dr. Austin Porter III, ADH, Deputy Science Officer  
Dr. Charles Bedell, ADH Associate Branch Chief  
Dr. Chychy Smith, ADH, Director, Health Disparities Elimination  
Dr. Katie Seely, ADH, Director, Public Health Lab  
Dr. Richard McMullen, ADH, Senior Scientist  
Shane David, ADH, Pharmacy Services Section Chief  
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  
Jo Thompson, ADH, Chief Financial Officer  
Christy Kreese, ADH, EMS Section Chief  
Matt Gilmore, ADH, Boards and Commissions Coordinator  
Tamara Baker, ADH, Women's Health Branch Manager  
Jeremy Courtney, ADH, Director, Center for Public Health Practice  
David Vrudny, ADH, Stroke/STEMI System Manager  
Martin Nutt, ADH, Environmental Supervisor  
Heather Parker-Foster, ADH, Assistant Environmental Supervisor  
Lance Jones, ADH, Director, Engineering  
William Sims, ADH, Plumbing Inspector Supervisor  
Pat Purifoy, ADH, Newborn Screening Manager  
Amy Chatwood, ADH, Systems Application Supervisor  
Mike Wilson, ADH, EOC Technical Manager  
Eric Kremers, ADH, Health Protection Center Director  
Meg Mirivel, ADH, Director, Health Policy  
Bernard Bevill, ADH, Radiation Control Section Chief  
Terry Paul, ADH, Environmental Health Branch Chief  
Rhonda Kitelinger, ADH, Maternity Nurse Coordinator

Shelly Matthews, ADH, Women's Health Program  
Nurse Facilitator  
Mandy Thomas, ADH, CHP ADMO  
Brian Nichols, ADH, Attorney  
S. Craig Smith, ADH, Attorney  
Tressa Williams, ADH, Board of Health Liaison  
Aaron Brist, ADH, Computer Support Analyst  
Kenneth Ridgway, ADH, Video Conference Coordinator  
Yasmeen Smith, ADH, Administrative Analyst  
Camille Richoux, UAMS/COPH

The quarterly meeting of the Arkansas State Board of Health was held on Thursday, January 26, 2023, 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 10:02 a.m. and asked for the calling of the roll. Ms. Laura Shue, ADH General Counsel, conducted the roll call. Following the roll call, Mr. Crider passed the gavel to Dr. Mike Riddell, the new Board of Health President.

### **APPROVAL OF MINUTES**

Dr. James Zini moved, and Mr. Donald Ragland seconded, that the Minutes of the October 27, 2022, Quarterly Meeting be approved. Motion passed by unanimous vote.

### **RESOLUTIONS**

Dr. Jennifer Dillaha read a resolution for deceased Board of Health member Dr. Terry Yamauchi. Dr. Phillip Gilmore moved, and Dr. Anthony Hui seconded, that the Resolution for Dr. Yamauchi be accepted. Motion passed by unanimous vote.

Ms. Shue presented the resolution for expense and travel. Dr. Zini moved and Dr. Susan Weinstein seconded for reimbursement for expense and travel. Motion passed by unanimous vote.

Ms. Shue presented the resolution for stipends. Dr. Anthony Hui moved, and Dr. Weinstein seconded for reimbursement for stipends. Motion passed by unanimous vote.

### **NOMINATING COMMITTEE MINUTES/RECOMMENDATION**

Mr. Crider, Chair of Nominating Committee, and members Dr. Balan Nair, Dr. Brad Erney, Donald Ragland and Marsha Boss met on December 2, 2022, to review the nominations for the position of President-Elect for 2023. It was unanimously agreed upon to recommend Dr. Sue Weinstein for the position of President-Elect to the full Board. Dr. Perry Amerine moved, and Mr. Ragland seconded the recommendation of Dr. Weinstein as President-Elect. Motion passed by unanimous vote.

## **OLD BUSINESS**

### *Statement of Financial Interest*

Ms. Shue stated each year a statement of financial interest must be filed with the Secretary of State and is due by January 31, 2023.

### *State Email Accounts*

Ms. Shue stated emails were sent regarding the setup of the arkansas.gov email account.

### *Legislative and Litigation Updates*

Ms. Shue provided a brief update on legislation and litigation. The Department of Health has a legislative team that goes to the Capitol, staffing the public health committees for the House and Senate. We are on course to get the Health Department initiatives passed.

Ms. Shue stated we are following the executive orders that have been issued by Gov. Sarah Sanders.

## **NEW BUSINESS**

### *Rules for Public use of Land and Water Owned by Central Arkansas Water at Lake Maumelle and Lake Winona*

Ms. Shue presented the Rules for Public use of Land and Water Owned by Central Arkansas Water at Lake Maumelle and Lake Winona for review only. State law requires that a copy of all the rules adopted by the operating authority like Central Arkansas Water shall be furnished to the state Board of Health within 30 days after adoption.

### *Revisions to the List of Controlled Substances*

Mr. Shane David presented the proposed amendments to the list of controlled substances. Dr. Amerine asked that the Board be briefed on the extent of the fentanyl crisis in Arkansas. Dr. Amerine moved, and Dr. Blake Torres seconded to accept the changes to the controlled substances list. Motion passed by unanimous vote.

### *Rules for Control of Sources of Ionizing Radiation*

Mr. Bernie Bevill presented an exemption to the Rules for Control of Sources of Ionizing Radiation. He requested authorization to issue exemptions to the rule to permit personnel security systems to be used in non-healing arts for law enforcement settings. Dr. Zini moved and Dr. Hui seconded for adoption of the rule to exemption of the rule. Motion passed by unanimous vote.

### *Rules Governing Nutrition and Physical Activity Standards and BMI for Age Assessment Protocols in Arkansas Public Schools*

Ms. Tamara Baker presented a summary of changes of the Rules Governing Nutrition and Physical Activity Standards and BMI for Age Assessment Protocols in Arkansas Public School

for review. Mr. Clay Waliski stated he would like to be considered to the 20-person advisory board as a representative from the State Board of Health.

Ms. Renee Mallory stated that the meeting was Ms. Baker's last presentation to the Board of Health, as she is retiring.

*Rules Pertaining to Master, Journeyman, and Restricted Plumber Licenses, Plumbing and Gas Inspector Licenses, Restricted Hospital Maintenance, Water and Sewer Line Installation*

Mr. Craig Smith, ADH Attorney, presented the proposed changing to the Rules Pertaining to Master, Journeyman, and Restricted Plumber Licenses, Plumbing and Gas Inspector Licenses, Restricted Hospital Maintenance, Water and Sewer Line Installation. Mr. Crider moved, and Dr. Gilmore seconded that the rules be accepted as presented. Motion carried by unanimous vote.

*Proposed Rules for Declaratory Orders*

Mr. Smith presented Proposed Rules for Declaratory Orders. These rules instruct all agencies on how a member of the public may request a Declaratory Order, which is a means for members of the public to request assistance resolving a controversy or answering questions or doubts concerning the applicability of statutory provisions, rules, or orders over which the Department has authority. Dr. Gilmore moved, and Dr. Hui seconded that the proposed rules be approved. Motion passed by unanimous vote.

*Proposed Findings of Fact, Conclusion of Law, and Order on Matthew Baldwin*

Mr. Smith expressed appreciation for the subcommittee members, Dr. Riddell, Dr. Erney and Dr. Darren Flamik, cooperation in assisting with the hearings.

Mr. Smith presented the disciplinary case of Mr. Matthew Baldwin. There was no representation by Mr. Baldwin at the meeting in person, virtually nor through counsel. Mr. Smith stated on June 8, 2020, Mr. Baldwin entered into a consent agreement with the Department after failing a drug test administered by his employer. Since the date of that consent agreement, Mr. Baldwin has failed to comply with the terms of the agreement; therefore, the subcommittee recommends immediate revocation of his license. Dr. Weinstein moved, and Dr. Flamik seconded, that the proposed recommendation be accepted. Motion carried by unanimous vote.

*Proposed Findings of Fact, Conclusion of Law, and Order on Thomas Curtis*

Mr. Smith presented the disciplinary case of Thomas Curtis. There was no representation by Mr. Curtis at the meeting in person, virtually nor through counsel. Mr. Smith stated on February 10, 2022, Mr. Curtis entered into a plea agreement with the Circuit Court of DeSoto County in Mississippi on the charge of enticement of a child. Pleading guilty or being found guilty of this offense is grounds for revocation of his license and the subcommittee recommends immediate revocation. Mr. Ragland moved, and Mr. Waliski seconded, that the proposed recommendation be accepted. Motion carried by unanimous vote.

*Proposed Findings of Fact, Conclusion of Law, and Order on Samuel Bradway*

Mr. Smith presented the disciplinary case of Samuel Bradway. There was no representation by Mr. Bradway at the meeting in person, virtually nor through counsel. Mr. Smith stated on

October 28, 2022, the Board adopted the recommendation of the subcommittee for suspension of Mr. Bradway's EMT license when a complaint for smoking marijuana on duty and having failed a drug test was lodged by his employer at the time. The suspension issued by the Board required a complete substance evaluation and submit to random drug testing as well as continuing education hours. To date, Mr. Bradway has failed to comply with the Board's order of suspension; therefore, the subcommittee is recommending immediate revocation of his EMT license. Dr. Weinstein moved, and Dr. Hui seconded that the proposed recommendation be accepted. Motion carried by unanimous vote.

*Proposed Findings of Fact, Conclusion of Law, and Order on Braden Duggan*

Mr. Smith presented the disciplinary case of Braden Duggan. There was no representation by Mr. Duggan at the meeting in person, virtually nor through counsel. Mr. Smith stated Mr. Duggan failed to submit patient care reports (PCR), despite multiple requests from the Department. The subcommittee had a hearing on October 5, 2022, in which Mr. Duggan did appear and was encouraged to work with the service provider, although he is no longer employed, to make sure that these PCRs are completed and submitted. To date, Mr. Duggan has not completed those PCRs and the subcommittee is recommending that Mr. Duggan's license be suspended until such time that those are completed. Dr. Amerine moved, and Dr. Flamik seconded that the proposed finding of fact be accepted. Motion carried by unanimous vote.

Mr. Smith added that notification was sent to each licensee at the mailing address provided by the Department, and they have chosen not to appear today.

*Proposed Findings of Fact, Conclusion of Law, and Order on Keaton Fincher*

Mr. Smith presented the disciplinary case of Keaton Fincher. There was no representation by Mr. Fincher at the meeting in person, virtually nor through counsel. Mr. Smith stated Mr. Fincher's hearing was held on December 1, 2022, for failure to complete patient care reports (PCR). As of this time, Mr. Fincher has not completed those and the subcommittee is recommending that his license be suspended until such time that those PCRs are completed and submitted. Mr. Ragland moved, and Dr. Zini seconded to accept the recommendation of the subcommittee. Motion carried by unanimous vote.

*Medical Ionizing Radiation Licensure Committee (MIRLC) Licensee Van Johnson  
Appeal from Denied Act 990 Waiver Request*

This item was removed from the agenda.

*Appointment of County Health Officers*

Dr. Namvar Zohoori, ADH Deputy Director for Science, stated that Dr. Carolyn Dillard of Crawford County and Dr. Larry Jennings of Searcy County are reappointments.

Dr. Zohoori stated that County Health Officers are nominated by the county judge and endorsed by the Local Health Unit administrator of each county. They are reviewed and approved by the Executive Staff of the Health Department and then presented to the Board of Health for approval.

Dr. Zohoori asked to present all three nominations at once, which was approved. He presented Dr. Vincent Lee as County Health Officer for Greene County; Dr. Matthew Nix as County Health Officer for Miller County; and Dr. Jeremiah Rutherford as County Health Officer for Pope County. Dr. Gilmore moved, and Dr. Zini seconded the approval of appointment of the three county health officers.

#### *Reappointment of County Health Officers*

Dr. Zohoori asked to present all five nominations at once, which was approved.

He presented Dr. Kevin Jackson as County Health Officer for Boone County; Dr. Carolyn Dillard as County Health Officer for Crawford County; Dr. Robert Rook as County Health Officer for Faulkner County; Dr. Scott Winston as County Health Officer for Grant County; and Dr. Larry Jennings as County Health Officer for Searcy County.

Dr. Zohoori gave a couple developments for training education involvement in public health and the Health Department. As part of the infrastructure grant that was awarded to the Department by the CDC, funding for scholarships has been granted for county health officers to obtain certificates in public health. There is enough funding for six county health officers per year for three years.

Dr. Zini moved, and Dr. Bryant seconded the approval of re-appointment of the five county health officers.

#### **OTHER BUSINESS**

Due to the educational seminar, there were no administrative or centers/office updates.

#### **PRESIDENT'S REPORT**

Dr. Riddell stated if there is anything that fellow Board members would like to hear about to let him know. He asked members to consider serving on a subcommittee.

#### **SECRETARY'S REPORT**

Ms. Mallory stated she has been asked by the new administration and the new governor to stay on as Interim Secretary and it is an honor and privilege to be able to represent the Health Department and all the people who work here and work so hard.

Ms. Mallory stated there is a Legislative Session going on and ADH keeps up with the bills and our legislation that we are proposing and what is being proposed for us. ADH will have an update in April.

#### **ADJOURNMENT**

Mr. Crider moved, and Dr. Zini seconded for adjournment of the meeting. Meeting adjourned at 11:59 a.m.



*Dr. Mike Riddell*

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Dr. Mike Riddell, President  
Arkansas State Board of Health