

**MINUTES OF THE ARKANSAS STATE BOARD OF HEALTH
QUARTERLY MEETING
JANUARY 23, 2025**

MEMBERS PRESENT

Darren Flamik, MD, President
Brad Erney, DMD, President Elect
Renee Mallory, RN, Secretary of Health
Kay Chandler, MD, Surgeon General
Loy Bailey, RS
Robert Bonner, DVM
Chris Cathey, DC
Lane Crider, PE
Dwayne Daniels, MD
Phillip Gilmore, PhD
Justin Franks, OD PA
Anthony Hui, MD
Donald Ragland
Jim Terry
Blake Torres, PharmD
Clay Waliski
James Zini, DO

MEMBERS ABSENT

David Kiessling, DPM
Mike Riddell, MD
Mellie Bridewell
Dr. Eddie Bryant
Vanessa Falwell

GUESTS PRESENT

Jennifer Dillaha, MD, ADH Director,
Secretary of AR Board of Health
Don Adams, ADH, Chief of Staff
Cassie Cochran, ADH, Deputy Director
for Public Health Programs
Bala Simon, MD, ADH, Deputy Chief
Medical Science Officer
Namvar Zohoori, MD, ADH, Chief
Science Officer
Mike Cima, PhD, ADH, State
Epidemiologist
Naveen Patil, MD, Deputy State Health
Officer
Connie Melton, ADH, Director, Division
Officer for Health Protection
Cristy Sellers, ADH, Director, Division,
for Health Advancement
Jeremy Courtney, ADH, Director,
Division for Public Health Practice
Sherian Kwanisai, ADH, Director,
Division for Local Public Health
Joe Martin, Director, Office of
Preparedness and Emergency
Response Systems
Austin Porter, DrPH, MPH, ADH, Deputy
Chief Science Officer and Deputy
State Epidemiologist
Matt Gilmore, ADH, Public Health
Programs Policy Coordinator
Katie Seely, Ph.D, ADH, Director, Public
Health Laboratory
Meg Mirivel, ADH, Director,
Communications
Shirley Louie, ADH, Nuclear /
Radiological And Environmental
Liaison Officer
William Greenfield, MD, ADH, Senior
Physician Specialist and Medical
Director for Family Health
ChyChy Smith, DrPH, MPH,
Director, Office of Health Disparities
Elimination
Lance Jones, ADH, Director of
Engineering

Richard McMullen, PhD, ADH, Senior Scientist, Division for Local Public Health
Ric Mayhan, ADH, Director, Protective Health Codes and Environmental Health Manager
William Sims, ADH, Plumbing Inspector Supervisor
Laura Shue, ADH, General Counsel
Reginald Rogers, ADH, Deputy General Counsel
Brian Nichols, ADH, Attorney
Deborah Reagan, ADH, Attorney
S. Craig Smith, ADH, Attorney
Nick Shull, ADH, Pharmacy Control Investigator
Christy Kresse, ADH, Section Chief
Amanda White, ADH, EMS Supervisor
Kris Wilson, ADH, Executive Assistant to Chief of Staff
Jessica Upchurch, ADH, Administrative Assistant
Karla Lock, ADH, Board of Health Liaison
Stacey Flamik
Jordan Reed, UAMS

The quarterly meeting of the Arkansas State Board of Health was held on Thursday, January 23, 2025, in the Main Conference Room, Room 906, at the Freeway Medical Tower Building in Little Rock, Arkansas.

CALL TO ORDER

Dr. Phillip Gilmore, President, called the meeting to order at approximately 10:00 a.m., and asked for a roll call which was conducted by General Counsel Laura Shue.

INTRODUCTION OF NEW BOARD OF HEALTH PRESIDENT

Dr. Gilmore introduced Dr. Darren Flamik who will now serve as the President of the State Board of Health. Dr. Gilmore thanked the members for their service on the Board as well as the Administration for their professionalism and support. Dr. Gilmore recognized Dr. Flamik for his many years of service to the citizens of Arkansas by actively participating on the Board and on committee. Dr. Gilmore passed the gavel to Dr. Flamik and asked the Board members to welcome Dr. Darren Flamik as President.

APPROVAL OF MINUTES

Mr. Lane Crider moved, and Dr James Zini seconded, that the Minutes of the October 24, 2024, Quarterly Meeting be approved. Motion carried by unanimous vote.

NOMINATING COMMITTEE RECOMMENDATION

Dr. Phillip Gilmore presented to the Board the nomination from the Nominating Committee December 18, 2024, meeting; the recommendation of Dr. Brad Erney for the President-Elect position, to be the President of the Board for the calendar year 2026.

Dr. James Zini moved, and Mr. Donald Ragland seconded, to approve the nomination. Motion carried by unanimous vote.

RESOLUTION FOR EXPENSE AND TRAVEL REIMBURSEMENT

General Counsel Laura Shue presented the expense and travel resolution. She informed that the law allows expense and travel to be reimbursed upon request up to the allowable amount provided.

Mr. Loy Bailey moved, and Mr. Lane Crider seconded, that Resolution for Expense and Travel Reimbursement be approved as presented by General Counsel Ms. Shue. Motion carried by unanimous vote.

General Counsel Laura Shue also presented the stipends resolution. The law provides that the Board of Health members are allotted a stipend of \$85 per meeting, examination, evaluation, and inspection attended.

Mr. Donald Ragland moved, and Dr. Brad Erney seconded, that the Resolution for Stipend Reimbursement be approved as presented by General Counsel Ms. Shue. Motion carried by unanimous vote.

OLD BUSINESS

STATEMENT OF FINANCIAL INTEREST

General Counsel Laura Shue reminded board members to turn in the required Statement of Financial Interest. The original request and forms had been sent in an email in December, but a copy would be provided if needed. The form requires a notarized signature and is to be filed with the Secretary of State by the end of the month.

NEW BUSINESS

COUNTY HEALTH OFFICER – APPOINTMENT

Dr. Namvar Zohoori, Chief Science Officer, requested approval of Dr. Shane Higginbotham, the nominee for Hot Spring County. There were no questions from the Board.

Dr. Phillip Gilmore moved, and Dr. Blake Torres seconded, to approve the nomination. Motion carried by unanimous vote.

COMMITTEE OF PLUMBING EXAMINERS- APPOINTMENT

Ric Mayhan, Director of Plumbing and Natural Gas, requested approval of nominee Mr. Stanley Stapleton to the appointment of Journeyman Plumber Representative on the Committee of Plumbing Examiners. There were no questions from the Board.

Dr. Robert Bonner moved, and Dr. James Zini seconded, to accept the appointment. Motion carried by unanimous vote.

COMMITTEE OF PLUMBING EXAMINERS- APPEAL BY DEREK STOWE, LICENSEE

Brian Nichols, ADH Attorney, addressed the Board regarding the appeal by Derek Stowe of the Committee of Plumbing Examiners Order issued November 1, 2024. Mr. Stowe did not appear, individually or by counsel, at the November 1, 2024, committee meeting. Mr. Nichols advised the Board Mr. Stowe was provided Notice of Hearing before the Committee of Plumbing Examiners on November 1, 2024. In addition, Mr. Stowe was provided Notice the Hearing before the Board today, January 23, 2025, and is not present.

Mr. Nichols advised the Board of the Findings of Fact, and the resulting Order issued November 19, 2024, by the Committee of Plumbing Examiners. The Order found Mr. Stowe, the respondent, failed to obtain a permit prior to beginning the plumbing work, failed to request, and obtain required inspections, failed to properly size the building sewer, and failed to install the building sewer with sufficient slope for drainage. Based on those conclusions, the committee assessed a civil penalty of four thousand (\$4,000.00) dollars to be imposed.

Mr. Nichols noted in the respondent's request for an appeal to the Board, the respondent did not deny any of the allegations. Mr. Nichols asked the Board to uphold the committee's decision, and the civil penalty imposed of four thousand (\$4000.00) dollars. There were no questions from the Board.

Dr. Chris Cathey moved, and Dr. Brad Erney seconded, to uphold the committee's decision as written. Motion carried by unanimous vote.

EMERGENCY MEDICAL SERVICES HEARING

PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER ON MARSHA TILLEY

Craig Smith, ADH Attorney, presented the disciplinary case of Marsha Tilley. Ms. Tilley did not appear, individually or by counsel, before the subcommittee meeting on December 18, 2024. Mr. Smith advised the Board Ms. Tilley was given due notice of the administrative hearing on December 18, 2024, and failed to appear. In addition, Ms. Tilley was provided notice of hearing before the Board today, January 23, 2025, and is not present.

Mr. Smith advised the Board that on December 18th, 2024, a hearing was held before the Administrative Subcommittee of the Arkansas State Board of Health regarding Marsha Tilley, EMT License No. 26033. The subcommittee was presented with the findings of fact, and after deliberation, concluded that Ms. Tilley had failed to comply with the Rules for Emergency Medical Services, and recommended her license be revoked. Mr. Smith requested the Board uphold the subcommittee's recommendation and proposed Order.

Mr. Loy Bailey moved, and Mr. Jim Terry seconded, to uphold the subcommittee's proposed Order. Motion carried by unanimous vote.

OTHER BUSINESS

ADMINISTRATIVE UPDATES

Don Adams, Chief of Staff, presented on the Legislative Audit Findings for Fiscal Year 2023. Mr. Adams advised only two findings to report for Fiscal Year 2023. The first finding was failure to disclose a potential conflict and the second finding was related to contracting with an individual for general employment services.

On the first finding, Mr. Adams stated the Department of Health provides subgrant funding to many different organizations, one of those being the Arkansas Cancer Coalition, and in this specific situation, an office director who works at the Arkansas Minority Health Commission is also an active member on the Arkansas Cancer Coalition's Board. Given her position on the Board, she should have updated her disclosure forms and that was not done prior to funding of the subgrant to the Arkansas Cancer Coalition.

Mr. Adams advised the situation has been remedied and there is no longer a conflict; The Department of Health can continue to subgrant monies to the Arkansas Cancer Coalition.

The second finding was related to contracting with an individual for general employment services; specifically, clerical duties. Mr. Adams explained the Arkansas Compensation Classification Act requires certain work to be compensated within a certain range; therefore, the Department of Health is prohibited from contracting for general employment services, because it could circumvent state law by paying someone below or even above a specified range. In this finding, the Department was not paying them outside of said range but given contracting is not the appropriate way to solicit for general employment services, the contract was terminated and the individual was hired as extra help. Mr. Adams then clarified for the Board that the Department of Health is allowed to contract for certain technical and professional services, but not for general employment services.

Concluding his remarks, Mr. Adams stated both findings will be addressed before a legislative committee after the current session is over. At that time, the findings will be discussed along with corrective action plans.

DIVISION/ OFFICE UPDATES

Mr. Lance Jones, Director of Engineering, provided the Board with updates on the Public Water System Orders issued from the July 25, 2024, Board of Health Meeting as well as the Orders issued from the October 24, 2024, Board of Health Meeting.

Beginning with the Orders issued July 25, 2024, Mr. Jones advised Helena Waterworks had obtained temporary services of a licensed operator, had completed all public notices of violations to date, and submitted an engineering report to the Department of Health. The Department of Health is awaiting finalization of Helena's long-term plan and penalties of \$234,200 dollars remain suspended pending compliance with the Order.

West Helena Waterworks has obtained temporary services of a licensed operator. The water storage tanks have been inspected and all public notices of violations have been completed.

West Helena has submitted an engineering report to the Department of Health. The Department of Health is awaiting finalization of West Helena's long-term plan and penalties of \$450,800 dollars remain suspended pending compliance with the Order.

Strong Waterworks has made repairs to water storage tanks but has not issued notices to the public of violations, has not paid public water systems fees of \$3,333.60 dollars with an additional bill issued in 2025 of \$2,222.40 dollars. Penalties of \$185,400 dollars remain suspended pending compliance with the Order.

On the Orders issued October 24, 2024, Mr. Jones advised Compton Waterworks has a system operator who has obtained an operator in training license (full license to be active July 2025) and has completed all public notices of violations to date. Compton was issued a penalty bill of \$500 dollars in January 2025. Compliance with Order has been suspended, along with \$227,500 dollars in penalties, until system operator is in place and the \$500 dollar penalty for 2025 has been paid.

Fouke Waterworks has completed all public notices of violations to date and has made payments totaling \$3,366 dollars on outstanding public water system fees leaving a remaining past due balance of \$1,425 dollars. In addition to the past due balance, a penalty bill of \$500 dollars was issued along with the current 2025 bill of \$1,624.40 dollars. Penalties of \$27,500 dollars remain suspended pending compliance with the Order. Fouke Waterworks also has significant unaddressed deficiencies that will trigger violations starting February 2025.

Hosanna Heights Waterworks has been unresponsive to all matters addressed in October's Order from the Board of Health. The Department of Health is discussing options with the Department of Agriculture's Natural Resources Division to find solutions to address the system's needs. Currently Hosanna Heights has unpaid past due public water system fees of \$250 dollars, along with current 2025 fees of \$250 dollars. In addition, Hosanna Heights has a penalty bill of \$500 dollars, and \$136,780 dollars remain suspended pending compliance with Order.

PUBLIC HEALTH SCIENCE-PROGRAM UPDATES

No program updates.

PRESIDENT'S REPORT

Dr. Darren Flamik began by passing around the sign-up sheet for member participation on the subcommittees. He then asked each member to briefly introduce themselves, given this was the first Board meeting of 2025. Dr. Flamik indicated the sign-up sheet will also be distributed via email to those members who are attending online. Dr. Flamik concluded his remarks by encouraging all members to attend the Symposium being held the last weekend of September 2025.

SECRETARY'S REPORT

Secretary Mallory began by addressing the fact that there are Board members whose terms have expired. She stated both herself and Ms. Shue have been in frequent contact with the Governor's office regarding the appointments and anticipate those announcements soon.

Ms. Mallory stated the ADH legal team is currently engaged in the legislative session; keeping up with both the bills our department is proposing and what may affect the Department. Ms. Mallory stated the legal team will report on those matters in April.

Concluding her remarks, Ms. Mallory announced the Arkansas Department of Health was reaccredited by the Public Health Accreditation Board. She praised Dr. Simon and his team for their dedication in monitoring Arkansas's public health systems, integrating their findings and educating health administrators to continuously build and improve on the foundation of public health in Arkansas.

The meeting adjourned at 10:46 a.m. Dr. James Zini moved, and Dr. Robert Bonner seconded.



Dr. Darren Flamik, President
Arkansas State Board of Health