

**Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017  
Madison, Wisconsin**

**DATE:** September 13, 2017

**TO:** Dean Robert N. Golden, MD, UW-SMPH – Dr. Richard Moss, Designated Representative  
Linda Seemeyer, Secretary, DHS – Karen McKeown, Designated Representative  
Cathy Stepp, Secretary, DNR – Mark Aquino, Designated Representative  
Ben Brancel, Secretary, DATCP –Gilbert (Gil) Kelley, Designated Representative  
James Morrison, Chair  
Dr. Richard Moss, Vice-Chair  
Dr. Robert Corliss, Member  
Barry Irmey, Member  
James Wenzler, Member  
Jeffrey Kindrai, Member

Steven Geis, DNR Alternate  
Zana Sijan, DNR Alternate  
Charles Warzecha, DHS Alternate

**FROM:** Dr. James Schauer, Secretary  
Director, Wisconsin State Laboratory of Hygiene

**RE:** Wisconsin State Laboratory of Hygiene Board of Directors Meeting  
Wisconsin State Laboratory of Hygiene  
2601 Agriculture Drive  
Madison, WI 53718  
September 19, 2017  
1:00p.m. — 4:00p.m.

**C:** Cynda DeMontigny  
Christine Gunter  
Kristine Hansbery  
Jan Klawitter  
Dr. Daniel Kurtycz  
Kevin Karbowski  
John Shalkham  
Dr. Peter Shult  
James Sterk  
Steve Strebel  
David Webb

**WISCONSIN STATE LABORATORY OF  
HYGIENE  
BOARD OF DIRECTORS  
MEETING NOTICE**

**Tuesday, September 19<sup>th</sup>, 2017**

**1:00p.m. – 4:00p.m.**

**MEETING LOCATION**

**Wisconsin State Laboratory of Hygiene  
2601 Agriculture Drive  
Madison, WI 53718**

**Notice is hereby given** that the Wisconsin State Laboratory of Hygiene Board of Directors will convene at 1:00 p.m. on Tuesday, September 19<sup>th</sup>, 2017 at Wisconsin State Laboratory of Hygiene in Madison, Wisconsin.

**Notice is further given** that matters concerning Wisconsin State Laboratory of Hygiene issues, program responsibilities or operations specified in the Wisconsin Statutes, which arise after publication of this notice may be added to the agenda and publicly noticed no less than two hours before the scheduled board meeting if the board Chair determines that the matter is urgent.

**Notice is further given** that this meeting may be conducted partly or entirely by teleconference or videoconference.

**Notice is further given** that questions related to this notice, requests for special accommodations, or requests for a public appearance are addressed by the Wisconsin State Laboratory of Hygiene Administrative Offices by phone at (608) 890-0288 or in writing to the Wisconsin State Laboratory of Hygiene, 465 Henry Mall, Madison, Wisconsin, 53706.

**ORDER OF BUSINESS:** See agenda.

Respectfully submitted,



James J. Schauer, PhD, P.E., M.B.A.  
Secretary, Wisconsin State Laboratory of Hygiene Board of Directors  
Director, Wisconsin State Laboratory of Hygiene  
September 13, 2017

Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19<sup>th</sup>, 2017  
1:00 P.M. – 4:00 P.M.

Wisconsin State Laboratory of Hygiene  
2601 Agriculture Drive  
Madison, WI 53718

## AGENDA

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Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017

**PROCEDURAL ITEMS**

**Item 1. APPROVAL OF MINUTES**

**Description of Item:**

The draft minutes of the June 20<sup>th</sup>, 2017 board meeting are submitted for approval.

**Suggested Board Action:**

Motion: Approve the draft minutes of the June 20<sup>th</sup>, 2017 board meeting as submitted.

**Staff Recommendation and Comments:**

Approve draft minutes.

Once approved, minutes become part of the public record and are posted on the WSLH website: <http://www.slh.wisc.edu/about/board/board-meetings-agendas-and-minutes/>.

**Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19th, 2017  
1:00 P.M – 4:00 P.M.  
2601 Agriculture Drive  
Madison, WI 53718**

**APPROVED MINUTES  
June 20th, 2017**

**MEMBERS PRESENT:** Chair James Morrison, Vice-Chair Dr. Richard Moss, Dr. Robert Corliss, Barry Irmen, James Wenzler, Charles Warzecha (on behalf of Karen McKeown), Jeffery Kindrai, Gil Kelley, Zana Sijan (on behalf of Mark Aquino)

**WSLH STAFF PRESENT:** Dr. James Schauer, Dr. Peter Shult, Dr. Daniel Kurtycz, David Webb, Steve Strebel, Kristine Hansbery, Jan Klawitter, Steve Marshall, Cynda DeMontigny, Jim Sterk, Chris Gunter, and Nathaniel Javid

**DNR STAFF PRESENT:** Zana Sijan, Steve Geis

**GUESTS PRESENT:** None

*Chair James Morrison called the meeting to order at 1:00 P.M.*

**Chair James Morrison welcomed Dr. James Schauer as the new Director of the Wisconsin State Laboratory of Hygiene and the Board introduced themselves.**

**Item 1. APPROVAL OF MINUTES**

Approve the minutes of the March 21st, 2017, Board Meeting as submitted. Nathaniel Javid noted two corrections to the minutes made in advance by Director Wenzler, and Steve Geis noted that his name should be added to the attendance list. **James Morrison** made a motion to approve with the aforementioned changes, seconded by **James Wenzler**. The voice vote approving the minutes was unanimous.

**Item 2. REORGANIZATION OF AGENDA**

There was no reorganization of the agenda.

### **Item 3. PUBLIC APPEARANCES**

There were no public appearances.

### **Item 4. BOARD MEMBERS' MATTERS**

James Wenzler inquired if a motion should be entertained to appoint a new Board Secretary, now that the new WSLH Director is in place. Jan Klawitter confirmed a motion should be entertained based on statute. **Chair James Morrison** entertained a motion to appoint Dr. James Schauer as Secretary of the Board, seconded by **Steve Geis**. The voice vote approving Dr. Schauer as Secretary was unanimous. Dr. James Schauer now serves as Board Secretary.

Steve Geis mentioned that the DNR has a laboratory certification proposal available for public comments. The certification is expected to go to the legislature in January. The last date to submit comments is July 31st.

Director Wenzler asked to have the Secretary of the Board forward the link mentioned by Steve Geis for Laboratory Certification Rule proposal for the Board Members to review and submit comments.

### **Item 5. WSLH BOARD BYLAWS REVIEW & CALENDAR**

#### **■ Steve Marshall, Assistant Director, Wisconsin State Laboratory of Hygiene**

The WSLH staff is in the process of reviewing and updating the Board bylaws based off the original request by Director Wenzler. Several WSLH staff have reviewed these bylaws, which have not been updated since 2006. Mr. Marshall asked the Board to refer to their packets for a summary of what was reviewed. Mr. Marshall noted that any changes made to the bylaws need to be approved by a two-thirds vote of the Board. The current bylaws that have not been followed include producing administrative rule proposals, submitting biennial budget requests, setting strategic priorities for the lab, and a six-year facilities improvement plan. The Board mission and vision statements were updated in the past several years by the Strategic Leadership Team but the Board was not engaged in the process at the time of revision. The policies note that the Board should meet outside of the capitol city once annually. Mr. Marshall noted that meetings of the executive committee of the Board can be called at any time. James Wenzler asked if staff had a chance to look at statute 4.01, which is outdated. Mr. Marshall noted that we have not reviewed 4.01 but it will be addressed. Dr. Schauer mentioned that we will be working on developing the facilities and strategic plans. Dr. Schauer mentioned that he plans to reach out individually to Board members and connect with them on these issues.

Dr. Richard Moss noted that he has concerns about the ambiguity in the statutes of the Board's role as an approval authority for high-level positions. Dr. Moss mentioned defining the role of the Board in these situations. James Wenzler asked if the Board could have information on high level position changes in the laboratory. Dr. Schauer

noted the distinction between the Board providing an advisory role and making an ultimate decision. Dr. Schauer noted that we will be reviewing and likely renaming the cross cutting teams, which will be responsible for maintaining various functions throughout the laboratory. Barry Irmen mentioned concerns about having delays in hiring processes with increased involvement of the Board. Charles Warzecha noted that from a timing standpoint, it might not be feasible to have the Board involved more heavily with recruitment. Dr. Moss mentioned having a cut-off above an assistant director of a division for Board oversight and approval with hiring, but not below an assistant director level. The Board agreed to continue this discussion when the updated bylaws are presented at the September Board meeting.

Mr. Marshall presented the updated Board meeting calendar, reflecting the shift from meeting five times a year to four (with the year divided into quarters), with draft outlines of what will be covered at each meeting.

## **Item 6. WSLH STRATEGIC PLANNING PROCEDURE UPDATE**

### **■ Steve Marshall, Assistant Director, Wisconsin State Laboratory of Hygiene**

Steve Marshall presented a draft of the strategic planning procedure to the Board. The procedure documents the steps the WSLH takes to periodically develop, approve, monitor and share the outcomes of the lab-wide strategic plan. The intent is to share this document with the Board for their input. In general, we plan to make more data-driven decisions which are outlined in this procedure. We plan to update strategic map categories and objectives, and collect data through online surveys. We also plan to engage more with our stakeholders in this process. In the past, our strategic plan was more operational, but now we will focus on higher-level planning.

## **Item 7. FINANCIAL REPORT**

### **■ James Sterk, Accounting Supervisor, Wisconsin State Laboratory of Hygiene**

As of April 30, 2017, our net operating income came in at \$2,636,691, which is \$2,608,923 higher than budgeted at \$28,398. This is the result of a budgeted total support and revenue of \$35,813,593 (\$38,165,812 actual), with budgeted expenses of \$35,785,195 (\$35,529,121 actual). Compared to last year, we have an increase in support and revenue by \$2,945,330 and an increase in expenses by \$567,397. Mr. Sterk went over the comparative balance sheet which outlines assets, liabilities and equities, and the statement of cash flows.

## **Item 8. PRESENTATION OF FY18 BUDGET**

### **■ James Sterk, Accounting Supervisor, Wisconsin State Laboratory of Hygiene**

Our final FY18 budget shows \$45,168, 717 in total support and revenue, with \$45,054,370 in expenses, giving us a net operating income of \$114,347 compared to \$0 in the preliminary budget. This difference is due to an ELC contract. Compared to our FY17 budget, our total support and revenue is up by \$1,960,146 and our total expenses are up by \$1,945,800. Mr. Sterk next went over the budget by division, which went into specific detail. **Chair James Morrison** made a motion to approve the budget as presented, seconded by **Jeffery Kindrai**. The motion passed unanimously and the budget was approved.

## **Item 9. CONTRACTS REPORT**

### **■ Christine Gunter, Financial Program Supervisor, Wisconsin State Laboratory of Hygiene**

Christine Gunter went over the contracts report for the Board. Since January 1st, 2017, we've had three contracts with the Association of Public Health Laboratories totaling \$1,000,000, five contracts with the WI Department of Health Services totaling \$711,553, four contracts with the WI Department of Natural Resources totaling \$128,921, one contract with Children's Hospital and Clinics at \$14,000 and one contract with the CDC at \$147,000. The grand total of contracts new or renewed since January 1, 2017 was \$2,001,474.

## **Item 10. DIRECTOR'S REPORT**

### **■ Dr. James Schauer, Director, Wisconsin State Laboratory of Hygiene**

Dr. Schauer had Jan Klawitter present on public and environmental health incidents at the WSLH. Ms. Klawitter noted an article by Dr. Sharon Long on cryptosporidium testing in soil in the *Agriculture and Environmental Letters* journal. The WSLH also successfully completed a CDC exercise for Level 1 chemical emergency response labs and APHL granted an award to the WSLH for the implementation of three new disorders tested for newborn screening. Ms. Klawitter had the Board refer to the packet for information on other updates.

Dr. Schauer had the Board refer to the public water systems report in the packet.

Dr. Schauer introduced the Human Resources Update and had WSLH HR Director, Cynda DeMontigny, present the report. There was a grand total of eight retirements from July 1, 2016 to June 7, 2017. There were fourteen new employees from July 1, 2016 to December 31st, 2016 and twenty-eight new employees from January 1, 2017 to June 7, 2017. James Wenzler asked for an update on succession planning in the next HR report.

James Wenzler asked for an update on the status of the Financial Manager recruitment. Dr. Schauer responded to say that interviews are being scheduled and we expect to fill the position by the end of the summer.



**Chair James Morrison** made a motion to adjourn meeting at 2:45 P.M. **Charles Warzecha** seconded the motion. The motion passed unanimously and the meeting was adjourned.

Respectfully submitted by:

James J. Schauer, PhD, P.E., M.B.A.  
Secretary, Wisconsin State Laboratory of Hygiene Board of Directors

Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017

**PROCEDURAL ITEMS**

**Item 2. REORGANIZATION OF AGENDA**

**Description of the Item:**

Board members may suggest changes in the order in which agenda items are discussed.

**Suggested Board Action:**

None.

**Staff Recommendation and Comments:**

Reorganize the agenda if requested by the Board.



**Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017**

**PROCEDURAL ITEMS**

**Item 3. PUBLIC APPEARANCES**

**Description of the Item:**

Under the board's *Policies and Procedures* nonmembers are invited to make presentations.

**Suggested Board Action:**

Follow WSLH *Policies and Procedures*.

**Staff Recommendation and Comments:**

Follow WSLH *Policies and Procedures*.

*Per Policies and Procedures of the Wisconsin State Laboratory of Hygiene Board of Directors:*

§6.12 *Speaking privileges.* When the board is in session, no persons other than laboratory staff designated by the director shall be permitted to address the board except as hereinafter provided:

- (a) A committee report may be presented by a committee member who is not a member of the board.
- (b) A board or committee member in the course of presenting a matter to the board may request staff to assist in such a presentation.
- (c) If a board member directs a technical question for clarification of a specific issue to a person not authorized in this section, the Chair may permit such a person to respond.
- (d) The board may by majority vote or by decision of the Chair allow persons not otherwise authorized in this section to address the board if the situation warrants or the following criteria is followed:
  - (1) Written requests for public appearances on specific current agenda items shall be made to the board Secretary no later than two working days prior to the meetings. The request shall outline the reasons for the request including the subject matter to be discussed in as much detail as is feasible prior to the meeting of the board. Those requesting an appearance may, at or prior to the board meeting, provide board members copies of any written materials to be presented or a written statement of a position.
  - (2) Individual presentations will be limited to five minutes, unless otherwise authorized by the Chair.
  - (3) To schedule an appearance before the Wisconsin State Laboratory of Hygiene Board of Directors, contact the board Secretary, c/o Director, Wisconsin State Laboratory of Hygiene, 465 Henry Mall, Madison, Wisconsin 53706. Telephone (608) 890-0288. The subject or subjects to be discussed must be identified.
  - (4) The Wisconsin State Laboratory of Hygiene "Guidelines for Citizen Participation in WSLH Board Meetings" are published on its website: <http://www.slh.wisc.edu/index.shtml> and printed copies are available on request. (See Appendix 5) [Section §6.12 approved 5/27/03 board meeting.]

## Appendix 5

### Guidelines for Citizen Participation at WSLH Board Meetings

The Wisconsin State Laboratory of Hygiene board provides opportunities for citizens to appear before the board to provide information to the board on items listed on the agenda. Such appearances shall be brief and concise. In order to accommodate this participation in the allotted time, the guidelines are as follows:

- A. Items to be brought before the board:
  - 1. The board Secretary and Chair will assign a specific time on the agenda to hear public comment when a request to speak has been received from a member of the public.
  - 2. Individuals or organizations will be limited to a total of five (5) minutes to make a presentation to the board. Following the presentation board members may ask clarifying questions.
  - 3. An organization is limited to one (1) spokesperson on an issue.
  - 4. On complex issues, individuals wishing to appear before the board are encouraged to submit written materials to the board Secretary in advance of the meeting so the board may be better informed on the subject in question. Such information should be submitted to the board Secretary for distribution to all board members no later than seven (7) working days before the board meeting.
  - 5. No matters that are in current litigation may be brought before the board.
- B. The board encourages individuals to confine their remarks to broad general policy issues rather than the day-to-day operations of the Wisconsin State Laboratory of Hygiene.
- C. Citizens who have questions for board members should ask these questions prior to the board meeting, during any recess during the board proceedings, or after board adjournment.
- D. Written requests to appear before the WSLH Board of Directors should be submitted no later than two (2) working days prior to a scheduled board meeting.
- E. Submit written requests to:  
Secretary, Wisconsin State Laboratory of Hygiene Board of Directors  
C/O WSLH Director  
465 Henry Mall  
Madison, WI 53706  
Telephone: (608) 890-0288  
Email: [nathaniel.javid@slh.wisc.edu](mailto:nathaniel.javid@slh.wisc.edu)

Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017

**BUSINESS ITEMS**

**Item 4. BOARD MEMBERS' MATTERS**

**Description of the Item:**

Board Members' Matters will present board members with the opportunity to ask questions and/or discuss issues related to the Wisconsin State Laboratory of Hygiene.

**Suggested Board Action:**

Receive for information.

**Staff Recommendations and Comments:**

Receive for information.

Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017

**BUSINESS ITEMS**

**Item 5. FINANCIAL REPORT**

**Description of the Item:**

James Sterk, Accounting Supervisor, WSLH, will provide the financial report to the Board for the period of July 1, 2016 through June 2017.

**Suggested Board Action:**

Review and provide input.

**Staff Recommendations and Comments:**

Receive for information.

WISCONSIN STATE LABORATORY OF HYGIENE

FINANCIAL REPORT

FOURTH QUARTER FISCAL YEAR 2017

June 30, 2017

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FINANCIAL STATEMENTS

Statement of income

Comparative income statement

Comparative balance sheet

Statement of cash flows

Notes to the financial statements

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**Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017**

**WISCONSIN STATE LABORATORY OF HYGIENE  
STATEMENT OF INCOME  
For the period July 1, 2016 through June 30, 2017**

	Fiscal Year 2017 Actual	Fiscal Year 2017 Budget	Variance Over/(Under)	Variance % of Budget
<b>SUPPORT AND REVENUE</b>				
Laboratory Services Revenues (Note 2)				
Department of Health Services	\$7,276,596	\$4,902,838	\$2,373,758	48.4%
Newborn Screening	5,352,550	5,100,000	252,550	5.0%
Driver Improvement Surcharge (OWI)	1,763,663	1,605,900	157,763	9.8%
Department of Natural Resources	790,360	855,728	(65,368)	-7.6%
University of Wisconsin Systems	625,556	437,837	187,719	42.9%
Other Wisconsin State and Local Agencies	59,055	59,500	(445)	-0.7%
Wisconsin State and Local Agencies	15,867,780	12,961,803	2,905,977	22.42%
Clinical	5,245,615	5,482,757	(237,142)	-4.3%
Proficiency Testing	3,091,677	3,149,291	(57,614)	-1.8%
Occupational Health	1,810,266	2,000,000	(189,734)	-9.5%
Federal Agencies	1,805,049	815,364	989,685	121.4%
Environmental Testing	1,643,513	1,599,200	44,313	2.8%
Other Nonagency	168,617	236,853	(68,236)	-28.8%
Nonagency	13,764,737	13,283,465	481,272	3.6%
State General Program Revenue (GPR)	11,038,978	11,300,000	(261,022)	-2.3%
Grant Revenue (RSP)	6,066,371	5,615,303	451,068	8.0%
Earnings - Investment Income	62,851	48,000	14,851	30.9%
<b>TOTAL SUPPORT AND REVENUE</b>	46,800,717	43,208,571	3,592,146	8.3%
<b>EXPENSES</b>				
Salaries	17,209,768	17,470,470	(260,702)	-1.5%
Fringe Benefits	6,772,013	6,999,528	(227,515)	-3.3%
Supplies & Services	14,494,354	13,226,626	1,267,728	9.6%
Transfer Overhead to UW	882,126	873,868	8,258	0.9%
Building Rent	2,781,599	2,849,096	(67,497)	-2.4%
Depreciation	1,798,950	1,760,183	38,767	2.2%
Bad Debt Expense	(134,388)	24,000	(158,388)	-660.0%
Interest Expense	12,295	4,800	7,495	156.1%
<b>TOTAL EXPENSES</b>	43,816,717	43,208,571	608,146	1.4%
<b>NET OPERATING INCOME (LOSS)</b>	\$ 2,984,000	\$ -	\$ 2,984,000	

**Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017**

**WISCONSIN STATE LABORATORY OF HYGIENE  
COMPARATIVE INCOME STATEMENT  
For the 12 months ended June 30, 2017 and June 30, 2016**

	Fiscal Year 2017 Actual	Fiscal Year 2016 Actual	Variance Over/(Under)	Percentage Change
<b>SUPPORT AND REVENUE</b>				
Laboratory Services Revenues (Note 2)				
Department of Health Services	\$7,276,596	\$4,938,921	2,337,675	47.3%
Newborn Screening	5,352,550	5,067,382	285,168	5.6%
Driver Improvement Surcharge (OWI)	1,763,663	1,619,200	144,463	8.9%
Department of Natural Resources	790,360	751,998	38,362	5.1%
University of Wisconsin Systems	625,556	519,944	105,612	20.3%
Other Wisconsin State and Local Agencies	59,055	36,569	22,486	61.5%
Wisconsin State and Local Agencies	15,867,780	12,934,014	2,933,766	22.7%
Clinical	5,245,615	5,419,456	(173,841)	-3.2%
Proficiency Testing	3,091,677	3,171,633	(79,956)	-2.5%
Occupational Health	1,810,266	1,954,865	(144,599)	-7.4%
Federal Agencies	1,805,049	1,237,238	567,811	45.9%
Environmental Testing	1,643,513	1,771,614	(128,101)	-7.2%
Other Nonagency	168,617	117,180	51,437	43.9%
Nonagency	13,764,737	13,671,986	92,751	0.7%
State General Program Revenue (GPR)	11,038,978	11,038,195	783	0.0%
Grant Revenue (RSP)	6,066,371	4,829,691	1,236,680	25.6%
Earnings - Investment Income	62,851	25,661	37,190	144.9%
<b>TOTAL SUPPORT AND REVENUE</b>	<b>46,800,717</b>	<b>42,499,547</b>	<b>4,301,170</b>	<b>10.1%</b>
<b>EXPENSES</b>				
Salaries	17,209,768	17,568,657	(358,889)	-2.0%
Fringe Benefits	6,772,013	6,948,802	(176,789)	-2.5%
Supplies & Services	14,494,354	13,020,638	1,473,716	11.3%
Transfer Overhead to UW	882,126	727,562	154,564	21.2%
Building Rent	2,781,599	2,367,563	414,036	17.5%
Depreciation	1,798,950	1,867,054	(68,104)	-3.6%
Bad Debt Expense	(134,388)	11,642	(146,030)	-1254.3%
Interest Expense	12,295	6,161	6,134	99.6%
Loss From Disposal Of Assets	0	11,293	(11,293)	
<b>TOTAL EXPENSES</b>	<b>43,816,717</b>	<b>42,529,372</b>	<b>1,287,345</b>	<b>3.0%</b>
<b>NET OPERATING INCOME (LOSS)</b>	<b>\$ 2,984,000</b>	<b>\$ (29,825)</b>	<b>\$ (3,013,825)</b>	



**WISCONSIN STATE LABORATORY OF HYGIENE**  
**COMPARATIVE BALANCE SHEET**  
As of June 30, 2017 and June 30, 2016

**ASSETS**

	June 30, 2017	June 30, 2016
<b>CURRENT ASSETS</b>		
Cash	\$ 11,483,542	\$ 11,305,134
Cash-restricted-newborn screening surcharge	2,399,717	2,538,451
Net accounts receivables (Note 3)	4,237,974	3,105,813
Other receivables	948,904	743,227
Inventories	75,607	87,324
Prepaid expenses	142,798	165,006
Total current assets	19,288,542	17,944,955
<b>EQUIPMENT AND BUILDING IMPROVEMENTS</b>		
Equipment	27,569,768	24,901,000
Building improvements	7,211,782	7,211,782
	34,781,550	32,112,782
Less accumulated depreciation	(24,967,363)	(23,374,240)
Total net fixed assets	9,814,187	8,738,542
<b>Total Assets</b>	<b>\$ 29,102,729</b>	<b>\$ 26,683,497</b>

**LIABILITIES AND EQUITY**

**CURRENT LIABILITIES**

Salaries and fringe benefits payable	\$ 60,577	\$ 507,402
Accounts payable	860,694	909,966
Accrued expenses	93,460	140,767
Compensated absences (Note 4)	657,981	668,222
Proficiency testing deferred revenue	1,030,526	969,145
Newborn screening deferred revenue	2,472,310	2,416,322
Newborn screening surcharge payable	2,399,717	2,538,451
Total current liabilities	7,575,265	8,150,275

**LONG TERM DEBT**

Compensated Absences (Note 4)	1,613,972	1,649,847
Total long term debt	1,613,972	1,649,847
<b>Total Liabilities</b>	<b>9,189,237</b>	<b>9,800,122</b>

**EQUITY**

Retained earnings-restricted (Note 5)		
Operating contingency	1,900,965	1,700,516
Total restricted retained earnings	1,900,965	1,700,516
Net Operating Income (Loss)	2,984,000	(29,825)
Retained earnings-unrestricted	9,599,811	9,783,968
Contributed capital	5,428,716	5,428,716
Total unrestricted retained earnings	18,012,527	15,182,859
<b>Total Equity</b>	<b>19,913,492</b>	<b>16,883,375</b>
<b>Total Liabilities and Equity</b>	<b>\$ 29,102,729</b>	<b>\$ 26,683,497</b>

**WISCONSIN STATE LABORATORY OF HYGIENE**  
**STATEMENT OF CASH FLOWS**  
For Fiscal Year 2017 and Fiscal Year 2016

	<u>Fiscal Year 2017</u>	<u>Fiscal Year 2016</u>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Net income	\$ 2,984,000	\$ (29,825)
Adjustments to reconcile net income to net cash provided by operating activities:		
Depreciation	1,798,950	1,867,054
Changes in working capital components:		
Decrease/(Increase) in net accounts receivables	(1,132,161)	658,436
Decrease/(Increase) in other receivables	(205,677)	87,097
Decrease/(Increase) in inventories	11,717	(20,922)
Decrease/(Increase) in prepaid expenses	22,208	54,909
(Decrease)/Increase in salaries payable	(446,825)	(37,178)
(Decrease)/Increase in accounts payable	(49,272)	611,555
(Decrease)/Increase in accrued expenses	(47,307)	(296,731)
(Decrease)/Increase in notes payable - current	-	(94,390)
(Decrease) Increase in proficiency testing deferred revenue	61,381	(54,732)
(Decrease)/Increase in newborn screen deferred revenue	55,988	190,724
(Decrease)/(Increase) in newborn screening surcharge payable	(138,734)	657,654
	<hr/>	<hr/>
Net cash provided (used) in operating activities	2,914,268	3,593,651
 <b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Purchase of equipment and physical plant improvements	(2,874,594)	(549,034)
	<hr/>	<hr/>
Net cash (used in) investing activities	(2,874,594)	(549,034)
 <b>CASH FLOWS FROM FINANCING ACTIVITIES</b>		
Principal payment on Capital Lease	-	-
	<hr/>	<hr/>
Net cash provided (used in) financing activities	-	-
 Net increase (decrease) in cash	39,674	3,044,617
 <b>Cash:</b>		
Beginning	13,843,585	10,798,968
	<hr/>	<hr/>
Ending	\$ 13,883,259	\$ 13,843,585
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**WISCONSIN STATE LABORATORY OF HYGIENE**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**For the period July 1, 2016 through June 30, 2017**

**NOTE 1 - NATURE OF BUSINESS AND SIGNIFICANT ACCOUNTING POLICIES**

Nature of Business:

- The Wisconsin State Laboratory of Hygiene (WSLH) is a governmental institution which provides medical, industrial and environmental laboratory testing and related services to individuals, private and public agencies, including the Department of Natural Resources (DNR) and the Department of Health Services (DHS). Approximately 75% of the WSLH operating revenues are program revenues, including contracts, grants, and fee-for-service billing. The remainder are general purpose revenues (GPR), which are Wisconsin state general fund dollars.

Budgetary Data:

- Fiscal Year 2016-2017 operating budget amounts were approved by the WSLH Board on June 21, 2016.

Basis of Presentation:

- The financial statements have been prepared on a modified accrual basis following Generally Accepted Accounting Principles (GAAP).

Basis of Accounting:

- Revenues are recognized at the completion of the revenue generating processes. Fee-for-service revenues are generally recognized in the period services are completed.
- Revenues from GPR, OWI, Grants, and expense reimbursement contracts for salaries, fringe benefits, capital, and supplies are recognized as expended.
- Expenses are recognized and accrued when the liability is incurred.

Estimates and assumptions:

- The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying footnotes. Actual results could differ from those estimates.

Assets:

- Cash is considered restricted if, by prior agreement with an outside entity, it must be segregated for future use by the outside entity or by WSLH at the outside entity's behest. As of June 30, 2017 available cash is restricted in an amount equal to the newborn screening surcharge payable to the Wisconsin Department of Health Services.
- Accounts receivable are reported at net realizable value. Net realizable value is equal to the gross amount of receivables less an estimated allowance for uncollectible amounts.
- Inventory is stated at cost (first in, first-out method).
- Equipment and building improvements are carried at cost. Expenditures for assets in excess of \$5,000 are capitalized. Depreciation is computed by the straight-line method.

Liabilities

- A liability for unearned revenue is recognized for prepaid receipts for WSLH-provided Proficiency Testing programs and for prepaid newborn screening tests.

**NOTE 2 - LABORATORY SERVICES REVENUES**

- At the Board's request, Laboratory Service Revenues on the Income Statement have been divided into two groups, Agency and Non-Agency, as follows:

Agency:

- Department of Health Services
- Newborn Screening
- Driver Improvement Surcharge (OWI)
- Department of Natural Resources
- University of Wisconsin Systems
- Municipalities
- Law Enforcement Agencies
- Department of Agriculture, Trade and Consumer Protection
- Office of Justice Assistance
- Wisconsin Emergency Management

Non-Agency:

- UW Hospital Authority
- Medicare and Medicaid
- Proficiency Testing
- Occupational Health
- Federal Agencies
- All other revenue from individuals, businesses, clinics, and hospitals.

**NOTE 3 - ACCOUNTS RECEIVABLE**

- Accounts receivable and allowance for uncollectible account balances as of June 30, 2017 and June 30, 2016 are as follows:

	<u>June 30, 2017</u>	<u>June 30, 2016</u>
Accounts Receivable Total	\$4,437,974	\$3,495,123
Allowance for bad debt	<u>(200,000)</u>	<u>(389,310)</u>
Net Receivables	\$4,237,974	\$3,105,813

**NOTE 4 - COMPENSATED ABSENCES**

- GASB Statement No. 16, "Accounting for Compensated Absences," establishes standards of accounting and reporting for compensated absences by state and local governmental entities for which employees will be paid such as vacation, sick leave, and sabbatical leave. Using the criteria in Statement 16, a liability for compensated absences that is attributable to services already rendered and that is not contingent on a specific event that is outside the control of the State and its employees has been accrued. The table below details the liability by benefit category:

	<u>Total</u>	<u>Vacation</u>	<u>Pers Hol</u>	<u>Legal Hol</u>	<u>Sabbatical</u>
Current	\$657,981	\$395,091	\$90,485	\$6,582	\$165,823
Long Term	<u>1,613,972</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>1,613,972</u>
	\$2,271,953	\$395,091	\$90,485	\$6,582	\$1,779,795

**NOTE 5 - RETAINED EARNINGS - RESTRICTED**

The operating contingency is computed annually and reflects two months of salary and fringe benefit cost for positions funded from program revenues. The contingency fund is considered adequately funded if working capital is greater than the contingency fund restriction. As of June 30, 2017 working capital (current assets less current liabilities) was \$11,713,277 thereby meeting the target contingency reserve requirement of \$1,900,965.

Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017

**BUSINESS ITEMS**

**Item 6. BOARD BYLAWS**

- a) Jan Klawitter, Public Relations Officer, WSLH

**Description of the Item:**

Jan Klawitter will present the updated Board Policies and Procedures document to the Board highlighting the changes made from the previous 2006 version.

**Suggested Board Action:**

Approve the updated Board Policies and Procedures

**Staff Recommendations and Comments:**

Receive for information.

**\*\*\* 2006 Board Bylaws Edits Shown on Following Page\*\*\***

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**POLICIES AND PROCEDURES  
OF THE  
WISCONSIN STATE LABORATORY OF  
HYGIENE BOARD**

**9/19/17**

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**POLICIES AND PROCEDURES OF THE  
LABORATORY OF HYGIENE BOARD**

ARTICLE 1 - Authority and Purpose

- §1.01 *Organization.* The Laboratory of Hygiene and the Laboratory of Hygiene Board are created in the University of Wisconsin System under Section 15.915(2), Wis. Stats.
- §1.02 *Policy.* The Policies and Procedures of the Laboratory of Hygiene Board are intended to set forth the Board's organization and statutory functions. It is the responsibility of the Board to operate at all times in conformity with applicable state laws and administrative rules.
- §1.03 *Supremacy of law.* Except as provided in §6.07, the Policies and Procedures of the Laboratory of Hygiene Board may not be suspended by the Board; but should any procedure be inconsistent with state law or administrative rules, the procedure shall, to the extent of such inconsistency, be deemed invalid.

ARTICLE 2 - Definitions

In these *Policies and Procedures of the Laboratory of Hygiene Board* --

- §2.01 "Appointing Authority" means the person authorized under Section 15.915(2)(a) and (b), Wis. Stats., to designate or appoint a member to the Board.
- §2.02 "Board" means the Laboratory of Hygiene Board.
- §2.03 "Chairperson" means the Chairperson of the Board.
- §2.04 "Director" means the Director of the Laboratory of Hygiene.
- §2.05 "Laboratory" means the Laboratory of Hygiene.
- §2.06 "Procedures" mean the *Policies and Procedures of the Laboratory of Hygiene Board*.
- §2.07 "Government Board Members" are defined as: the Secretary of Health Services, the Secretary of Natural Resources and the Secretary of Agriculture, Trade and Consumer Protection, the Chancellor of the University of Wisconsin-Madison, or their designees, the medical examiner or coroner representative and the local health department representative.
- §2.08 "Private Board Members" are defined as a physician representing clinical laboratories, a member representing private environmental testing laboratories, and a member representing occupational health laboratories and two additional members.

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ARTICLE 3 - Board Responsibilities

§3.01 *Statutory powers and duties.* Pursuant to Section 15.915(2), Wis. Stats., the Laboratory of Hygiene is under the direction and supervision of the Laboratory of Hygiene Board in the University of Wisconsin System. Under S. 36.25(11), Wis. Stats., the Board may:

- (a) Promulgate all administrative rules proposed for the administration of the laboratory and its statutory program responsibilities. *[S. 36.25(11)(a), Stats.]*
- (b) Submit Biennial Budget requests for the laboratory, reflecting joint budget planning with state agencies served by the laboratory, directly to the Department of Administration. *[S. 36.25(11)(g), Stats.]*
- (c) Approve the laboratory budget, establish the general laboratory fee structure, set priorities, and make final approval of laboratory resources so that the laboratory can act in response to agencies' planned objectives and program priorities. *[S. 36.25(11)(a), Stats.]*
- (d) Approve the six year facilities plan for the laboratory in each even numbered year and any building project requests and amendments thereto prior to submission to the Department of Administration. *[S. 13.48(4), Stats.]*
- (e) Determine the state public health care mission of and set the priorities for the laboratory within the fiscal limitations imposed by law and legislative appropriations. *[S. 36.25(11)(a) and (f), Stats.]*
- (f) Set fees for the laboratory, including:
  - 1. Imposing a fee for each test conducted by the laboratory. *[S. 36.25(11)(a) and (f), Stats.]*
  - 2. Charging state agencies through contractual arrangements for the actual services rendered. *[S. 36.25(aa)(f), Stats.]*
  - 3. Charging local units of government for services rendered by the laboratory that are outside the state public health care mission as determined by statute. *[S. 36.25(11)(f), Stats.]*
- (g) Upon the recommendation of the Chancellor of the University of Wisconsin-Madison, approve the appointment of the director, and such other members of the professional staff of the laboratory as are required for the administration thereof prior to appointment by the University of Wisconsin Board of Regents. *[S. 36.25(11)(e), Stats.]*
- (h) Annually elect a Chairperson, Vice Chairperson and Secretary of the Board. *[S. 15.07(2), Stats.]*

- (i) Submit to the Chancellor of the University of Wisconsin-~~Madison~~, upon request but not more often than annually, a report on the operation of the Board. [S. 15.07(6), Stats.]

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§3.02 *Policy on contracts and agreements.* Sections 3.02-3.07 are created by the Board in order to carry out its responsibilities under S. 36.25(11)(a), *Wis. Stats.*, to "...set fees, set priorities and make final approval of laboratory resources..." and its authority under S. 36.25(11)(f), *Wis. Stats.*, to "...impose a fee for each test conducted by the laboratory" Any test conducted for a local unit of government is exempt from the fee unless the test is outside the state public health care mission or is required under 42 USC 300f to 300j, as determined by the laboratory of hygiene board. The laboratory may charge state agencies through contractual arrangements for the actual services rendered." (Appendix 1)

§3.03 *Basic agreements.* No later than the first meeting of the Board in each fiscal year, the Board shall approve a basic services agreement with the Department of Natural Resources and the Department of Health Services respectively for that fiscal year. Absent an approved basic services agreement, the laboratory and agency shall proceed on a "continue to operate" basis.

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§3.04 *Director's contract authority.* Except as provided in §3.06, the Director may negotiate and enter into the following contracts:

- (a) All contracts for services with the Department of Natural Resources or the Department of Health Services which are issued pursuant to the basic services agreement with that agency.
- (b) All other contracts for services with state agencies or municipalities under S.36.25(11)(b) *Wis. Stats.*; with federal government agencies, governmental agencies in other states, and educational institutions provided that:
  - 1. The services are consistent with the Laboratory's mission as approved by the Board, and
  - 2. The contracts do not exceed the Board approved budget for the Laboratory by more than 10%.
- (c) Any non-policy amendment or addition to the basic agreements under §3.03.
- (d) All contracts for purchase of supplies, services, and permanent property that are within budget appropriations and the budget resource allocations approved by the Board.
- (e) All contracts with private entities and corporations, or other organizations and businesses that wish to contract with the WSLH for services, provided that:
  - 1. The price for service is at or above the fee in the current fee schedule, or
  - 2. Custom lab work, not listed in the fee schedule, is priced at or above full cost when using the new work volume.

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- (f) Contracts that relate to normal administrative operations and for which the University of Wisconsin provides oversight. Examples include, but are not limited to: pre-qualifying orders intended to stipulate the WSLH's quality assurance program or business standards, Memoranda of Agreement for management of electronic access to WSLH data, HIPAA business associate agreements, and consulting agreements for limited term services from persons with specialized skills (strategic planners, *locum tenans*).

§3.05 *Contract report to Board.* A list including brief description of all contracts executed under §3.04(a), §3.04(b), §3.04(c) and §3.04(e) shall be reported to the Board at its first meeting after said action. The description shall include name, period, and amount of the contract, as well as the name of the entity with which the Lab is contracting. If upon review at that meeting, the Board decides to set aside future contracts for certain programs or types of services and upon enactment of a specific motion detailing the constraints the Board wishes to impose, the Director shall not authorize such future contracts until approval is granted for each on a case-by-case basis under §3.06.

§3.06 *Board approval required.* The Director shall seek Board approval for all of the following contracts prior to execution (See Appendix 2 for sample form.):

- a. Any contracts for services or purchases that are not covered by §3.03 or §3.04.
- b. Any contract type identified by the Board under §3.05 for separate consideration and approval.
- c. Any contract which the Director feels may present either public policy or private competition questions which should be resolved by the Board.

§3.07 *Emergency contract approval.* The Chairperson may convene a three-person committee, consisting of him or herself, one private member and one government member, as defined under §6.16 of these *Procedures* to consider any contracts from entities which the Director determines must be approved prior to the next Board meeting.

§3.08 *Policy on setting fees:* As described in §3.01(f) the Board shall approve a fee schedule which delineates the fee charged to customers for tests provided to the private sector. The Board has developed the Principles that the Laboratory Director will follow in setting annual test prices for the Laboratory. These principles are codified in these Policies and Procedures as Appendix 1. The Laboratory Director is then empowered to authorize test price increases that are in line with the Principles and needs to get Board approval for test price changes that are exceptions to the Principles.

#### ARTICLE 4 - Structure

§4.01 *Membership.* The Board consists of eleven members serving ex-officio or selected as follows:

(a) Ex-officio members or designees: The Chancellor of the University of Wisconsin-Madison, the Secretary of Health Services, the Secretary of Natural Resources and the Secretary of Agriculture, Trade and Consumer Protection, or their designees. [S.15.915(2)(c), Stats.]

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(b) Department appointees: The President and the Secretaries enumerated in §401(a) may appoint, in addition to their designees, an "alternate representative" who in their absence and the absence of their designees at a board meeting will fully participate and exercise full voting rights on behalf of the agency. [S.15.915(2)(b), Stats.]

(c) Governor's appointees: A representative of local health departments who is not an employee of the Department of Health Services, a physician representing clinical laboratories, a member representing private environmental testing laboratories, a member representing occupational health laboratories and three additional members, one of whom shall be a medical examiner or coroner, appointed for 3-year terms. No member appointed under this paragraph may be an employee of the Laboratory of Hygiene. [S.15.915(2)(b), Stats.]

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(d) Ex-officio member without vote. The Director of the Laboratory, who shall serve as a nonvoting member. [S.15.915(2)(c), Stats.]

#### §4.02 Committees in general.

(a) The Board may by motion or resolution establish such special committees as may be necessary and shall determine the size, membership and responsibilities of such committees consistent with these procedures. Special committees may include members of the Board or other citizens.

(b) All committees shall report and be accountable to the Board. The Chairperson shall appoint all committees, with the advice of the Board and the Director, and shall name the chairperson of each committee. Each committee chairperson shall appoint a secretary.

(c) Appointments to all committees shall be for terms ending as of the next Annual Meeting unless otherwise provided by the Board. Members so appointed shall hold office at the pleasure of the Board or until their successors are appointed and qualified.

(d) The chairperson of each committee shall preside at all meetings thereof and otherwise perform the usual duties of said office. The secretary of each committee shall keep the minutes of each meeting and perform other duties as requested by the committee chairperson.

(e) The Director shall provide the necessary staffing for each committee, including issuance of meeting notices, preparation of agendas, and recording of minutes.

- (f) All committee meetings shall be conducted in accord with Article 6.

§4.03 *Resignations.*

- (a) All resignations from the Board shall be in writing addressed to the appointing authority, with copies to the Chairperson of the Board and the Director.
- (b) All resignations as a Board officer or committee member shall be in writing addressed to the Board Chairperson with a copy to the Director, except that the Chairperson shall resign to the Secretary.
- (c) All resignations shall take effect upon receipt unless another date is specified therein.

§4.04 *Vacancies.* Vacancies in a Board or committee position shall occur upon the death, resignation, disqualification or removal of the officeholder. Vacancies in all elected or appointed positions shall be filled for the remainder of the unexpired term in the same manner as the original election or appointment. Vacancies in designee positions under §4.01(a) shall be filled by the respective appointing authority in accord with §4.02(b).

§4.05 *Official oath.* Each member of the Board shall take and file the official state oath prior to assuming office. [S.15.07(7), Stats.]

ARTICLE 5 - Officers and Duties

§5.01 *Officers.*

- (a) Board officers shall consist of the Chairperson, Vice Chairperson and Secretary, who shall be elected by and from the Board at the Annual Meeting for one (1) year terms, or until their successors are elected and qualified.
- (b) No Board member may hold more than one office as defined in §5.01(a) at the same time, nor may a non-voting member be elected as Board Chairperson.
- (c) Election for each office shall be by secret ballot, except in the event that only one candidate is nominated, election shall be in accord with §6.11. [S. 15.07(2), Stats.]

§5.02 *Chairperson.* The Chairperson shall preside at all meetings of the Board and shall be the principal officer of and spokesperson for the Board. Subject to the direction of the Board, the Chairperson shall see that the resolutions and directives of the Board are carried into effect except in those instances in which that responsibility is assigned to some other person by the Board; and, in general, shall discharge all duties incident to the office of Chairperson and such other duties as may be prescribed by the Board. The Chairperson may execute such resolutions, rules, agreements, instruments, documents or affidavits as



the Board has authorized to be executed or as may be necessary and proper to carry out the directives of the Board.

§5.03 *Vice Chairperson.*

- (a) The Vice Chairperson shall assist the Chairperson in the discharge of his/her duties and shall perform such other duties as from time-to-time may be assigned by the Chairperson or by the Board.
- (b) In the absence of the Chairperson or in the event of his or her inability or refusal to act, the Vice-Chairperson shall perform the duties of the Chairperson and when so acting, shall have all the powers of and be subject to all the restrictions upon the Chairperson. Except in those instances in which the authority to execute is expressly delegated to another officer or the Director, or a different mode of execution is expressly prescribed by the Board, the Vice Chairperson may execute for the Board such resolutions, rules, agreements, instruments, documents or affidavits as the Board has authorized the Chairperson to execute or as may be necessary and proper to carry out the directives of the Board.

§5.04 *Secretary.*

- (a) The Secretary shall keep the minutes of the meetings of the Board in the Journal of Proceedings; see that all notices are duly given in accordance with the provisions of these procedures or as required by law; and in general perform all duties usual to the office of Secretary, and such other duties as from time-to-time may be assigned to the Secretary by the Chairperson or the Board.
- (b) During the temporary absence or disability of the Secretary, the Chairperson shall appoint an Acting-Secretary to serve during such absence or disability.
- (c) The Director shall provide clerical assistance to the Secretary in the performance of the duties of the Secretary.

§5.05 *Intent.*

- (a) It is declared to be the intent of the Board that the position of Chairperson be rotated annually among the voting members of the Board and that each successive Vice Chairperson is also, in effect, the Chairperson-elect.
- (b) It is the declared intent of the Board that the positions of Chairperson and Vice Chairperson be elected, in alternate years, from the "government" and the "private" members of the board. "Government" members are defined as: the Secretary of Health Services, the Secretary of Natural Resources and the Secretary of Agriculture, Trade and Consumer Protection, the Chancellor of the University of Wisconsin-Madison, or their designees, the medical examiner or coroner representative and the local health department representative. The "private"

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members are defined as a physician representing clinical laboratories, a member representing private environmental testing laboratories, and a member representing occupational health laboratories and two additional members.

- (c) The Chairperson and Vice Chairperson offices will be filled in any given year by a member from the government and a member from the private sector.
- (d) The Secretary shall prepare a ballot for the offices of Chairperson, Vice Chairperson and Secretary in accord with these policies and procedures.
- (e) The Director shall advise the board members of the historical rotation of the offices of Chairperson, Vice Chairperson and Secretary prior to the annual meeting.

§5.06 *Removal of Officers.*

- (a) Any officer may be removed from elective Board office, for cause, by the affirmative vote of two-thirds (2/3) of the Board members present and voting at any duly constituted meeting provided that the officer has been given fifteen (15) days written notice of the Board's intent to so act. "Cause" in this section has the meaning in Section 17.16(2), Wis. Stats.
- (b) Removal of an officer as provided in 5.06(a) shall not be construed to remove the member from the Board which can only be effected by the appointing authority or as otherwise provided by law.

ARTICLE 6 - Meeting Procedures

The following procedures shall be used to conduct all Board and committee meetings:

§6.01 *Open meetings.* All Board and committee meetings shall be conducted in compliance with the Open Meetings Law as specified in Chapter 19, Subchapter IV, Wis. Stats.

§6.02 *Regular meetings.* Regular meetings of the Board shall be held at least quarterly each year at a time and place determined by the Board. The Board may meet at other times at the call of the Chairperson or a majority of the members of the Board. [S.36.25(11)(a), Stats.]

§6.03 *Annual meeting.* The first meeting of each calendar year shall be the Annual Meeting of the Board.

§6.04 *Location.* All Board and committee meetings shall be held in the State of Wisconsin. The Board may meet outside of the capital city at least once annually.

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§6.05 *Notices and agendas.*

- (a) The Secretary shall ordinarily give written notice of each meeting of the Board to

members personally or by mail not less than 10 days but in no case less than 48 hours prior to the date of the meeting. The notice shall include the time, date and place of the meeting, and the agenda of subject matters to be considered, in accordance with Section 19.84, Wis. Stats. Copies of any proposed administrative rules or other substantive matters to be considered shall be delivered or mailed to the Board no later than the date the notice is given. Exceptions with regard to copies of materials on other substantive matters may be granted by the Chair.

- (b) The Director shall prepare the agenda for each Board meeting in consultation with and subject to approval by the Chairperson. Board members shall notify the Director or the Chairperson of all items to be considered not less than 10 days prior to the meeting. In accordance with Section 19.84, Wis. Stats., any matter that is not included in the Board meeting notice and agenda may not be considered at that meeting.
- (c) It is the clear intent of the Board to carry out its business in such a manner as to facilitate public input on all matters affecting partners, collaborators and customers. This includes, but is not limited to, the Strategic Plan, Pricing Exercise and Policy Issues. "Policy Issues" include these "*Policies and Procedures*," interpretation of the laboratory's public health mission to include or exclude specific tests or services and interpretations of the statutes.

§6.06 *Attendance.* Board members shall make every effort to attend all of the duly scheduled meetings. Members unable to attend shall notify the Director prior to the meeting.

§6.07 *Rules of order.* The proceedings of the Board shall be governed by the most current edition of *Robert's Rules of Order, Newly Revised*, insofar as it does not conflict with applicable state laws or these procedures. The rules of order may be suspended as provided therein or upon unanimous consent of the Board.

§6.08 *Quorum.* A quorum to do Board or committee business shall consist of the presence in person or by teleconference under §6.09 of a majority of the membership of the Board or committee, respectively. [S. 15.07(4), Stats.]

§6.09 *Teleconference/Videoconference meetings.* Any Board or committee meeting may be conducted partly or entirely by telephone conference call or videoconferencing at the direction of the Board or committee chairperson, subject to the following requirements:

- (a) The meeting is conducted at the laboratory conference room or another publicly accessible site.
- (b) Provision is made to ensure that all participating Board or committee members can hear the deliberations and can be heard by members and other persons attending at the meeting site.
- (c) All members able to attend the meeting by teleconference or videoconference are

called to join the conference.

- (d) The Director has made reasonable attempt to furnish all Board or committee members and persons attending the meeting with copies of the meeting agenda and any written materials to be discussed or considered, including resolutions, contracts, policies, rules, or other proposals.
- (e) No less than two members of the Board or committee, in addition to the Director, and the person recording the meeting minutes are present at the meeting site.
- (f) A recorded vote is taken and announced on all questions at the meeting.
- (g) The public notice of the meeting under §6.05(a) indicates that the meeting may be conducted partly or entirely by teleconference or videoconference.

§6.10 *Voting.* Each voting member shall vote on all questions unless excused by the Board prior to voting for reason of a conflict of interest. A recorded vote shall be taken on every resolution, or on any other question at the request of a Board member. Proxy voting is not permitted.

§6.11 *Decisions.* All Board actions shall be upon resolution or motion duly adopted by a majority of the members present and voting, unless a greater number is required in these procedures. [S. 15.07(4), Stats.]

§6.12 *Speaking privileges.* When the Board is in session, no persons other than laboratory staff designated by the Director shall be permitted to address the Board except as hereinafter provided:

- (a) A committee report may be presented by a committee member who is not a member of the Board.
- (b) A Board or committee member, in the course of presenting a matter to the Board, may request staff to assist in such a presentation.
- (c) If a Board member directs a technical question for clarification of a specific issue to a person not authorized in this section, the Chairperson may permit such a person to respond.
- (d) The Board may, by majority vote, or by decision of the Chair allow persons not otherwise authorized in this section to address the Board if the situation warrants or the following criteria is followed:
  - (1) Written requests for public appearances on specific current agenda items shall be made to the Board Secretary no later than 2 working days prior to the meetings. The request shall outline the reasons for the request including the subject matter to be discussed in as much detail as is

feasible prior to the meeting of the Board. Those requesting an appearance may, at or prior to the Board meeting, provide Board members copies of any written materials to be presented or a written statement of a position.

- (2) Individual presentations will be limited to five minutes, unless otherwise authorized by the Chairperson.
- (3) To schedule an appearance before the Wisconsin State Laboratory of Hygiene Board, contact the Board Secretary, C/O Director, WSLH, 465 Henry Mall, Madison, WI 53706. Telephone (608) [890-0288](tel:890-0288). The subject or subjects to be discussed must be identified.
- (4) The Wisconsin State Laboratory of Hygiene "Guidelines for Citizen Participation in WSLH Board Meetings" are published on their Web site: <http://www.slh.wisc.edu> and printed copies are available on request. (See Appendix 5) [Section §6.12 approved 5/27/03 Board mtg.]

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§6.13 *Minutes.* The minutes of each Board meeting shall be recorded by the Secretary, assisted by the laboratory staff assigned by the Director and shall include the substance of each official action of the Board and each recorded vote. Draft copies of the minutes shall be mailed or delivered to each Board member not later than the date that the notice and agenda is mailed. The Board shall correct and approve all minutes at the following meeting. Thereafter, the Secretary shall incorporate the corrections in the revised minutes, affix his/her signature, note the date of approval on the minutes and **retained in a journal of proceedings.** [Administrative correction.]

§6.14 *Resolutions.* Every resolution adopted by the Board shall be duly attested by the Chairperson and the Secretary.

§6.15 *Journal of proceedings.* The corrected and approved minutes of every meeting and a copy of every resolution adopted by the Board shall be recorded in a journal of proceedings which shall be kept in the office of the Director. The minutes and resolutions in said Journal shall be deemed to be the official record of Board actions.

§6.16 *Emergency Meetings of the Executive Committee:* At the request of any board member, the chairperson or if the chairperson is not available vice chairperson shall convene an emergency meeting of the executive committee of the board.

- a) The executive committee consists of the chairperson, vice chairperson, secretary and director.
- b) In the event that the chairperson or vice chairperson is not available, an additional board member from the chairperson's or vice-chairperson's respective constituency (private or government member as defined in 5.05(b)) must be present.

- c) The Director of the Laboratory is not a member of either constituency.
- d) The meeting may occur by telephone as outlined in §6.09 (a, b, c, d, f, g)
- e) The topic of the meeting is limited to the emergency issue for which the meeting is called.
- f) The Secretary shall notify the board in writing as expeditiously as possible (letter, fax or e-mail) of the meeting and all actions taken.
- g) This section recognizes the fact that the Director may hold the office of Secretary.
- h) In the event of situation in which the executive committee cannot be convened in a timely manner, the director is expected to take appropriate emergency action and report to the chairperson and/or vice-chairperson at the earliest opportunity.

#### ARTICLE 7 - Approval of Administrative Rules

§7.01 *Drafts.* The Director shall present all drafts of administrative rules to the Board prior to proceeding with each of the regular stages of the rule making process: the University of Wisconsin administrative, Legislative Council rules clearinghouse, public hearing, and legislative standing committee stages.

- (a) The Board shall review and may modify drafts of the administrative rules at any duly scheduled meeting.
- (b) The Board shall approve, by resolution, each draft of the proposed administrative rules prior to proceeding with the next stage in the rule making process, unless otherwise determined by the Board.

§7.02 *Hearings.* The Board may conduct public hearings on administrative rules in accordance with Section 227.18, Wisconsin Statutes.

§7.03 *Promulgation.* The Board may promulgate rules in areas within its jurisdiction under Section 36.25(11)(a), Wis. Stats., in accord with this Article and Chapter 227, Wis. Stats.

#### ARTICLE 8 - Code of Ethics/Standards of Conduct

§8.01 *Ethics Code.* The conduct of members of the Board is governed by the provisions of Subchapter III of Chapter 19, Wis. Stats., *Code of Ethics for Public Officials and Employees.*

- (a) Board members appointed by the Governor under §4.01(c) are not required to file a statement of economic interests under Section 19.43, Wis. Stats. [*S. 19.42(10)*],

*Stats.]*

- (b) The members serving under §4.01(a) and (b) are subject to S. 19.42(10), Wis. Stats. [S. 19.42(10) and S. 19.43, Stats.]

§8.02 *Disclosure.* If any of the conditions involving a conflict of interest exist, a Board member shall disclose his/her interest to the Board Chairperson and Secretary and shall refrain from voting or participating in any deliberation pertaining to the issue in conflict.

§8.03 *Misuse of public position.* No member of the Board shall use his/her position to obtain financial gain or anything of substantial value for that member, a member of his/her immediate family, or an organization with which he/she is associated. [S.19.45(2), Stats.]

§8.04 *Private interest conflicts.* No member of the Board shall participate in the selection, award or administration of a contract or take any official action in a matter in which:

- (a) The Board member's action or inaction could reasonably be expected to produce a substantial personal benefit for the Board member, a member of his/her immediate family, or a private organization with which the Board member is associated; or
- (c) The Board member in his/her private capacity, or a member of his/her immediate family, or an organization with which the Board member is associated has a substantial interest. [S. 19.46, Stats.]
- (d) These Policies and Procedures recognize that each member, by virtue of the fact that their appointment reflects representation of a particular government or private sector constituency on the Board, continuously face, to some degree, a conflict of interest.
- (e) Members of the Board are to advise the Chairperson or Vice Chairperson and Secretary of potential conflict of interest situations, whenever possible, in advance of such issues being brought to the Board Agenda.

**Deleted:** These Policies and Procedures specifically recognize, in addition to Chapter 19, Stats., specific rulings of the Ethics Board, December 3, 1996, which address this issue. (Appendix #4)

§8.05 *Restraints on receipt of items of value.* In general, no member of the Board should accept any of the following items:

- (a) Any item or service of more than nominal value offered because of the person's holding a state public office. [S. 19.45(2), Stats.]
- (b) Any food, drink, transportation, or lodging except when offered for a reason unrelated to the recipient's holding or having held any public position and the recipient can demonstrate that clearly and convincingly. [Ss. 19.45(3m) and 19.56(3)(b), Stats.]
- (c) Any food, drink, transportation, lodging, employment, or thing of pecuniary value from a lobbyist, either directly or through an agent. [S. 13.625(1)-(3), Stats.]

- (d) Any food, drink, transportation, lodging, or thing of pecuniary value from an organization that employs a lobbyist except for items and services also made available to the general public on like terms and conditions. [S. 13.625, Stats.]
- (e) Any transportation or traveling accommodation for which the supplier would usually charge. [S. 946.11, Stats.; Article 13, S. 11, Const.]

ARTICLE 9 - Amendments to the Policies and Procedures

- §9.01 *Proposals.* Amendments may be proposed to the Board by any member in the form of a written resolution.
- §9.02 *Copy distribution.* Written copies of all proposed amendments shall be furnished to each member of the Board at least ten (10) days prior to consideration.
- §9.03 *Adoption.* Adoption shall require approval of the resolution incorporating the amendment(s) by the recorded vote of two-thirds (2/3) of those voting members present at any meeting of the Board duly called for that purpose.
- §9.04 *Effective date.* Amendments shall take effect on the day following adoption unless another date is specified therein.
- §9.05 *Engrossed copy.* Following adoption of an amendment to the Procedures, the Director shall prepare an engrossed copy of the procedures incorporating the amendment(s) which shall be duly attested by the Secretary.

**I HEREBY CERTIFY** that the foregoing is a duly engrossed copy of the Policies and Procedures of the State Laboratory of Hygiene Board, including Appendices [Administrative correction], as approved by Motion. Adopted on September 19, 2017.

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ATTEST:

Chairperson, ~~2017, James Morrison~~, Chairperson

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Deleted: Michael Russell

Secretary, ~~James Schauer, PhD~~

Deleted: Charles Brokopp, Dr. P.H.

Dated in Madison, Wisconsin this \_\_\_\_\_ day of \_\_\_\_\_, ~~2017~~.

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## APPENDIX 1

### Revised Pricing Principles as Approved at the September 26, 2000 Board Meeting

1. To price tests provided to the Private Sector<sup>(1)</sup> at least cover all costs (direct, indirect and full overhead) except where the test is priced below cost because of its public health significance and/or the need for the WSLH to maintain the capability and capacity to do this testing. Examples are tuberculosis testing, cultures referred for further identification, and complex virus testing.
2. To price tests at or above Medicare reimbursement rates, except where that is in conflict with Principle One above.
3. To price tests comparatively with the private sector providers when private sector prices are reasonably available, except where that is in conflict with Principle One above.
4. To continue to do detailed cost accounting internally in order to appropriately price, following the above principles, the 20% of the tests that generate 80% of the volume.
5. Bi-annual price increases will take into account increased expenses. Pricing information will be provided to the Board in a timely manner.
6. Board members may inquire about individual test costs outside of Board meetings. If the tests appear to be outside the parameters of (or not meeting) the established pricing principles, they can request discussion or specific approval by the Board. Where WSLH staff is aware that a test does not meet the Pricing Principles, the staff will bring the test to the attention of the Board.
7. To approve test prices, Board members will be provided a list of all tests recommended for pricing below cost and a brief justification for pricing below costs.
8. The Wisconsin State Laboratory of Hygiene will bring pricing changes to the Board for implementation in even numbered years, except where changes in test inputs (labor, supplies, capital) affect costs in a substantive way and would suggest that a pricing change be made sooner. WSLH will cost the 20% of its tests that represent 80% of its testing volume every other year, to assure that all tests are "costed" at least every four years. [approved at September 27, 2005 Board meeting.]

<sup>1</sup>Private sector customers include hospitals, clinics, non-OSHA industrial hygiene customers, individual home/well owners, well drillers and pump installers, etc.

## Appendix 2

### Criteria for Approval of Contracts Under Sections 3.05 and 3.06

The WSLH Board, at the July 1994 meeting, unanimously adopted a list of specific items of information, which have been incorporated into the attached form and will be provided to the Board when reporting for information or approval contracts with the private sector.

*The WSLH Strategic Direction Position Paper (SDPP):* As part of the Strategic Planning Process, the SLH Administration has developed and presented to the Board our SDPP. This document incorporates elements of the WSLH's mission, vision, planning assumptions and mode of operation.

Applying the broad principles of the SDPP to the narrow issue of contracts with the private sector leads us to examine the questions to why SLH Administration might consider pursuing a particular contract. These could be termed basic assumptions:

1. The SLH and the Board are committed to taking actions which support the continuation of a full-service, state-of-the-art, central public health laboratory for Wisconsin.
2. The SLH must continue to seek sources of program revenue to meet its programming needs (including a new building) as the total GPR support does not cover programming costs.
3. The current Wisconsin State Statutes and State Administrative Rules do not prohibit SLH from providing services to, or entering into contractual agreements with, non-governmental organizations.
4. The SLH may provide any service, consistent with its unique mission, as long as revenues generated from that activity are used to support the SLH's board approved mission.
5. The Issue of "competition with the private sector" is not one of absolute prohibition rather one of unfair competition. In general, however, competition with the private sector should be avoided whenever practical.

Secretary's Note: The language in item #5 is as amended by the board. The remainder of the report, through the first sentence in item #5, is as presented in the agenda of 28, February 1995. Also, additional wording after item #5 was deleted by board action.

Appendix 3

**WISCONSIN STATE LABORATORY OF HYGIENE  
CONTRACT ANALYSIS FORM  
AS REQUIRED IN SECTIONS 3.05 AND 3.06 OF  
THE POLICIES AND PROCEDURES OF THE BOARD**

1. Name and address of the contracting entity:
  
2. Tests and/or services to be provided:
  
3. Rationale for Board consideration (policy issue at hand):
  
4. Fiscal Analysis (number of tests, price per test, length of contract, etc.):
  
5. Describe any potential issues with respect to competition with the private sector:
  
6. Impact on WSLH workload/priorities/other commitments:



STATI

James R. Morgan  
Chairman  
Paul M. Holzem  
David L. McRoberts  
Robert G. Egerweid  
Joanne R. Orr  
Dorothy C. Johnson

Edward F. Trei  
S-F Analytical  
P.O. Box 1461  
Milwaukee, W

Dear Mr. Trei:

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Edward F. Trei  
December 3, 19  
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Sincerely,

Jonathan Beck  
Legal Counsel

JBjb  
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**Appendix 4**

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**Guidelines for Citizen Participation at WSLH Board Meetings**

The Wisconsin State Laboratory of Hygiene Board provides opportunities for citizens to appear before the Board to provide information to the Board on items listed on the agenda. Such appearances shall be brief and concise. In order to accommodate this participation in the allotted time, the guidelines are as follows:

- A. Items To Be Brought Before The Board:
  - 1. The Board Secretary and Chair will assign a specific time on the Agenda to hear public comment when a request to speak has been received from a member of the public.
  - 2. Individuals or organizations will be limited to a total of 5 minutes to make a presentation to the Board. Following the presentation, Board members may ask clarifying questions.
  - 3. An organization is limited to one (1) spokesperson on an issue.
  - 4. On complex issues, individuals wishing to appear before the Board are encouraged to submit written materials to the Board Secretary in advance of the meeting so the Board may be better informed on the subject in question. Such information should be submitted to the Board Secretary for distribution to all Board members no later than 7 working days before the Board meeting.
  - 5. No matters that are in current litigation may be brought before the Board.
- B. The Board encourages individuals to confine their remarks to broad general policy issues rather than the day-to-day operations of the Wisconsin State Laboratory of Hygiene.
- C. Citizens who have questions for Board members should ask these questions prior to the Board meeting, during any recess during the Board proceedings, or after Board adjournment.
- D. Written requests to appear before the WSLH Board should be submitted no later than 2 working days prior to a scheduled Board meeting.
- E. Submit written requests to:

Secretary to the Board  
C/O WSLH Director  
465 Henry Mall  
Madison, WI 53706  
Telephone: (608) [890-0288](tel:6088900288)  
Fax: (608) 262-3257

E-mail: [wslhdirector@slh.wisc.edu](mailto:wslhdirector@slh.wisc.edu)

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**POLICIES AND PROCEDURES**  
**OF THE**  
**WISCONSIN STATE LABORATORY OF**  
**HYGIENE BOARD**

**9/19/17**



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# POLICIES AND PROCEDURES OF THE LABORATORY OF HYGIENE BOARD

## ARTICLE 1 - Authority and Purpose

- §1.01 *Organization.* The Laboratory of Hygiene and the Laboratory of Hygiene Board are created in the University of Wisconsin System under Section 15.915(2), Wis. Stats.
- §1.02 *Policy.* The Policies and Procedures of the Laboratory of Hygiene Board are intended to set forth the Board's organization and statutory functions. It is the responsibility of the Board to operate at all times in conformity with applicable state laws and administrative rules.
- §1.03 *Supremacy of law.* Except as provided in §6.07, the Policies and Procedures of the Laboratory of Hygiene Board may not be suspended by the Board; but should any procedure be inconsistent with state law or administrative rules, the procedure shall, to the extent of such inconsistency, be deemed invalid.

## ARTICLE 2 - Definitions

In these *Policies and Procedures of the Laboratory of Hygiene Board* --

- §2.01 "Appointing Authority" means the person authorized under Section 15.915(2)(a) and (b), Wis. Stats., to designate or appoint a member to the Board.
- §2.02 "Board" means the Laboratory of Hygiene Board.
- §2.03 "Chairperson" means the Chairperson of the Board.
- §2.04 "Director" means the Director of the Laboratory of Hygiene.
- §2.05 "Laboratory" means the Laboratory of Hygiene.
- §2.06 "Procedures" mean the *Policies and Procedures of the Laboratory of Hygiene Board*.
- §2.07 "Government Board Members" are defined as: the Secretary of Health Services, the Secretary of Natural Resources and the Secretary of Agriculture, Trade and Consumer Protection, the Chancellor of the University of Wisconsin-Madison, or their designees, the medical examiner or coroner representative and the local health department representative.
- §2.08 "Private Board Members" are defined as a physician representing clinical laboratories, a member representing private environmental testing laboratories, and a member representing occupational health laboratories and two additional members.

## ARTICLE 3 - Board Responsibilities

- §3.01 *Statutory powers and duties.* Pursuant to Section 15.915(2), Wis. Stats., the

Laboratory of Hygiene is under the direction and supervision of the Laboratory of Hygiene Board in the University of Wisconsin System. Under S. 36.25(11), Wis. Stats., the Board may:

- (a) Promulgate all administrative rules proposed for the administration of the laboratory and its statutory program responsibilities. [S. 36.25(11)(a), Stats.]
- (b) Submit Biennial Budget requests for the laboratory, reflecting joint budget planning with state agencies served by the laboratory, directly to the Department of Administration. [S. 36.25(11)(g), Stats.]
- (c) Approve the laboratory budget, establish the general laboratory fee structure, set priorities, and make final approval of laboratory resources so that the laboratory can act in response to agencies' planned objectives and program priorities. [S. 36.25(11)(a), Stats.]
- (d) Approve the six year facilities plan for the laboratory in each even numbered year and any building project requests and amendments thereto prior to submission to the Department of Administration. [S. 13.48(4), Stats.]
- (e) Determine the state public health care mission of and set the priorities for the laboratory within the fiscal limitations imposed by law and legislative appropriations. [S. 36.25(11)(a) and (f), Stats.]
- (f) Set fees for the laboratory, including:
  - 1. Imposing a fee for each test conducted by the laboratory. [S. 36.25(11)(a) and (f), Stats.]
  - 2. Charging state agencies through contractual arrangements for the actual services rendered. [S. 36.25(aa)(f), Stats.]
  - 3. Charging local units of government for services rendered by the laboratory that are outside the state public health care mission as determined by statute. [S. 36.25(11)(f), Stats.]
- (g) Upon the recommendation of the Chancellor of the University of Wisconsin-Madison, approve the appointment of the director, and such other members of the professional staff of the laboratory as are required for the administration thereof prior to appointment by the University of Wisconsin Board of Regents. [S. 36.25(11)(e), Stats.]
- (h) Annually elect a Chairperson, Vice Chairperson and Secretary of the Board. [S. 15.07(2), Stats.]
- (i) Submit to the Chancellor of the University of Wisconsin-Madison, upon request but not more often than annually, a report on the operation of the Board. [S. 15.07(6), Stats.]

§3.02 *Policy on contracts and agreements.* Sections 3.02-3.07 are created by the Board in order to carry out its responsibilities under S. 36.25(11)(a), Wis. Stats., to "...set fees, set priorities and make final approval of laboratory resources..." and its authority

under S. 36.25(11)(f), *Wis. Stats.*, to "...impose a fee for each test conducted by the laboratory" Any test conducted for a local unit of government is exempt from the fee unless the test is outside the state public health care mission or is required under 42 USC 300f to 300j, as determined by the laboratory of hygiene board. The laboratory may charge state agencies through contractual arrangements for the actual services rendered." (Appendix 1)

§3.03 *Basic agreements.* No later than the first meeting of the Board in each fiscal year, the Board shall approve a basic services agreement with the Department of Natural Resources and the Department of Health Services respectively for that fiscal year. Absent an approved basic services agreement, the laboratory and agency shall proceed on a "continue to operate" basis.

§3.04 *Director's contract authority.* Except as provided in §3.06, the Director may negotiate and enter into the following contracts:

- (a) All contracts for services with the Department of Natural Resources or the Department of Health Services which are issued pursuant to the basic services agreement with that agency.
- (b) All other contracts for services with state agencies or municipalities under S.36.25(11)(b) *Wis. Stats.*; with federal government agencies, governmental agencies in other states, and educational institutions provided that:
  1. The services are consistent with the Laboratory's mission as approved by the Board, and
  2. The contracts do not exceed the Board approved budget for the Laboratory by more than 10%.
- (c) Any non-policy amendment or addition to the basic agreements under §3.03.
- (d) All contracts for purchase of supplies, services, and permanent property that are within budget appropriations and the budget resource allocations approved by the Board.
- (e) All contracts with private entities and corporations, or other organizations and businesses that wish to contract with the WSLH for services, provided that:
  1. The price for service is at or above the fee in the current fee schedule, or
  2. Custom lab work, not listed in the fee schedule, is priced at or above full cost when using the new work volume.
- (f) Contracts that relate to normal administrative operations and for which the University of Wisconsin provides oversight. Examples include, but are not limited to: pre-qualifying orders intended to stipulate the WSLH's quality assurance program or business standards, Memoranda of Agreement for management of electronic access to WSLH data, HIPAA business associate agreements, and consulting agreements for limited term services from persons with specialized skills (strategic planners, *locum tenans*).

§3.05 *Contract report to Board.* A list including brief description of all contracts executed

under §3.04(a), §3.04(b), §3.04(c) and §3.04(e) shall be reported to the Board at its first meeting after said action. The description shall include name, period, and amount of the contract, as well as the name of the entity with which the Lab is contracting. If upon review at that meeting, the Board decides to set aside future contracts for certain programs or types of services and upon enactment of a specific motion detailing the constraints the Board wishes to impose, the Director shall not authorize such future contracts until approval is granted for each on a case-by-case basis under §3.06.

§3.06 *Board approval required.* The Director shall seek Board approval for all of the following contracts prior to execution (See Appendix 2 for sample form.):

- a. Any contracts for services or purchases that are not covered by §3.03 or §3.04.
- b. Any contract type identified by the Board under §3.05 for separate consideration and approval.
- c. Any contract which the Director feels may present either public policy or private competition questions which should be resolved by the Board.

§3.07 *Emergency contract approval.* The Chairperson may convene a three-person committee, consisting of him or herself, one private member and one government member, as defined under §6.16 of these *Procedures* to consider any contracts from entities which the Director determines must be approved prior to the next Board meeting.

§3.08 *Policy on setting fees:* As described in §3.01(f) the Board shall approve a fee schedule which delineates the fee charged to customers for tests provided to the private sector. The Board has developed the Principles that the Laboratory Director will follow in setting annual test prices for the Laboratory. These principles are codified in these Policies and Procedures as Appendix 1. The Laboratory Director is then empowered to authorize test price increases that are in line with the Principles and needs to get Board approval for test price changes that are exceptions to the Principles.

#### ARTICLE 4 - Structure

§4.01 *Membership.* The Board consists of eleven members serving ex-officio or selected as follows:

- (a) Ex-officio members or designees: The Chancellor of the University of Wisconsin-Madison, the Secretary of Health Services, the Secretary of Natural Resources and the Secretary of Agriculture, Trade and Consumer Protection, or their designees. [S.15.915(2)(c), Stats.]
- (b) Department appointees: The President and the Secretaries enumerated in §401(a) may appoint, in addition to their designees, an "alternate representative" who in their absence and the absence of their designees at a board meeting will fully participate and exercise full voting rights on behalf of the agency. [S.15.915(2)(b), Stats.]
- (c) Governor's appointees: A representative of local health departments who is

not an employee of the Department of Health Services, a physician representing clinical laboratories, a member representing private environmental testing laboratories, a member representing occupational health laboratories and three additional members, one of whom shall be a medical examiner or coroner, appointed for 3-year terms. No member appointed under this paragraph may be an employee of the Laboratory of Hygiene. [S.15.915(2)(b), Stats.]

- (d) Ex-officio member without vote. The Director of the Laboratory, who shall serve as a nonvoting member. [S.15.915(2)(c), Stats.]

#### §4.02 *Committees in general.*

- (a) The Board may by motion or resolution establish such special committees as may be necessary and shall determine the size, membership and responsibilities of such committees consistent with these procedures. Special committees may include members of the Board or other citizens.
- (b) All committees shall report and be accountable to the Board. The Chairperson shall appoint all committees, with the advice of the Board and the Director, and shall name the chairperson of each committee. Each committee chairperson shall appoint a secretary.
- (c) Appointments to all committees shall be for terms ending as of the next Annual Meeting unless otherwise provided by the Board. Members so appointed shall hold office at the pleasure of the Board or until their successors are appointed and qualified.
- (d) The chairperson of each committee shall preside at all meetings thereof and otherwise perform the usual duties of said office. The secretary of each committee shall keep the minutes of each meeting and perform other duties as requested by the committee chairperson.
- (e) The Director shall provide the necessary staffing for each committee, including issuance of meeting notices, preparation of agendas, and recording of minutes.
- (f) All committee meetings shall be conducted in accord with Article 6.

#### §4.03 *Resignations.*

- (a) All resignations from the Board shall be in writing addressed to the appointing authority, with copies to the Chairperson of the Board and the Director.
- (b) All resignations as a Board officer or committee member shall be in writing addressed to the Board Chairperson with a copy to the Director, except that the Chairperson shall resign to the Secretary.
- (c) All resignations shall take effect upon receipt unless another date is specified therein.



§4.04 *Vacancies.* Vacancies in a Board or committee position shall occur upon the death, resignation, disqualification or removal of the officeholder. Vacancies in all elected or appointed positions shall be filled for the remainder of the unexpired term in the same manner as the original election or appointment. Vacancies in designee positions under §4.01(a) shall be filled by the respective appointing authority in accord with §4.02(b).

§4.05 *Official oath.* Each member of the Board shall take and file the official state oath prior to assuming office. [S.15.07(7), Stats.]

## ARTICLE 5 - Officers and Duties

§5.01 *Officers.*

- (a) Board officers shall consist of the Chairperson, Vice Chairperson and Secretary, who shall be elected by and from the Board at the Annual Meeting for one (1) year terms, or until their successors are elected and qualified.
- (b) No Board member may hold more than one office as defined in §5.01(a) at the same time, nor may a non-voting member be elected as Board Chairperson.
- (c) Election for each office shall be by secret ballot, except in the event that only one candidate is nominated, election shall be in accord with §6.11. [S.15.07(2), Stats.]

§5.02 *Chairperson.* The Chairperson shall preside at all meetings of the Board and shall be the principal officer of and spokesperson for the Board. Subject to the direction of the Board, the Chairperson shall see that the resolutions and directives of the Board are carried into effect except in those instances in which that responsibility is assigned to some other person by the Board; and, in general, shall discharge all duties incident to the office of Chairperson and such other duties as may be prescribed by the Board. The Chairperson may execute such resolutions, rules, agreements, instruments, documents or affidavits as the Board has authorized to be executed or as may be necessary and proper to carry out the directives of the Board.

§5.03 *Vice Chairperson.*

- (a) The Vice Chairperson shall assist the Chairperson in the discharge of his/her duties and shall perform such other duties as from time-to-time may be assigned by the Chairperson or by the Board.

- (b) In the absence of the Chairperson or in the event of his or her inability or refusal to act, the Vice-Chairperson shall perform the duties of the Chairperson and when so acting, shall have all the powers of and be subject to all the restrictions upon the Chairperson. Except in those instances in which the authority to execute is expressly delegated to another officer or the Director, or a different mode of execution is expressly prescribed by the Board, the Vice Chairperson may execute for the Board such resolutions, rules, agreements, instruments, documents or affidavits as the Board has authorized the Chairperson to execute or as may be necessary and proper to carry out the directives of the Board.

§5.04 *Secretary.*

- (a) The Secretary shall keep the minutes of the meetings of the Board in the Journal of Proceedings; see that all notices are duly given in accordance with the provisions of these procedures or as required by law; and in general perform all duties usual to the office of Secretary, and such other duties as from time-to-time may be assigned to the Secretary by the Chairperson or the Board.
- (b) During the temporary absence or disability of the Secretary, the Chairperson shall appoint an Acting-Secretary to serve during such absence or disability.
- (c) The Director shall provide clerical assistance to the Secretary in the performance of the duties of the Secretary.

§5.05 *Intent.*

- (a) It is declared to be the intent of the Board that the position of Chairperson be rotated annually among the voting members of the Board and that each successive Vice Chairperson is also, in effect, the Chairperson-elect.
- (b) It is the declared intent of the Board that the positions of Chairperson and Vice Chairperson be elected, in alternate years, from the "government" and the "private" members of the board. "Government" members are defined as: the Secretary of Health Services, the Secretary of Natural Resources and the Secretary of Agriculture, Trade and Consumer Protection, the Chancellor of the University of Wisconsin-Madison, or their designees, the medical examiner or coroner representative and the local health department representative. The "private" members are defined as a physician representing clinical laboratories, a member representing private environmental testing laboratories, and a member representing occupational health laboratories and two additional members.
- (c) The Chairperson and Vice Chairperson offices will be filled in any given year by a member from the government and a member from the private sector.
- (d) The Secretary shall prepare a ballot for the offices of Chairperson, Vice Chairperson and Secretary in accord with these policies and procedures.
- (e) The Director shall advise the board members of the historical rotation of the

offices of Chairperson, Vice Chairperson and Secretary prior to the annual meeting.

§5.06 *Removal of Officers.*

- (a) Any officer may be removed from elective Board office, for cause, by the affirmative vote of two-thirds (2/3) of the Board members present and voting at any duly constituted meeting provided that the officer has been given fifteen (15) days written notice of the Board's intent to so act. "Cause" in this section has the meaning in Section 17.16(2), Wis. Stats.
- (b) Removal of an officer as provided in 5.06(a) shall not be construed to remove the member from the Board which can only be effected by the appointing authority or as otherwise provided by law.

ARTICLE 6 - Meeting Procedures

The following procedures shall be used to conduct all Board and committee meetings:

§6.01 *Open meetings.* All Board and committee meetings shall be conducted in compliance with the Open Meetings Law as specified in Chapter 19, Subchapter IV, Wis. Stats.

§6.02 *Regular meetings.* Regular meetings of the Board shall be held at least quarterly each year at a time and place determined by the Board. The Board may meet at other times at the call of the Chairperson or a majority of the members of the Board. [S.36.25(11)(a), Stats.]

§6.03 *Annual meeting.* The first meeting of each calendar year shall be the Annual Meeting of the Board.

§6.04 *Location.* All Board and committee meetings shall be held in the State of Wisconsin. The Board may meet outside of the capital city at least once annually.

§6.05 *Notices and agendas.*

- (a) The Secretary shall ordinarily give written notice of each meeting of the Board to members personally or by mail not less than 10 days but in no case less than 48 hours prior to the date of the meeting. The notice shall include the time, date and place of the meeting, and the agenda of subject matters to be considered, in accordance with Section 19.84, Wis. Stats. Copies of any proposed administrative rules or other substantive matters to be considered shall be delivered or mailed to the Board no later than the date the notice is given. Exceptions with regard to copies of materials on other substantive matters may be granted by the Chair.
- (b) The Director shall prepare the agenda for each Board meeting in consultation with and subject to approval by the Chairperson. Board members shall notify the Director or the Chairperson of all items to be considered not less than 10 days prior to the meeting. In accordance with Section 19.84, Wis. Stats., any matter that is not included in the Board

meeting notice and agenda may not be considered at that meeting.

- (c) It is the clear intent of the Board to carry out its business in such a manner as to facilitate public input on all matters affecting partners, collaborators and customers. This includes, but is not limited to, the Strategic Plan, Pricing Exercise and Policy Issues. "Policy Issues" include these "*Policies and Procedures*," interpretation of the laboratory's public health mission to include or exclude specific tests or services and interpretations of the statutes.

§6.06 *Attendance.* Board members shall make every effort to attend all of the duly scheduled meetings. Members unable to attend shall notify the Director prior to the meeting.

§6.07 *Rules of order.* The proceedings of the Board shall be governed by the most current edition of *Robert's Rules of Order, Newly Revised*, insofar as it does not conflict with applicable state laws or these procedures. The rules of order may be suspended as provided therein or upon unanimous consent of the Board.

§6.08 *Quorum.* A quorum to do Board or committee business shall consist of the presence in person or by teleconference under §6.09 of a majority of the membership of the Board or committee, respectively. [*S. 15.07(4), Stats.*]

§6.09 *Teleconference/Videoconference meetings.* Any Board or committee meeting may be conducted partly or entirely by telephone conference call or videoconferencing at the direction of the Board or committee chairperson, subject to the following requirements:

- (a) The meeting is conducted at the laboratory conference room or another publicly accessible site.
- (b) Provision is made to ensure that all participating Board or committee members can hear the deliberations and can be heard by members and other persons attending at the meeting site.
- (c) All members able to attend the meeting by teleconference or videoconference are called to join the conference.
- (d) The Director has made reasonable attempt to furnish all Board or committee members and persons attending the meeting with copies of the meeting agenda and any written materials to be discussed or considered, including resolutions, contracts, policies, rules, or other proposals.
- (e) No less than two members of the Board or committee, in addition to the Director, and the person recording the meeting minutes are present at the meeting site.
- (f) A recorded vote is taken and announced on all questions at the meeting.
- (g) The public notice of the meeting under §6.05(a) indicates that the meeting may be conducted partly or entirely by teleconference or videoconference.

§6.10 *Voting.* Each voting member shall vote on all questions unless excused by the Board prior to voting for reason of a conflict of interest. A recorded vote shall be taken on every resolution, or on any other question at the request of a Board member. Proxy voting is not permitted.

§6.11 *Decisions.* All Board actions shall be upon resolution or motion duly adopted by a majority of the members present and voting, unless a greater number is required in these procedures. [S. 15.07(4), Stats.]

§6.12 *Speaking privileges.* When the Board is in session, no persons other than laboratory staff designated by the Director shall be permitted to address the Board except as hereinafter provided:

- (a) A committee report may be presented by a committee member who is not a member of the Board.
- (b) A Board or committee member, in the course of presenting a matter to the Board, may request staff to assist in such a presentation.
- (c) If a Board member directs a technical question for clarification of a specific issue to a person not authorized in this section, the Chairperson may permit such a person to respond.
- (d) The Board may, by majority vote, or by decision of the Chair allow persons not otherwise authorized in this section to address the Board if the situation warrants or the following criteria is followed:
  - (1) Written requests for public appearances on specific current agenda items shall be made to the Board Secretary no later than 2 working days prior to the meetings. The request shall outline the reasons for the request including the subject matter to be discussed in as much detail as is feasible prior to the meeting of the Board. Those requesting an appearance may, at or prior to the Board meeting, provide Board members copies of any written materials to be presented or a written statement of a position.
  - (2) Individual presentations will be limited to five minutes, unless otherwise authorized by the Chairperson.
  - (3) To schedule an appearance before the Wisconsin State Laboratory of Hygiene Board, contact the Board Secretary, C/O Director, WSLH, 465 Henry Mall, Madison, WI 53706. Telephone (608) 890-0288. The subject or subjects to be discussed must be identified.
  - (4) The Wisconsin State Laboratory of Hygiene "Guidelines for Citizen Participation in WSLH Board Meetings" are published on their Web site: <http://www.slh.wisc.edu> and printed copies are available on request. (See Appendix 5) [Section §6.12 approved 5/27/03 Board mtg.]

§6.13 *Minutes.* The minutes of each Board meeting shall be recorded by the Secretary, assisted by the laboratory staff assigned by the Director and shall include the substance of each official action of the Board and each recorded vote. Draft copies of the minutes shall be mailed or delivered to each Board member not later than the date that the notice and agenda is mailed. The Board shall correct and approve all minutes at the following meeting. Thereafter, the Secretary shall incorporate the corrections in the revised minutes, affix his/her signature, note the date of approval on the minutes and retained in a journal of proceedings. [Administrative correction.]

§6.14 *Resolutions.* Every resolution adopted by the Board shall be duly attested by the Chairperson and the Secretary.

§6.15 *Journal of proceedings.* The corrected and approved minutes of every meeting and a copy of every resolution adopted by the Board shall be recorded in a journal of proceedings which shall be kept in the office of the Director. The minutes and resolutions in said Journal shall be deemed to be the official record of Board actions.

§6.16 *Emergency Meetings of the Executive Committee:* At the request of any board member, the chairperson or if the chairperson is not available vice chairperson shall convene an emergency meeting of the executive committee of the board.

- a) The executive committee consists of the chairperson, vice chairperson, secretary and director.
- b) In the event that the chairperson or vice chairperson is not available, an additional board member from the chairperson's or vice-chairperson's respective constituency (private or government member as defined in 5.05(b)) must be present.
- c) The Director of the Laboratory is not a member of either constituency.
- d) The meeting may occur by telephone as outlined in §6.09 (a, b, c, d, f, g)
- e) The topic of the meeting is limited to the emergency issue for which the meeting is called.
- f) The Secretary shall notify the board in writing as expeditiously as possible (letter, fax or e-mail) of the meeting and all actions taken.
- g) This section recognizes the fact that the Director may hold the office of Secretary.
- h) In the event of situation in which the executive committee cannot be convened in a timely manner, the director is expected to take appropriate emergency action and report to the chairperson and/or vice-chairperson at the earliest opportunity.

## ARTICLE 7 - Approval of Administrative Rules

- §7.01 *Drafts.* The Director shall present all drafts of administrative rules to the Board prior to proceeding with each of the regular stages of the rule making process: the University of Wisconsin administrative, Legislative Council rules clearinghouse, public hearing, and legislative standing committee stages.
- (a) The Board shall review and may modify drafts of the administrative rules at any duly scheduled meeting.
  - (b) The Board shall approve, by resolution, each draft of the proposed administrative rules prior to proceeding with the next stage in the rule making process, unless otherwise determined by the Board.
- §7.02 *Hearings.* The Board may conduct public hearings on administrative rules in accordance with Section 227.18, Wisconsin Statutes.
- §7.03 *Promulgation.* The Board may promulgate rules in areas within its jurisdiction under Section 36.25(11)(a), Wis. Stats., in accord with this Article and Chapter 227, Wis. Stats.

## ARTICLE 8 - Code of Ethics/Standards of Conduct

- §8.01 *Ethics Code.* The conduct of members of the Board is governed by the provisions of Subchapter III of Chapter 19, Wis. Stats., *Code of Ethics for Public Officials and Employees.*
- (a) Board members appointed by the Governor under §4.01(c) are not required to file a statement of economic interests under Section 19.43, Wis. Stats. [S. 19.42(10), Stats.]
  - (b) The members serving under §4.01(a) and (b) are subject to S. 19.42(10), Wis. Stats. [S. 19.42(10) and S. 19.43, Stats.]
- §8.02 *Disclosure.* If any of the conditions involving a conflict of interest exist, a Board member shall disclose his/her interest to the Board Chairperson and Secretary and shall refrain from voting or participating in any deliberation pertaining to the issue in conflict.
- §8.03 *Misuse of public position.* No member of the Board shall use his/her position to obtain financial gain or anything of substantial value for that member, a member of his/her immediate family, or an organization with which he/she is associated. [S.19.45(2), Stats.]
- §8.04 *Private interest conflicts.* No member of the Board shall participate in the selection, award or administration of a contract or take any official action in a matter in which:
- (a) The Board member's action or inaction could reasonably expected to produce a substantial personal benefit for the Board member, a member of

his/her immediate family, or a private organization with which the Board member is associated; or

- (c) The Board member in his/her private capacity, or a member of his/her immediate family, or an organization with which the Board member is associated has a substantial interest. [S. 19.46, Stats.]
- (d) These Policies and Procedures recognize that each member, by virtue of the fact that their appointment reflects representation of a particular government or private sector constituency on the Board, continuously face, to some degree, a conflict of interest.
- (e) Members of the Board are to advise the Chairperson or Vice Chairperson and Secretary of potential conflict of interest situations, whenever possible, in advance of such issues being brought to the Board Agenda.

§8.05 *Restraints on receipt of items of value.* In general, no member of the Board should accept any of the following items:

- (a) Any item or service of more than nominal value offered because of the person's holding a state public office. [S. 19.45(2), Stats.]
- (b) Any food, drink, transportation, or lodging except when offered for a reason unrelated to the recipient's holding or having held *any* public position and the recipient can demonstrate that clearly and convincingly. [Ss. 19.45(3m) and 19.56(3)(b), Stats.]
- (c) Any food, drink, transportation, lodging, employment, or thing of pecuniary value from a lobbyist, either directly or through an agent. [S. 13.625(1)-(3), Stats.]
- (d) Any food, drink, transportation, lodging, or thing of pecuniary value from an organization that employs a lobbyist except for items and services also made available to the general public on like terms and conditions. [S. 13.625, Stats.]
- (e) Any transportation or traveling accommodation for which the supplier would usually charge. [S. 946.11, Stats.; Article 13, S. 11, Const.]

#### ARTICLE 9 - Amendments to the Policies and Procedures

§9.01 *Proposals.* Amendments may be proposed to the Board by any member in the form of a written resolution.

§9.02 *Copy distribution.* Written copies of all proposed amendments shall be furnished to each member of the Board at least ten (10) days prior to consideration.

§9.03 *Adoption.* Adoption shall require approval of the resolution incorporating the amendment(s) by the recorded vote of two-thirds (2/3) of those voting members present at any meeting of the Board duly called for that purpose.



§9.04 *Effective date.* Amendments shall take effect on the day following adoption unless another date is specified therein.

§9.05 *Engrossed copy.* Following adoption of an amendment to the Procedures, the Director shall prepare an engrossed copy of the procedures incorporating the amendment(s) which shall be duly attested by the Secretary.

***I HEREBY CERTIFY*** that the foregoing is a duly engrossed copy of the Policies and Procedures of the State Laboratory of Hygiene Board, ***including Appendices [Administrative correction]***, as approved by Motion. Adopted on September 19, 2017.

ATTEST:

\_\_\_\_\_  
Chairperson-2017, James Morrison, Chairperson

\_\_\_\_\_  
Secretary, James Schauer, PhD

Dated in Madison, Wisconsin this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

## APPENDIX 1

### Revised Pricing Principles as Approved at the September 26, 2000 Board Meeting

1. To price tests provided to the Private Sector<sup>(1)</sup> at least cover all costs (direct, indirect and full overhead) except where the test is priced below cost because of its public health significance and/or the need for the WSLH to maintain the capability and capacity to do this testing. Examples are tuberculosis testing, cultures referred for further identification, and complex virus testing.
2. To price tests at or above Medicare reimbursement rates, except where that is in conflict with Principle One above.
3. To price tests comparatively with the private sector providers when private sector prices are reasonably available, except where that is in conflict with Principle One above.
4. To continue to do detailed cost accounting internally in order to appropriately price, following the above principles, the 20% of the tests that generate 80% of the volume.
5. Bi-annual price increases will take into account increased expenses. Pricing information will be provided to the Board in a timely manner.
6. Board members may inquire about individual test costs outside of Board meetings. If the tests appear to be outside the parameters of (or not meeting) the established pricing principles, they can request discussion or specific approval by the Board. Where WSLH staff is aware that a test does not meet the Pricing Principles, the staff will bring the test to the attention of the Board.
7. To approve test prices, Board members will be provided a list of all tests recommended for pricing below cost and a brief justification for pricing below costs.
8. The Wisconsin State Laboratory of Hygiene will bring pricing changes to the Board for implementation in even numbered years, except where changes in test inputs (labor, supplies, capital) affect costs in a substantive way and would suggest that a pricing change be made sooner. WSLH will cost the 20% of its tests that represent 80% of its testing volume every other year, to assure that all tests are "costed" at least every four years. [approved at September 27, 2005 Board meeting.]

<sup>1</sup>Private sector customers include hospitals, clinics, non-OSHA industrial hygiene customers, individual home/well owners, well drillers and pump installers, etc.

## Appendix 2

### Criteria for Approval of Contracts Under Sections 3.05 and 3.06

The WSLH Board, at the July 1994 meeting, unanimously adopted a list of specific items of information, which have been incorporated into the attached form and will be provided to the Board when reporting for information or approval contracts with the private sector.

*The WSLH Strategic Direction Position Paper (SDPP):* As part of the Strategic Planning Process, the SLH Administration has developed and presented to the Board our SDPP. This document incorporates elements of the WSLH's mission, vision, planning assumptions and mode of operation.

Applying the broad principles of the SDPP to the narrow issue of contracts with the private sector leads us to examine the questions to why SLH Administration might consider pursuing a particular contract. These could be termed basic assumptions:

1. The SLH and the Board are committed to taking actions which support the continuation of a full-service, state-of-the-art, central public health laboratory for Wisconsin.
2. The SLH must continue to seek sources of program revenue to meet its programming needs (including a new building) as the total GPR support does not cover programming costs.
3. The current Wisconsin State Statutes and State Administrative Rules do not prohibit SLH from providing services to, or entering into contractual agreements with, non-governmental organizations.
4. The SLH may provide any service, consistent with its unique mission, as long as revenues generated from that activity are used to support the SLH's board approved mission.
5. The Issue of "competition with the private sector" is not one of absolute prohibition rather one of unfair competition. In general, however, competition with the private sector should be avoided whenever practical.

Secretary's Note: The language in item #5 is as amended by the board. The remainder of the report, through the first sentence in item #5, is as presented in the agenda of 28, February 1995. Also, additional wording after item #5 was deleted by board action.

Appendix 3

**WISCONSIN STATE LABORATORY OF HYGIENE  
CONTRACT ANALYSIS FORM  
AS REQUIRED IN SECTIONS 3.05 AND 3.06 OF  
THE POLICIES AND PROCEDURES OF THE BOARD**

- 1. Name and address of the contracting entity:**
  
- 2. Tests and/or services to be provided:**
  
- 3. Rationale for Board consideration (policy issue at hand):**
  
- 4. Fiscal Analysis (number of tests, price per test, length of contract, etc.):**
  
- 5. Describe any potential issues with respect to competition with the private sector:**
  
- 6. Impact on WSLH workload/priorities/other commitments:**

## Appendix 4

### Guidelines for Citizen Participation at WSLH Board Meetings

The Wisconsin State Laboratory of Hygiene Board provides opportunities for citizens to appear before the Board to provide information to the Board on items listed on the agenda. Such appearances shall be brief and concise. In order to accommodate this participation in the allotted time, the guidelines are as follows:

- F. Items To Be Brought Before The Board:
    - 6. The Board Secretary and Chair will assign a specific time on the Agenda to hear public comment when a request to speak has been received from a member of the public.
    - 7. Individuals or organizations will be limited to a total of 5 minutes to make a presentation to the Board. Following the presentation, Board members may ask clarifying questions.
    - 8. An organization is limited to one (1) spokesperson on an issue.
    - 9. On complex issues, individuals wishing to appear before the Board are encouraged to submit written materials to the Board Secretary in advance of the meeting so the Board may be better informed on the subject in question. Such information should be submitted to the Board Secretary for distribution to all Board members no later than 7 working days before the Board meeting.
    - 10. No matters that are in current litigation may be brought before the Board.
  - G. The Board encourages individuals to confine their remarks to broad general policy issues rather than the day-to-day operations of the Wisconsin State Laboratory of Hygiene.
  - H. Citizens who have questions for Board members should ask these questions prior to the Board meeting, during any recess during the Board proceedings, or after Board adjournment.
  - I. Written requests to appear before the WSLH Board should be submitted no later than 2 working days prior to a scheduled Board meeting.
  - J. Submit written requests to:
    - Secretary to the Board
    - C/O WSLH Director
    - 465 Henry Mall
    - Madison, WI 53706
    - Telephone: (608) 890-0288
    - Fax: (608) 262-3257
- E-mail: [wslhdirector@slh.wisc.edu](mailto:wslhdirector@slh.wisc.edu)

Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017

**BUSINESS ITEMS**

**Item 7. BOARD OPERATIONS**

- a) Dr. James Schauer, Director, WSLH

**Description of the Item:**

- Board Online Resources
- Board Agenda Items (Future)

**Suggested Board Action:**

Receive for information.

**Staff Recommendations and Comments:**

Receive for information.

Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017

**BUSINESS ITEMS**

**Item 8. ORGANIZATIONAL STRUCTURE UPDATE**

- a) Dr. James Schauer, Director, WSLH

**Description of the Item:**

Dr. Schauer will present an update of the organizational structure of the Wisconsin State Laboratory of Hygiene

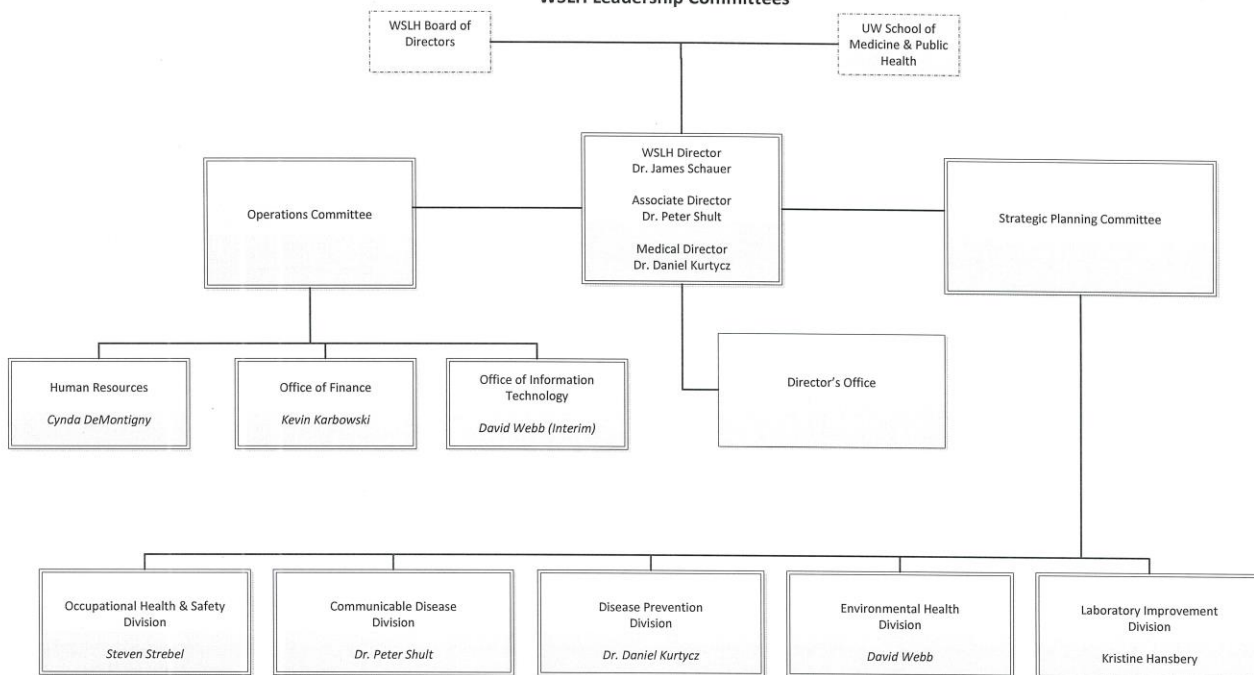
**Suggested Board Action:**

Receive for information.

**Staff Recommendations and Comments:**

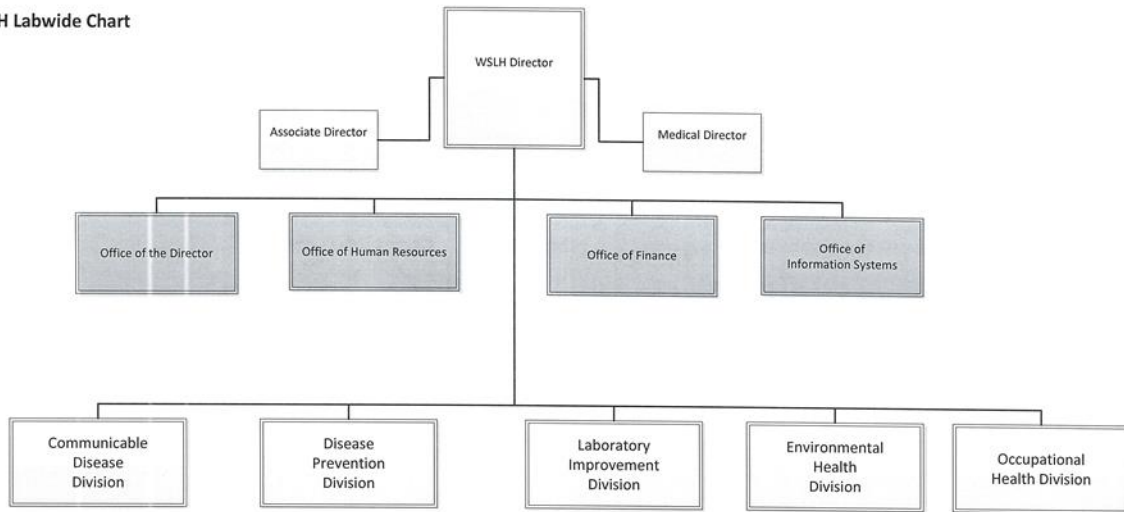
Receive for information.

WSLH Leadership Committees

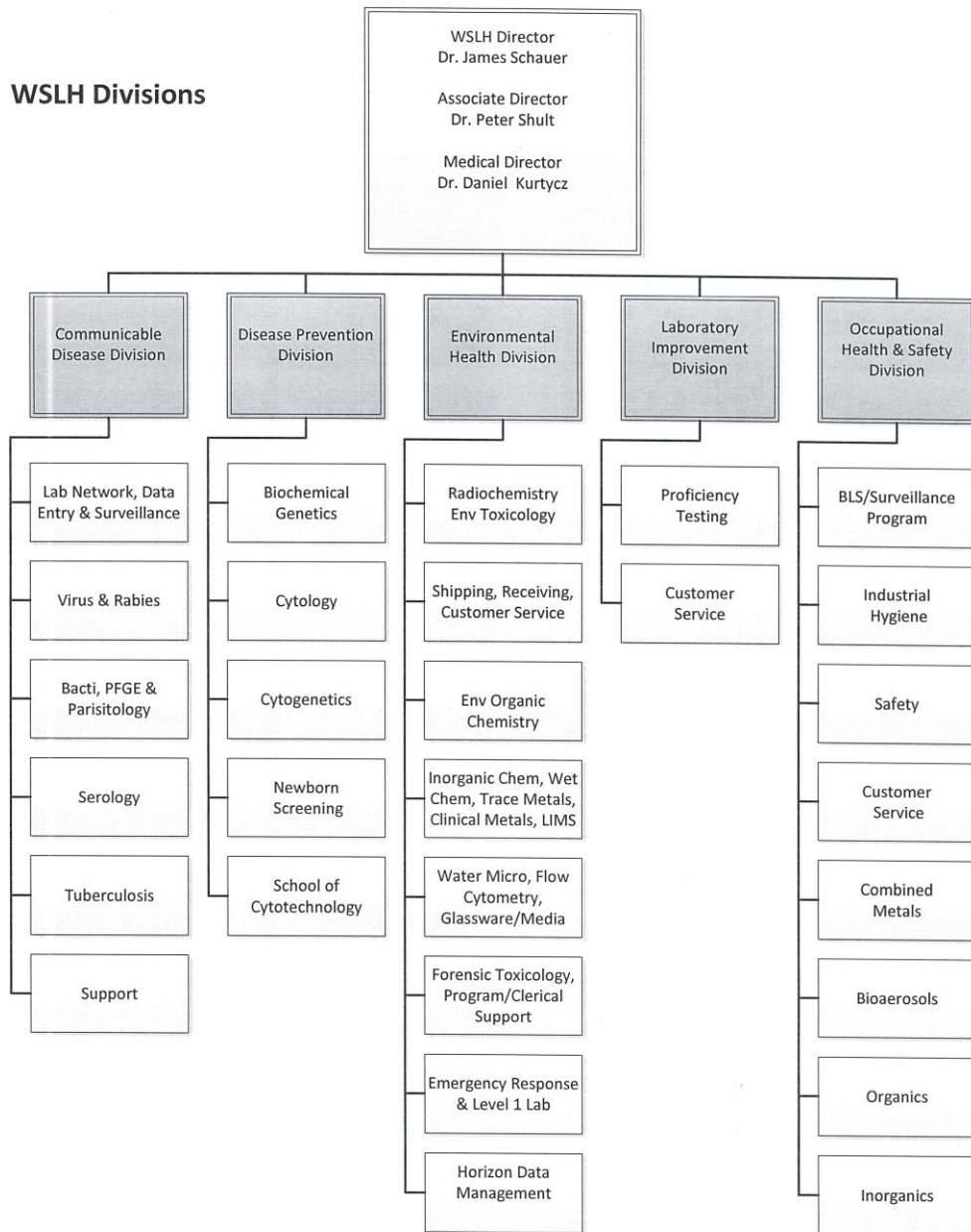




WSLH Labwide Chart



# WSLH Divisions



Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017

**BUSINESS ITEMS**

**Item 9. STRATEGIC & FACILITIES PLANNING**

- a) Dr. James Schauer, Director, WSLH

**Description of the Item:**

Dr. Schauer will provide an update on strategic and facilities planning at the WSLH.

**Suggested Board Action:**

Receive for information.

**Staff Recommendations and Comments:**

Receive for information.

Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19, 2017

**BUSINESS ITEMS**

**Item 10. HUMAN RESOURCES REPORT**

- a) Cynda DeMontigny, Human Resources Director, WSLH

**Description of the Item:**

Cynda DeMontigny will provide an update on vacancy rates and succession planning to the Board.

**Suggested Board Action:**

Receive for information.

**Staff Recommendations and Comments:**

Receive for information.

Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19<sup>th</sup>, 2017

**BUSINESS ITEMS**

**Item 11. CONTRACTS REPORT**

- a) Christine Gunter, Financial Program Supervisor, WSLH

**Description of the Item:**

The table on the following pages contains the major grants and contracts that have been received from June 1<sup>st</sup> through August 31<sup>st</sup>, 2017. WSLH staff will be available to provide more details on these grants and contracts.

**Suggested Board Action:**

Receive for information.

**Staff Recommendations and Comments:**

There are no contracts requiring board approval.

CUSTOMER	CONTRACT NAME	START DATE	END DATE	ACCOUNT NAME	SCOPE OF WORK	AWARD AMOUNT	WSLH DEPT
University of Colorado	New Steps	9/1/2017	8/31/2018	Improving Timeliness of Newborn Screening Diagnosis	Final year of New Steps - automated fax system to provide newborn screening results	\$ 30,000	NBS
Eastern Biotech and Life Sciences	Service Agreement	8/1/2017	7/31/2019	Service Agreement - Newborn Screening	2 year service agreement with EBLIS, Dubai, UAE for newborn screening services.	\$ 72,000	NBS
Wisconsin Department of Health Services	CARS Interagency Agreement	7/1/2017	6/30/2018	Colposcopy Services	Annual agreement with DPH/Women's Healthy/Family Planning for services from HCET for cervical cancer screening.	\$ 66,800	DPD
USDA	17-7100-0326-CA	9/1/2017	8/31/2018	USDA APHIS Cooperative Agreement	National Rabies laboratory test protocol for Wildlife Services.	\$ 7,500	LID
Michigan Dept of Environmental Quality	071B2200288	9/16/2017	9/15/2019	Water Chemistry - Fee for Service	Trace Elements - various testing under contract for 2 yr period	\$ 200,000	EHD
WI Depart of Natural Resources	18 Pos	7/1/2017	6/30/2018	Various fee for Service projects	Air Monitoring, Drinking/Ground Water, Lakes, Source Tracking, Remediation, Aquatic Species, Sediment, Biomonitoring, etc.	\$ 519,397	EHD & OHD
Wisconsin Department of Health Services	PHEP	7/1/2017	6/30/2018	PHEP- Biological and Chemical Response	Annual Funding for Chemical/Biological Response - Chem Resp = \$106,619 for Chem Resp and \$1,445,235 for Level 1; CDD = \$690,092 Biological Response	\$2,241,946	EHD & CDD
Wisconsin Department of Health Services	Equipment - TOF	9/1/2016	8/31/2017	Time of Flight Equipment	Purchase of Time of Flight equipment for Forensic Toxicology analytical improvements.	\$ 309,592	EHD
Association of Public Health Laboratories	56400-200-801-18-05	7/1/2017	6/30/2018	Calicinet	Cooperative agreement with CDC for submission of Norovirus sequences.	\$ 20,000	CDD
Association of Public Health Laboratories	56400-200-921-17-12	7/1/2017	6/30/2018	National Influenza Surveillance Reference Centers	Influenza surveillance for CDC	\$ 600,000	CDD
Association of Public Health Laboratories	56400-200-900-18-09	9/1/2017	6/30/2018	GC Proficiency Testing Panels	Cooperative agreement to prepare and distribute GC proficiency panels to select health laboratories.	\$ 16,000	CDD
Wisconsin Department of Health Services	ELR Lead to HHLPSS	7/1/2017	6/30/2018	ELR Lead to HHLPSS	Interagency agreement to provide blood lead reporting thru HL7 messages developed by WSLH for use by DHS/DPH	\$ 21,540	CDD
Wisconsin Department of Health Services	ELC Project P1	8/1/2017	7/31/2018	Influenza Surveillance and Diagnostic testing	Perform pyrosequencing on positive influenza specimens, etc. Provide training and competency assessments for virologists performing PCR testing. Statewide teleconference and annual WI Clinical Virology Conference.	\$ 40,538	CDD
Wisconsin Department of Health Services	ELC Project W2	8/1/2017	7/31/2018	Rabies - Laboratory Capacity	Travel- NLTN/APHL Rabies Workshop	\$ 2,750	CDD
Wisconsin Department of Health Services	Zika Surveillance	8/1/2017	7/31/2018	Zika Surveillance and Response Coordinator for Infant Health	Program Coordinator- Public Health Educator Position	\$ 96,201	CDD
Wisconsin Department of Health Services	ELC Project M1	8/1/2016	7/31/2017	West Nile Virus and Other Arboviral Diseases	Additional funding for existing award to perform additional arboviral disease testing	\$ 25,200	CDD
Wisconsin Department of Health Services	ELC Project P1	8/1/2016	7/31/2017	Influenza Surveillance and Diagnostic testing	Additional funding for existing award to perform pyrosequencing on positive influenza specimens, etc.	\$ 30,697	CDD
Wisconsin Department of Health Services	ELC Project Z	8/1/2016	7/31/2017	Waterborne	Additional funding for existing award to provide waterborne disease services	\$ 7,500	CDD
Wisconsin Department of Health Services	ELC Project O	8/1/2016	7/31/2017	Parasitic Diseases	Additional funding for existing award to provide parasitic disease services	\$ 2,390	CDD
Wisconsin Department of Health Services	ELC Project K1K2	8/1/2016	7/31/2017	Healthcare Associated Infection	Funding for equipment - GenExpert System and operating supplies.	\$ 126,296	CDD
Association of Public Health Laboratories	56400-200-924-17-05 & 56400-200-921-17-10	1/23/2017	6/30/2017	Amendment 1 - Influenza like and Parotitis	Additional funding for existing award to perform PCR testing on influenza like illness and/or parotitis	\$ 75,000	CDD

# Contracts Summary

Total awarded June-August 2017		\$ 4,511,347
<hr/>		
Recap		
<hr/>		
Proficiency testing		\$ 7,500
Newborn Screening		\$ 102,000
Disease Prevention - Cytology School		\$ 66,800
EHD & OHD		\$ 2,580,843
CDD		\$ 1,754,204
Wisconsin Dept of Natural Resources		\$ 519,397
Wisconsin Dept of Health Services		\$ 2,971,450
APHL		\$ 711,000
USDA		\$ 7,500
Other States & Universities		\$ 230,000
International		\$ 72,000

Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19<sup>th</sup>, 2017

**BUSINESS ITEMS**

**Item 12. DIRECTOR'S REPORT**

a) Dr. James Schauer, Director, WSLH

**A. Public or Environmental Health Incidents of Educational Interest**

**B. Employee Appreciation Events**

**C. Next Board Meeting: Tuesday, December 12<sup>th</sup>, 2017**



**Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19<sup>th</sup>, 2017**

**Report to the Wisconsin State Laboratory of Hygiene Board**

**Representative Public or Environmental Health Incidents of Educational Interest  
For the Period June 9 – September 8, 2017**

Approx. Date	Agent or Event Name	Description	Current Status
<b>OUTBREAKS and INCIDENTS</b>			
June 2017	Brucella	WSLH Communicable Disease Division (CDD) scientists confirmed a case of brucellosis in a hospital patient. As a precautionary measure, the WSLH is now performing multiple rounds of serology testing on hospital lab workers that may have been exposed to the bacteria.	In Progress
July – August 2017	Hepatitis A	WSLH CDD scientists performed testing as part of multiple WI Division of Public Health (WDPH) hepatitis A investigations. Hepatitis A is a reportable condition in Wisconsin.	Complete
August 2017	Norovirus	WSLH CDD scientists performed testing as part of a WDPH and Pierce County Health Department investigation after multiple people attending a community event fell ill. The WSLH confirmed norovirus.	Complete
August 2017	Salmonella	WSLH CDD scientists performed testing as part of a multi-county investigation after people who ate fresh shelled peas bought at various local farmers markets fell ill. WDPH, Public Health Madison-Dane County, Brown County, Fond du Lac County and Rock County health departments are investigating.	Complete
August 2017	Multiple Emergency Response incidents	WSLH scientists responded to three separate unknown substance incidents during the week of August 21-25. The first involved a suspicious package that caused illness in two individuals. Working closely with FBI, WSLH CDD scientists performed bio-threat screening of the package. No chemical testing was performed. The second incident involved a second, similar suspicious package. Working with FBI and Milwaukee HazMat, vapor samples were collected, but	Complete

		chemical testing was determined to not be necessary. The third was a “glitter bomb” that was received by an individual with an “online presence.” Working with Appleton HazMat WSLH Chemical Emergency Response Unit scientists performed follow-up analysis supporting the material was limited to Mylar-type polyethylene compounds.	
August 2017	HAB and Cyanobacterial toxins testing	Scientists in the WSLH Environmental Toxicology and Organic Chemistry units performed cyanobacteria ID/count and cyanobacterial toxin testing for WI DNR and WI DHS in support of an investigation of two dogs that died shortly after being in a lake in Dane County.	Complete
<b>RECENT EVENTS and FINDINGS</b>			
June 2017	Association of Public Health Laboratories (APHL) Award Winners	<p>WI Clinical Laboratory Network (WCLN) Coordinator and WSLH Co-Biosafety Officer Erin Bowles and WSLH Communicable Disease Division Deputy Director Dr. Dave Warshauer were honored at the APHL annual meeting in Providence, RI.</p> <p>Erin received the Emerging Leader Award. This award honors an individual whose leadership has been instrumental in one or more advances in laboratory science, practice, management, policy or education within his or her first five to ten years in the public health laboratory profession.</p> <p>Dave received the Silver Award, which honors a laboratorian with roughly 10 to 15 years of service in a governmental public health laboratory who is recognized as a leader both within their home laboratory as well as external to their laboratory.</p> <p>Both Erin and Dave worked in hospital and clinical laboratories in Wisconsin before joining the WSLH.</p>	Complete
June 2017	Avon Breast Cancer Crusade Award	<p>UW Cytogenetics and Molecular Genetics at the WSLH is part of an Avon award to Dr. Mark Burkard. This grant was awarded to support the genomic analysis of long-term survivorship in cancer.</p> <p><a href="http://www.jsonline.com/story/news/education/2017/08/01/uw-study-tries-find-secret-exceptional-breast-cancer-survivors/521213001/">http://www.jsonline.com/story/news/education/2017/08/01/uw-study-tries-find-secret-exceptional-breast-cancer-survivors/521213001/</a></p>	In Progress

		<a href="http://www.uwhealth.org/news/dr-mark-burkard-awarded-avon-funds-to-study-survivors-with-metastatic-breast-cancer/51125">http://www.uwhealth.org/news/dr-mark-burkard-awarded-avon-funds-to-study-survivors-with-metastatic-breast-cancer/51125</a>	
June – August 2017	UW-Milwaukee Zilber School of Public Health (SPH) MPH Field Experience Projects	The WSLH hosted two Zilber SPH Masters of Public Health (MPH) students for summer field experience projects that are a required element of this degree program. One project was with EHD Organic Chemistry Section and the other was with OSHD and a shared effort between WisCon and WOHL. Dr. Curtis Hedman acted as preceptor for both of these projects.	Complete
June 12, 2017	CDC-sponsored Cyanide exercise	The WSLH Chemical Emergency Response Unit successfully participated in a 10-sample exercise involving whole blood cyanide testing and reporting. All aspects of the Centers for Disease Control and Prevention (CDC) sponsored exercise, from initial notification to final reporting, took place on June 12.	Complete
July 2017	Great Lakes Collaboratory Peer Review	Dr. Curtis Hedman was invited to participate in a peer review project for materials to be published by this group on the topic of harmful algal blooms (HABs).	Complete
July 1, 2017	Pompe Disease Newborn Screening Pilot	<p>Wisconsin will begin screening for Pompe disease as part of a federally funded newborn screening pilot program.</p> <p>The pilot is an outcome of a 2013 recommendation by the national Advisory Committee on Heritable Disorders in the Newborn and Child (ACHDNC) that Pompe screening be added to state newborn screening panels. As part of the implementation process, it was recommended that pilot studies be undertaken to understand the challenges to implementing this recommendation.</p> <p>WSLH scientists, in conjunction with several pediatric metabolic physician specialists in the state, will be conducting Wisconsin's Pompe newborn screening trial. The pilot is expected to last one year.</p>	In Progress
July 2017	Chromosomal Microarray Analysis (CMA) for Hematological Malignancies	UW Cytogenetic Services and Molecular Genetics at the WSLH is now offering a chromosomal microarray analysis (CMA) for hematological malignancies	Ongoing

		<p>CMA analysis provides a high resolution, genome-wide assessment of copy number variants (gains and losses) and copy neutral loss of heterozygosity (cn-LOH) recurrent in hematological malignancies.</p> <p>CMA is recommended for individuals with a new diagnosis or suspected diagnosis of a hematological disease, or individuals with relapsed disease. The results are intended for use by the physician to further refine diagnoses, offer more accurate prognostic assessments and select optimal treatments.</p>	
August 2017	Reducing Risks from Manure Storage Agitation Gases	<p>Concerns about deaths occurring near manure storage and handling systems led University of Wisconsin-Madison and University of Wisconsin-Extension Cooperative Extension scientists to develop a publication about “Reducing Risks from Manure Storage Agitation Gases.”</p> <p>The authors led by UW Biological Systems Engineering Assistant Professor Rebecca Larson and including WSLH Director and UW Civil and Environmental Engineering Professor Jamie Schauer, note:</p> <p><i>Predicting gas emissions for a given set of manure and onsite environmental conditions is difficult. Therefore, monitoring is recommended to alert workers or others of toxic conditions near manure storage facilities. This publication details common gases released during manure agitation along with safety practices to disperse gases and reduce the possibility of toxic exposure.</i></p>	Complete
August 2017	UW-Madison Pringle Award Roll of Honor	<p>Three WSLH staffers have been added to the Pringle Award Roll of Honor by University of Wisconsin-Madison University Staff Shared Governance.</p> <p>Shannon Kelly in WSLH Proficiency Testing, Shauna Minick in Forensic Toxicology and Katy Penland in Newborn Screening were all nominated for the Elizabeth S. Pringle Award.</p> <p>Ms. Pringle worked for retired UW-Madison Professor Joel Margolis. He made a generous donation to award a university staff office support employee in honor of his assistant Ms. Pringle.</p>	Complete

		<p>The award winner was selected by members of the Congressional University Staff Awards Selection Committee and will be announced this fall.</p> <p>Nominees who did not receive the award were added to the Roll of Honor in recognition of their exemplary work.</p>	
August 2017	National Influenza Reference Center	The WSLH Communicable Disease Division hosted Thomas Stark from the CDC Influenza Division. Thomas provided two CDD virology lab scientists - Tonya Danz and Rich Griesser - with training on initial quality control (QC) curation of next-generation sequencing data upload and enhanced QC for influenza whole genome sequencing as part of the National Influenza Reference Center (NIRC) work that we do.	Complete
August 2017	Assessment of Infants with Sudden Unexplained Infant Death (SUID) for Genomic Markers of Cardiac and Metabolic Disease	<p>UW Cytogenetics and Molecular Genetics at the WSLH and the WSLH Biochemical Genetics Laboratory are looking to collaborate with UW Pathology (Dr. Corliss) on expanding the NextGenPM program (next-generation sequencing post mortem investigation for cardiomyopathy and arrhythmias) to include sudden unexplained infant death. This project will be led by Michelle Stoffel, a pathology resident interested in genomic medicine.</p> <p>More info on the original NextGenPM program - <a href="http://www.slh.wisc.edu/answering-why-when-someone-suddenly-dies-genetic-testing-pilot-project-for-sudden-cardiac-deaths/">http://www.slh.wisc.edu/answering-why-when-someone-suddenly-dies-genetic-testing-pilot-project-for-sudden-cardiac-deaths/</a></p>	In Progress
August 2017	Annual Drug Recognition Expert (DRE) Conference	Forensic Toxicology Section Director Amy Miles presented at the annual DRE conference on the Dane County Roadside Oral Fluid Drug Impaired Driver Project. Forensic Toxicology Chemist Kimberle Glowacki gave a presentation on the current novel drug trends occurring in DUID casework.	Complete
August 2017	Governor's Council for Highway Safety	Amy Miles presented to the Council on the outcome and future goals for the Dane County Oral Fluid Project	Complete
August 2017	Governor's Highway Safety Conference	Amy Miles gave a presentation on the overall drug trends in impaired driving cases.	Complete

August 2017	APHL All Laboratory Director Call	Amy Miles gave a brief overview of the WSLH's role in the current opioid crisis and future goals of the program as it relates to forensic toxicology in a public health laboratory	Complete
August 2017	Madison Kiwanis	Forensic Toxicology Chemist Lori Edwards gave a presentation to the local Kiwanis group on heroin and DUID/ME casework.	Complete
August 1-2, 2017	Antibiotic Resistance Laboratory Network (ARLN) Midwest Regional Meeting	<p>The WSLH hosted laboratorians and epidemiologists from Illinois, Indiana, Kentucky, Michigan and Ohio and the CDC, as well as program staff from APHL, for the first annual Antibiotic Resistance Laboratory Network (ARLN) Midwest Regional Meeting.</p> <p>The ARLN is a national network of public health laboratories and epidemiologists that are working very closely with CDC, other public health laboratories within their region and with clinical laboratories within their respective state. The goal of the ARLN is to detect, control and prevent transmission of highly antibiotic resistant organisms, such as Carbapenem-Resistant Enterobacteriaceae (CRE) and those organisms with novel mechanisms of antimicrobial resistance.</p> <p>The Midwest Region of the ARLN includes Illinois, Indiana, Kentucky, Michigan, Ohio, and Wisconsin, with Wisconsin being named the regional reference laboratory.</p>	Complete

Wisconsin State Laboratory of Hygiene  
Board of Directors Meeting  
September 19<sup>th</sup>, 2017

**WSLH Night at the Mallards**

Nearly 100 WSLH staff, family and friends had a great time on August 13th watching the Madison Mallards beat the Battle Creek Bombers 6-1 to close out their season in Warner Park.

There were brats, hot dogs and burgers with beer and soda beforehand, plus entertainment during the game from ZOOperstars Harry Canary, Nomar Garciparrot, Alex Frogriguez and Roger Clamens.

