

MINUTES
Tompkins County Board of Health
January 10, 2012
12:00 Noon
Rice Conference Room

Present: Mr. Will Burbank; Mr. Brooke Greenhouse; Dr. Erin Hall-Rhoades; Dr. James Macmillan, President; Mr. Patrick McKee; Mr. Michael McLaughlin, Jr.; and Ms. Janet Morgan

Staff: Ms. Liz Cameron, Director of Environmental Health; Ms. Sigrid Connors, Director of Patient Services; Ms. Brenda Grinnell Crosby, Public Health Administrator; Mr. Frank Kruppa, Public Health Director; and Ms. Shelley Comisi, Keyboard Specialist

Excused: Ms. Sylvia Allinger, Director of CSCN; Dr. William Klepack, Medical Director; and Mr. Jonathan Wood, County Attorney

Guests: Steven Kern, Sr. Public Health Sanitarian

Privilege of the Floor: No one was present for Privilege of the Floor.

Dr. Macmillan called the regular meeting of the Board of Health to order at 12:05 P.M.

Approval of December 13, 2011 Minutes: Mr. McLaughlin moved to accept the minutes of the December 13, 2011 meeting as written, seconded by Mr. Burbank, and carried unanimously.

Financial Summary: Ms. Grinnell Crosby stated the December books are being closed so she had no financial report for the month. A second quarter Article 6 State Aid payment from 2011 was received from the State.

Administration Report: Mr. Kruppa reported:

- “*Board of Health Appointments*” listed on the agenda is withdrawn since committee members did not have an opportunity to interview *physician* candidates. The committee is in the process of setting up interviews; there will be a nomination at the next meeting.
- “*Selection of Officers for the Board*” is an added agenda item. Mr. Kruppa will act as Temporary Chair for the Board of Health during the process.
- Some exciting opportunities to interact with young people are occurring:
 - The Newfield High School government class will be visiting the Health Department. Staff will offer a presentation and discussion about public health careers.
 - Representing public health, Mr. Kruppa met with a first-year medical student interested in rural family practice. He discussed the ways public health interacts with the rural family physician, including challenges the physician faces.

- The FIRST organization works to encourage children's interest in science and technology through building with LEGOs. On January 28th, Cornell is sponsoring a competition focusing on the science of food safety. For the competition, elementary age children research an issue relating to food safety and then build a model out of LEGOs solving that problem. The Department is planning to participate in the event.

Medical Director's Report: Dr. Klepack was not present at the meeting.

Division for Community Health: Ms. Connors distributed the 2011 adult seasonal flu vaccination report. She reported:

- 1,276 doses were administered from the purchased vaccine with 50% dispensed to individuals 65 and older. A separate report shows more than 200 children were vaccinated with free vaccine from the federal Vaccines For Children Program.
- With flu vaccine readily accessible in the community, staff is reviewing populations served and looking to identify areas of need. The Division has been providing flu vaccination clinics for decades so evaluating the program is important to ensure effective use of our resources.

Ms. Connors responded to questions from Board members regarding the report:

- For years, statistics were collected for towns and villages to report the numbers attending area clinics and to inform Legislators about the communities being served. With widespread access to flu vaccine, this information may not be as useful.
- Population age brackets and financial ability to pay are important categories to consider in planning for services.
- This year, flu cases are below the norm, but historically the flu season peaks in February.
- The role of the Division should be educator/facilitator rather than direct service provider. However, providing some vaccines, e.g. Zostavax shingles vaccine because of its expense and limited availability, may be an area of need to fill.
- The State is responsible for the oversight of area flu clinics and personnel administering the vaccines, but the Health Department would follow up on a complaint.

Children with Special Care Needs Report: Ms. Allinger was not present at the meeting.

County Attorney's Report: Mr. Wood was not present at the meeting.

Environmental Health Report: Ms. Cameron stated:

- There was nothing to add to her written report.
- Comments on the dSGEIS and the proposed regulations on high-volume hydraulic fracturing are due January 11th.
- Mr. Kruppa and Ms. Cameron will be in Albany for a joint presentation with NYSACHO before the High-Volume Hydraulic Fracturing Advisory Panel. The report will focus on the resource needs for local health departments to address hydraulic fracturing. Mr. Kruppa and Ms. Cameron will discuss the

environmental health impacts; NYSACHO will cover the human health impacts and the need for baseline studies.

Mr. Kruppa recognized Ms. Cameron for leading the effort in gathering information and working with other Environmental Health Directors to coordinate the response. Dr. Klepack also contributed by clarifying concerns about hydrofracking to Public Health Directors. His attention to the need for creating baseline studies for future comparisons is the message being adopted by NYSACHO. Dr. Macmillan added his thanks and expressed his appreciation for their work.

Selection of Officers for the Board: Mr. McLaughlin moved to pass the gavel from Dr. Macmillan to Mr. Kruppa for the nomination of officers; seconded by Mr. Greenhouse, and carried unanimously.

Mr. Kruppa opened nominations for President. Mr. McLaughlin nominated Dr. Macmillan for President, seconded by Ms. Morgan.

Mr. McLaughlin moved to close the nominations for President of the Board of Health, seconded by Mr. Greenhouse, and carried unanimously. The vote for Dr. Macmillan was unanimous.

Mr. Kruppa opened the floor for nominations for Vice-President. Mr. Greenhouse asked whether the position needs to be filled by a physician. Ms. Grinnell Crosby referred to Section 10.00 of the Bylaws pertaining to the Executive Committee. She read the section and reported that one of the three members of the Executive Committee must be a physician. The Executive Committee; comprised of the President, Vice-President, and one other board member appointed by the President, acts on behalf of the Board in special circumstances. Since Dr. Macmillan is the physician member, the Vice-President does not have to be a physician.

Ms. Morgan nominated Mr. McLaughlin for Vice-President, Mr. Greenhouse seconded.

Ms. Morgan moved to close the nominations for Vice-President of the Board of Health, seconded by Mr. Greenhouse, and carried unanimously. The vote for Mr. McLaughlin was unanimous.

Mr. McLaughlin moved to transfer the gavel back to the President of the Board of Health, seconded by Mr. Greenhouse, and carried unanimously.

Approval to reappoint William Klepack, MD, to a two-year position (2012–2014) as Tompkins County Health Department Medical Director: Ms. Connors requested approval to reappoint Dr. Klepack as TCHD Medical Director. This is a requirement for the operation of a certified Article 28 Diagnostic and Treatment Center which governs our ability to provide immunizations. The additional requirement of credentialing is provided by Cayuga Medical Center.

Mr. Greenhouse moved to reappoint Dr. Klepack as the TCHD Medical Director, seconded by Mr. McLaughlin, and carried unanimously.

Approval for reappointment of Sorel Gottfried to a three year term on the Professional Advisory Committee (PAC): Mr. Greenhouse moved to approve the reappointment of Sorel Gottfried to an additional term, seconded by Ms. Morgan, carried unanimously.

Resolution #11.13.29 – Homewood Inn and Suites, V-Lansing, Violation of Subpart 7-1 of the New York State Sanitary Code (Temporary Residence): Ms. Cameron

reported Homewood Inn and Suites failed to submit a permit on time. Mr. Kern stated the company gave no explanation why several notices from departmental staff were ignored. When the application was submitted on the permit expiration date, the workers compensation certificate was missing. The State requires the certificate as part of the application; therefore, the permit could not be issued.

Mr. Greenhouse moved to accept the resolution as written, seconded by Dr. Hall-Rhoades, carried unanimously.

Letter from Tompkins County Water Resources Council: Ms. Grinnell Crosby distributed copies of a letter from Tompkins County Water Resources Council to the New York State Department of Environmental Conservation commenting on proposed regulations for high-volume hydraulic fracturing.

Mr. Kruppa reported, as of today, approximately 21,000 comments have been filed with the DEC from a variety of groups. Most comments from municipalities focus on preventing hydrofracking. The Health Department's stance remains neutral. As the local representative, people will contact the Department with issues resulting from hydrofracking. Our responsibilities include having resources available to respond appropriately, and acquiring regulatory authority to correct or enforce an action.

Mr. McLaughlin requested finalized copies of significant comments be sent to him by email.

CHHA Update: Mr. Kruppa reported the Department is exploring several options in response to a NYSDOH emergency regulation which has affected the sale of our CHHA. A recommendation will be presented to the Board, the Health and Human Services Committee, and the Legislature. Due to time constraints, an Executive Committee for the Board may be convened for approval of an option.

Mr. Greenhouse asked that the minutes reflect he sent a letter to Assemblywoman Lifton and State Senator Seward detailing concerns about the emergency rule change from the State Health Department. He clearly identified himself as an individual speaking for himself, but also serving on the Board of Health. Assemblywoman Lifton promptly responded she was aware of the issue and had made some efforts attempting to stop it. In a follow-up email, he asked about her recommendations to address this issue, but never heard back. To date, he has not received a response from Senator Seward.

Mr. Kruppa responded Assemblywoman Lifton, State Senator Seward and State Senator O'Mara sent letters to the Public Health and Health Planning Council in support of tabling or at least slowing down the process until it could be fully evaluated, but were unsuccessful.

Mr. Kruppa added:

- The emergency regulation resulted from the Medicaid Redesign Task Force Initiative. Although good for 90 days, the emergency regulation can be extended or made permanent.
- The State recommends waiting for its soon to be released RFA (Request for Application) as it may solve some issues for the County.
- Several other counties were affected by the State decision. Cortland and Madison were about to transfer their Certificate of Need when HCR ended the process; 8 to 10 other counties had not completed their sale, 18 were in the process, and an additional 8 to 10 were considering closing their agencies.
- It is unlikely there will be a significant change at the State level.

- As the Department looks at options, our resources will be directed toward moving forward in this new environment and protecting Tompkins County's interests.

Mr. McKee requested the Executive Committee meeting be open to the other Board Members. Dr. Macmillan agreed.

Adjournment: At 1:00 P.M. Mr. Greenhouse moved to adjourn the meeting, seconded by Ms. Morgan, and carried unanimously.