

Board of Health
October 22, 2013
12:00 Noon
Rice Conference Room

Present: Brooke Greenhouse; James Macmillan, MD, President; Patrick McKee; Michael McLaughlin, Jr.; Patricia Meinhardt, MD; and Janet Morgan, PhD

Staff: Sigrid Connors, Director of Patient Services; Brenda Grinnell Crosby, Public Health Administrator; William Klepack, MD, Medical Director; Frank Kruppa, Public Health Director; Jonathan Wood, County Attorney; and Shelley Comisi, Keyboard Specialist

Excused: Will Burbank; Sylvia Allinger, Director of CSCN; and Liz Cameron, Director of Environmental Health

Guests: David DeRegis, MD, Guthrie Occupational Medicine; Steven Kern, Sr. Public Health Sanitarian; and Skip Parr, 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 12:04 p.m.

Approval of September 24, 2013 Minutes: Dr. Morgan moved to approve the minutes of the September 24, 2013 meeting as written; seconded by Dr. Macmillan. The minutes carried with Dr. Meinhardt and Mr. McLaughlin abstaining.

Financial Summary: Ms. Grinnell Crosby referred to her memo for the September financial dashboard and stated the summary is similar to last month's report. She pointed out Environmental Health revenue is red due to quarterly grant claims being filed in October/November and posted in October or November. All other revenues are on target or ahead for 75% of the fiscal year. Vital Records revenue continues to be in yellow with revenue down by 4.5% based on 75% of the year. That revenue reflects the number of birth/death certificates purchased.

Mr. Greenhouse inquired about the lower reimbursement levels in Division for Community Health. Ms. Grinnell Crosby replied clients are changing to a managed care product so reimbursement is lower. Most managed care revenue is related to the Medicaid Obstetrical and Maternal Services (MOMS) program. The TB Direct Observe Therapy (TB DOT) reimbursement is also lower because it is based on one rate for the week instead of each daily visit.

Mr. Greenhouse asked if there is a mechanism for the Board to respond to state and federal governments about this financial issue. For TB investigation work, Mr. Kruppa replied there is some reimbursement from the state, Medicaid covers a portion and the County covers a portion. There is the expectation government will cover the cost of communicable disease investigation. Mr. Greenhouse commented these are public health responsibilities but there is significant cost shifting. Mr. Kruppa responded Medicaid reimbursement is going down and that is a cost shifting. With Medicare and Medicaid reform an ongoing issue, the State is in the process of rewriting state aid rules and regulations. The long term perspective includes looking at cost shifting, but he does not believe a statement from the Board is needed at this point.

Administration Report: Mr. Kruppa reported:

- The County budget process is moving forward. The Health Department did not have any over-target requests (OTRs) this year so the Department's budget is expected to be approved without changes. There will be a public hearing before Legislators vote on the final budget at their November meeting.
- The new County website is operational for those in the County's network. Some pages, e.g. Board of Health (BOH), did not migrate to the new Health Department webpage. Information Technology Services (ITS) is working to rectify the problem.
- In the next week or two, the company installing wireless technology at the Health Department will be working on the project. Hopefully, wireless will be available by the next meeting.
- The process of filling the two BOH positions continues. (1) He is trying to connect with the Mayor to discuss the appointment for the City of Ithaca representative. (2) Due to lack of time, the Nominating Committee did not have the opportunity to interview the three physician member candidates. His next steps include forwarding the list of standard questions to Committee members, sending interview questions to the candidates and scheduling interviews.

Mr. Kruppa noted the next two meetings are scheduled near holidays so he asked Board members about their availability to attend those meetings. After some discussion, members decided the November 26th meeting will remain as scheduled. The December 24th meeting will be canceled. If an urgent matter arises, members will be canvassed to schedule a new date in December.

Medical Director's Report: Dr. Klepack welcomed Dr. David DeRegis, a specialist in occupational medicine at Guthrie Medical, who is working on his master's degree in public health. As part of his coursework, he is studying the operation of a local health unit so was invited to observe the meeting. BOH members and staff introduced themselves and spoke of their special areas of expertise.

Dr. Klepack reported influenza activity level is geographically sporadic and still at a low level: 23 cases reported in the state; 18 specimens submitted; positive for influenza A.

Dr. Meinhardt requested an update on Commissioner Shah's assessment of the public health consequences from hydrofracking. Mr. Kruppa responded there has not been any official determination; his understanding is that it is still being reviewed. Dr. Meinhardt added she recently returned from a national conference on the subject and has slide presentations from some phenomenal speakers she is willing to share. The premise of the conference was whether or

not it is appropriate to use epidemiology and evidence based medicine to make a political decision. Mr. Kruppa offered to distribute her slides to Board members.

Division for Community Health Report: Ms. Connors reported:

- Flu clinics are going well with staff traveling to senior aggregate sites such as Longview, Lifelong and McGraw House. Staff has also been visiting volunteer and paid fire departments to provide flu shots and annual PPD screenings to emergency responders.
- As of October 1st, she has been serving as interim WIC Director. With seven applications, she hopes to fill the position by December.

Comments/questions and discussion regarding the report:

- Dr. Klepack commented there are different types of flu vaccines available, but not enough data to know if one is better than another. The most important message is everyone should get vaccinated. Ms. Connors reported the Health Department offers three types: two are injections each designed for different age groups and the third is a flu mist (nasal spray) for healthy individuals up to age 49.
- Mr. Greenhouse thought Ted Schiele's recognition from New York State Assemblywoman Barbara Lifton was great.
- Mr. Greenhouse asked whether the college was alerted concerning the gonorrhea sex ring. Ms. Connors said college healthcare providers were involved in the investigations. In these situations, regional NYSDOH staff also work on the partner investigation which is helpful because cases often cross county lines.
- Mr. Greenhouse wondered if there is a clear policy for bringing in Child Protective Services (CPS) on lead poisoning cases. Ms. Connors responded there is a policy. Staff also discusses concerns with other professionals including Dr. Klepack, the Community Health Quality Improvement Committee, CPS and other staff at the Department of Social Services (DSS) who work with these families. Sometimes it is clear cut, but there is a gray area. Staff tries to work with the family and family pediatrician as much as possible to hopefully avoid CPS involvement.
- Mr. Greenhouse stated there has been increasing federal requirements for lead safety work practices. He wondered if the Health Department has noticed that the number of lead poisoning cases have gone down. Mr. Kern responded there have been several years with only a few lead poisoning cases; now there are six. It is not possible to say whether the regulations are working or not. Many cases are rental units so landlords are required to take care of the problem or stop renting.
- Ms. Connors reported the communicable diseases data sheets are not available this month because the staff member who compiles the report is out on leave. Staff is working on the data; she will notify the Board when it is available.
- After a discussion about notifying college populations of a potential STD risk, Mr. Kruppa said any messaging must be specific, clear and provide actionable advice. If there is a targeted population that has an increased risk, there would be communication with that group. Ms. Connors added when cases reach a critical number, the State works with the Health Department to see what can be done.

Children with Special Care Needs Report: Ms. Allinger was not present for the meeting. Mr. Kruppa provided an update:

- As requested by the Board, Ms. Allinger and her staff added 2012 Totals to their Statistical Highlights for the purpose of comparison with 2013 Totals.
- State Assembly Committees on Health; Insurance; and Oversight, Analysis and Investigation are meeting to gather information on issues with the NYSDOH transition to an Early Intervention Fiscal Agent. Brad Hutton, Director of the NYSDOH Bureau of Early Intervention, has stated the process has been difficult but improving. His program does not want to change the current setup with any new legislation. Assembly members are asking good questions which indicates they have a grasp of the problems. Providers are among the 27 people on the witness list.

County Attorney's Report: Mr. Wood stated over the next month there may be news reports about the refinancing of Beechtree Nursing Home. Under Internal Revenue Service (IRS) law, Tompkins County is involved because the County sponsored prior financing for the nursing home and that arrangement has the County participating in the transfer of title to the current operator.

Environmental Health Report: Mr. Parr represented Ms. Cameron who was not present for the meeting. He had nothing new to add to the written report.

Mr. Greenhouse asked for more information about the delays, complexities and subsequent cost for the permit management software project. Mr. Kruppa responded the delays occurred in one of the largest steps of the process. Since the Division is creating this new system, staff was asked to provide a detailed outline of the onsite sewage permitting process to coders and computer experts at the software company. Every step from the initial permit application through the installation and inspection of the sewage system requires a computer process. The company is currently working on the product so there is a possibility of going live by mid-January. There are no additional costs because the contract agreement is for the delivery of a product.

In order to have a context for the current year's numbers, Mr. Greenhouse requested EH statistics include data from the prior year. Mr. Kruppa replied staff would work on his suggestion.

Resolution #13.20.21 –Carl Morse, 488 Enfield Center Road, T-Enfield, Violation of Article VI of the Tompkins County Sanitary Code (Sewage): Mr. Parr reported the owner was taking too long to replace his failed sewage system. Mr. Morse claimed he was having financial difficulties, but he signed a Stipulation Agreement to replace the system by November 7, 2013. Mr. Parr contacted field staff who said the system is currently being installed and should be completed by the end of the week.

Mr. McLaughlin moved to accept the resolution as written; seconded by Mr. Greenhouse; and carried unanimously.

Duger-Collins Request for an Onsite Wastewater Treatment System (OWTS) permit fee refund: Mr. Parr explained the homeowners are requesting a partial refund. In the process of building a new house, they acquired a permit to install a sewage system. Due to weather-related problems the system was not installed. Since the contractor had the permit, the homeowners failed to recognize there was an expiration date. In order to complete the project, they applied for a new permit and paid the fee of \$415. A renewal permit fee would have cost them \$75. No additional work was required of staff so the Division supports their request for a refund.

Mr. Greenhouse moved to accept the resolution as written; seconded by Dr. Morgan.

Mr. Greenhouse asked whether there should be a policy allowing for a grace period in these situations. Mr. Parr responded this experience is not common. With the new software system, staff will be able to track expiration dates and send notices before permits expire. This matter is being brought to the Board for action because it involves a waiver request to the Tompkins County Sanitary Code.

With inspection points throughout the process, Mr. McLaughlin wondered how this situation occurred. Mr. Parr said the trigger was when the contractor contacted staff for an inspection. At that point, it was discovered the permit had expired so the homeowners went through the process of obtaining a new permit.

The vote on the resolution as written carried unanimously.

Request to assess an administrative fee beginning in December 2013 of \$75 for an Onsite Wastewater Treatment System (OWTS) permit application renewal or transfer: Mr. Parr stated current permit applications for septic systems do not expire. Since the new software system will track permit applications, the Division is proposing the permit application expire after one year with the ability to renew or transfer to a new owner.

There was a lengthy discussion regarding the permitting process and the need to have an expiration limit for permit applications. In the past, some permit applications remained open for multiple years. Since rules or site conditions may change, there is a need to keep people on track.

For clarification on page two of the 2014 proposed fee schedule, Mr. Greenhouse suggested adding the word *Permit* to *Renewal* and *Application Renewal/Transfer* in the section *On-Site Wastewater Treatment System Construction Permit*. The same language is used but there is a distinction being made between a permit renewal and a permit application renewal. Mr. Kruppa supported the change.

Mr. Wood noted it was unclear whether this change covers existing or future permit applications. Mr. Kruppa replied that will need clarification.

Mr. Greenhouse moved to accept the plan to limit how long a permit application is valid and to allow renewals/transfers for a \$75 fee plus increased permit fee costs; seconded by Mr. McLaughlin; and carried unanimously.

Mr. Kruppa reported the Environmental Health fee schedule will be implemented in January 2014 when the permit process is online. Mr. Greenhouse expressed an interest in sharing his thoughts about those fees and the software management project. Mr. Kruppa agreed there is value in having him participate in discussions with staff as he is the BOH representative with expertise in this area.

Adjournment: At 1:46 p.m. Dr. Macmillan adjourned the meeting.