

## MINUTES

### Tompkins County Board of Health

June 28, 2016

12:00 Noon

Rice Conference Room

**Present:** Will Burbank; David Evelyn, MD, MPH; Brooke Greenhouse; Edward Koppel, MD; James Macmillan, MD, President; Susan Merkel; and Janet Morgan, PhD

**Staff:** Karen Bishop, Director of Community Health; Liz Cameron, Director of Environmental Health; Brenda Grinnell Crosby, Public Health Administrator; William Klepack, MD, Medical Director; Frank Kruppa, Public Health Director; Deb Thomas, Senior Community Health Nurse in CSCN; Jonathan Wood, County Attorney; and Shelley Comisi, Administrative Assistant II

**Excused:** Michael McLaughlin, Jr., Board of Health Member

**Guests:** Nancy DelMastro, Student Intern; Angela Johnson, Student Intern; Skip Parr, Senior Public Health Sanitarian; and Ted Schiele, Planner/Evaluator, Health Promotion Program

**Call to Order:** Dr. Macmillan called the regular meeting of the Board of Health (BOH) to order at 12:02 p.m.

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

**Approval of May 24, 2016 Minutes:** Dr. Morgan moved to approve the minutes of the May 24, 2016 meeting as written; seconded by Ms. Merkel. The minutes carried with Mr. Burbank abstaining.

**Financial Summary:** Ms. Grinnell Crosby reported there is no financial summary report for May. Most of the month has been spent on preparing the budget which will be discussed later in the meeting.

**Introductions:** Mr. Kruppa introduced Nancy DelMastro and Angela Johnson, student interns in the emergency preparedness program.

**Administration Report:** Mr. Kruppa announced there are two direct report positions currently vacant at Tompkins County Health Department (TCHD):

- Director of the Health Promotion Program (HPP), Theresa Lyczko, has retired. The position is being reviewed and updated before the recruiting process begins. Until the position is filled, HPP staff members Ted Schiele and Susan Dunlop are assuming additional responsibilities. He and Ms. Grinnell Crosby also are offering assistance when needed.
- Director of the Children with Special Care Needs (CSCN) program, Sylvia Allinger, has resigned. During the interim, he has temporarily promoted Ms. Thomas. She is assisted by Barb Wright who is the Administrative Coordinator in that program. Recruitment will begin in the near future.

**Division for Community Health Report:** Ms. Bishop reported:

- Her staff is excited about partnering with CSCN staff on a new initiative to provide SafeCare home visits. Two Community Health Nurses in CHS have completed the training and are ready to accept referrals from Tompkins County Family Treatment Court and the Department of Social Services (DSS). This home visitation program has structured modules for teaching parenting skills to parents at risk for having their children enter foster care.
- Staff completed an outbreak disease guide that was shared with the three local colleges. It is a quick guide for deciding how and when a person should be isolated and their risk to public health. For educational purposes, Ms. Merkel was interested in obtaining a copy of the guide. Ms. Bishop will send her a copy.

Ms. Bishop responded to questions:

- There are differences between SafeCare and the Cooperative Extension parenting programs. The Cooperative Extension program is voluntary with a focus that depends upon the needs of the parents taking the class; whereas, the SafeCare program is court mandated with regimented modules geared to parents who are in danger of losing custody of their children.
- DSS receives funding for the SafeCare program that is disbursed to TCHD for the home visits made by our community health nurses.

**Children with Special Care Needs Report:** Ms. Thomas had nothing to add to the written report.

**County Attorney's Report:** Mr. Wood had nothing to report.

**Environmental Health Report:** Ms. Cameron commented on personnel changes. As noted in her report, Audrey Balander and Steven Kern have returned this summer to inspect children's camps. In the Healthy Neighborhoods Program (HNP), Samantha Hillson is working half-time. For additional staff support in that program, Shannon Constantino was hired as a Healthy

Neighborhoods Education Coordinator through the end of the year. The program will also be adding a Project Assistant in the next few weeks.

Since the Ulysses Public Water Supply is under BOH Orders, Ms. Cameron directed attention to the Town of Ulysses' compliance schedule that is attached to the Environmental Health (EH) report. It was submitted to be incorporated into BOH Resolution #13.1.20 - Rev#2.

**Medical Director's Report:** Dr. Klepack had nothing to add to his written report.

**Resolution ENF-16-0010 – John Joseph Inn & Elizabeth Restaurant, T-Lansing, Violation of BOH Orders #13.14.11 and Part 5-1 of the New York State Sanitary Code (Water):** Ms. Cameron reported this facility has a temporary residence with food service and its own water system. This enforcement action addresses the water supply. After water sampling found positive bacteriological results, it was difficult to get the owner to conduct the appropriate re-sampling. He also failed to submit monthly operating reports since April 2015. His only contact with TCHD has been to pay the water system operating fee. The resolution includes a penalty of \$1800 for violations. Due to past issues, the owner is now required to hire a certified operator for the water system. Staff also has concerns with the chlorine contact time because of the way the piping is connected to the tanks. If the chlorine contact time is not met, then the owner will need to submit plans to ensure the water system does meet the requirements.

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

Ms. Cameron answered questions:

- Chlorine contact time is the amount of time the water has been in contact with chlorine to kill bacteria.
- All public water supplies must have disinfection or have shown a year's worth of data with no bacteria in the water. Most water systems are on disinfection.
- Shocking the well is the process of adding a significant amount of chlorine to treat bacteriological contamination.
- There are licensed water operators for hire but the owner could also become a licensed water operator.
- The facility is open for events. Concerns about using the water system were removed based upon previous satisfactory water samples and the provision that one of the wells would remain out of service.
- The \$1800 penalty for violations was calculated at \$100 per month for failing to submit monthly operating reports since April 2015, and \$400 for not re-sampling the water after positive coliform was found.

The vote on the resolution, as written, carried unanimously.

**Resolution ENF-16-0011 – Travelers Kitchen, C-Ithaca, Violation of BOH Orders #14.11.29 and Subpart 14-2 of the New York State Sanitary Code (Temporary Food):** Ms. Cameron noted Travelers Kitchen is a temporary food service that was before the Board in 2014.

The case summary shows there have been previous problems with food being out of temperature. This time the violation was a refrigerator at the Ithaca Festival that was not cold when food was stored in it. The operator is still not watching temperatures and maintaining proper food safety. In the previous resolution, it was written that future violations by Travelers Kitchen could result in the temporary food service not being issued a permit in Tompkins County for three years. TCHD staff had internal discussions and would consider less than three years should the Board so decide. Ms. Cameron further commented the owner has been responsive when there are violations, and Travelers Kitchen did not have any issues in 2015.

Ms. Merkel moved to accept the resolution as written; seconded by Dr. Koppel.

There was a lengthy discussion among Board members regarding the case and the second order of the resolution stating Eric Bean, Owner/Operator, is ordered to: “Cease activities as a Temporary Food Service Operator in Tompkins County until **June 29, 2019.**” There were comments that Mr. Bean should be held accountable; however, he has been responsive so it was felt that the time of the suspension could be reduced.

Mr. Burbank moved to amend the resolution to suspend Eric Bean’s operation of a temporary food service establishment in Tompkins County for a period of one year that is until **June 29, 2017**; seconded by Dr. Evelyn; and carried unanimously.

**Approval for Revised *Human Papillomavirus (HPV) Vaccine Policy*:** Ms. Bishop noted there has been a change in the vaccine formulation from 4-valent to 9-valent with expanded age recommendations. The 9-valent covers nine strains of HPV so it offers broader protection than the 4-valent.

Dr. Macmillan moved to approve the revised policy as written; seconded by Ms. Merkel.

Responding to questions, Ms. Bishop informed the Board that each local health department writes its own policies. Recommendations were taken from the Advisory Committee on Immunization Practices (ACIP) to write this policy. The HPV vaccine is distributed to us free of charge from the NYS Vaccine for Children (VFC) Program and is approved for use in individuals from age 9 through 26 years of age. The VFC program covers children from birth until their 19th birthday. Upon reaching 19 years of age, there is the Vaccine for Adults (VFA) program.

The vote to approve the revised policy as written was unanimous.

**Approval for *Use of Abbreviations in Documentation Policy and Procedure*:** Ms. Bishop explained the changes are recommended by our Medical Records Consultant to decrease errors in interpretation.

Dr. Morgan moved to approve the revised policy as written; seconded by Dr. Macmillan.

Responding to Mr. Greenhouse, Ms. Bishop said the abbreviations list is used in Division for Community Health (DCH); however, she and Ms. Thomas could look at the list for use in CSCN.

Dr. Koppel raised a question about the second abbreviation listed under the “Q” section on page 4. Ms. Bishop agreed it should be changed to read as follows: “Q day or q day = every day.”

The vote to approve the revised policy as amended was unanimous.

For future consideration, Dr. Evelyn suggested staff may want to create a list of unapproved abbreviations. A list of abbreviations staff cannot use is a shorter list.

**Approval for *Medical Orders Policy and Procedure*:** Ms. Bishop stated the changes in this policy reflect a change from a 90 day to 60 day certification period for home visits to antepartum and postpartum clients. Through our Licensed Home Care Services Agency (LHCSA), those home visits are overseen by the Visiting Nurse Service (VNS) of Ithaca and Tompkins County. This is a regulatory requirement.

Dr. Macmillan moved to approve the revised policy as written; seconded by Dr. Morgan; and carried unanimously.

**Approval for *Emergency Response Plan Policy*:** Ms. Bishop explained this policy was originally written in 2012. She worked collaboratively with Nina Saeli, TCHD Emergency Preparedness Coordinator, to ensure the policy is consistent with the TCHD Emergency Response Plan. Specific language was included to spell out which program service areas would continue to operate and our obligation to clients in an emergency situation.

Dr. Evelyn moved to approve the policy as written; seconded by Ms. Merkel.

Expanding upon the DCH level of responsibility, Ms. Bishop said there are hundreds of clients served in our program areas: Women, Infants and Children (WIC); Medicaid and Obstetrical Maternal Services (MOMS); and Diagnostic and Treatment Center clients. Staff is obligated to reach out to them to find out the needs of their family including the possibility of moving to a shelter.

As part of our preparedness program, Mr. Kruppa explained this plan is a component of our larger health department response plan which is a component of Tompkins County's emergency response plan. In most cases a representative from TCHD will be responsible for health and human services leadership at the Emergency Operations Center (EOC). However, these plans exist so that someone from another department, e.g. DSS, can refer to the plans and understand the needs of our clients.

The vote to approve the policy as written was unanimous.

**Promoting Tobacco Free Communities:** Mr. Schiele thanked Mr. Kruppa for the opportunity to speak on two separate efforts to promote tobacco free communities.

*(1) Smoke-free Multi-unit Housing: Ellis Hollow Road Apartments Case Study:* Mr. Schiele referred to three pages in the BOH packet that show the results of a survey of tenants at Ellis Hollow Road Apartments. The survey was prompted by tenant concerns about secondhand tobacco smoke infiltrating smoke-free apartments. The survey asked questions related to exposure to secondhand smoke, and assessed support for a new policy that would prohibit smoking anywhere in the building, including all residences. Ultimately, the management of the property, Conifer Realty, decided not to make any changes in the smoking policy. They did not

present any arguments to explain their decision. It is a difficult situation. This was an active tenant group trying to work on the smoking issue because some people were having serious problems.

Pointing out that one of the pie charts shows almost 70% of the tenants thought the smoking policy should change, Dr. Morgan expressed concern that management decided against changing the policy. Mr. Schiele's experience and research suggests it is a pattern with the Rochester based company, Conifer Realty. They are building more in this community; most of their units are not smoke-free, though in an email to Mr. Schiele they indicated that a property now under construction on Rt. 96 in the Town of Ithaca will be smoke-free. It requires some effort to become a smoke-free environment but other housing units have moved in that direction. McGraw House is one example of a housing unit that changed its policy. It took time but it happened.

Mr. Schiele mentioned the U.S. Housing and Urban Development (HUD) agency is in the process of reviewing comments on a proposed regulation that would require all HUD funded properties to be smoke-free. In anticipation of that move by HUD, the Ithaca Housing Authority is planning to go smoke-free. According to Mr. Wood and Mr. Burbank, the County does not fund any public housing so would not be involved with any smoke-free requirements for that type of housing.

(2) *Overview of a New Statewide Media Campaign, "Seen Enough Tobacco"*: Mr. Schiele distributed a handout of talking points providing an overview ([Attachment 1](#)) of a media campaign being conducted throughout New York State. For years, the Advancing Tobacco Free Communities grant program has been working to reach the public through media and advertising to build awareness of the displays of cigarettes in convenience stores and pharmacies known as power walls. Launched May 31, 2016 on World No Tobacco Day, this campaign is primarily online at [www.SeenEnoughTobacco.org/media](http://www.SeenEnoughTobacco.org/media). According to YouTube, the crayon box and birthday cake videos had a quarter of a million views each during the first month. The Facebook page had 4,000 likes. It is a strong and active campaign.

**2017 Proposed Budget Summary:** A revised preliminary draft of the proposed budget summary ([Attachment 2](#)) was distributed prior to the meeting. For the newer members on the Board, Mr. Kruppa briefly outlined the budget process. The Board does not technically have authority over the budget but does have authority over departmental policies and programming which are affected by financial resources.

The summary sheet, created by Ms. Grinnell Crosby, outlines the division of money for each functional unit in the department. This proposed budget summary sheet contains the current numbers.

- *Requested Base (Target)* – County Administrator Joe Mareane has set a budget goal for the department which is our target. With our maintenance of effort budget, the department will be maintaining the projects and programs currently in place with no reduction in staffing, no reduction in programming, and a small amount of growth in some areas.
- *Requested New (OTR--Over Target Request)* – If the department's needs do not fit within the fiscal target, then additional requests can be submitted. This year there is a single

OTR from EH to increase a part-time sanitarian position to full-time. There has been an increase in the level of work required based on the number of facilities EH is responsible for regulating. Although there have been efficiencies both in reorganization and the implementation of Accela, it is not keeping up with increased demand. In addition, emerging issues such as fracking, hydrilla, and lead in the water are continuing. Having a full-time sanitarian will hopefully free up some time for senior staff members to focus on these issues in the community.

- *Requested Total* – The sum of the Target and OTR.
- The yellow box shows \$15,519 in red which means the department has work to do to reach zero for the fiscal target. That number does not include the OTR. With a three million dollar budget and potential revenue sources, staff is confident the target can be reached.

Mr. Kruppa pointed out some items in this budget:

- Change in the Fiscal Target – To maximize outside sources of revenue related to his new role as department head for both Public Health and Mental Health, all of his salary is being shifted into the Public Health budget. The additional target from the Mental Health budget will also be moved to Public Health to make it a neutral number. According to Public Health Law, he is required to be the Public Health Director (PHD) 24 hours a day so 100% of his salary is eligible under State Aid. Furthermore, his Administrative Assistant's salary and target is similarly being moved to the Public Health budget. It does not change anything structurally; it is a budget move to maximize our revenue. The State is aware and is agreeable to the arrangement.
- Vital Records Fees – A regional group looking at funeral costs expressed concern about our vital records fees. Traditionally, the same amount has been charged for the first death/birth certificate and every subsequent copy at a cost of \$30 per copy. It was creating a financial burden for people requesting 12 death certificates. Staff is proposing a change in the vital records fee structure: \$30 for the first copy where most of the work is done; \$15 for each additional copy.
- DCH Change in Staffing – There has been a Senior Community Health Nurse vacancy for several months. With staff restructuring, there have been discussions about reclassifying the position to a Community Health Nurse who would be responsible for day-to-day activities. Two other staff members who are currently in leadership positions would increase their work schedule from 35 to 40 hours per week. These changes amount to an increased investment of \$20,000 in the Division. Although not finalized yet, the changes are in the budget for now.

Mr. Wood raised a question about the math calculation in the *Public Health State Aid* column. Ms. Grinnell Crosby will take another look at the calculation.

In response to Mr. Kruppa's presentation of the general concepts for creating the budget, Mr. Greenhouse moved to approve support for the 2017 proposed budget; seconded by Ms. Merkel; and carried unanimously.

**Recognition:** Mr. Kruppa announced that Dr. Klepack has been acknowledged by the New York State Academy of Family Physicians (NYSAFP) as the Family Practitioner of the Year. He

described Dr. Klepack as an advocate for public health both in his work at the department and in the community. Our staff is happy to have him and congratulates him on the honor. Board members added their congratulations.

Expressing appreciation, Dr. Klepack said he was not sure of the source of his nomination, but the material written by people in support of him mentioned public health and his involvement in public health issues. Having the ability to take issues to an organization like the NYSAFP propels those issues on to the NYSDOH, the State Legislature and other agencies. In no small degree, his work has been an outgrowth of Board meeting discussions that have grappled with issues concerning public health. TCHD staff and Board of Health members can share in this award.

**Adjournment:** At 1:35 p.m. Dr. Macmillan adjourned the meeting.