CHEMUNG COUNTY BOARD OF HEALTH
MINUTES
September 27, 2016

PRESENT: Rosemary Anthony, RN  Gregory Schultz, MD
James Gensel, PE  William G. Howard, MD
Mary Ann Baker, RN  Robert Lambert, MD
Kevin Wicks, DDS

ABSENT: Ken Sobel, MD  Joseph Brennan
Mari Delaney, DVM

OTHERS PRESENT: Robert Page  Thomas Kump, PE
Lisa Buckley, RN  Terry Bird, RN
Dawn Bush

Prior to the meeting the CCBH received the following:

1. Agenda for September 27, 2016 CCBH Meeting
2. CCBH Meeting Minutes from July 26, 2016
3. Environmental Health Services Reports for July & August 2016
5. Public Health Nursing Report For September 27, 2016
6. CHHA 2nd Quarter Financial Report
7. Performance Incentive Awards
8. Performance Incentive Environmental Health Summary
9. CCBH Bylaws

The following items were distributed at the meeting:

11. State Survey Report
12. QI Summary Reports
13. Tobacco 21 Report & Presentation Handout

CALL TO ORDER
CCBH President Dr. William G. Howard called the meeting to order at approximately 7:30 PM.

1. APPROVAL OF MINUTES FOR JULY 26, 2016 MEETING

RESOLUTION: A motion was made by Ms. Baker and seconded by Dr. Schultz that the minutes of the July 26, 2016 Board of Health meeting be approved and accepted as presented. Motion approved.

AYES: Rosemary Anthony, RN  Gregory Schultz, MD
James Gensel, PE  William G. Howard, MD
Mary Ann Baker, RN  Robert Lambert, MD
Kevin Wicks, DDS

NAYES: None
ABSENT: Ken Sobel, MD  Joseph Brennan
         Mari Delaney, DVM

2. FINANCIAL REPORT

Harry Shepard was not able to attend the CCBH Meeting. Mr. Page mentioned that the Budget Status Report through August 31, 2016 was distributed to the CCBH in advance of the meeting. He commented that everything has been business as usual. The preliminary 2017 department budget has been submitted and received tentative approval from the Budget Director. There are no reductions in services expected in 2017. There were no questions for Mr. Page.

RESOLUTION: A motion was made by Dr. Lambert and seconded by Mr. Gensel that the Financial Report submitted by Mr. Shepard and Mr. Page be approved and accepted as presented. Motion approved.

AYES: Rosemary Anthony, RN  Gregory Schultz, MD
      James Gensel, PE  William G. Howard, MD
      Mary Ann Baker, RN  Robert Lambert, MD
      Kevin Wicks, DDS

NAYES: None

ABSENT: Ken Sobel, MD  Joseph Brennan
         Mari Delaney, DVM

3. SERVICES REPORTS

A. ENVIRONMENTAL HEALTH SERVICES – Thomas Kump mentioned that there were reports for July and August 2016 sent to BOH members in advance of the meeting. There were no further questions for Mr. Kump.

B. PUBLIC HEALTH CLINICS REPORT – Rebecca Becraft was unable to attend the CCBH meeting. Mr. Page commented on the report dated September 27, 2016 that was distributed to the CCBH in advance of the meeting. He reported that there has not been any flu activity to speak of and that press releases have been made to encourage the public to receive flu shots. The flu vaccine this season is a quadrivalent vaccine designed to address 4 different strains of influenza versus the typical trivalent type of vaccine. There was some discussion about the chart in the provided report that illustrated the percent of mammogram screenings among clients that were 50 years of age or older through the NYSDOH Cancer Services Program. Chemung County was ranked #2 in NYS with a percentage of 71.4% compared to a statewide average of 55.8%. There were no further questions for Mr. Page.
C. HOME HEALTH AGENCY FINANCIAL REPORT – Lisa Buckley discussed the second quarter financial report for the CHHA with data for the first half of 2016 that was distributed to the CCBH in advance of the meeting. In comparison to the same period from the prior year, there has been a slight drop in revenues in the CHHA. But Ms. Buckley did mention that so far in the third quarter the revenues have been up and there is hope that the trend continues. About 3 weeks ago the CHHA obtained new software that among other things, will help track the billing and find efficiencies to help maximize revenue for the services provided. They have been seeing an increase of about $2,000 per week using the new software. The CHHA is back up to full staffing at this point in time. There were no questions for Ms. Buckley.

D. DENTAL CLINIC TRANSITION UPDATE – Mr. Page updated the CCBH on the progress that has been made with the dental clinic transition. Mr. Page voiced optimism that the project finally seems to be moving forward and that there was hope that the new clinic would be operational sometime in 2017. There was concern raised by the director of RPCN that Chemung County was considering another vendor to take on the dental clinic. Mr. Page assured them that Chemung County is still fully committed to having RPCN take on the dental clinic. RPCN has still not submitted the CON application but expects to do so within the next few months. The architectural design is in the final stages and it appears that the needed construction will be less than was originally estimated. Some of the regulatory burdens will be lessened by not exceeding 3 operatories. It is now expected that the new clinic will be open sometime in the second half of 2017.

OLD BUSINESS

NONE

NEW BUSINESS

1. TOBACCO 21 PRESENTATION – Mr. Page introduced Terry Bird, MSN, RN-BC, who is employed at AOMC. There was a one-page flyer provided in advance of the meeting and a copy of the power point presentation provided at the meeting. Ms. Bird provided a brief summary of her work experience and background. She just recently got involved with the Tobacco21 project and did so for both professional and personal reasons. This project is very much in line with her community health efforts, but it is also quite personal as she tragically lost her brother to cancer/smoking. Health indicators for Chemung County indicate that Chemung is ranked #57 in NYS for tobacco use. The percentage of adult smokers in Chemung County is about 24.8% compared to a NYS rate of 16.6%. Cancers attributed to smoking are higher in Chemung County than the average for all of NYS. The goal of this initiative is to raise the purchase age for tobacco products from 18 to 21 years of age, which would be consistent with the age in NYS for purchasing alcoholic beverages. This would help delay and/or prevent youth from starting the smoking habit. Two States in the USA have increased the purchase age to 21, and more than 145 localities in the USA have already enacted legislation to increase the age to 21, including about 7 counties in NYS. There was much subsequent discussion on this topic. Some
suggested that while this initiative is certainly worthwhile, they thought the more practical and comprehensive approach would be for NYS to pass legislation. Meanwhile, discussion with the County Legislature on this matter can take place to determine what direction locally can be pursued. There were no further questions for Ms. Bird.

2. PUBLIC HEALTH PERFORMANCE INCENTIVE AWARDS—Mr. Kump referenced a few documents that were sent to the CCBH in advance of the meeting. First there was a copy of a slide from the NYSACHO presentation that illustrated an example of the award using Chemung County as one of only two counties in the State to have a perfect record. Mr. Kump quickly reviewed the handout with background information on the performance incentive program as well as a brief discussion on how the award could be spent. Ms. Becraft was not available, so Mr. Kump also provided a summary of the Public Health Nursing portion of the incentive program. Although the County has not yet received formal notification, it is expected that Chemung County will be due to receive an award of $32,000. Mr. Kump reported that Chemung County had been utilizing the eForm inspection reports for a few years now and was initially very concerned about being able to show improvement over the base period in order to do well with the performance incentive. As it turned out, Chemung County was just one of two counties in all of NYS with a perfect score for eForm inspection submittals. Mr. Kump explained to the CCBH that one concept for utilizing the award funds would be to purchase electronic equipment in order to conduct rabies clinics using the NYS CDMS system that is currently used for human vaccination clinics. Pet owners would have the ability to schedule specific appointment times online in advance and provide owner and pet information electronically. On the day of the rabies clinic, the registered pet owners would have a much shorter wait time and there would be a better balance to make more efficient use of the clinic meaning much shorter lines and wait periods. This would require the purchase of laptops/tablets, printers, and WIFI equipment.

3. WATER TESTING FOR LEAD IN SCHOOLS—Mr. Kump discussed the recent emergency regulations that were created to require testing of all public schools for lead in the drinking water. There had been a lot of media attention to the emergency water situation in Flint, Michigan and also with the school water testing issues that surfaced in Ithaca, NY. That prompted State legislators to quickly draft and pass laws requiring testing all public schools for lead in the water. He summarized the basic requirements of the regulations and explained the timeline for compliance. EHS has been busy fielding questions about the regulations from the schools. Essentially, each public school in NYS is required to test every potable water outlet potentially used for human consumption for lead. Elementary schools (grades pre-K through grad 5) will need to complete the sampling by September 30, 2016 and the rest of the schools (grades 6 through 12) need to complete sampling by October 31, 2016. There will be a State database where schools will report the results electronically. If any outlet is found through testing to have a level of 15 parts per billion or greater with lead, there are several actions that must be taken. They shall prohibit the use of that outlet by removing it from service, they shall provide an alternate supply of potable water, they shall report the exceedance to the local health department, and they shall notify all staff and parents in writing of the exceedance within 10 days of learning of the high lead level. Schools will also be required to post information about the testing and results on their website by a specific date. Any school that has already sampled per the State protocol between January 1, 2015 and September
5, 2016 can use those sample results to demonstrate compliance with the emergency regulations.

4. **HOME HEALTH AGENCY STATE SURVEY REPORT** - Ms. Buckley commented on the recent survey and reviewed 2 handouts provided to the CCBH in advance of the meeting. She said that the State showed up unannounced on August 22nd and were here for the entire week reviewing clinical records, administrative procedures, and witnessing home visits. Clinically speaking the CHHA did outstanding. Most of the listed deficiencies were administrative in nature. Ms. Buckley stated that overall she was very pleased with the survey. This is the first State survey that she has experienced in her current management role. By September 19th the plan of correction was submitted to the State ahead of schedule. Mr. Page commended Ms. Buckley for the great job she did with the surveyors and for the Department. Another survey is not expected for about 3 years. A QI Summary Report for both Public Health and the CHHA dated September 21, 2016 was provided to the CCBH for their review.

5. **REVIEW OF CCBH BYLAWS FOR DECEMBER ACTION** - Mr. Page stated that a copy of the current bylaws have been provided to CCBH members for review. If there are any suggested changes to the bylaws, members are to provide them to Mr. Page as soon as possible so that proper notice can be provided to members for action at the December 6, 2016 member as outlined in said bylaws.

6. **HEARING REPORT – RODEWAY INN** – Hearing Officer Harry Shepard was not able to attend the meeting, but did provide a written report for a hearing that was held on September 19, 2016 with Rodeway Inn. Mr. Page distributed the report and asked the CCBH to take a few minutes to review the findings and recommendations from Mr. Shepard. The CCBH was informed that since Mr. Shepard was not present to answer any questions, if the CCBH had any questions prior to taking action, they could table the matter to the December 2016 meeting. The violations that prompted the hearing were related to maintenance of the Fire Alarm System and mandatory Fire Extinguishers at the permitted temporary residence. While there was no dispute from any party as to the existence of the violations, the owner of Rodeway Inn wanted the opportunity to discuss and explain the corrective actions that had been taken to address the violations. Mr. Shepard’s written recommendation was that a $200 fine for each violation be levied against the owner for a total fine of $400. Upon review of the written report provided by the hearing officer, the CCBH had questions.

**RESOLUTION:** Based upon the written report provided by Hearing Officer Harry Shepard, and after discussion of the recommendation, a motion was made by Ms. Baker and seconded by Mr. Gensel that the CCBH order a fine of $400 against Miracle Inn, LLC d/b/a Rodeway Inn Marshall Manor for the violations outlined in the Hearing Report. Motion approved.

**AYES:**
- Rosemary Anthony, RN
- James Gensel, PE
- Mary Ann Baker, RN
- Kevin Wicks, DDS
- Gregory Schultz, MD
- William G. Howard, MD
- Robert Lambert, MD
CHEMUNG COUNTY BOARD OF HEALTH
MINUTES – 9/27/2016

NAYES: None

ABSENT: Ken Sobel, MD  Joseph Brennan
        Mari Delaney, DVM

ADJOURNMENT

RESOLUTION: With no further business to conduct, a motion was made by Dr. Lambert and seconded by Ms. Baker that the CCBH be adjourned until the next regular meeting of December 6, 2016. Motion approved.

AYES: Rosemary Anthony, RN  Gregory Schultz, MD
      James Gensel, PE  William G. Howard, MD
      Mary Ann Baker, RN  Robert Lambert, MD
      Kevin Wicks, DDS

NAYES: None

ABSENT: Ken Sobel, MD  Joseph Brennan
        Mari Delaney, DVM

The meeting was adjourned at approximately 8:40 PM.

Next meeting: Board of Health Meeting
December 6, 2016 @ 7:30 PM
Health Department Conference Room