CHEMUNG COUNTY BOARD OF HEALTH
MINUTES
December 3, 2013

PRESENT: Thomas Curran, DDS  Richard Madl
Mary Ann Baker, RN  William G. Howard, MD
Robert Lambert, MD*  Ken Sobel, MD

ABSENT: Paul Shore, DDS  James Gensel, PE

OTHERS PRESENT: Robert Page  Thomas Kump, PE
Melissa Klossner  Terence Lenhardt, MD*
John Varga, DVM  Harry Shepard

Prior to the meeting the CCBH received the following:

1. Agenda for December 3, 2013 CCBH Meeting
2. CCBH Meeting Minutes from July 23, 2013
3. Environmental Health Services Report for July, August, September & October 2013
5. Dental Services Report for July, August, September & October 2013
6. CHHA Financial Report for 2nd Quarter 2013
7. County Executive Correspondence Regarding Nursing Facility Future
8. Chemung County Board of Health By-Laws (12/4/12)
9. Chemung County Community Health Assessment (CHA)
10. Chemung County Community Health Improvement Plan (CHIP)

The following items were distributed at the meeting:

11. Hearing Officer Report – Queen City Elks

CALL TO ORDER

Vice President Mary Ann Baker called the meeting to order at approximately 7:30 PM in President Robert Lambert’s absence.

1. APPROVAL OF MINUTES FOR JULY 23, 2013 MEETING

RESOLUTION: A motion was made by Dr. Curran and seconded by Dr. Howard that the minutes of the July 23, 2013 Board of Health meeting be approved and accepted as presented. Motion approved.

AYES: Thomas Curran, DDS  Richard Madl
Mary Ann Baker, RN  William G. Howard, MD
Ken Sobel, MD

NAYES: None

ABSENT: Robert Lambert, MD  James Gensel, PE
Paul Shore, DDS
2. FINANCIAL REPORT

Harry Shepard stated that written reports were included in the CCBH mailing in advance of the meeting for August and September 2013 and that an October 2013 report was distributed at the meeting. Mr. Shepard reported that the Department is on target for meeting the projected revenue and is about the same for expenses. There are no major changes to the budget for 2014, even though it is a very lean budget. There were no questions for Mr. Shepard.

3. SERVICES REPORTS

A. ENVIRONMENTAL HEALTH SERVICES REPORTS – Thomas Kump mentioned that there were reports for July, August, September, and October 2013 distributed in the CCBH mailing for Environmental Health Services as well as a report for November 2013 distributed at this meeting. He had nothing to add to what was included in those reports. A question was raised as to the recent events that occurred at Brookside Mobile Home Park. Mr. Kump explained that EHS was not the lead in this action, but rather that the Town of Southport had revoked the park’s operating permit over a year ago. That action was challenged in court. The Town won the challenge in the summer of 2013. Since late summer, plans were drawn for the closure of the park. However, the owner of the park failed to pay the Elmira Water Board and thus received notice that the water service would be discontinued on October 31, 2013. The County Emergency Management Office worked with local social services providers to assist families in seeking new homes. The water was shut off on October 31st as planned and EHS placarded each mobile home as “uninhabitable” due to the fact that there was not potable water available. Several belongings were left behind as well as several pets. The Town now needs to determine the next steps to be taken so that the park does not become a hazard to the community. Another question was raised about the timing of restaurant inspections as there seemed to be an unbalanced number of violations cited at different months of the year. Mr. Kump explained that although inspections are performed at unannounced times throughout the year, less are conducted during summer months when the focus is on outdoor pools, campgrounds, children’s camps, and other summertime activities. There were no further questions for Mr. Kump.

B. CHHA & CLINICS REPORTS – Melissa Klossner reported the 2nd quarter CHHA financial report was distributed in advance of the meeting. It illustrated performance during 2013 compared to the same time period in the prior year. Overall, there have been improvements in the performance and efficiency of the CHHA. She also reported that they subjected to a State survey a few months ago. Very few issues were noted and for the first time in several years, an extended survey was not necessary. Activity at the immunization clinics has been slow as patients are seeking immunizations through their health care providers, which is now the preferred approach. There were no further questions for Ms. Klossner.
C. DENTAL SERVICES REPORT – Mr. Page mentioned that there were reports for July, August, and September 2013 included in the CCBH mailing in advance of the meeting as well as a report for October 2013 distributed at the meeting. There is nothing new to report in terms of performance at the Clinic. One of the biggest challenges they are facing is getting the Medicaid managed care for dental all squared away. Some providers have pulled out which has presented quite a dilemma. Later on the agenda there will be discussion about changes coming to the Dental Clinic. There were no further questions for Mr. Page.

*Dr. Lambert arrived at 7:46 PM.

OLD BUSINESS

None

NEW BUSINESS

1. REPORT OF NOMINATING COMMITTEE – Dr. Lambert reported that the Nominating Committee decided to nominate Dr. William G. Howard as Vice President of the Chemung County Board of Health.

RESOLUTION: A motion was made by Dr. Lambert and seconded by Dr. Sobel that William G. Howard, MD be nominated as Vice President of the Chemung County Board of Health for the term of 2014-2015. Motion approved.

AYES: Thomas Curran, DDS
Mary Ann Baker, RN
Ken Sobel, MD
Richard Madl
William G. Howard, MD
Robert Lambert, MD

NAYES: None

ABSENT: James Gensel, PE
Paul Shore, DDS

Dr. Lambert also reported that the Nominating Committee nominates the following three individuals for membership on the Chemung County Board of Health: John Varga, DVM, Gregory Schultz, MD, and Rosemary Anthony, RN. Dr. Lambert reviewed the credentials of Dr. Schultz and Ms. Anthony with the CCBH and Dr. Varga presented background information on his own qualifications. This would bring the CCBH membership to the maximum allowed by the CCBH By-Laws. This would also provide more diversity to the CCBH as well as relieving the problems of the past of not being able to achieve a quorum.

*Dr. Terence Lenhardt arrived at 7:48 PM.

RESOLUTION: A motion was made by Dr. Curran and seconded by Dr. Howard that a recommendation be made to the County Executive for approval by the County Legislature that Dr. John Varga, Dr. Gregory Schultz, and Ms. Rosemary Anthony be appointed to the Chemung County Board of Health for 6-year terms. Motion approved.
CHEMUNG COUNTY BOARD OF HEALTH
MINUTES – 12/3/2013

AYES: Thomas Curran, DDS  Richard Madl
   Mary Ann Baker, RN  William G. Howard, MD
   Ken Sobel, MD  Robert Lambert, MD

NAYES: None

ABSENT: James Gensel, PE  Paul Shore, DDS

2. APPLICATION FOR MEDICAL STAFF PRIVILEGES – Mr. Page reminded the CCBH that ever since the NYSDOH required a change in our clinics to make State requirements, the CCHD has been under contract with the Arnot Ogden Medical Center for a Nurse Practitioner. This arrangement has been working well, but there is no real backup plan if the sole Nurse Practitioner was not available for any given reason. Mr. Page requested that Medical Staff Privileges be granted to Adult Nurse Practitioner Cynthia A. Brace. CCBH members present spoke highly of Ms. Brace and her abilities as an NP. Furthermore, Dr. Lenhardt has worked with her in collaborative practice.

RESOLUTION: A motion was made by Dr. Curran and seconded by Dr. Howard that Cynthia A. Brace, Adult Nurse Practitioner be granted Medical Staff Privileges at the Chemung County Health Department. Motion approved.

AYES: Thomas Curran, DDS  Richard Madl
   Mary Ann Baker, RN  William G. Howard, MD
   Ken Sobel, MD  Robert Lambert, MD

NAYES: None

ABSENT: James Gensel, PE  Paul Shore, DDS

3. NURSING FACILITY FUTURE UPDATE – Mr. Page updated the CCBH on the status of the Chemung County Nursing Facility. He explained that this process has been going on for the last year and a half. There were essentially three options under consideration. The first option was to sell the facility. It was put under contract with a commercial real estate agency to seek bids. The second option was to partner with another agency to work in collaboration in the operation of the facility. The third option was to try to cut operating expenses through a mixture of changes to the provision of rehabilitation services as well as re-negotiating existing contracts. The third option was selected. Rehabilitation therapies have been re-organized through a contract with an outside agency. Further concessions were obtained from the bargaining units. A new hire plan was established that reduced the entry level pay rate as well as eliminated the steps that were in the former plan. This does not impact existing employees. The current plan should guarantee the status of the nursing facility for the next several years, unless some unforeseen significant economic crisis hits the County.
4. **DENTAL CLINIC FUTURE** – The current structure of the Dental Clinic simply is not economically viable with the current economic climate the County is experiencing. Plans are in progress for another group, the Regional Primary Care Network, to take over the Dental Clinic in its current location. Credit needs to be given to Dr. Curran for connecting the Department with the NYSDOH Technical Advisory Center in Rochester to investigate this restructuring. The benefit to working with this group is that they will be able to secure a Medicaid reimbursement rate more than double what our current rate is set at. They would also be willing to take over the dental sealant program. CCHD is hopeful that a contract can be negotiated with the Regional Primary Care Network by next summer. Dr. Curran added that he has been spending the last year and a half investigating options for the CCHD dental clinic. He displayed a map of central New York showing the locations of various dental programs and the lack of adequate coverage for the southern tier. A commitment would be made to retain the current dentist as well as a hygienist through 2014 as part of the negotiated agreement. A question was raised as to what savings the County would realize through this reorganization. Mr. Page reported that average annual losses in the dental clinic are around $300,000.00, so that is what savings could be experienced.

5. **HEALTH CENTER OUTDOORS SMOKING POLICY** – Mr. Page remarked that a few years ago an effort was initiated by the CCBH to get all County properties to be smoke-free. That effort has not been successful thus far. However, a revision to the NYS Clean Indoor Air Act that was signed by Governor Cuomo in the summer and which took effect October 29, 2013 prohibited smoking outdoors on the grounds of residential health care facilities. A proposal was presented to the County Legislature that would essentially ban smoking on the entire Health Center campus with the exception of one patient that would still be permitted to smoke in a designated area outdoors under staff supervision. The County Legislature adopted the proposed resolution which took effect November 13, 2013. Thus far, compliance has been going quite well. New signs had been posted throughout the campus and palm-cards were printed to provide to observed violators in an effort to educate those that might not already be aware of the new law.

6. **INFLUENZA SEASON PREPAREDNESS** – Mr. Page informed the CCBH that there was a change to the healthcare worker law that went into effect this year. It requires all employees of a healthcare facility to either be vaccinated or to wear a surgical mask at all times they are in direct contact or proximity with other staff or patients. This only applies during the time after which the NYSDOH Commissioner declares that influenza is prevalent across NYS through an official declaration. Ms. Klossner presented a NYSDOH report on Influenza Surveillance Activity through November 23, 2013. There have been less than 5 confirmed cases so far this season. The majority of those cases are Type A. The administration of Tamiflu is being recommended. Dr. Lenhardt commented that each year the CDC recommends to stop testing for influenza once it is determined to be wide-spread, but this becomes a problem for some facilities such as nursing homes. Dr. Lenhardt assured Mr. Page that they would still be doing testing locally because they consider the testing to be of importance. Mr. Page said that once influenza shows up on a unit in the nursing facility, Tamiflu is administered to all residents.
7. **CCBH BY-LAWS REVIEW AND REVISION** – Mr. Page reported that he had received no suggested changes to the current Chemung County Board of Health By-Laws. It was therefore recommended to the CCBH that the current By-Laws remain unchanged.

**RESOLUTION:** A motion was made by Dr. Howard and seconded by Dr. Sobel that the existing Chemung County Board of Health By-Laws remain unchanged for the time being, realizing that they will be reviewed on an annual basis should any need arise that would require an amendment in the future. **Motion approved.**

**AYES:**
- Thomas Curran, DDS
- Mary Ann Baker, RN
- Ken Sobel, MD
- Richard Madl
- William G. Howard, MD
- Robert Lambert, MD

**NAYES:** None

**ABSENT:**
- James Gensel, PE
- Paul Shore, DDS

8. **COMMUNITY HEALTH ASSESSMENT (CHA) & COMMUNITY HEALTH IMPROVEMENT PLAN (CHIP)** – Mr. Page said that both of these documents were distributed electronically. The CHA is well over a hundred pages so a copy was not printed for each member, but if anyone would like a printed copy, that can be arranged. Public Health Educator Linda Swarthout was the primary CCHD staff person responsible for compiling the report, however, she did get a lot of assistance from Joyce Hyatt as well numerous other collaborative agencies in the area. The CHA is a compilation of the current health status of the community in various health categories. It also lists the resources available to address the health issues noted as well as efforts that are being made. It covers the period of 2013 through 2017. The CHIP is a plan that was formed in collaboration with various local health partners to address what was determined to be the most pressing public health concerns in the County.

9. **HEARING – QUEEN CITY ELKS** – Hearing Officer Mr. Shepard reported to the CCBH that a hearing was held on October 30, 2013. EHS had alleged that the respondent did not have a required thermometer available during a routine unannounced inspection of the facility. The respondent countered with the argument that they were not open for business at the time of inspection. Mr. Shepard questioned the respondent as to whether they would find a thermometer available for use if they were to go to the facility immediately following the hearing. The respondent replied in the affirmative. Mr. Shepard and EHS Sanitarian Peter Buzzetti travelled to the facility and entered the kitchen. A thermometer was available. As such, the Hearing Officer recommends to the CCBH that in light of all evidence presented by all parties that the fine and charge should be dismissed.
RESOLUTION: A motion was made by Dr. Lambert and seconded by Dr. Howard that the charges and fines levied against Queen City Elks by EHS be dismissed. Motion approved.

AYES:           Thomas Curran, DDS           Richard Madl
                Mary Ann Baker, RN           William G. Howard, MD
                Ken Sobel, MD               Robert Lambert, MD

NAYES:          None

ABSENT:         James Gensel, PE           Paul Shore, DDS

There was no need for an Executive Session and there was no further business to conduct.

ADJOURNMENT

RESOLUTION: With no further business to conduct, a motion was made by Dr. Curran and seconded by Mr. Madl that the CCBH be adjourned until the next regular meeting of January 28, 2014. Motion approved.

AYES:           Thomas Curran, DDS           Richard Madl
                Mary Ann Baker, RN           William G. Howard, MD
                Ken Sobel, MD               Robert Lambert, MD

NAYES:          None

ABSENT:         James Gensel, PE           Paul Shore, DDS

The meeting was adjourned at approximately 8:45 PM.

Next meeting:   Regular Board of Health Meeting
                January 28, 2014 @ 7:30 PM
                Health Department Conference Room