

MINUTES

Tompkins County Board of Health **September 22, 2015** **12:00 Noon** **Rice Conference Room**

Present: Will Burbank; David Evelyn, MD, MPH; Brooke Greenhouse; Edward Koppel, MD; James Macmillan, MD, President; Michael McLaughlin, Jr.; and Susan Merkel

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; Jonathan Wood, County Attorney; and Shelley Comisi, Keyboard Specialist

Excused: Sylvia Allinger, Director of Children with Special Care Needs; and Janet Morgan, PhD, Board of Health Member

Guests: Theresa Lyczko, Director, Health Promotion Program; Skip Parr, Senior Public Health Sanitarian; and Jaime White, Public Health Intern

Call to Order: Dr. Macmillan called the regular meeting of the Board of Health (BOH) to order at 12:03 p.m.

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

Announcement: In recognition of “Put Fruit to Work Week” (Attachment 1), the Tompkins County Health Department (TCHD) is offering apples and pears to Board members and staff. Mr. Kruppa hoped everyone would enjoy a piece of fruit.

Introductions: Mr. Kruppa introduced Health Department personnel present at the meeting: Jaime White, Ithaca College student intern in the preparedness program; Theresa Lyczko, Director of the Health Promotion Program; and Skip Parr, Senior Public Health Sanitarian.

Approval of July 28, 2015 Minutes: Dr. Koppel moved to approve the minutes of the July 28, 2015 meeting as written; seconded by Ms. Merkel; and carried unanimously.

Financial Summary: Ms. Grinnell Crosby referred to the written notes in her report. Currently the Preschool Special Education program is in the green. It is being monitored as bills arrive for the summer and the new school year.

In response to questions from Board members, Ms. Grinnell Crosby explained:

- The Medical Examiner program expenses continue to rise. The program does not generate revenue so it is 100% County expense. All counties are required to have either a coroner or medical examiner, but each county has the option of selecting which one to provide.
- Maintenance in Lieu of Rent is a line item in the budget and an eligible expense under State Aid. TCHD does not pay rent because it owns the facility; the property is a land lease to the County. TCHD is charged maintenance costs by the County for facilities staff to maintain the building, insurance, etc.

Administration Report: Mr. Kruppa briefed the Board regarding concerns about the availability of service providers for children in the Early Intervention (EI) program. When the State took over fiscal administration of the program a few years ago, there were issues with payment so many providers moved away from EI services. The smaller pool of providers has created a waiting list. Tompkins County has been working both regionally and statewide with other counties on this issue, but the State maintains the data shows there are enough providers. In an effort to focus attention specifically on Tompkins County, he has asked the State how it plans to address the issue of our wait list. The State's response will determine our next steps which may include asking for support from the Board and the state representatives for our district. The ultimate goal is to obtain services for the children.

Mr. Kruppa responded to questions from the Board with the following remarks:

- Demand for services has been steadily growing, but the larger issue is the smaller pool of providers. Before the State took over the role of contracting with providers, Tompkins County had that responsibility. There is a need for the State to take a more proactive position on recruitment statewide and not just look at aggregate numbers which do not paint an accurate picture of what is happening in rural, upstate New York.
- In EI, there are timelines for providing services to families. Our program is running up against those timelines. The State is aware of the situation but its response has been that it needs to find the providers. Parents do have due process rights. The County would be held responsible; however, the State would share in that responsibility.

Medical Director's Report: Dr. Klepack updated his reports:

- In August, there were no human cases of West Nile virus or Eastern Equine Encephalitis in New York State. Since that time, nine cases of West Nile virus have been reported downstate. With the frost and cold weather, the mosquito problem will wind down.
- In the last paragraph of *Resuscitation and CPR* of his September report, he wrote about the need to help responders deal with the "potential failures" of the effort. It would be more appropriate to say "adverse outcomes." As he explained, the effort itself is not a failure, but successful outcomes may not occur too frequently.

Discussion regarding Automated External Defibrillators (AEDs):

- Mr. Burbank was pleased to see an AED in the Legislature; however, he does not believe any of the Legislators know how to use one. Ms. Grinnell Crosby assured him there are staff members in each facility who have been trained. When the next class is scheduled, she will notify Legislators of another opportunity to sign up.
- According to Ms. Grinnell Crosby, 48 AED units were placed throughout the County. 32 were installed in facilities and 16 deployed in vehicles (Sheriff-13 units; Highway-3 units). Approximately 200 people in the County workforce participated in the training.

Division for Community Health Report: Ms. Bishop provided updates to her reports:

- Jeffrey Saeli, Administrative Coordinator in Community Health Services (CHS), has been instrumental in making positive gains in billing processes.
- For several months, the overarching challenge for staff has been the ongoing configuration and work flow processes to implement the Core Solutions Software. Staff members have been working hard at developing forms and templates. The Go Live date of October 1st is uncertain, but the expectation is the system will be in place relatively soon.

Ms. Bishop answered questions from Board members with the following statements:

- TCHD will be providing flu vaccinations beginning October 6th. Ms. Lyczko will be putting out a press release to local media.
- CHS staff will be traveling to community senior housing sites and offering immunizations to those residents.
- The suspect tuberculosis (TB) case described in the September packet is doing well. Culture results can take eight weeks to receive. Until those results are known, the patient will continue to receive the appropriate treatment for TB.
- In the fall, screening testing for tuberculosis increases when daycare workers and emergency responders are tested.

In a follow-up discussion about vaccinations, it was concluded that the Health Department should disseminate factual, clear information. The message to convey to the public is that vaccines save lives. Vaccine protocols have been established by the Advisory Committee on Immunization Practices (ACIP). The best advice is for people to consult their healthcare provider and follow the prescribed schedule.

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

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

Environmental Health Report: Ms. Cameron had nothing to add to her written report.

Acknowledgement: Ms. Merkel publicly thanked Samantha Hillson of the Healthy Neighborhoods Program for visiting her class. Ms. Hillson did a great job presenting information and answering questions.

Resolution #ENF-15-0018-Sammy's Pizzeria, C-Ithaca, Violations of Part 14-1 of the New York State Sanitary Code (Food): Ms. Cameron summarized the restaurant had food out of temperature violations. In response to Mr. Burbank's question about the significance of the receipt, Ms. Cameron said the owner sent a copy to show he repaired the equipment.

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

Resolution #ENF-15-0019-GrassRoots World Café, GrassRoots Festival, T-Ulysses, Violations of Part 14-2 of the New York State Sanitary Code (Temporary Food): Ms. Cameron reported this facility had food out of temperature violations. Staff met with them about their facility. It is a challenge for them to serve a lot of different foods to GrassRoots Festival workers and the public.

Mr. McLaughlin moved to accept the resolution as written; seconded by Dr. Koppel.

Mr. McLaughlin wondered if this is a professional group of people or a handful of volunteers working for the festival. Mr. Parr replied the manager of this operation is from North Carolina but the people who are helping are volunteers. When staff met with them, it was acknowledged that they need to be proactive with training their volunteers. Ms. Cameron noted GrassRoots is supportive of temperature logs to help address their issues. There is also a problem with the electric power at the festival that is being addressed. This is one of the more complex food service operations at GrassRoots.

Mr. McLaughlin raised the question about potentially hazardous violations at a temporary food service event. Mr. Parr said any critical violations need to be corrected before our staff leaves the facility. There is a follow-up inspection the next day if the event lasts more than one day.

Mr. Greenhouse noted there is a temperature log monitoring requirement but asked if a flag will call attention to this when the permit is renewed next year. Ms. Cameron stated the Accela program can check records easily to see any enforcement action associated with a facility.

Ms. Cameron added her staff is working on implementing a food safety education program for temporary food service workers to complete through the EH website. It will be a requirement to ensure workers have the minimum level of food safety education when working at events. Upon successfully completing the program, there will be a certificate. Staff will have a list of the people who have completed the program. She credited Broome County for the idea.

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

Consideration of a position on joint Public Health and Mental Health Department Head:

Mr. Kruppa explained the Board is being offered an opportunity to formally take a position on the County Administrator's proposal to combine Public Health and Mental Health department head positions; however, the Board is not required to take action. After several months of serving in both department head roles, Mr. Kruppa finds it is no longer sustainable for him to continue without some support or change in department head functions. In addition to a discussion previously held at the BOH, County Administrator Joe Mareane has been gathering information about the restructuring from different sources: the Community Services Board (CSB) for Mental Health, the Health and Human Services Committee, the Legislature, and staff members at both departments. With that input, he is putting together a written recommendation for the Legislature that reports his findings and incorporates his proposal.

In the organizational plan proposed in the County Administrator's report, the Public Health Director would be the department head for both Public Health and Mental Health departments, a role comparable to a Chief Executive Officer (CEO). In each department, there would be a deputy who would act as Chief Operating Officer (COO). Currently there is a deputy position at Mental Health, but the position is vacant. At Public Health, the Public Health Administrator would be elevated to the title of deputy. An Administrative Assistant position would be created to coordinate the activities of the Public Health Director and to maintain access for staff and community. With the proposed staffing changes, there would be some cost savings to the County.

There are several benefits outlined in the report. "Promoting Mental Health and Preventing Substance Abuse" was identified as a public health priority in the Community Health Improvement Plan. This connects the two departments in a common mission and facilitates discussion and cooperation on health promotion activities. Another area of a shared interest is the Delivery System Reform Incentive Program (DSRIP). This is a Medicaid reform project that seeks to integrate primary care and behavioral health components to reduce emergency room visits. Other benefits include the shared electronic health record system and the potential to coordinate some back-office functions, e.g. purchasing, budgets, etc.

Staff members have expressed concern about access to the department head. This issue could be overcome by putting the proposed staffing supports in place and utilizing available technology. An open door policy would continue to exist. There is also concern about maintaining the community connection. With day-to-day operations being handled by the deputies, the department head would be able to continue to attend important community meetings and lead on issues of mental health, substance abuse, and public health.

As part of the proposal, the County Administrator has built in an evaluation process with two initial phases: a review after one year followed by an in-depth evaluation after three years to determine whether the previously set goals were achieved.

The County Administrator has thought about the alternatives. One option would be to maintain the status quo of two department heads and begin a new search for a Commissioner of Mental Health. Another option would be to merge the two departments. At this point, the County Administrator believes the most effective choice for the County is the combined leadership plan being proposed.

A lengthy discussion ensued with the following highlights:

- Mr. Greenhouse asked about the obstacles to having Mental Health as one division within the Public Health department. Mr. Kruppa noted there is concern on the CSB that the Mental Health department with its priorities and goals remain at the forefront and at the appropriate level within County government structure. By maintaining two separate departments, the people in leadership and/or advisory positions to both organizations can feel comfortable that their issues will remain at the same priority level. The organizational shift and tumult that occurs from joining two departments is not something that has a benefit that outweighs the cost at this time.
- Mr. McLaughlin commented on the challenge the County faced in finding a Commissioner of Mental Health. There is the possibility that having one department head could lead to a different pool of candidates next time. Mr. Kruppa agreed it is never easy to find a department head. After interviewing and not finding a successful candidate, it was thought the one department head structure could be a longer term solution. While it may be difficult to find someone to fit the role, it might also be more appealing to someone who would enjoy some involvement in both departments.
- Mr. McLaughlin wondered about the people who would be in the COO position in each department. Mr. Kruppa reported Brenda Grinnell Crosby would be promoted to the position in the Public Health department. A search would be necessary to fill the vacancy at Mental Health.
- Mr. Greenhouse raised the possibility there could be a broader applicant pool for the Mental Health deputy position. Mr. Kruppa replied the intent is to recruit a deputy with the appropriate credentials and expertise in the mental health field. Tompkins County Personnel Commissioner Amy Guereri has experience in medical recruiting, but it is unknown how easy or difficult it will be to find someone to fill the position.
- Mr. Greenhouse inquired about the likelihood of a conflict between the CSB and BOH. Mr. Kruppa said the potential for conflict always exists when you have two boards, but he believes the benefit of working together would far outweigh any conflict that might arise. The BOH would have a better understanding of the challenges faced by mental health communities and how their needs can be integrated into public health. On the flip side, those providing mental health services are interested in learning and hearing about prevention and health promotion. Ultimately, the Legislature is the arbiter of any conflict between the boards.
- Dr. Klepack thought there could be disagreements about decisions related to the budget and any over target requests. Mr. Kruppa responded that was a staff concern. As department head, he has the responsibility to consider the needs of each department to make appropriate decisions. Each board would have the opportunity to offer input. There are checks and balances built into the budgeting process that provides different groups the ability to address any problems. Those groups include the BOH, CSB, County Administrator, and Legislature.
- Mr. McLaughlin was interested in hearing about the concerns of the people who would be affected by merging the department head positions. Mr. Kruppa said it is an interesting dichotomy. The BOH has been relatively supportive, but the CSB has concerns about maintaining mental health and substance abuse standing in the community and county government. Public Health staff has expressed concern about access to him; however Mental Health staff has been supportive of the idea. It depends on the perspective of the

person being asked, but he believes the County Administrator has done a good job listening to people.

- Dr. Klepack shared his thoughts on the proposal. From his own perspective, the primary healthcare provider deals with mental health and substance abuse issues all the time. These are public health issues. A key component is having a deputy who is able to represent and translate the mental health needs and priorities to the department head. He believes the combined leadership proposal can be successful but recommends two priorities for the department head. First, staff members should feel that he hears them and that the Mental Health deputy is available to support them in their work. Secondly, CSB members must have confidence the department head will be there to work with them on the services needed for the communities they represent.
- Dr. Macmillan questioned whether there needed to be some advocacy interchange between the two boards; not dual membership but a representative who would attend meetings and give input. He suggested it was something to consider.
- Ms. Merkel repeated an earlier question about making “more hours in a day.” According to the New York State Department of Health, Mr. Kruppa said he is Public Health Director twenty-four hours a day, seven days a week. With the appropriate supports in place, he believes it is possible to achieve goals in a reasonable timeframe.
- Dr. Koppel described his experience at Cornell’s health center. Staff is moving toward a collaborative working environment with our mental health professionals. Initially those discussions were difficult. Experts were brought in to educate staff on how to integrate the two areas. It is the wave of the future in medicine so it could be the way in public health as well. Leadership can bring the two groups together over time. He feels representation on both boards is reasonable and suggested interaction between the COOs would be beneficial.
- Dr. Evelyn voiced his strong support for the combined department head proposal. He noted part of the problem with substance abuse and mental health treatment in New York State is this artificial environment that has been created with a statewide department for mental health; a statewide department for substance abuse; and a statewide department of health. There needs to be collaboration to facilitate treatment. The State is moving in that direction by starting to loosen regulations and making those regulations consistent.
- Mr. Burbank remarked he has concerns about the proposal. Although Mr. Kruppa has done a wonderful job laying out the situation, he suggested inviting the County Administrator to present his proposal at a combined meeting of BOH and CSB members.
- There was discussion about the positives and challenges of a joint meeting of the two boards. The positives would be the opportunity for both groups to ask questions with everyone hearing the same presentation and discussion. The challenges would be the logistics of scheduling the meeting in a short period of time and the expectation that there would be an understanding regarding the operations of the other board.
- Mr. Wood advised everyone this is not a decision for either board to make. By law, the County Administrator makes the appointment and seeks approval from the County Legislature. In this situation, Mr. Mareane is seeking input before he makes an important decision which would affect both boards. Mr. Burbank agreed and added that Mr. Mareane has been carefully considering the concerns and opinions being expressed by each board.
- BOH members concurred there would be value in both boards listening and sharing their thoughts.

- Mr. Kruppa mentioned the CSB will be meeting Monday, October 5th, at 5:30 p.m. to discuss this proposal. He will ask their chairperson about the possibility of an invitation being extended to BOH members to attend that meeting.
- The Board did not take formal action on the proposal. However, Board members were supportive of attending the CSB meeting. Mr. Kruppa will send the minutes from an earlier CSB discussion meeting with the County Administrator. The minutes from this BOH discussion also will be available to the County Administrator.
- Dr. Macmillan expressed the Board's appreciation for Mr. Kruppa's presentation and ability to sit through the follow-up discussion.

Adjournment: At 2:05 p.m. Dr. Macmillan adjourned the meeting.