

MINUTES

Tompkins County Board of Health

April 26, 2016

12:00 Noon

Rice Conference Room

Present: Will Burbank; Brooke Greenhouse; Edward Koppel, MD; James Macmillan, MD, President; and Michael McLaughlin, Jr.

Staff: Karen Bishop, Director of Community Health; Liz Cameron, Director of Environmental Health; Brenda Grinnell Crosby, Public Health Administrator; William Klepack, MD, Medical Director; Jonathan Wood, County Attorney; and Shelley Comisi, Administrative Assistant II

Excused: Sylvia Allinger, Director of CSCN; David Evelyn, MD, MPH, Board of Health Member; Frank Kruppa, Public Health Director; Susan Merkel, Board of Health Member; Janet Morgan, PhD, Board of Health Member; and Deb Thomas, Senior Community Health Nurse in CSCN

Call to Order: Dr. Macmillan called the regular meeting of the Board of Health (BOH) to order at 12:01 p.m.

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

Approval of March 22, 2016 Minutes: Mr. McLaughlin moved to approve the minutes of the March 22, 2016 meeting as written; seconded by Dr. Koppel. The minutes carried unanimously.

Financial Summary: Ms. Grinnell Crosby explained there was no financial summary report in the packet due to problems with the dashboard. She reported:

- The County has closed the books for 2015. Staff has been busy reconciling the department's records to the final report.
- The first quarter of 2016 has ended. Staff is in the midst of filing claims. The Community Health Services (CHS) Division has improved their revenue due to timely filing of claims and reimbursement received from various sources.
- Work on the 2017 budget is beginning. She will be meeting with Division Directors and their senior administrative staff members to provide an overview of the budget process before meeting with each program area individually. As a member of the Legislature who

attended the budget retreat, Mr. Burbank informed the group that nothing official was established; however, Legislators will probably set a levy target at their next meeting.

- Vital records fees are being reviewed. Staff is looking at a tiered fee system for certificates. Currently, there is a \$30 charge per certificate. In the case of multiple copies being requested, the charge may be reduced.

Administration Report: Mr. Kruppa was attending a conference with the Tompkins County Family Treatment Court team to discuss the Safe Care program. In his absence, Ms. Grinnell Crosby reported on two staff vacancies that have been filled: a clerical position in Administration and the Health and Safety Coordinator for the County.

Medical Director's Report: Regarding the City of Ithaca Drug Initiative proposal mentioned in his report, Dr. Klepack announced that he has organized a meeting for May 3rd that brings together a number of people for a discussion that will include the co chairs involved in formulating the plan. The supervised injection facility that is part of the plan has received national attention. The meeting will address questions and review hard data related to these facilities that have been operating for years in other countries.

In preparation, he has read a 2015 report from a meeting that brought together representatives from three of the eight countries that have supervised injection facilities: Frankfurt, Germany since 1993; Vancouver, Canada since 2003; and Australia. These localities have addressed many concerns related to the ripple effects on the community and law enforcement. The summary of the report was positive for handling those concerns and was achieved through community collaboration, information and coordination prior to creating the facilities.

To his knowledge, the countries have not decriminalized the drugs. In Germany, the legal system allowed an exemption to be made; in other countries the supervised injection facilities were created as a research program. None of these facilities deal with the selling and marketing of illegal opioids. Individuals bring their own drugs.

The local meeting participants include the plan's co chairs, Gwen Wilkinson and Lillian Fan; Cornell University; Ithaca College; Southern Tier AIDS Program; Tompkins County Mental Health Department; and Tompkins County Health Department (TCHD). The intent of the local meeting is to gather information that will enable TCHD and other stakeholders to either individually or jointly issue a statement with regard to this component of the plan.

There was a lengthy discussion about tracking drug overdoses in Tompkins County. Several members were concerned about the collection of data that would indicate whether or not there is a problem.

- Dr. Klepack stated the Medical Examiner's office is aware of drug overdoses when there is a death. He provided statistics for Tompkins County as reported in the *The Ithaca Plan*. There were 2-5 drug-related deaths per year from 2004-07 that increased to 15, 13, 10, and 14 deaths per year from 2011-14. On average there have been twice as many deaths in those recent four years.

- Ms. Grinnell Crosby confirmed that the number of deaths has increased but is still relatively small within the County. Due to privacy concerns, counties have not been willing to release that data publicly because of the ability to identify individuals. Forensic pathologists are looking at regional drug deaths but that does not mean it was solely heroin; it could be other drug combinations.
- For drug overdoses resulting in death, Ms. Grinnell Crosby reiterated there would be the filing of a death certificate; otherwise, drug overdoses are not reportable to TCHD.
- Dr. Klepack noted there is no obligation on the part of a hospital or healthcare facility to report illicit drug use to law enforcement. He suggested that data may be approachable through standard hospital reporting.

Other concerns expressed by Board members included how to structure a response to the problem and how to engage law enforcement:

- Dr. Klepack pointed out that every country has confronted the issues surrounding law enforcement responsibilities in relationship to an alternative health facility. They found ways of doing it to the satisfaction of law enforcement when law enforcement has been an active participant in the structure and operation of these facilities.

Dr. Macmillan expressed his appreciation to Dr. Klepack for his involvement in this issue and looks forward to hearing updates from him.

Division for Community Health Report: Ms. Bishop noted:

- Influenza surveillance data is shared with healthcare providers on a weekly basis. To date, there have been three influenza-associated pediatric deaths across New York State. The sad news has “fueled her staff’s fire” to continue to offer and promote annual flu vaccination for everybody six months of age and older.
- Last week was National Infant Immunization Week, an annual observance to highlight the importance of protecting vulnerable infants from vaccine preventable diseases. Staff issued a press release, posted information on the TCHD website and shared that information with healthcare providers.
- In March, three new cases of syphilis were identified. All three cases were MSM who had used an app to find anonymous sexual partners. Staff will continue to work with our partners to disseminate factual information and encourage routine testing for sexually transmitted infections. The Peace of Mind website will be updated with that information.

In the ensuing discussion about sexually transmitted infections, Ms. Bishop informed Board members that the regional office of the New York State Department of Health (NYSDOH) has disease interventionists who conduct the investigation for each reported case. Her Division shares statistical information with our Peace of Mind partners comprised of the three colleges, Planned Parenthood, and the Southern Tier AIDS Program and sends out Public Service Announcements (PSA) to the community. These PSAs do not single out a certain demographic but promote STI testing in general. Dr. Koppel noted that Cornell has put out information directed to all students about the hooking up apps and the higher risk for STDs if they are

utilizing those apps. Cornell staff has created a poster showing the icons of different hooking up apps that includes messaging about using a condom and getting tested for STDs.

Children with Special Care Needs Report: Ms. Allinger and Ms. Thomas were not present for the meeting.

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

Environmental Health Report: Ms. Cameron reported that a minor change has been made to the *Environmental Health Highlights* report on page one in the section on "Lead in Drinking Water at Schools." The language "**with the ICSD**" was inadvertently left out of sentence two in the first paragraph. The sentence should read as follows: "The EH Division has weekly meetings with the Ithaca City School District (ICSD) and has been working closely **with the ICSD** and NYSDOH throughout the situation."

As she wrote in her report, the ICSD has conducted water sampling at Enfield and Caroline elementary schools. Those reports have been released with Caroline being more conclusive than Enfield. To help assess the situation at both schools, the district has selected a consultant. They continue to provide bottled water so there is no health hazard to children and staff. Other schools concerned about their drinking water have been contacting the Environmental Health (EH) Division. Responding to these inquiries have been a significant activity for EH staff.

Questions/comments from Board members:

- Dr. Koppel asked whether TCHD has set a timeframe for the ICSD to resolve the water issues at its schools. Ms. Cameron replied there is no basis for enforcing a timeframe because the district has addressed the public health concern by supplying bottled water.
- Mr. McLaughlin believes there is a public perception that a regulatory agency is protecting the public who is drinking water in public buildings. Ms. Cameron explained there is no mechanism for regulatory oversight unless the school supplies its own water. Our local sanitary code has a general statement that water served to the public has to be potable. NYSDOH is aware there is an issue with the Lead and Copper Rule and how it is written. It is not an easy fix when the potential problem may be individual fixtures. There is the water supplier but the problem may be in the service lines in the older buildings. Dr. Macmillan commented it is the essential problem of aging infrastructure.
- In response to Mr. Greenhouse's question about public contacts/complaints received by TCHD, Ms. Cameron reported all media calls are directed to Mr. Kruppa as the Public Health Director and Ms. Lyczko as the Public Information Officer. EH staff handles individual inquiries and those from schools wanting to sample their water supply. In addition, the department is still receiving FOIL requests.
- With many schools testing the drinking water, Mr. McLaughlin wondered who would be responsible to a public seeking accountability. Ms. Cameron reported there is oversight from the NYSDOH through their weekly reports. The Environmental Protection Agency (EPA) also offered their assistance. She described the situation as one that will continue to receive

attention. EH staff is spending a noticeable amount of time on this issue, and we can report to the public that no elevated lead levels have been detected in the children being tested.

- As part of her program, Ms. Bishop said the Division would receive reports for elevated lead levels for any child up to 18 years of age. Children are routinely tested at age one for a baseline and tested again at age two. If parents have concerns, then their provider will order the testing. To promote lead awareness and lead testing, her program completed a targeted door hanger campaign.

Resolution ENF-16-0004 – Japan-U.S. Association, C-Ithaca, Violation of Subpart 14-2 of the New York State Sanitary Code (Temporary Food): Ms. Cameron explained this temporary food service violation involves a nonprofit student organization at Cornell. The case history shows there had been prior food out of temperature issues with the organization. In this case, two violations occurred during the inspections for their sushi night event: pre-operational and during the event. In the Stipulation Agreement, the organization agreed to use a caterer for future events. Cornell understands our concerns and has been supportive of our actions.

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

In response to Mr. Burbank's question about whether the students were aware of the food safety standards, Ms. Cameron responded that there were multiple times when EH staff met with members of the organization to provide information about food safety.

Board members were interested in knowing what separates this event from a potluck. Ms. Cameron answered potlucks are events where everybody is contributing food that is shared with everyone else at the event. In this case, it was the organization that was providing and serving food to the public. According to NYSDOH, potlucks are not regulated.

The vote: Aye – 4; Abstention – 1 (Dr. Koppel); the resolution carried.

Resolution ENF-16-0005 – Pete's Grocery & Deli, C-Ithaca, Violation of Adolescent Tobacco Use Prevention Act (ATUPA): Dr. Macmillan moved to accept the resolution as written; seconded by Mr. Greenhouse.

Under ATUPA, Ms. Cameron emphasized minors are hired with no attempt to entrap the owner of the business or the individual selling the tobacco.

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

Resolution ENF-16-0006 – Country Inn and Suites, T-Ithaca, Violations of Subparts 7-1 and 14-1 of the New York State Sanitary Code (Food): Mr. Greenhouse moved to accept the resolution as written; seconded by Dr. Koppel.

Ms. Cameron reported this is the second time this establishment has been brought to the Board. There is a fine of \$800 and an additional requirement to have one food service worker who has completed the food safety training course to be on-site during the hours of operation.

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

Adjournment: At 1:18 p.m. Dr. Macmillan adjourned the meeting.