

**CHEMUNG COUNTY BOARD OF HEALTH
MINUTES
March 25, 2008**

PRESENT:	Ken Sobel, MD Robert Lambert, MD William G. Howard, MD	Christopher Friend, PhD Paul Shore, DDS
ABSENT:	Thomas Curran, DDS William Roe, PE	Mary Ann Baker, RN
OTHERS PRESENT:	Robert Page Thomas Kump, PE Linda Swarthout Chad Roloson Andy Patros	Lou Ann Corsi Harry Shepard Cassie Coombs Etta Kay Dewey

Prior to the meeting the CCBH received the following:

1. Agenda for March 25, 2008 CCBH Meeting
2. CCBH Minutes from January 22, 2008
3. Environmental Health Services Reports for January & February 2008
4. Letter & Resolution To Wegmans For Tobacco Initiative
5. Letter To C.C. Legislature Regarding Tattoo Regulations

Items distributed during the meeting:

6. Clinic/Home Visiting Services Report Dated March 25, 2008
7. Budget Status Report 2007
8. Dental Clinic Statistical Report For 2007 and For 2008 through 2/29/08
9. Correspondence From Wegmans
10. Report On Pregnant Women & Tobacco Use
11. Tobacco-Free Entryway Resolution
12. Young Lungs At Play Proposal

Dr. Sobel called the meeting to order at approximately 7:30 PM.

1. APPROVAL OF MINUTES

RESOLUTION: A motion was made by Dr. Shore and seconded by Dr. Howard that the minutes of the January 22, 2008 Board of Health meeting be approved and accepted. Motion approved.

AYES:	Ken Sobel, MD Robert Lambert, MD William G. Howard, MD	Christopher Friend, PhD Paul Shore, DDS
NAYS:	None	

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ABSENT: Thomas Curran, DDS Mary Ann Baker, RN
William Roe, PE

2. FINANCIAL REPORT

Harry Shepard reported that there was nothing of significance to report that hasn't already been discussed for 2007. A written report was provided at the meeting. Fiscal Year 2007 has essentially been closed. All targets with regard to revenues and expenditures have been met. There was no further discussion on any financial matters.

3. SERVICE REPORTS

- A. ENVIRONMENTAL HEALTH SERVICES** – Thomas Kump had nothing further to elaborate on with the January and February 2008 reports that had already been distributed to the CCBH prior to the meeting.
- B. PUBLIC HEALTH NURSING & CLINICS** – Lou Ann Corsi commented on the Home Visiting Services report dated March 25, 2008 that was distributed at the meeting. The follow-up survey has been conducted and all went well. It is expected that we will be good now for about 3 years before another survey is conducted.
- C. DENTAL SERVICES REPORT** – Mr. Page reported that the 2007 Statistical Summary was distributed at the meeting as well as the Year-To-Date report for 2008 through February 29, 2008. The year 2007 was seriously disrupted due to both the fire that occurred in March as well as the departure of one of the two full time dentists. Just prior to the fire the Department was in the process of converting to a 10-hour schedule for Mondays through Thursdays and an 8-hour shift for Fridays. That did not actually occur until September. The clinic is on that schedule now, but it is too early to tell whether what kind of impact it has had on productivity. Also, a second full-time hygienist was added to the staff. One of the current two hygienists will be performing the dental sealant program in schools. The program is scheduled to start in April 2008. The NYSDOH still needs to come down and inspect one of the schools prior to final implementation

OLD BUSINESS

- 1. CLEARING THE AIR – NEXT STEPS** – Mr. Page provided a copy of a letter that was received from Wegmans thanking the CCBH for recognizing them for their initiative to terminate the sale of tobacco products in their stores. Next, Public Health Educator Linda Swarthout presented the CCBH with a report on "Pregnant Women & Tobacco Use in Chemung County". This was provided in response to a request from Dr. Curran at the prior meeting. Ms. Swarthout summarized the actions being taken by seven different programs in the County. Pregnant women are being encouraged to quit smoking and that same message is reiterated post

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partum. Additional measures are being taken to eliminate or at least minimize a babies exposure to second-hand tobacco smoke. The most recent survey data indicates that approximately 20% of all pregnant women smoke and about 25% of those women actually want to quit smoking. Mr. Kump updated the board on smoking enforcement in the County. One of the local establishments that used to have a waiver from the smoking regulations has been quite vocal about seeking an appeal to the revocation of their waiver. They may be contacting the CCBH in the near future. Meanwhile, this same establishment has been subject to numerous complaints about smoking. A Health Department representative investigated the complaint and found the facility to be in violation. An enforcement action has been initiated in the form of a Stipulation Offer. A hearing has been tentatively scheduled for May 2008. Other establishments that used to have waivers have been modifying their facilities and consequently their liquor licenses in order to have a location for patrons to smoke legally. As long as the smoking area is not considered to be part of the legal bar or restaurant, then it is not covered by the regulation. Cassie Coombs of the Southern Tier Tobacco Awareness Community Partnership (STTAC) discussed some "next steps" in the "Clearing The Air" initiative. Two handouts including "Young Lungs At Play" and "Tobacco Free Entryways" were presented to the CCBH. The "Tobacco-Free Entryways" proposal was discussed. Discussion about whether to establish a certain distance requirement took place. The consensus of those present was that a minimum distance of 30 feet should be included in the resolution. Dr. Friend, speaking from his role as a Chemung County Legislator, suggested that the CCBH act on this proposal and include language about a minimum separation distance and that the Legislature will debate the merits and make a final determination as to what language the final legislation should include.

RESOLUTION: A motion was made by Dr. Howard and seconded by Dr. Shore that WHEREAS, smoking is the number one cause of preventable death in the United States; and
WHEREAS, in New York State there are 25,500 deaths every year from causes attributable to smoking and nationwide tobacco companies sell products that kill 440,000 Americans per year; and
WHEREAS, each day about 4,000 children in the United States try their first cigarette; and
WHEREAS, 90% of adult smokers began smoking while in their teens or earlier, and
WHEREAS, the June 27, 2006 Report of the Surgeon General cites "massive and conclusive scientific evidence" that "there is no risk-free level of exposure to secondhand smoke" and that "exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer"; and
WHEREAS, as estimated 50,000 excess deaths a year result from exposure to secondhand smoke in the United States; and
WHEREAS, the Southern Tier Tobacco Awareness Community Partnership (STTAC) Community Tobacco Survey results of June 2007 state that 92.6% of Chemung County residents think that breathing secondhand smoke is harmful; and
WHEREAS, the Southern Tier Tobacco Awareness Community Partnership (STTAC) Community Tobacco Survey results of June 2007 state that 64.3% of Chemung County residents are bothered by secondhand smoke; and

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WHEREAS, the Southern Tier Tobacco Awareness Community Partnership (STTAC) Community Tobacco Survey results of June 2007 state that 79.7% of Chemung County residents would be in favor of a law banning smoking in entranceways of public buildings and workplaces; and

WHEREAS, codes and administrative orders that ban smoking in outdoor public spaces have been implemented by jurisdictions in New York State to help protect youth from secondhand smoke and to provide a more healthy model of adult behavior; and

WHEREAS, smoke-free public spaces may be an important part of a comprehensive tobacco use prevention program; and

NOW, THEREFORE, BE IT RESOLVED, that the Chemung County Board of Health hereby expresses its support of the Southern Tier Tobacco Awareness Community Partnership's (STTAC) efforts to reduce exposure to secondhand smoke and to protect the health and safety of employees, residents, and visitors by improving air quality of building entryways and outdoor areas frequented by the public by (1) calling on all businesses and workplaces across Chemung County to establish tobacco-free entrances, exits, and outdoor common areas on their property, (2) calling on Chemung County government to establish tobacco-free entrances, exits, and outdoor common areas on their properties, and (3) establishing a minimum distance of 30 feet around entrances and exits of buildings for the tobacco-free area while realizing that the distance of the tobacco-free area may have to be increased to account for areas with air stagnation. Motion approved.

AYES: Ken Sobel, MD Christopher Friend, PhD
Robert Lambert, MD Paul Shore, DDS
William G. Howard, MD

NAYS: None

ABSENT: Thomas Curran, DDS Mary Ann Baker, RN
William Roe, PE

The "Young Lungs At Play" is the same concept as the one discussed at the last CCBH meeting, except that it was enhanced based on feedback from the CCBH at that meeting. The CCBH offered some suggestions to further enhance the document. It was suggested to move the 5th bullet item to the first spot, add "ear infections" to the list of ailments listed in the 2nd bullet, and to add a bullet regarding the health risks that have been identified relating to exposures in the outdoor open air to second-hand tobacco smoke. It was requested that the CCBH adopt the position statement and then send letters to local municipalities encouraging them to adopt this position and create local policies.

RESOLUTION: A motion was made by Dr. Howard and seconded by Dr. Lambert that the Chemung County Board of Health endorse and promote the "Young Lungs At Play" proposal as a means to prevent children's exposure to smoking and secondhand smoke in public parks and playgrounds. The Chemung County Board of Health will communicate with the one city, eleven towns, and five villages in Chemung County to invite them to join the County in this endeavor. To accomplish this, the municipalities may need to adopt new laws, ordinances, policies, and/or resolutions. The communication to the

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municipalities will be based on literature prepared by the Southern Tier Tobacco Awareness Community Partnership. Motion approved.

AYES: Ken Sobel, MD Christopher Friend, PhD
Robert Lambert, MD Paul Shore, DDS
William G. Howard, MD

NAYS: None

ABSENT: Thomas Curran, DDS Mary Ann Baker, RN
William Roe, PE

2. KENNEDY VALVE GRANT PROGRAM STATUS – Ms. Corsi provided an update on the status of this grant program. The blood lead testing devices are being distributed to physician's offices and they seem to be overcoming most of the obstacles encountered during the initial distribution. Orchard Family Healthcare has started using the machines. Staff from Southern Tier Pediatrics (STP) came to the Health Department last week for hands-on training. Dr. Sobel added that STP will begin testing all 9-month-olds and 24-month-olds in May 2008. He did add that they have committed to a 6-month trial period which most likely will extend to one full year. But during that time, if it is determined that the lead levels are low, they can't guarantee whether they will be willing to continue with the program. Mr. Kump explained that they have received the XRF machine and are getting set to begin testing homes for lead. The tests will be free, but property owners will be expected to sign an agreement that they will properly address any lead hazards that are identified during the home assessment. Also, the City of Elmira will be administering an aid program to help pay for the cost of mitigation work on homes found to contain lead hazards. Depending on the income of the property owner, there will be grants, no-interest loans, and low-interest loans available. It is believed that one aspect of the program will feed off the others. For example, if more children are tested and found to have lead poisoning, it will enable us to get into more homes for lead testing. Likewise, if we are called upon to test a home for lead, if we find lead hazards we will also have an opportunity to do outreach with the family and encourage them to take advantage of the free blood lead testing that is available. Ms. Swarhout reported on the public relations and media campaign that is currently being developed with the assistance of Howell, Liberatore and Wickham. Samples of the brochure, bus wrap, bus placards, and posters were distributed for the CCBH to observe. The media campaign kick-off is scheduled for the week of April 6th. There are also going to be radio and TV spots run over the next several months to promote the program.

3. DENTAL SEALANT GRANT UPDATE – This agenda item had already been discussed during the dental clinic report earlier in the meeting.

NEW BUSINESS

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NOTE: In the interest of some of the members of the public and the media that had attended the meeting for a specific purpose, item number 4 under “new business” on the agenda was addressed first followed by items 1 through 3. They are being reported below in the order that they appeared on the agenda, not the order they were addressed.

- 1. PANDEMIC FLU PREPAREDNESS** – Mr. Page reported that Ms. Corsi has been working on the SNS (Strategic National Stockpile) plan. Unfortunately, the plan is so complex and detailed that in all reality it probably won't be of much use in an actual emergency. A group of counties in the Western Region of NYS has received a grant to address the problem of how we would surge to handle the increased number of ill people in a pandemic. Some counties in NYS are planning on creating alternate care sites. This just is not a viable solution in this area due to the issue of coming up with adequate staffing for an additional facility. The workgroups formed as part of the grant will study the issue and come up with alternate care “solutions” versus alternate care “sites”. The first meeting is scheduled for next week. In a pandemic, the healthcare industry will become overwhelmed. Dr. Sobel mentioned an interesting article he recently came across regarding the ethical question of who would be the ones to get the available respirators in an emergency. There would end up being a lot of ethical issues that would have to be addressed if such an occurrence were to arise.

- 2. 2008 HOME HEALTH AGENCY RATES** – Mr. Shepard explained to the CCBH that Chemung County is eligible for a 3% rate enhancement in the per visit charge for some of the services provided and requested that the Board pass a resolution regarding the same.

RESOLUTION: A motion was made by Dr. Lambert and seconded by Dr. Howard that the Chemung County Board of Health accept the recommendation of the Chemung County Health Department's external auditor to increase the Home Health Agency charges for Physical Therapy, Occupational Therapy, and Speech Therapy services from \$110.00 per visit to \$120.00 per visit based on the 2006 Cost Reports effective February 1, 2008. Motion approved.

AYES: Ken Sobel, MD
Robert Lambert, MD
William G. Howard, MD
Christopher Friend, PhD
Paul Shore, DDS

NAYS: None

ABSENT: Thomas Curran, DDS
William Roe, PE
Mary Ann Baker, RN

- 3. COLORECTAL GRANT** –Mr. Page reported that they recently learned that the partnership the Health Department had with Arnot Health and others that covered Schuyler and Chemung Counties for colon cancer screening will be terminated after March 31, 2008. The NYSDOH provided very little advance notice of their decision

not to fund the program for the next fiscal year. Chemung County is not alone in learning the fate of the funding. This has caused great consternation and anger among many counties in NYS. We have requested that the NYSDOH reconsider their decision but don't expect any relief. Another option would be to contact a neighboring county that has the program to see if they would contract with Chemung County to perform the services. The NYSDOH wanted more integration of the various components of the program. Ms. Swarthout explained that efforts were made to integrate more of the partners, but didn't realize that it would be reason for disapproval of the grant.

- 4. TATTOO PARLOR REGULATIONS** – Mr. Kump updated the CCBH on the latest information about the recent interest in tattooing regulations. A few weeks ago Mr. Kump was contacted by a local newspaper reporter regarding the lack of regulation of the tattooing industry and inquired as to whether there were any plans to regulate tattooists. The NYSDOH has been working on the development of regulations to cover tattooing and body piercing. Their first goal was to rollout regulations on tanning facilities and then to work on the tattooing and body piercing regulations. The tanning regulations are due out later in 2008. Mr. Kump communicated with the Deputy Director of the Division of Environmental Health with the NYSDOH and learned that the tattooing regulations are due to be implemented in 2009. With that in mind, Mr. Kump did not believe that it was necessary to create local regulations addressing tattooing. The time, effort and expense that would go into creation of these regulations could not be justified. However, if it was learned that the State regulations would be delayed beyond the target date of 2009, then it may be worthwhile to establish local regulations. Mr. Chad Roloson of Tattoorolo commented that he was a tattoo parlor owner and welcomed the regulation of his business. He is very concerned about tattoo facilities that are allowed to operate that are not safe. But with the understanding that the State will be coming out with regulations in the next year, he agrees that it is alright to wait for the State. Mr. Kump encouraged Mr. Roloson to work toward organizing with other reputable tattoo artists so that they could become part of the regulation development process. Southport Town Councilperson Etta Kay Dewey commented that there were several bills proposed by the State Legislature that never get approved and that we can not wait for the State on this. She encouraged everyone to contact our local Legislative representatives urging action. Mr. Kump explained that new legislation is not needed as there is currently a law on the books regarding tattooing and body piercing. The next step is for the NYSDOH Commissioner to create the regulations, send to the Governor's Office Of Regulatory Reform, and then onto the Public Health Council for final adoption. During this process, there will be outreach to the impacted industry to give them a chance to be heard. Mr. Kump mentioned that he had researched the topic and obtained copies of a few county's sanitary codes where this industry was already being regulated on a local level. There seems to be consistent language among the regulations. He discussed some of the areas that are covered by the regulations.

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With no further business to conduct, Dr. Sobel adjourned the meeting at approximately 8:50 PM

Next meeting:

**Board of Health Meeting
May 27, 2008 @ 7:30 PM
Health Department Conference Room**