

**CHEMUNG COUNTY BOARD OF HEALTH
MINUTES
July 22, 2014**

PRESENT:	Gregory Schultz, MD Mary Ann Baker, RN James Gensel, PE John Varga, DVM	Ken Sobel, MD William G. Howard, MD Rosemary Anthony, RN
ABSENT:	Richard Madl	Robert Lambert, MD
OTHERS PRESENT:	Robert Page Melissa Klossner Harry Shepard	Thomas Kump, PE Stacy Hills Terence Lenhardt, MD

Prior to the meeting the CCBH received the following:

1. Agenda for July 22, 2014 CCBH Meeting
2. CCBH Meeting Minutes from April 22, 2014
3. Environmental Health Services Report for April, May & June 2014
4. CHHA 1st Quarter 2014 Financial Report
5. Financial Report through June 30, 2014
6. Dental Services Reports for April, May & June 2014
7. Dental Clinic Change Of Operator Report
8. Draft Dental Clinic Transfer Agreement
9. Hearing Report – On The Way
10. Hearing Report – Maple Lawn Dairy & Restaurant
11. Medical/Dental Staff By-Laws

The following items were distributed at the meeting:

12. STTAC Grant Changes Report
13. STTAC Presentation
14. STTAC Tobacco Versus Candy Handout
15. Draft Resolution Supporting Ending Of Tobacco Sales At Pharmacies

CALL TO ORDER

President Mary Ann Baker called the meeting to order at approximately 7:30 PM.

1. APPROVAL OF MINUTES FOR APRIL 22, 2014 MEETING

RESOLUTION: A motion was made by Dr. Howard and seconded by Dr. Sobel that the minutes of the April 22, 2014 Board of Health meeting be approved and accepted as presented. **Motion approved.**

AYES:	Gregory Schultz, MD Mary Ann Baker, RN Rosemary Anthony, RN	Ken Sobel, MD William G. Howard, MD John Varga, DVM
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NAYES: None

ABSTAIN: James Gensel, PE

ABSENT: Richard Madl Robert Lambert, MD

2. FINANCIAL REPORT

Harry Shepard provided a copy of the Financial Report in the BOH mailing for the period ending June 30, 2014. There was nothing extraordinary to report. Everything is right on target for where we should be at this point in the year. There were no questions for Mr. Shepard.

3. SERVICES REPORTS

- A. ENVIRONMENTAL HEALTH SERVICES** – Thomas Kump mentioned that there were reports for April, May & June 2014 included in the mailing to BOH members in advance of the meeting. Ms. Anthony questioned how it is determined which facilities get inspected and when they get inspected. Mr. Kump explained that most facilities are inspected at least annually. Most inspections are unannounced. Inspections are also conducted in response to complaints from the general public. There were no further questions for Mr. Kump.
- B. PUBLIC HEALTH CLINICS REPORT** – Melissa Klossner reported that a lot of time has been spent on DSRIP activities. An Article 28 survey has been scheduled for the third week in September. This will be part of what is referred to as a “consolidated review” where all health department programs will undergo some level of assessment all at the same time. Transitioning of clinical duties and responsibilities is ongoing. Billing practices will be worked on beginning this fall. There were no further questions for Ms. Klossner.
- C. CHHA FINANCIAL REPORT – 1ST QUARTER 2014** – Melissa Traub was unable to attend the meeting due to another commitment. Mr. Page reported on the financial report for the first quarter of 2014 that was provided in advance of the BOH meeting. Activities, revenues and expenses continue to be stable in the CHHA. There has been a slight decrease in revenues but it has been accompanied with a slight decrease in expenses as well. The number of referrals received continues to be high. The Chemung County Health Department CHHA is only one of two permitted in Chemung County. The other operating CHHA is Gentiva. Guthrie received approval to operate a CHHA in Chemung County but has not yet become operational. Dr. Howard questioned Mr. Page as to whether we have been able to handle all referrals with our existing staff. Mr. Page stated that we are able to handle the referrals, but that it might require a slight delay in admissions to accommodate the referral. We are meeting the current needs at this point in time.

D. DENTAL SERVICES REPORT – Mr. Page mentioned that there were three reports provided in the mailing in advance of the meeting for Dental Services including the April, May & June 2014 reports. Activity at the clinic has been pretty consistent and unremarkable. He reported that the bulk of what has to be reported relative to the Dental Clinic will occur under later agenda items. The “no show” rate continues to be high. Dr. Lax was on leave for a short period of time due to surgery which added to the decrease in productivity. There were no further questions for Mr. Page.

OLD BUSINESS

1. DSRIP UPDATE – Dr. Lambert was unable to attend the meeting. Ms. Anthony presented a summary of the Medicaid Redesign Team (MRT) under Governor Cuomo with the goal to fundamentally re-structure the NYS Medicaid program. The DSRIP (Delivery System Redesign Incentive Payment) initiative has been consuming much time among the various partners working on this project. Tight deadlines and the requirement of collaboration have compounded the difficulties of the effort. The current plan involves 4 different domains and includes 10 separate projects. This will need to be further refined. This was all put together based on data from the latest community health needs assessment. Chemung County is currently rated at 60 out of 62 counties with regard to health outcomes, so something needs to be done to address this problem. This collaboration involves Chemung, Schuyler, and Steuben counties. Broome County reached out to see if there was any interest in collaborating with them on this project, but their needs did not seem to align with the needs found in our immediate 3-county area.

2. DENTAL CLINIC TRANSITION – Mr. Page stated that the Dental Clinic has been a financial and operational challenge for several years. The clinic was originally established to serve Medicaid patients. The reimbursement rate has been frozen for about 20 years. There is not any hope for success if the clinic continues as a county operation. About a year ago efforts were made to look at alternative approaches. Contact was made with Bethany Village as a possible operator of the clinic. The desire was certainly there, but the facilities were not conducive to operating a dental clinic. Next contact was made with the Technical Assistance Center in Rochester who directed us to the Regional Primary Care Network (RPCN) in Rochester. They had identified a service gap in the southern tier and showed a sincere interest in taking over the dental clinic. A draft transfer agreement has been created that will be presented to the County Legislature for review and approval. Minor renovations to the CCHD clinic area will be required. The plan is that RPCN will take over the operating certificate for the clinic and the County will then only act as a landlord with no clinical responsibility. RPCN is also reaching out to Arnot Health to consider possible collaborations in primary care and mental health services. The current CCHD dentist and hygienist will be retiring. Other dental clinic staff will be given the opportunity to apply for positions with RPCN.

NEW BUSINESS

1. TOBACCO GRANT PRESENTATION – Stacy Hills provided a handout summarizing changes to the tobacco grant. She also provided a PowerPoint presentation. With the new grant that covers a 5-year period, the staff will double and the annual grant amount nearly doubled. Some of the initiatives from the past will remain and other new initiatives will be pursued. Ms. Hills provided a draft Resolution in Support of Ending Tobacco Sales at Pharmacies. She mentioned that this has been successful in other states. It was suggested that CCBH members review the draft resolution for consideration of adoption at the September 2014 CCBH meeting. To illustrate the deception in tobacco marketing, Ms. Hills presented a handout showing multiple examples of candy and tobacco products side-by-side and asked whether anyone could tell the tobacco products from the candy. The conclusion was that it can be very deceiving.

2. LYME DISEASE CLINICAL PROTOCOLS–Ms. Klossner mentioned that the CCHD was notified by a parent of a situation where the parent questioned the treatment of their child for a potential Lyme Disease exposure. While the complaint could not be substantiated, it was decided that a proactive approach would be to put together an informational packet for distribution to local health care providers. She proposed including a copy of the letter from the NYSDOH with the latest results of tick surveillance that has been ongoing, laminated treatment cards from the NYSDOH, the CDC 2014 Reference Manual, and information from the Oxford Journal of Infectious Medicine. There was no objection from the CCBH to prepare a packet for distribution so Ms. Klossner will carry on with that project in a timely manner.

3. ENVIRONMENTAL HEALTH HEARINGS – Mr. Shepard discussed his findings from the first hearing that was held with the operator of **On The Way** in response to a violation of the ATUPA. The respondent declined the Stipulation Offer of \$500 and requested a hearing. A hearing was held on June 24, 2014. Representatives of EHS and **On The Way** were present. Both groups presented facts and evidence of the case. **On The Way** did not dispute that a sale of tobacco occurred, but were more concerned about the possibility of losing their license to sell tobacco due to the number of points that would be on their record.

RESOLUTION: A motion was made by Dr. Howard and seconded by Dr. Schultz that a fine of \$600 (plus \$50 State surcharge) be ordered against the operator of **On The Way** for the sale of tobacco to a minor. **Motion approved.**

AYES: Gregory Schultz, MD
Mary Ann Baker, RN
James Gensel, PE
John Varga, DVM
Ken Sobel, MD
William G. Howard, MD
Rosemary Anthony, RN

NAYES: None

ABSENT: Richard Madl
Robert Lambert, MD

CHEMUNG COUNTY BOARD OF HEALTH
MINUTES – 7/22/2014

Mr. Shepard proceeded to present his findings from the second hearing which was with the operator of **Maple Lawn Dairy & Restaurant** for the violation of room-temperature storage of a potentially hazardous food item. The respondent declined the Stipulation Offer of \$300 and requested a hearing. A hearing was held on June 24, 2014. Representatives of EHS and **Maple Lawn Dairy & Restaurant** were present. Both groups presented facts and evidence of the case. **Maple Lawn Dairy & Restaurant** did not dispute that a room-temperature storage of a potentially hazardous food item violation had occurred, but were more concerned about the fact that they had just then during that inspection learned that it was a violation and have been doing that practice with that particular food item for several years. The operator thought that the fine offered in the Stipulation Offer was excessive and considering all of the facts of the case thought that the fine should be reduced.

RESOLUTION: A motion was made by Dr. Sobel and seconded by Dr. Howard that a fine of \$150 be ordered against the operator of **Maple Lawn Dairy & Restaurant** for the violation of room-temperature storage of a potentially hazardous food item. **Motion approved.**

AYES: Gregory Schultz, MD Ken Sobel, MD
Mary Ann Baker, RN William G. Howard, MD
James Gensel, PE Rosemary Anthony, RN
John Varga, DVM

NAYES: None

ABSENT: Richard Madl Robert Lambert, MD

4. MEDICAL STAFF BYLAWS REVIEW/APPROVAL – Mr. Page presented the CCBH with a draft proposal of changes to the Medical Staff Bylaws as well as re-applications for staff privileges. The proposed changes were highlighted in bold text. Dr. Howard also suggested that the wording relative to qualifications for membership be changed to allow practitioners with current privileges at an NYS hospital to be approved without further investigation or documentation.

RESOLUTION: A motion was made by Dr. Sobel and seconded by Dr. Schultz that the proposed revisions offered by both Mr. Page and Dr. Howard be accepted as presented. **Motion approved.**

AYES: Gregory Schultz, MD Ken Sobel, MD
Mary Ann Baker, RN William G. Howard, MD
James Gensel, PE Rosemary Anthony, RN
John Varga, DVM

NAYES: None

ABSENT: Richard Madl Robert Lambert, MD

**CHEMUNG COUNTY BOARD OF HEALTH
MINUTES – 7/22/2014**

There are currently four practitioners that are up for re-appointment. The four include Rebecca Fears, Cynthia Brace, Ted Lax, and Terence Lenhardt. All four practitioners continue to meet the requirements for membership as included in the bylaws.

RESOLUTION: A motion was made by Dr. Howard and seconded by Dr. Schultz that the four current CCHD practitioners be re-appointed for privileges at the CCHD: Rebecca Fears, NP; Cynthia Brace, NP, Dr. Ted Lax, and Dr. Terence Lenhardt. **Motion approved.**

AYES: Gregory Schultz, MD Ken Sobel, MD
Mary Ann Baker, RN William G. Howard, MD
James Gensel, PE Rosemary Anthony, RN
John Varga, DVM

NAYES: None

ABSENT: Richard Madl Robert Lambert, MD

5. REPLACEMENT OF DR. SHORE ON BOARD OF HEALTH – President Baker discussed the fact that a replacement for Dr. Shore is needed and solicited input as to potential candidates for consideration of appointment by the County Legislature. A number of names of dental practitioners were suggested. Mr. Page will make contact with the preferred candidate and begin the approval process with the County Executive and Legislature.

ADJOURNMENT

With no further business to conduct, President Baker entertained a motion to adjourn.

RESOLUTION: With no further business to conduct, a motion was made by Dr. Howard and seconded by Dr. Schultz that the CCBH be adjourned until the next regular meeting of September 23, 2014. **Motion approved.**

AYES: Gregory Schultz, MD Ken Sobel, MD
Mary Ann Baker, RN William G. Howard, MD
James Gensel, PE Rosemary Anthony, RN
John Varga, DVM

NAYES: None

ABSENT: Richard Madl Robert Lambert, MD

The meeting was adjourned at approximately 9:00 PM.

Next meeting: **Board of Health Meeting**
September 23, 2014 @ 7:30 PM
Health Department Conference Room