



CATTARAUGUS COUNTY BOARD OF HEALTH

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Public Health
Prevent. Promote. Protect.
Cattaraugus County
Health Department
Established 1923

Joseph Bohan, MD, President

Giles Hamlin, MD, Vice-President

Zahid Chohan, MD

Sondra Fox, RN, MSN, C.S.

Richard Haberer

Theresa Raftis

David L. Smith, Mayor

James Snyder, Legislator

Kathryn Cooney Thrush, NP, MSN

MINUTES May 7, 2019

The 875th meeting of the Cattaraugus County Board of Health (BOH) was held at The Point Restaurant, 800 East State Street, Olean, New York on May 7, 2019.

The following members were present:

Dr. Joseph Bohan

Mayor David Smith

Dr. Giles Hamlin

James Snyder, Legislator

Richard Haberer

Also present were:

Kevin D. Watkins, MD, MPH, Public Health Director

Tom Brady, County Attorney

Dr. Paul Schwach, Clinical Physician

John Bennett, Kids Escaping Drugs, Assistant Face2Face Director

Sondra, Student

Barb Hastings, Legislator

Donna Vickman, Legislator

Rick Miller, Olean Times Herald

Raymond Jordan, Sr. Public Health Sanitarian

Debra Lacher, Secretary to the Public Health Director

Colette Lulay-Pound, Administrative Officer

Lynne Moore, Director of Patient Services

Dave Porter, Hearing Officer

The meeting was called to order by Dr. Joseph Bohan. The roll was called and a quorum declared.

Legislator Snyder made a motion to approve the minutes of the BOH meeting held on April 3, 2019 it was seconded by Dr. Hamlin and the motion was unanimously approved.

Dr. Bohan introduced John Bennett, Assistant Face2Face Director for the Kids Escaping Drugs program, and welcomed his return to speak to the BOH.

John shared that their face2face program allows kids to discuss the real life consequences of their drug use to other students which really hits home with them. This program has been presented to over 25,000 people this year.

Vaping is an epidemic with adolescents. The adult definition of vaping is to inhale vapor through the mouth of a battery or electronic operated device such as an electronic cigarette that heats up and vaporizes a liquid to a solid. The adolescent definition of vaping is a slang term for vaporizer which is used to smoke marijuana, tobacco, and other smoking mixtures. Adolescents believe that vaporizers are a healthy alternative to smoking and reduces your intake of toxins. John stated he is here today to argue the exact opposite is true.

The first modern vaping devices were invented in 2003 by a man in China, whose father was suffering from lung cancer due to smoking cigarettes. He created the device to help his father quit smoking. In 2016 there was legislation passed that companies have to start declaring what is in the ingredients of their product and how much nicotine is in it. Any company in business prior to 2016 is grandfathered in until 2020, so until that time they are not required to follow the legislation. The younger generation has chosen to not smoke cigarettes some still do, but it is at an all-time low. Therefore a lot of the big tobacco companies are backing the vaping companies, and they are making so much money on the new trend of vaping, that it doesn't matter the younger generation is not buying cigarettes. John shared that his fear is the legislation won't stand due to big tobacco companies lobbying to change the ruling.

John shared that he sees a market for vaping but it is the adult smoker who is addicted to cigarettes who is trying to quit. Vaping addresses both the physical and social aspect of smoking a cigarette.

The amount of nicotine in a Juul pod is 59 milligrams of nicotine salt, the difference between nicotine and nicotine salt is salt absorbs in the bloodstream much quicker, giving them a much stronger hit. The limit in Europe for the amount of nicotine is 20 milligrams, as they are much more regulated than the States. Smock devices are super popular in schools because kids can put whatever they want in them, including things other than straight nicotine. When the vaping fad ends the nicotine addiction will remain, nicotine is one of the most addicting substances there are. The dangers of nicotine on the brain are an increased risk for mental health issues, risk of future addiction, and damages prefrontal cortex which endangers your decision making skills. Legislator Hastings asked if there was lobbying going on at the State or Federal level in regards to limiting advertising for nicotine. John replied he was not sure but that it would help if there was. Legislator Hastings asked what could be done to help this situation. John replied limiting the amount of nicotine salt allowed to be sold, and limiting the amount of advertising of these products. Dr. Bohan asked if any County or State has been successful in lowering the nicotine content and/or limiting the available flavors. John replied not that he knows of. Dr. Bohan asked the County Attorney what could be done at the legislative level. Mr. Brady, County Attorney stated that he will look to see if there is anything that can be done at a County level to help. Dr. Watkins added that there is a bill in the State house that is looking at eliminating flavors for vaping, from there it would move to the Senate, and then need to be signed off on by the Governor.

Sondra shared that she came to kids escaping drugs campus 6 months ago, and her drug of choice was weed, and meth. Her addiction began by smoking cigarettes at age 13 or 14, and her boyfriend introduced her to vaping. She preferred vaping as it was easier to hide but classmates began filling their vapes with other drugs, and you would not know what you were smoking. Sondra shared that her biggest fear is getting cancer and that was a major motive to help her quit smoking.

Sondra shared that her biggest fear is getting cancer and that was a major motive to quit smoking. John asked Sondra what percentage of kids in her school were experimenting with vaping. Sondra responded approximately 60%. John stated that many school districts believe that 80% of their students are experimenting with vaping. John asked Sondra what helps to quell her cravings. Sondra stated that her fear of cancer is what stops her and now if she has a craving she will chew on a piece of candy, she will talk, play music, exercise, and journal about the desire. Dr. Schwach asked how long the craving for nicotine will persist after someone quits. John said for many it is a lifelong craving. Dr. Bohan stated that the (3) things the County should be looking into is eliminating the flavors, cartridges should be sealed so they cannot be tampered with, and prohibition of the sale of these products to anyone under 21, which we already have as a local law.

DIRECTORS REPORT: Dr. Watkins shared the department's 2018 annual report, he stated that the report has been divided into the ten essential public health services and there are lots of comparative analysis in the report. The report shows that homecare had an average daily census of (281) patients, with care provided to (1,274) unduplicated individuals within that program. There has been a continual decrease in the services that are provided in this program which is a direct result of the competition that now exists in the area. The long-term program has essentially been placed on hold as the department has submitted a request to surrender the certificate for this program.

The maternal child health program assists individuals who may have no healthcare to enroll in a presumptive Medicaid health program. The department assisted (18) eligible individuals to receive this service, (35) individuals received (93) visits through the Medicaid Obstetric Maternal Services (MOMS) program.

The objective of the family planning services is to reduce adolescent pregnancy, and unintended pregnancy in all age groups, as well as to prevent disease that afflicts the reproductive organs. There has been a huge decrease in teenage pregnancies within Cattaraugus County. In 1990 Cattaraugus County had one of the highest teenage pregnancy rates in New York State (NYS), and this trend has significantly decreased.

The Sexually Transmitted Disease (STD) clinic provides testing and treatment for chlamydia, gonorrhea, syphilis, herpes, and HIV. In 2018 chlamydia was the most common STD identified, followed by hepatitis C which had a rate of 90.1 in Cattaraugus County. That rate could be attributed to a number of things including an increased use of individuals using needles, and hepatitis C can sometimes go unnoticed. Dr. Bohan asked if the rate was per 100,000, and Dr. Watkins confirmed yes.

Lead poisoning prevention is key in Cattaraugus County as the majority of the housing stock in Cattaraugus County was built prior to 1978, approximately 60%. The department is monitoring over 1,400 blood lead levels through electronic reporting through the Health Commerce System to insure that all children are receiving proper follow-up for elevated blood lead levels. Testing of children is done at age 1 and age 2, including testing at the WIC clinic sites.

The environmental health division oversees both the State and County sanitary codes for the department. The public water system program works with operation and management personnel at (182) public and (11) non-public water systems throughout the county to ensure the provision of safe drinking water. During 2018 environmental health staff performed required inspections at (142) public water supplies.

The staff also performs routine facility inspections, to insure compliance with regulatory requirements, in 2018 (522) food services were regulated by the department. In 2017 the BOH passed an ordinance that all food service facilities that were classified as medium or high risk must complete an approved food service manager training course. Two facilities were fined for not complying with this ordinance in 2018.

In 2018 there were (44) smoking compliance checks to ensure that indoor smoking in public places is not occurring.

In addition, there is an adolescent tobacco use prevention act (ATUPA) program where (54) licensed establishments were checked. Underage youth volunteers attempt to purchase tobacco products while riding with health department staff. These volunteers are age 18 and younger, if they are sold a package of cigarettes that is a violation against the particular facility who makes the sale. Seventy seven checks were completed in 2018 with (3) sales made to minors. This program will be changing when the Governor signs into law the tobacco 21 program which will raise the legal age to purchase cigarettes to age 21.

There were (38) formal enforcement actions initiated for various violations, (12) of those required a BOH hearing.

Other programs include health education, early intervention, a child find program, a physically handicapped program, children with special health care needs, women infant and children's program known as the WIC program, the full service clinical laboratory, and the public health emergency preparedness program.

As far as accreditation, this was the first year after being accredited and the department submitted its first year annual report that was approved by the BOH. The accreditation Board was very pleased with the department's progress. In 2018 the department implemented (6) quality improvement projects.

The total revenue for the department was just over 11 million dollars in 2018, and the expenses were a little over 11 million dollars as well.

Dr. Watkins acknowledged Gina Parks, Dr. Shomita Steiner, and Deb Nichols for their work on the annual report.

Dr. Watkins presented one action item for the homecare division, as they had their annual cost report audit completed last month. The summary of this audit found that the homecare division broke even regarding the revenue and expenses to run the program but when it came to the operating expenses the program actually fell short by \$500,000. In the past the program covered these expenses but due to several changing factors in the program the department experienced an unprecedented loss. Going forward the department will develop a strategic plan to deal with these future losses. The cost report showed that several current rates are lower than what it costs the department to provide services, therefore the department is asking the Board's permission to approve a rate hike for certain services that are being provided by the homecare division. These rates have not been increased in over (5) years. Handouts were provided to those in attendance that outlined the charges for various types of homecare visits, and Dr. Watkins covered the requested changes. Dr. Boahn asked how these rates compared to other counties.

Dr. Watkins stated that Cattaraugus County has some of the lowest rates amongst the other ten county health departments that run a certified home health agency. Mr. Haberer asked if the participating client's co-pays would be affected with these changes. Dr. Watkins replied no. A motion was made by Mayor Smith to approve the new homecare rates as presented, it was seconded by Mr. Haberer, and unanimously approved.

Public health news, last Friday the State commissioner of Health Dr. Zucker, declared that influenza is no longer prevalent in New York State for the 2018-19 influenza season. At this time, personnel who was not vaccinated against influenza during this influenza season, will no longer be required to wear a surgical or procedure mask while in areas where patients or residents may be present.

There were (60) more measles cases reported since our last meeting, increasing 2019 tally to (764) reported cases throughout a number of states, which is a 25 year high. In 1994 there were (963) reported cases. Rockland County continues to be the epicenter for where a number of measles cases are being reported in the unvaccinated Orthodox Jewish communities. Legislator Snyder asked if there were any reported cases in our County. Dr. Watkins replied none at this time.

Legislation is being discussed to revoke the religion exemption clause that a number of people are using to avoid getting vaccinated. Leaving only a medical reason why a person should not get vaccinated. As discussed at a previous meeting, Cattaraugus County has one of the highest religion exemption rates among NY counties, especially among our Amish community. If this legislation is passed, this would be a problem for our community as we have a large Amish population.

Lead is a toxic metal that is harmful to human health, if ingested or inhaled. Children under 6 years of age are more likely to get lead poisoning more so than any other age group. The State has lowered the definition of elevated blood lead level from greater than or equal to 10 micrograms per deciliter to greater than or equal to 5 micrograms per deciliter. Cattaraugus County had already moved in that direction, as the department started in our nursing division to actually conduct evaluations of children, and their nutritional habits who were identified with blood lead levels at 5 micrograms per deciliter or higher. Our nursing staff goes out and does education, talks about risk reduction, and nutrition. New York State will now require all LHD's environmental health divisions to go out and complete an environmental health assessment when a child's blood lead level has been identified as 5 micrograms per deciliter or higher. This will be an additional cost to the department, which will impact the department immensely. In 2018 there were (65) new blood lead level cases in Cattaraugus County that fell within this new actionable level. Due to the number of homes that will need to have an environmental health assessment, the department will need to purchase an X-ray Fluorescence (XRF) machine to analyze the lead content in homes being investigated by staff. One machine will cost \$15,000, in addition the department will need personnel to assist in these investigations. Mr. Jordan added that for 2018 they had (8) children whom they completed investigations on, at (10) residences. With the new mandate that would have required an additional (65) children in 2018 which could have multiple residences. Dr. Watkins asked how long a typical assessment would take. Mr. Jordan replied that they take anywhere from half a day to two thirds of a day depending on the size of the home, and outside area that must be investigated at the initial visit.

Mayor Smith thanked Mr. Bennett and Sondra for sharing their information. He also thanked the BOH, and Dr. Watkins for their cards of sympathy to his family in their recent loss.

NURSING DIVISION REPORT: Mrs. Moore reported that homecare is maintaining a census of (301) as of today.

Outcome and Assessment Information Set (OASIS) training will be held next month and the department will be sending (4) nurses. Centers for Medicare and Medicaid Services (CMS) is proposing to implement a new payment system for home health called the Patient-Driven Groupings Model (PDGM), which removes the use of therapy thresholds for payment determinations. Instead PDGM would use 30-day periods of care as its payment unit, emphasizing the focus on value-based payments. If implemented, the PDGM would become effective January 1, 2020. There will be a lot of training involved for our coder in order that she can capture correct reimbursement.

The lead program is following (74) children with elevated blood lead levels between 5ug/dl and 30.5ug/dl (normal, <5ug/dl). Testing is still being done off site at the WIC clinics, and was conducted at the healthy kid's day at the YMCA where (16) finger sticks were performed. Any child identified with an elevated blood lead levels must submit a venous sample for confirmation. There were (2) children with elevated blood lead levels of 5.1ug/dl and 6.4ug/dl. Low participation of lead testing rates at certain agencies prompted a visit from our nurse to the Gowanda Medical Center, Universal Primary Care (UPC) in Salamanca, and Olean, Pediatric Healthcare in Salamanca, and Olean. She provided testing rates of other counties and agencies as well as the NYS guidelines, identification and management of blood lead exposure. The next lead coalition meeting will be held on May 15th.

Communicable Disease Report: Influenza is no longer prevalent, there were (72) cases last month.

Hepatitis B, there was (1) chronic case, Hepatitis C, there were (6) chronic cases, Lyme disease, there was (1) confirmed case, invasive Strep A, there was (1) case, campylobacter, there were (2) confirmed cases, Pertussis, there were (2) confirmed cases.

Sexually transmitted diseases included (15) positive cases of chlamydia, (5) cases of gonorrhea, and (2) individuals with both chlamydia and gonorrhea, (1) confirmed case of syphilis.

There were (2) post exposures rabies prophylaxis vaccine series administered related to dog bites.

ENVIRONMENTAL HEALTH DIVISION REPORT: Mr. Jordan reported that the work load for staff to conduct environmental health assessments for the new actionable lead levels of 5ug/dl will increase the environmental health workload by 6-7 times its current workload.

The new sanitarian trainee started on April 29th, and will attend her first State formal training in June. The topic will be how to complete sanitary surveys with public water supplies, and hopefully this fall the basic environmental health courses will be available for her to attend in WNY.

The May's rabies clinic was held last Saturday in Little Valley, a total of (413) animals were vaccinated, which is about 25% lower than last year. The next round of clinics will be in September.

Enforcement Report: Mr. Porter reported no new enforcement cases at this time.

There will be no BOH meeting held in the month of June, the next meeting will be Wednesday, July 3, 2019.

There being no further business to discuss, a motion to adjourn was made by Mr. Haberer and seconded by Dr. Hamlin and unanimously approved.

Respectfully submitted,



Kevin D. Watkins, M.D., M.P.H.
Secretary to the Board of Health