



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 August 7, 2019

The 877th meeting of the Cattaraugus County Board of Health (BOH) was held at The Point Restaurant, 800 East State Street, Olean, New York on August 7, 2019.

The following members were present:

Joseph Bohan, MD

Zahid Chohan, MD

Sondra Fox, RN, MSN, C.S.

Richard Haberer

Theresa Raftis

Mayor David Smith

James Snyder, Sr. Legislator Chair

Kathryn Cooney Thrush, NP, MSN

Also present were:

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

Karen Hill, Executive Director, Southern Tier Child Advocacy Center (STCAC)

Ann Zimmerman, MD, Medical Director STCAC

Tom Brady, County Attorney

Sue Labuhn, Legislator

Donna Vickman, Legislator

Raymond Jordan, Sr. Public Health Sanitarian

Debra Lacher, Secretary to the Public Health Director

Lynne Moore, Director of Patient Services

Dave Porter, Hearing Officer

Dr. Paul Schwach, Clinic Physician

Dr. Gilbert Witte, Medical Director

Rick Miller, Olean Times Herald

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

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

Dr. Bohan introduced guests Karen Hill, Executive Director of Southern Tier Advocacy Center (STCAC) and Dr. Ann Zimmerman, Medical Director of STCAC who came to the BOH meeting to share information about the Child Advocacy Center and their mission to prevent victimization of children.

Ms. Hill shared that the child advocacy center is a 24 hour, 7 days a week facility. If a child is abused in the community staff from the center will respond as needed. She added that there are many internet crimes involving children that are happening within our community, children are being exploited, and trafficked. The center has a computer crime lab within the facility, and Olean General Hospital who is a partner, assists with laboratory testing. The center is a safe child friendly center that supports a multi-disciplinary investigative approach to child physical and sexual abuse allegations. Services provided include medical evaluations, victim advocacy, mental health services, information and referrals. Trauma assessments are performed on both the child and families to understand what impact and symptoms the victims are experiencing. There are many instances where domestic violence is the reasons for referral to the center.

Dr. Zimmerman shared that the physical exam given to children assures the family and child that they will be alright. Children who have experienced episodes of abuse within their childhood, are more likely to have significant physical, and behavioral problems later on in life. Dr. Bohan asked where the facility was located, Dr. Zimmerman replied 772 Main Street in Olean.

A mobile unit was recently awarded to STCAC by New York State Office of Children and Family Services (OCFS) and it will arrive within the next two weeks. This will allow forensic interviews out in the community when a child cannot get to the center. Some families in outlying areas have had transportation problems in the past and this will alleviate that obstacle. The unit will not have any identifying logos, it will look like a regular mobile home but will be set up with all the forensic equipment needed to complete interviews inside. Dr. Chohan asked if the center saw many church leaders as the culprit of child abuse. Ms. Hill replied there is no area in the community that has not been touched, the center has serviced every town, village, and city within the county, and all walks of life.

Legislator Snyder asked about the staffing at STCAC. Ms. Hill stated that they have a comprehensive personnel staff including a full time law enforcement officer, (3) family advocates, (1) full time therapist, case manager, program coordinator, executive director, and a part-time therapist. Child protective services, and physicians come in and out and the District Attorney works with the center but does not have an office inside the center. There is also a golden retriever named Addie who is being trained as a service dog, who has been well received by the children being serviced. Seven percent of the caseload comes from the Seneca Nation. Mayor Smith commended the advocacy center for their ability to make families feel comfortable, and provide communication to the schools. Dr. Schwach asked about other referrals coming into the center besides what is received from the emergency room (ER). Ms. Hill replied that besides the ER, referrals typically come from law enforcement, and occasionally a school. Dr. Bohan asked how the center was funded. Ms. Hill stated that the center is a not for profit organization, grants, donations and fundraising all help to fund the center's operation.

Dr. Bohan announced Dr. Watkins newest achievement serving as the Vice President of the New York State Association of County Health Officials (NYSACHO) and a member of their executive Board. Dr. Bohan shared that NYSACHO is made up of (58) Counties and this is quite an honor to have achieved.

DIRECTORS REPORT: Dr. Watkins provided handouts to all in attendance of several topics he planned to cover. The first packet covered school vaccination requirements.

He stated that NYS Public Health Law section 21.64, and the NY Codes Rules and Regulations (NYCRR) Title 10, subpart 66-1 now requires every student attending public, private, or parochial school in NYS to be immunized against diphtheria, tetanus, pertussis, measles, mumps, rubella, polio, hepatitis B, chicken pox, and meningococcal in accordance with the Advisory Committee on Immunization Practices (ACIP) recommendations.

The amended Public Health Law Section 21.64 provides for medical exemptions only, the law will no longer allow religious exemptions.

A notice that came from NYSDOH, Office of Children and Family Services and State Education Department, dated June 14, 2019 was provided to those in attendance along with a list of frequently asked questions (FAQ).

Dr. Watkins stated that a recent measles outbreak in 2018/2019 in NYS seemed to be the trigger for the swift change in the regulations.

Those children who previously had a religious exemption should have receive their first age appropriate dose by June 28, 2019 in order to attend or remain in school or child day care. Also, by July 14, 2019 parents and guardians of such children should have shown that they have scheduled appointments for all required follow-up doses. Dr. Watkins stated that only physicians licensed to practice medicine in NYS are allowed to issue medical exemptions, there will not be an allowance of physician's assistants or nurse practitioners to issue the exemptions at this time.

Several questions to the three state agencies included how to handle special population children specifically, the Amish children, who ride the public school busses, and as of date, the department is still awaiting their ruling. Attorney Brady stated that he believes it would be best to await the States decision to see what develops as opposed to trying to make our own regulation. If the school year starts and the school district does not permit Amish children to ride their bus, then that will be a school district decision. A handout was provided, to all those in attendance, which showed a list of schools in Cattaraugus County and the school's immunization status, the handout also provided a percentage of religious exemptions within each school. It was noted that the list identified nearly twenty school that had 100% of their students with religious exemptions. Dr. Watkins stated that those schools are our Amish schools and the census for each school can range from 20-30 students, he explained that he has not been able to confirm how many of those children utilize the bus system.

Dr. Watkins shared a report that showed nearly one third of Cattaraugus County schools had students who were identified by their body mass indexes as being overweight or obese. School districts most concerning included Portville's-Elementary 51.9%, Mid/High 41.9%, District 48.3%, Gowanda-Mid/High 46%, and Randolph Mid/High 46.3%.

He stated that the American Heart Association recommends that all elementary students should participate in at least 150 minutes a week of physical education, in addition they recommend that those who are in middle and high school participate in at least 225 minutes of physical education per week, for the entire school year. Other recommendations included getting the schools to remain open outside of normal hours allowing students to use the gymnasium or other exercise facilities. Finally, the American Academy of Pediatrics recommends reducing screen time to no more than two hours per day, encouraging, students to decrease the number of hours that they are playing video games and watching television. Dr. Watkins stated the department will continue to work with our partners in education to enact these recommendations.

At the last BOH meeting Dr. Bohan inquired about the percentage of nicotine in cigarettes, and e-cigarettes to see if a recommendation could be added to the e-cigarettes local law to restrict the amount of nicotine that is allowed in e-cigarettes.

The European Union placed regulations on vaping products that imposes a restriction on nicotine content in e-liquid cigarettes. The nicotine content in an e-liquid cigarette cannot exceed 2%, or 20 mg/mL in the European Union. This regulation was put in place to ensure that people who vaped did not consume more nicotine than they would by smoking a pack of European cigarettes.

A handout was provide to all those in attendance of a list of domestic cigarettes, in which the nicotine, tar and carbon monoxide, content was provided per brand. In the list, nicotine is listed in milligrams per cigarette. Nicotine range is from 0.04 - 2.89 mg per cigarette.

A single JUUL pod contains 0.7 milliliters of nicotine, each 5% JUUL pod is manufactured to contain about 40mg of nicotine based on 59mg/mL ($0.7\text{ml} \times 59\text{mg/ml} = 41.3\text{mg}$).

Each 3% JUUL pod is manufactured to contain about 23mg of nicotine based on 35mg/mL ($0.7\text{ml} \times 35\text{mg/ml} = 24.5\text{mg}$).

By JUUL Labs' account, this is the equivalent of approximately 1 pack of cigarettes per pod in terms of nicotine. The amount of nicotine in these JUUL pods are absorbed into the bloodstream at a much faster rate than a typical e-cigarette and the nicotine addiction rate is assumed to be much faster as well.

A vape shop who makes its own products, may carry e-liquid nicotine in a concentration of 0% nicotine up to as high as 5%.

A handout was provided to those in attendance "Understanding Nicotine Strengths and Percentages", which addresses vaping and nicotine exposure.

A recommendation has been made by the BOH to the legislators to amend the current local law that would prohibit the sale of flavored e-liquids, if the concentration of nicotine is to be restricted, that may be something the Board could propose at a later date.

Dr. Bohan stated that one of the best control studies was in the New England Journal of Medicine in February. This was a United Kingdom study where they tested getting people off cigarettes with the patch, seeing a therapist or having them use e-cigarettes (maximum e-cigarette is 1.8 milligrams). The study proved that they were more successful getting people off cigarettes with the e-cigarette versus just a patch but the unfortunate result was those who were given the e-cigarette, continued to use it therefore simply substituting one addiction for another. Legislator Labuhn shared that after attending the recent county fair she was alarmed to see the number of youth in the midway who were vaping. Mrs. Fox asked if it cost more to vape than use cigarettes. Dr. Watkins replied that the vaping apparatus can cost anywhere between \$30.00 and \$40.00, then you must purchase the pods or liquid which is approximately \$10.00 per cartridge.

NURSING DIVISION REPORT: Mrs. Moore reported that the homecare census is fluctuating between (260) to (270) patients. In the downtime the nurses are doing some marketing, switching our focus from facilities to Doctor's offices.

The Field of Dreams, a new assisted living facility which was recently built in the town of Allegany, is scheduled to open this month. In conjunction with Willcare, Cattaraugus County signed a contract to provide homecare services to their residents. Willcare will be providing the services, and the department will be the Certified Home Health Agency (CHHA) that Willcare will work under. This should boost the department's census some. The facility has a memory care unit, an assisted living unit, and eventually cottages for independent living.

The lead program is following (69) children with elevated blood lead levels (normal < 5ug/dl). The program added (3) venous confirmed cases last month. Lead education is offered at all the WIC clinics. The next lead coalition meeting will be held on August 14th in the department's conference room. At the meeting they plan to brainstorm on how to boost lead testing rates, as testing is less than 50% in some areas of the county.

In the clinic there is a shortage of Tubersol and Aplisol which is the solution used to conduct skin testing for tuberculosis. Currently there is a three to ten month delay on orders. Fortunately, we had ordered (100) doses and still have about (70) left right now. Guidance per NYSDOH is to offer tuberculin skin test to highest priority persons who includes: persons who are contacts to infectious cases, persons being evaluated for suspected active TB, persons at increased risk for TB due to medical conditions and persons who recently arrived from countries with a high incidence of TB. In addition, still offer serial TB testing for health care personnel in various clinical settings.

Communicable diseases in July: Hepatitis B, there was (2) positive cases; Hepatitis C, there were (6) chronic cases; Lyme disease, there were (6) confirmed cases; E-coli, (1) confirmed case; Strep B invasive group, (1) confirmed case, Campylobacter, (1) confirmed case.

Sexually transmitted diseases included: Chlamydia, (16) positive cases, Gonorrhea, (1) positive case.

Rabies, (5) pre-exposure prophylaxis vaccines and (14) post exposure prophylaxis vaccines were given in the month of July. All bats sent out for testing have so far been negative.

Legislator Vickman shared that she was visiting a friend who was at Olean General Hospital (OGH) when a discharge planner arrived to set up homecare services. She indicated that her preference would be Cattaraugus County Health Department's Home Care for services, (5) days later when she was discharged she did not have Cattaraugus County as her provider. Dr. Watkins stated that he would ask for another meeting with OGH to try and resolve this continued problem of patients not given a choice. Legislator Labuhn stated she also had a friend recently discharged that was not aware that Cattaraugus County offered homecare services, as the hospital is not giving out that option.

ENVIRONMENTAL HEALTH DIVISION REPORT: Mr. Jordan reported that staff has been busy with, children's camps, sewage programs, and temporary food festival permits.

Three more rabies specimens have just been submitted, one of which was from the nursing home in Machias.

Enforcement Report: Mr. Porter reported the enforcements from July 9, 2019.

Docket #19-017:

**Respondent: Thomas A. Gilray, 1474 Four Mile Rd., Allegany, NY 14706.
Violation 10NYCRR Section 17.4 (a) Respondent operating a mobile home park
without having a valid permit to operate from the CCHD. Permit expired 5-31-19.**

Recommendation: That the civil compromise offered of \$625.00 be changed to a fine of \$400.00 to be paid on or before 8/30/19. A \$10.00 per day per diem will be levied for non-compliance.

A motion was made by Mr. Haberer to accept this recommendation, seconded by Mayor Smith, and unanimously approved.

Docket# 19-019:

**Respondent: Hutch Enterprises, Inc., 7510 Porter Road, Niagara Falls, NY 14304,
DBA The Woods at Bear Creek. Property address 3510 Bear Creek Rd., Machias,
NY.**

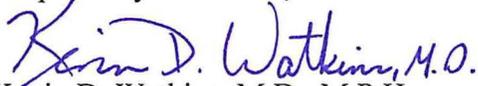
Recommendation: The respondent pay a fine of \$150.00 by 8/30/19 to the CCHD. A \$10.00 per day per diem will be levied for non-compliance.

A motion was made by Ms. Raftis to accept this recommendation, seconded by Mayor Smith, and unanimously approved.

The next BOH meeting will be held Wednesday, September 4, 2019.

There being no further business to discuss, a motion to adjourn was made by Mayor Smith and seconded by Theresa Raftis and unanimously approved.

Respectfully submitted,


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