

Chautauqua County Board of Health
MINUTES

Meeting Date/Time: Thursday, May 30, 2019 @ 6:00 p.m.
Location: HRC Bldg., 4th floor conference room, Mayville
Scribe: Sherri Rater

ATTENDANCE:

BOH Members	P/A	BOH Members	P/A	Others Present	Title
Tom Erlandson	P	Mark Tarbrake	A	Dr. Berke	County Physician
Dr. Tallett	A	Dr. Ney	P	Kristen Wright	Assistant County Attorney
Dr. Hewes	A	Dr. Khan	P	Christine Schuyler	Public Health Director
Natasha Souter	P	Elisabeth Rankin	P	Sherri Rater	Scribe
Andrew O'Brien	P			Natalie Whiteman	Environmental Health
				Bree Agett	Epidemiology Manager
				Lisa Schmidfrerick-Miller	Healthy Communities Consultant
				Susan Baldwin	Citizen
				Charles Muscato	Citizen

Call to order	The meeting was called to order by President Tom Erlandson at 6:02 p.m.
Privilege of the Floor	<p>Susan Baldwin, Town of Arkwright resident. Ms. Baldwin's statement as follows: there are more than three wind turbines located near the Arkwright campgrounds. A friend's child lived at the Arkwright campground spring, summer and fall and continued to live there after the turbines were put into place. She had a gag order in place but told her family that she couldn't take it anymore and she drank some kerosene and set herself on fire. Her family kept her alive by life support for 20 days and then she passed away. There are studies that have been done that the turbines used to not be so bad, but now they have jet engines on them and are doing 25mph 24/7. They are jet engines because they have to push 33,000 pounds per blade around. If you could imagine wind enough to push a train, that is how much wind you would have to have here to run one of these things. Chautauqua County got an F in clean air and so did Erie and Niagara County. What these counties have in common isn't big cities, its wind turbines. Someone might be able to shut out the constant noise, but what they can't do is not feel what is underneath. Studies have come out stating they shouldn't be put in human territory. No one is listening to the studies. Erlandson clarified that they are not jet engines they are the generators that are producing the electric power when the wind blows.</p> <p>Charles Muscato, Town of Arkwright resident who lives on Straight Road. Mr. Muscato's statement as follows: Ham radio operator for 30 years and is well related to frequencies. He brought his meter with him. Everyone here in this complex and on the hill is being radiated every day at a level that is so far off his meter it's</p>

	<p>crazy. Muscato read a quote claiming to be from Adolf Hitler ‘If you tell a big enough lie and tell it frequent enough it will be believed.’ Muscato continued: We’ve all been lied to most of our life. Our history and where we came from is not what it should be and they are changing it. Now they are going to digital, burning all of the hard books. What we’ve learned about microwave and everything else is a false lie. Now the DEC came out with a new study that cell phones are related to brain cancer. States we should all put our phones on airplane mode and we are getting radiated all the time and sterilizing the young. Wifi in classrooms - kids are getting radiated and sterilized day in and day out in school. Testing rats for 15 minutes a day and they lost their sperm and egg count in 14 days. Overseas they won’t allow this stuff in the schools, have aprons for women who are pregnant to keep the fetuses away from cell phones, they are going balls to the walls. They realize this in other countries but now ours because cell phones are blowing up the economy. People don’t know this but you have to keep your cell phone 5-6 inches away from your ear. People don’t believe this; they think I’m a joker. Autism right now is 1-10. In another 3 years they predict it will be 1-5 because Harvard University is spraying aluminum and two other things in this air that give you all this grey stuff every day. These aren’t natural clouds. Running this so all the feed belts are down now. China has lost all of their pigs. Chickens in Russia and South America are gone. They are bringing us down to one world order. To wrap up, keep away from wifi, keep away from digital. They can lock you out of your credit card, etc. China has facial recognition. Pay attention; look up at the sky every day. Wake up. It’s going to kill you.</p>
<p>Approval of Minutes from March 21, 2019</p>	<p>Dr. Ney made a motion to approve the March 21, 2019 minutes, Natasha Souter 2nd. All in favor. Motion carried.</p>
<p>Agreements to Settle</p>	<p>Agreements to settle were reviewed. It was noted that each violator who agrees to settle pays a \$100 fine.</p>
<p>Hearing Officer Recommendations</p>	<p>In the matter of Mr. Jayesh Patel, Holiday Inn Express & Suites, 2811 North Main Street Ext., Jamestown case # 19-38. Respondent was charged with violation of the NYS Sanitary Code, 10 NYCRR Subpart 6.1, Section 6-1.1(c)(1), in that on February 7, 2019 the respondent failed to have the proper safe level of disinfection in their public swimming pool. Based on credible evidence presented at the hearing, the Hearing Officer determined that the respondent was in violation and recommended the respondent pay \$100 fine. Natalie Whiteman, representing the Environmental Health Division, explained that her office requests that, since the normal fee to settle is \$100 and the Department has incurred additional expenses to hold the hearing, the fine be increased to \$250. Dr. Ney made a motion to increase the penalty to \$250, Dr. Khan 2nd. All in favor. Motion carried.</p>
<p>County Health Rankings</p>	<p>Erlandson states that at the last meeting each board member was asked to pick out three concerns from the County Health Rankings to be discussed at the next meeting. He could not come up with as few as three. There are many.</p> <p>Bree Agett, Epidemiology Manager, spoke to give some more information on the rankings and discuss some strategies that the Department feels could be appropriate at the Board of Health level. Agett indicated the big takeaway is that the County is doing poorly. The rankings are among counties within New York State. Chautauqua ranked 59/62 counties for health outcomes and 55/62 for health factors. Health outcomes take into consideration the length of life and quality of life. They expect on average a person to live to 75 years of age in the US and our average is 72. This is in part due to drug overdoses, suicides, and people dying prematurely due to cardiovascular disease - which is the leading cause of death in Chautauqua County. Health Factors includes health behaviors, clinical care, social and economic factors and physical environment. The goal of the report is</p>

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to be a call to action to Boards of Health, elected officials, and all stakeholders to identify actionable opportunities that to take in order to change these factors. The rankings really accentuate that health here is not about our genes or clinical care, but where we live and what we do.

One of the areas that Chautauqua County is ranked very poorly is the adult smoking rate. Chautauqua County's average for adult smokers is 24% compared to 14% as the state average. This is one of our worst health behaviors in the county and a huge contributor to chronic disease and premature death.

Agett suggested that the Board of Health take action on tobacco use and the local licensing laws. The Board could require tobacco retailers have an additional permit/license with the county regulating where they are allowed to sell tobacco/nicotine products, how many retailers there can be, and how they advertise. There was much talk about whether or not the Board could implement an increase in price as there is much evidence to indicate when the cost dramatically increases; it generally causes a decrease in usage. No clear decision was made about this and County Attorney's office assistance was requested to research the ability to increase prices. Another route could be to pass a Local Law within the legislature, but the Board could consider taking action within their own body.

Alcohol impaired driving deaths is significantly elevated compared to other counties and has been for more than 25 years, per Dr. Berke. Can the data be looked at in terms of what the contributing factors are, i.e. distance from the hospital or ambulance response time, access to public transportation?. Schuyler indicates CASAC conducted a PRIDE study that included 12 school districts. One of the top things that stood out was the amount of binge drinking that is occurring among high school students in the county. There are links between poverty and smoking as well as poverty and binge drinking.

O'Brien - One of the things we talked about at our last meeting was suicide related deaths. How are we doing? Agett indicates that the greatest volume of suicide deaths is among white males 50-60 years old. Suicide rates in Chautauqua County over the past 6 years are as follows: 19 in 2012; 15 in 2013; 17 in 2014; 20 in 2015; 24 in 2016; 21 in 2017; 16 in 2018. The youth death rate overall was drastically lower in 2018 compared to 2017.

Souter asks if there is any data that tracks suicide attempts. Agett indicates we do have access to self-inflicted injury reports from hospitals.

Discussion continued regarding drug related overdose deaths that could be hard to determine at the medical examiner's office as whether it was an accidental overdose or suicide. The medical examiner's office looks at the volume of the drug taken. O'Brien talked about physiological autopsies where someone would ask a series of questions – interview family, friends to determine if there are physiological factors to make accidental or suicide determination. Agett will follow-up with the medical examiner's office to determine if this is done there.

Ney indicates mental health and drug and alcohol addiction are diseases of despair.

Berke indicates there is a push in medical schools to teach students and license them as Suboxone (medication assisted therapy) prescribers and talking to them about the fact that this is not a six month cure, rather a lifelong illness because of the changes that have taken place in the brain. He stated that these patients should be

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looked at as if they were a diabetic and treat them for as long as needed, maybe a lifetime. Schools even bring actors in so students can experience the unique challenges in treating patients suffering from a substance abuse disorder. Methamphetamine is becoming much more common and it is brutal.

Schuyler indicates we have seen a decrease in opioid deaths in part due to the prevalence of Naloxone. We had a drug policy meeting this week and in attendance was Ann Hazlett, Senior Advisor for Rural Affairs for the White House Office of National Drug Control Policy. She works in the White House on drug control issues and reports to the Drug Czar who reports directly to the President. She was here to learn all of the ways Chautauqua County is are trying to deal with the substance abuse epidemic including the ODMAPP program, how it can be replicated in other areas, and what suggestions we had that could be implicated at the federal level as far as drug policy and enforcement. Our ODMAP program currently pinpoints overdose locations, whether or not Naloxone was used and what drugs were used. We currently have a pilot program in Jamestown with the Jamestown Police Department (JPD) and the Mental Health Association (MHA) where a peer from MHA is notified by JPD when a non-fatal overdose occurs. MHA will get in touch with that person and try to get them into treatment. The plan is to expand this program county wide and there is a pending grant application to help make that happen. The FEDS have noticed that Chautauqua County is somewhat of an anomaly when it comes to the drugs that they see here. What they are now seeing is the crystal meth that originates from Mexico and feels the supply is coming to Chautauqua County from Ohio. At a recent drug bust in Jamestown they found that the meth that was confiscated was 99% pure.

Berke – Methadone is one of the approved treatments for heroin addiction except it is highly restricted on who can prescribe it. Currently we do not have a clinic in Chautauqua County. We have 70-90 people every day going to Sisters Hospital in Buffalo for Methadone treatment. Medicaid pays a taxi or bus company to transport each person at up to \$400 per trip. That is \$28k a day going out in just transportation costs. Travel inside Chautauqua County reduces transportation cost from \$400/day to \$70/day per person. The point is we should have clinics in Chautauqua County.

O'Brien stated he wrote an application two years ago to open a clinic in Jamestown. The regulations to open a methadone clinic are much greater than a health clinic; you have to get federal approval and it must be in a separate location. This creates more costs to build separate space. The solution is to address is at the federal level – stop the restrictions where you have to build a separate facility. You have to have a FDA approved safe building with reinforced ceilings, etc. so that the facility cannot be burglarized.

Berke states he sees several Suboxone patients a day and they look like anyone else coming in for an appointment. With Methadone patients, our society is treating them like they are lepers, singling them out. With Methadone patients going to Buffalo daily, we have made them unemployable. The goal is to get them healthy to get them back into the workforce. You should be able to no further than x number of miles so that you can get the care and have the ability to be gainfully employed

Ney adds that Portugal has trucks that go to residential areas at 4am for patients to get their Methadone and patients come to get their treatment, and then they can go to work and get on with their day.

O'Brien adds that we need to have people like Christine Schuyler and Patricia Brinkman ask OASIS what can be

<p>County Health Rankings cont'd</p>	<p>done to lower the construction costs to make this work.</p> <p>Erlandson – WNYPHA is a board from eight counties in WNY. How should we incorporate this association to work on these efforts? Schuyler states in addition to our own county health assessment we WNYPHA is working on a regional county health assessment. The WNY region has a lot of similarities with the county health rankings. We are looking at ways to address the priority areas both locally and regionally.</p> <p>Schuyler states we could follow up an official letter to Ann Hazlett from the Board in support of improving access to Methadone locally and prescribing issues. Schuyler will talk with Pat Brinkman, Director of Mental Hygiene, to see what kind of pressure the County can put on to OASIS to expedite the approval process to get funding to get the Methadone clinic established in the County without building a new facility that will take two years to build. There needs to be state and federal approach.</p> <p>Souter adds that in the meantime what can be done with this transportation issue. Can we have a more qualified person drive patients to provide counseling during the drive?</p>
<p>Lead</p>	<p>Natalie Whiteman discussed the childhood lead poisoning prevention program. On April 12, 2019, the Governor passed a law that decreased the action level at which the Department must follow up with a child as seen as being lead poisoned from 15 micrograms per deciliter to 5 effective October 15, 2019. Whiteman shared some statistics. In 2018, 39 children primarily between the ages of one and two received full lead intervention. Based on 2018 records, the new regulations would increase that number from 39 to 268. Full intervention consists of a home lead inspection and home nurse visits to provide more education. Currently we have less than one full time employee (.90 consisted of part of a PH sanitarian and part of a RN) allotted to this program. The Department projects that this new requirement will increase the number of employees needed to work this program to six. Schuyler states the reimbursement rate will fall under NY Article 6 State Aid which reimburses counties for 36% of salaries only, no fringe benefits or other related costs such as travel. This is a mandate that will have a large local share cost. Some money was put into the state budget for this but it isn't nearly enough and no announcement of how it will be dispersed has been received. Counties are asking the State for adequate funding instead of having another partially funded mandate. There is a public comment period which expires June 30th. Schuyler respectfully requests that the Board submit a letter in public comment for the appropriate financial support to cover the costs of these new recommendations. Also, she respectfully requests the Board submit a letter to the County Legislature to make sure adequate staff can be hired locally to do this work.</p> <p>Much discussion was had regarding children getting tested and the benefit to reducing lead levels including reducing the rate of autism and ADHD, and enormous medical expenses potentially throughout a lifetime. Schuyler indicates that Chautauqua County has good lead screening rates for one year olds because parents are bringing children to the doctor for mandated immunizations. The two year test is harder to get because children are not required to get any vaccines at age two and parents are less likely to bring children in to the doctor. The regulation for lead screening at age 1 and 2 is in place, but there is no enforcement. Board of Health has the power to put some regulation into the sanitary code to get children tested by stating that children cannot enter school or a licensed day care facility if they have not had the appropriate lead testing done. Lisa Schmidfrerick-Miller, Healthy Communities Consultant, did some research on this and found that other states have adopted regulations around this so that children can't enter preschool, daycare or head start without having</p>

<p>Lead cont'd</p>	<p>completed the two lead screenings. Khan indicates that his pediatric practice catches children at the 20month visit because they have to come in and get their second Hepatitis A shot at that time. Schuyler indicates we could include that with the immunization recommendation. Most parents are getting their kids immunized for school so add it to the immunization requirements and require parents to provide proof, not just their word. This regulation is already in place, there is just no enforcement at the local level.</p> <p>Ney states even if the sanitary code isn't going to fix all, every little bit counts so we should do it. Khan states the barriers are at the providers offices either staff is not trained, they don't have the lead testing kits, and/or are not sure how to bill. Can we take an initiative at the county level to train the medical staff how to do it? Wright states Erie County has been making recommendations to the state and perhaps we can join with them in their efforts.</p> <p>The board has given the directive to:</p> <ol style="list-style-type: none"> 1. Submit a letter to the State related to the June 30th comment period asking for financial support; 2. Submit a letter to the County Legislature regarding the need for adequate staff to implement the program; and 3. Draft an amendment to the County Sanitary Code to require two lead tests by age two to enter school/day care. <p>The Board gave a directive for the Secretary to draft letters as indicated in one and two for the President's signature. Additionally, the Secretary will draft an amendment to the County Sanitary code that will be reviewed at the next meeting.</p> <p>Schuyler adds that we have a CLIA Waiver which enables our Department to have mobile satellite clinics for lead screenings.</p> <p>Much talk was had on how to gain access to homes to check for lead. Parents and landlords are not interested in staff coming into their homes. The Board could put something into the sanitary code requiring access to homes to check for lead. Per Schmidtfrerick-Miller, Rochester implemented a program and over a ten year period has had an 85% decrease in lead. Schuyler adds that once the final regulations are in place we will know exactly what else we need to do at the local level.</p>
<p>Bylaws</p>	<p>At the Boards request, changes to the County's Administrative Code increasing the number of board members from nine to eleven was put before the County Legislature. A motion was made by Souter to approve changes to bylaws pending administrative code changes, second by Ney. Motion carried.</p>
<p>Director's Report</p>	<p>Marijuana symposium is being held on June 11th at Holiday Valley in Ellicottville, sponsored in part by the WNYPHA. Speakers will talk about the public health impacts related to the potential legalization of marijuana in NYS. The event is free, open to the public and lunch is provided.</p> <p>There is a Hope and Healing conference at SUNY Fredonia on June 5th & 6th sponsored by CASAC that will focus primarily on mental health and chemical dependency topics in Chautauqua County and our region. Many speakers will present, including some of our staff.</p> <p>Maternal Infant and Child Health program received additional funding. Instead of expanding our own program we are looking to UPMC Chautauqua to employ a community health worker that will be imbedded in their Maternity</p>

<p>Director's Report cont'd</p>	<p>Ward.</p> <p>Our Fatality Review Team is up and running. We have partnered with Cattaraugus and Allegany counties. The Children's Advocacy Center is the lead agency and there is OCFS funding accompanies that. The team will review all child fatalities, not just section 20 child fatalities (abuse and/or neglect) and look at prevention. In the future there could be a real roll for the Board of Health when it comes to policy initiatives around prevention strategies. Dr. Khan is a pediatrician serving on this committee.</p> <p>Dr. Ira Chasnoff is a world renowned speaker specializing in alcohol and substance exposed infants and pregnancy. He was here in the fall and did a wonderful conference. He is coming back next month for a four day long strategic planning session to help us establish a practice similar to what he has in Illinois. This event has been made possible through grant funding from UPMC.</p> <p>There are no confirmed cases of measles in Chautauqua County. We have proactively reached out to higher risk areas of the county where we will have a high number of international travelers and potentially unvaccinated people.</p> <p>An act is pending at the State Legislature to repeal subdivision 9 of section 2164 of the Public Health Law relating to exemption from vaccination due to religious beliefs. Schuyler passed out copies of a letter that NYSACHO submitted to the State supporting this act to repeal and asks if the Board would support a similar letter. Schuyler stated that it's a huge public health travesty that a communicable disease that was declared eradicated in this country has come back. After discussion the Board directs Schuyler to write a similar letter.</p> <p>The Board of Health is the overseeing body for the Department's NYSDOH licensed Article 28 Diagnostic and Treatment Center and Article 36 Licensed Homecare Services Agency. Schuyler is part of NYSACHO's workgroup on advocating with the NYSDOH for an exemption for local health departments from the article 28 and 36 regulations. As local health departments, we have to meet the same requirements as hospitals and nursing homes. Given the minimal amount of direct patient care that local health departments actually provide and home visiting that is core to public health, local health departments should be exempt from such onerous regulations. These regulations create a great burden on us as far as the administrative requirements. In the workgroup, Schuyler recommended that there be one new title for all local health departments that is a municipal healthcare facility for core public health work including lead, HIV testing, immunizations, etc. as well as home care services that we are mandated to do such as direct observation tuberculosis treatment or follow-up PKU testing of a newborn. The new designation would not apply to local health departments that do advanced services such as Title 10 Family Planning. After discussion, the Board directs Schuyler to issue a letter of support to the State Legislature for these changes in regulations to relieve local health departments from the administrative burdens that go along with them.</p>
<p>Other Discussion</p>	<p>- Ney - could our Board of Health consider a recommendation of limiting the distance from the turbine to human dwelling? It was discussed that wind turbine regulations are made at the Town level. Discussion was had about adding something to the Sanitary Code under nuisance and can we do this without knowing the public health effect. Erlandson will look into this. Erlandson adds that we have not received a response from NYSDOH to our request to have someone speak or meet with us regarding wind turbines.</p>

Other Discussion cont'd	<p>-Souter notes that she is now working for the Social Security Office in Dunkirk and has noticed that there has been an increase in disabled child claims that are being fueled by the insurance companies who are encouraging parents to file for disability for their child as soon as an autism diagnosis is even speculated.</p> <p>-Erlandson adds that South and Center Sewer District has signed the contract for the engineering study for the extension of the sewer from Ashville BOCES up to Stow. There is a kick off for study on June 14th. Additionally on June 15th there is an all-day conference on lake management at Chautauqua Institution.</p>
Future Meeting Dates	July 18, 2019, September 19, 2019, November 21, 2019
Adjournment	Motion to adjourn by O'Brien, 2 nd by Khan. Meeting adjourned at 8:44pm

DRAFT