



**Minutes of the State Board of Health
December 13, 2007**

King County Council Chamber, 10th Floor, King County Courthouse,
516 3rd Avenue, Seattle, WA 98104

SBOH members present:

Treuman Katz, MBA, Chair
The Honorable David Crump, PhD.
The Honorable John Austin, Ph.D.
Keith Higman, MPH
Frankie T. Manning, MN, RN

Patricia Ortiz, MD
Mel Tonasket
Karen VanDusen
Bill White, Deputy Secretary of Health
Diana T. Yu, MD, MSPH

State Board of Health Staff present:

Craig McLaughlin, Executive Director
Desiree Robinson, Executive Assistant
Christy Curwick Hoff, Health Policy Analyst

Wendy Janis, Health Policy Analyst
Hollie McGovern, Administrative Assistant
Ned Therien, Health Policy Analyst

Guests and Other Participants:

Robert Anderson, Washington Education
Association
David Brenna, Mental Health Transformation
Project
Kelli Carroll, Principal Legislative Analyst
Sally Clark, King County Board of Health
George W. Counts, King County Board of Health
Reagan Dunn, King County Board of Health
David Fleming, Public Health—Seattle & King
County
Ava Frisinger, King County Board of Health
Jill Van Glubt, Washington Education Association

David Hutchinson, King County Board of Health
Tamara Johnson, Youth in Action
Marie Manlangot, SEIU Local 1199
Gregory McKnight, Department of Health
Nancy Napolilli, Department of Health
Ray M. Nicola, King County Board of Health
Janelle Okorogu, Health Educator, CMCH
Julia Patterson, King County Board of Health
Tom Rasmussen, King County Board of Health
Amnon Schoenfeld, King County Mental Health
Tamara Taylor, Washington Education Association
Aunrico Williams, Youth in Action

Treuman Katz, WSBOH Chair, called the public meeting to order at 9:06 a.m. Chair Katz introduced Sam McGill, leadership coach to the Executive Director. Mr. McGill gave an overview of his role.

1. APPROVAL OF AGENDA

Motion: Approve the December 13, 2007 agenda

Motion/Second: Crump/Manning. Approved unanimously

2. ADOPTION OF NOVEMBER 14, 2007 MEETING MINUTES

Motion: Approve the November 14, 2007 minutes

Motion/Second: Crump/Yu. Approved unanimously

3. SBOH ANNOUNCEMENTS AND OTHER BUSINESS

Craig McLaughlin, SBOH Executive Director, gave an update on visits with local boards of health. Ned Therien, SBOH Staff, said he provided a little assistance this week to the Lewis County Health Department with its efforts in flood recovery and described what he observed. Board members

shared their perspectives on the recovery and clean-up efforts, recognizing the stress on local health agency personnel and mental health concerns for all involved. Chair Katz asked whether a process for collecting information for planning improved response for a possible future event. Mr. McLaughlin announced that Board Member Mel Tonasket has been reappointed and mentioned four members' terms that were ending in July (see schedule behind Tab 3). He said the Board is recruiting for an outreach coordinator for the Governor's Interagency Council on Health Disparities (see recruitment announcement behind Tab 3). He announced the permanent hire of Hollie McGovern as administrative assistant. He discussed efforts to address health disparities and the academic achievement gap, including a presentation by Board staff at a recent conference in Washington DC and an upcoming meeting of the Office of Superintendent of Public Instruction on December 14, 2007. He provided an update on rule making activities.

Mr. Therien provided an update on the Board's school environmental health and safety rule. The Department of Health held two workshops the last week of November to discuss the assumptions for the cost-benefit analysis. The Environmental Health Committee met on November 30 and provided some recommendations to Department staff about how to proceed with rule revisions. The Department expects to have cost-benefit estimates by the end of January and to have a final draft ready for briefing the Board in April, rather than March. Mr. Therien also referred to a letter from WSALPHO (see attached) on the school rule. Keith Higman, SBOH Member, discussed proposed change to the rule regarding water sampling and background noise standards. The Environmental Health Committee is comfortable that possible changes to the draft rule for these requirements would not reduce public health protection of children in K-12 schools. Chair Katz stressed the importance of Board staff communicating proactive with the public if there are any delays in the rule revision. Member Tonasket said he hoped the Board would remain on an aggressive schedule with the rule. Mr. Therien replied that Department staff are thinking a month delay in completing a final draft and briefing the Board will not cause a delay in having the rule proposal ready for public hearing in June 2008. David Crump, SBOH Vice-Chair, commented that a delay until April is acceptable to him if needed for the Board's important consideration of the costs of the rule.

4. DEPARTMENT OF HEALTH UPDATE

Bill White, Deputy Secretary of Health, SBOH Member, discussed the Department's convening of a scientific panel to identify intervention strategies for MRSA and to launch public education activities. The panel expects to submit its report to the Governor on January 10. Laboratory reporting of invasive MRSA infections is not seen as a huge burden to laboratories because the number of cases is small. The Department made a request to CDC to redirect some of its funds for the public education campaign. He announced that the online database for living wills, which was mandated by the Legislature, will be up and running in January. Department staff has coordinated a report to the Legislature on recommendations regarding cruise ship sewage discharges. He also mentioned that Secretary Selecky was meeting with WSALPHO today to develop a draft report on performance measure related to the use of \$10 million year in new public health funding from the state.

Deputy Secretary White reviewed the public health response to the flood. The state emergency operations center was activated. He discussed the Department's efforts to assist local health agencies to address some of the primary public health issues, including safe drinking water, food safety, carbon monoxide poisoning, disposal of dead animals, mold exposures, the provision of tetanus vaccines, and Women Infant Children (WIC) clinic services. He described continuing challenges, including mental health services; the sustainability of local, state, and county staff and volunteers;

and economic impacts. Chair Katz asked if there would be a report of lessons learned and recommendations from the flood recovery efforts, which might lead to new Board policy or rules. Deputy Secretary White said after action reports will be developed by each of the affected counties and the state. Diana Yu, SBOH Member, said standards do not exist for mold clean-up in rental units and discussed her concerns for residents.

5. BOARD MEMBER COMMENTS AND CONCERNS

No comments

The Board took a break at 10:18 a.m. and reconvened at 10:28 a.m.

6. 2007 ANNUAL REPORT TO THE GOVERNOR, REVIEW AND POSSIBLE APPROVAL

Mr. McLaughlin said that the annual report is required by statute. He said the Board approved the draft text at its last meeting and today's discussion gives Board members an opportunity for additional comment. He explained the Office of Financial Management (OFM) will need to review the document before submission to the Governor. He proposed that any changes should be brought back to the Chair for approval. Frankie Manning, SBOH Member, said that she would like to see more diversity in the report's photos. Board members discussed the format and distribution of the report. Mr. McLaughlin said staff distributes reports to the state library, state agencies, legislators that request it, and at meetings with various organizations. Chair Katz suggested that staff should evaluate the need for wider distribution. Patricia Ortiz, Board Member, suggested that staff could distribute the reports in electronic form.

***Motion:** The Board approves the final draft of the 2007 Annual Report as submitted and authorizes staff to send it to OFM for review and then to transmit it to the Governor. The chair is authorized to approve any changes requested by OFM.*

***Motion/Second:** Crump/Austin. Approved unanimously*

7. LEGISLATIVE PREVIEW AND PRELIMINARY DISCUSSION OF SENSE OF THE BOARD ON POSSIBLE LEGISLATIVE ISSUES

Mr. McLaughlin referred Board members to materials behind Tab 7. He provided a brief update on the upcoming legislative session. He said it was a 60-day short session. He discussed likely bills related to the Board's priorities. Chair Katz said that the Board wants to be proactive and make a difference. He asked whether there was precedence for the Board to initiate legislation. Mr. McLaughlin described the process for agencies to develop legislative proposals. He said he is not aware of previous legislation requested by the Board of Health. He is also not aware of anything that would prohibit the Board from initiating legislation. He recommended working with partner agencies on such proposals. Members suggested possible mechanisms and strategies for the Board to explore if it decides it wants to sponsor request legislation. Deputy Secretary White cautioned the Board not to go outside the normal process because it would probably diminish effectiveness. Member Tonasket suggested the Board's legal council research the Board's authority over initiating legislation. Karen VanDusen, SBOH Member, said this authority should be addressed in the Board's Policy & Procedures. Member Manning said the Board could be proactive in other ways, not just by proposing legislation, and mentioned public education efforts as an example. Mr. McLaughlin said that issues around the school rule might be appropriate for Board advocacy. Vice-Chair Crump said the Board has already been proactive with health policy, and would expect the Board to always work with the Department on any legislative proposals.

Mr. McLaughlin said the preliminary discussion draft of the Board's statement on possible 2008 legislative issues (attached behind Tab 7) was essentially the same statement from last year. He will integrate any comments into a second draft, which the Board will review at its next meeting. Member VanDusen said she would like the Board to support any bills that would provide local health jurisdictions with more resources to ensure safe environments for schools. She would also like to see the Board support any bills that improve access to health care for the elderly. Mr. McLaughlin asked that members provide any comments about the proposed policy on 2008 legislation by the end of December. He proposed that for the May meeting he will consult with legal counsel and draft a memo to the Board about its legal authority for initiating legislation.

8. 2008 STATE HEALTH REPORT, PROPOSED FRAMEWORK

Mr. McLaughlin explained that the Board produces a state health report every two years, as required by statute. Its purpose is to outline health priorities for the upcoming biennium. The Board submits the report to the Governor in January of even-numbered years. Mr. McLaughlin presented an outline for the report (see outline behind Tab 8). Deputy Secretary White said this report is an important vehicle for the Board to share its priorities with the Governor. Member VanDusen suggested adding a section about mental health promotion. She also suggested emphasizing those public health programs where more resources are needed, particularly school environmental health.

9. BRIEFING ON CLANDESTINE DRUG LABORATORY RULE, CHAPTER 246-205 WAC (11:32)

Member VanDusen referred members to the materials behind Tab 9. She reviewed the Board's and Department's joint authority over clandestine drug laboratories under chapter 64.44 RCW. During the 2006 session, the Legislature mandated rule changes. Nancy Napolilli and Greg McKnight, Department of Health, summarized needed revisions for chapter 246-205 WAC (see presentation under Tab 9). Member Yu asked whether rule changes would address the manufacturing of drugs in vehicles. Mr. McKnight said the Department and Snohomish County were jointly conducting a vehicle remediation study and would have a report out soon. The findings from the study could be incorporated into the rule updates. Member Yu asked whether the detectable level was the same as the level at which there is a public health concern. Mr. McKnight responded that the revision would set acceptable levels based on health risks, particularly risks to children under one year of age, not on technological capability. Member Higman said he hopes a third-party certification process would not take away from the local health officers' independent review authority. He would not want local health agency personnel to have to obtain certification as third party samplers. Deputy Secretary White provided background about past incidents of unlawful removal of property by clean-up contractors. This was one of the major issues in the development of the 2006 legislation. He expects, during rule making, the reputable contractors will suggest rule provisions that will build a business niche. Member Tonasket said the Board and Department should seek input from smaller local health jurisdictions, since they may lack the resources to implement any changes. Member VanDusen asked for more information about certified supervisors and trainers. Ms. Napolilli and Mr. McKnight provided clarification. Vice-Chair Crump discussed concerns about costs to local governments for response. He asked the Department to clearly identify who has responsibility for various costs. John Austin, SBOH Member, asked about the number of certified contractors in the state and responsibility for costs. Mr. McKnight responded that currently there are 12 licensed clean-up contractors. He said, under statute, the property owner is responsible for most costs. Local ordinances for vacant and derelict buildings would also apply. Member VanDusen asked whether Ecology toxics clean-up funds are available for clean-up costs. Mr. McKnight said he thinks generally not. Member Higman said there are some grant funds available from Ecology's site hazards assessment fund for local agencies to conduct site assessments.

The Board recessed for lunch at 12:06 p.m. and reconvened at 1:35 p.m.

Chair Katz and Julia Patterson, KCBOH Chair, called the public meeting to order at 1:35 p.m.

10. KCBOH ADMINISTRATIVE MATTERS AND REPORTS

KCBOH Chair Patterson presented her Chair report. No KCBOH members had updates to share. David Fleming, PHSKC Director and Health Officer, presented his Director's report.

11. PUBLIC TESTIMONY

Trent House, Director Government Affairs, Washington Restaurant Association, said that the WRA was not participating in King County's rule-making process for nutritional labeling and trans-fat use restrictions in restaurants because it expects whatever rule is developed may end up in litigation. The WRA does not feel that its previous input was given adequate consideration.

Jill Van Glubt, Washington Education Association, Indoor Environmental Quality Work Team, and Tamara Taylor, Teacher in the Highline School District and Member of Washington Education Association's Indoor Environmental Quality Work Team, thanked the Board for its attention to WEA's input into the school environmental health rule. She reiterated WEA's previous testimony to the Board that WEA would like the rule provisions to include protection for all teachers and staff, since they remain in the school environments for multiple years. The WEA does not believe that the Department of Labor and Industries is protecting teachers adequately from environmental health hazards in schools.

12. ORIENTATION TO THE STATE BOARD OF HEALTH AND REVIEW OF 2007-09 STRATEGIC PLAN

Chair Katz gave an overview of the Board's mission. Mr. McLaughlin provided a brief overview of the history of the Board. He referred members to the draft 2007 Annual Report (attached in Tab 12). He explained that the Board has regulatory and policy development capacity. He said that when the Board undergoes strategic planning, it identifies policy priorities. He also discussed the public input function of the Board. David Hutchinson, KCBOH Member, asked if the Board advocated for local public health funding. Mr. McLaughlin said that the Board provided a role in assessing public health needs but did not directly lobby. Mr. McLaughlin gave a brief overview of the Board's strategic plan (attached in Tab 12) and discussed the Board's goals.

13. ORIENTATION TO THE KING COUNTY BOARD OF HEALTH AND REVIEW OF OPERATIONAL MASTER PLAN

KCBOH Chair Patterson provided an overview of the KCBOH, its authority, and its membership. She said that KCBOH initiated a plan to reduce HIV infections by 25%. She briefly discussed some priorities in the King County Public Health Operational Master Plan. Dr. Fleming provided an overview of King County Public Health's Operational Master Plan (see attached behind Tab 13). He said that its mission is to increase healthy years lived per person and to reduce health disparities. He discussed their guiding principles and goals. KCBOH Chair Patterson briefly reviewed her board's 2008 work plan.

The Board took a break at 2:39 p.m. and reconvened at 2:55 p.m.

14. SBOH MENTAL HEALTH REPORT, REVIEW AND POSSIBLE APPROVAL

Vice-Chair Crump noted that the Board's strategic plan calls for the Board to draft a report on promoting mental health and preventing mental disorders. He explained that the report is due on December 31 and will be presented to the Transformation Workgroup on January 4. He referred Board members to materials behind Tab 14. David Brenna, Mental Health Transformation Project, provided context on the Mental Health Transformation Project (MHTP). Mr. McLaughlin provided background on how the Board had identified mental illness prevention a policy priority and entered into a partnership with the MHTP and the Prevention Advisory Group. He explained the processes for policy development of the report (see presentation behind Tab 14). Wendy Janis, SBOH Staff, continued with the presentation. She discussed the second part of the report, which focused on characteristics and suggested next steps for five age-specific groups. Member Yu discussed barriers for primary care physicians providing mental wellness services, including payment and time limitations. Mr. Brenna said the report discusses some models for financial incentives and reducing disincentives. Mr. McLaughlin then concluded the slide presentation by discussing some cross-cutting themes common to the different age groups and the need for coordination and improved communication around mental health. He said that the Board would deliver the report to the MHTP on December 31. The MHTP will present the report to the Transformation Work Group on January 4, 2008. MHTP will host community forums in early 2008 and the policy summit will take place on May 13, 2008. Member Tonasket shared concerns that there are a lot of communities and individuals who do not participate in the policy process and would not understand the language in the report. He said many parents do not participate and do not know where to get services or how to make change. These parents will deny mental health and behavioral problems. He agrees that parents and providers need to be more educated about child mental health, but he is concerned that many parents and families are isolated. He asked how we get these parents to the table for discussion—how can we engage this community? Mr. Brenna said that the MHTP and work group have tried hard to go to tribes to involve them as much as possible.

***Motion:** The Board approves the report “Mental Health—A Public Health Approach” and authorizes the chair and the vice chair to review and approve any editorial changes prior to December 31.*

***Motion/Second:** Crump/Yu. Approved unanimously.*

15. MENTAL HEALTH SERVICES IN KING COUNTY

Kelli Carroll, Principal Legislative Analyst, provided a brief overview of her staff report on mental health services in King County (see attached behind Tab 15). Amnon Schoenfeld, King County Mental Health, Chemical Abuse & Dependency Services Division, provided an overview of mental health services and programs in King County as well as strategies for improvement.

ADJOURNMENT

KCBOH Chair Patterson and Chair Katz, adjourned the meeting at 4:22 p.m.

WASHINGTON STATE BOARD OF HEALTH

Treuman Katz, Chair