



Minutes of the State Board of Health

May 14, 2008

Rosario Resort, 1400 Rosario Road, Eastsound, WA 98245

SBOH members present:

The Honorable David Crump, PhD, Vice Chair
The Honorable John Austin, PhD
Keith Higman, MPH
Patricia Ortiz, MD

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

SBOH members absent:

Treuman Katz, Chair

Frankie T. Manning, MN, RN

State Board of Health Staff present:

Craig McLaughlin, Executive Director
Desiree Robinson, Executive Assistant
Heather Boe, Communications Consultant

Jill Morgan, Administrative Assistant
Ned Therien, Health Policy Analyst
Tara Wolff, Health Policy Analyst

Guests and Other Participants

Sofia Aragon, Department of Health
Jennifer Aspelund, Citizen
Michelle Davis, Department of Health
Lola Deane, San Juan County Board of Health
Barbara Fleming, San Juan County Board of Health
Denise Frisino, Citizen
Mike Glass, Department of Health
Maryanne Guichard, Department of Health
Frank James, Health Officer, San Juan County
Alan Lichter, San Juan County Board of Health
Richard Lillie, Department of Health
Pam Lovinger, Department of Health
John Manning, Director, San Juan County Health &
Community Services

Elaine Noonan, March of Dimes
David Perera, San Juan County Board of Health
Brian Peyton, Department of Health
Howard Rosenfeld, San Juan County Board of
Health
Denise Stiffarm, Puget Sound Schools Coalition
John Thompson, Department of Health
Mark Tompkins, San Juan County Health and
Community Services
Tami Thompson, Department of Health
Jude VanBuren, Department of Health
Sheila Weiss, Department of Health

David Crump, SBOH Vice-Chair, called the public meeting to order at 9:07 a.m. and read from a prepared statement (on file).

1. APPROVAL OF AGENDA

Motion: Approve May 14, 2008 agenda

Motion/Second: Ortiz/White. Approved unanimously with the tabling of agenda item 15 due to the absence of member Frankie T. Manning.

2. ADOPTION OF MARCH 12, 2008 MINUTES

Motion: Approve March 12, 2008 minutes

Motion/Second: Tonasket/Austin. Approved unanimously

3. ANNOUNCEMENTS AND OTHER BUSINESS

Craig McLaughlin, SBOH Executive Director, began by welcoming new staff member Jill Morgan. He congratulated SBOH Member Keith Higman for his promotion to the director of the Island County Health Department. He noted the letters regarding vaccine shortages and thanked staff member Tara Wolff for her work on them. He informed Board members that audio recording from of Board meetings are now available on TVW. After playing a KPLU news broadcast regarding the May 13 mental health summit, he briefed the Board on the summit. Mr. McLaughlin mentioned the Board members whose terms were ending and said that all are requesting reappointment.

4. DEPARTMENT OF HEALTH UPDATE

Bill White, Deputy Secretary of Health and SBOH Member, described a Department of Health (DOH) campaign to promote National Immunization Week. He then spoke about DOH efforts to implement legislation from last session including a boards and commissions five-year pilot program. He said the relationship of the State Board of Health and DOH is one possible model for this program. He described a security audit of the public health lab requested by the Legislature. Last week, he said, DOH had an hour with the Governor to discuss issues related to chronic disease, and he urged people to go to the Web site for more information. He discussed the Radiation Protection Program and asked Jude VanBuren, Assistant Secretary for the Division of Epidemiology, Health Statistics and Public Health Laboratories, to give an update on a measles outbreak in Grant County.

The Board took a break at 9:59 a.m. and reconvened at 10:06 a.m.

5. WELCOME TO SAN JUAN COUNTY

Alan Lichter, Chair, San Juan County Board of Health, welcomed the Board to San Juan County. He described the natural beauty of the islands and the contradiction between the beauty of island life and some of the tragedies occurring through the world.

6. SAN JUAN COUNTY GROUP B WATER SYSTEM PROGRAM-LOCAL PRESENTATION

Mark Tompkins, San Juan County Health & Community Services, described the local health department's Group B water systems program. The program is full-service with staffing of approximately one FTE. Group B systems serve approximately one-fifth of county residents. His presentation is behind Tab 6 in the Board's packet. He explained concerns about seawater intrusion and about limited seasonal supplies in rock cracks and crevices. San Juan County has modeled its seawater intrusion prevention program after the program adopted by Island County. Large storage tanks to provide for seasonal demand and flush valves on distribution lines are becoming common. John Austin, SBOH Member, asked how many people are in the environmental health program. Mr. Tompkins said that there are five staff members, but some are part-time employees. Mel Tonasket, SBOH Member, asked how drinking water capacity is considered when planning for development. Mr. Tompkins said the local board has asked that same question and the county is conducting research for a report to answer that question. The San Juan Islands get less rainfall than Seattle. Some small desalination plants are operating on the islands. Mr. Higman commented that on islands where many systems rely on drinking water in bedrock fissures, it is difficult to estimate water availability. He mentioned that local health programs rely on a number of sources of funding for conducting drinking water programs, including fees and money from DOH. Vice Chair Crump asked how the safety of drinking water systems is assured if they are inspected by the local health department only about every 12 years. Mr. Tompkins said they rely on water sampling by the system owners and Satellite Management Agencies to monitor the systems.

7. BOARD-TO-BOARD CONVERSATION

Mr. Lichter commented about the importance of knowing drinking water sources for future development. Property values are the highest in the state, while salaries are amongst the lowest. There is a lot of pressure to develop. Howard Rosenfeld, San Juan County Board of Health Member and Chair of the County Council, commented that the change from a county commission form of local government to a council/manager form has been a big change for the local health department. The new form of government has separated the legislative and executive branches of government. It is easier for the local health department staff to have one boss, rather than three.

Barbara Fleming, a member of the San Juan County Board of Health, and a retired public health nurse, said recent pertussis cases in the community highlighted problems for low-income, younger people in the county. Lola Deane, San Juan County Board of Health Member, said a high percentage of county residents are over 55 years old and many are over 80. They both said there are challenges getting people immunized. Deputy Secretary White asked about access to health care in the county. John Manning, Director of San Juan County Health & Community Services, responded that San Juan, Orcas, and Lopez Islands have medical clinics. San Juan Island has a hospital district that provides emergency medical response for that island. Fire departments provide emergency medical response on other islands. The closest full-care hospitals are in Anacortes and Bellingham. Low-cost insurance coverage is available for medical evacuation by fixed-wing airplane. Dr. Yu asked whether the county is better prepared for emergencies than most communities. Ms. Deane said that is the case. Dr. Yu asked whether the county has an organized medical reserve corps of retired medical professionals. Mr. Manning said they have a registry but no formal corps. Patricia Ortiz, SBOH Member, inquired about disparities between service workers' salaries and the cost of living on the islands. Mr. Lichter responded that did cause problems. Member Higman, asked whether the remoteness of the various islands makes communication about public health and emergency planning difficult. Mr. Manning said that multiple community meetings are needed and the local newspaper is very important. Karen VanDusen, SBOH Member, asked about the economy of the islands. The major industries are tourism, retirement, construction, and government. Member Tonasket asked if the county has home health and hospice care. Ms. Deane said a firm from Skagit County provides home health. There are several group homes in the islands and a convalescent center on San Juan Island. David Perera, San Juan County Board of Health Member, said people think first of their island, then the mainland, and thirdly the county. He said that helicopter service for medical evacuation is very quick to the mainland. Mr. Manning said the local health department has offices on the three largest islands.

Deputy Secretary White asked what messages the local board would like to give the state board. Ms. Deane responded that if the state mandates services, it needs to provide funding. Mr. Manning said all small counties are different and this county is not the same as any other county in the state. Frank James, Health Officer, San Juan County Health Department, said complying with statewide rules is particularly challenging in the county. Staff must be able to handle multiple tasks.

8. SBOH MEMBER COMMENTS AND CONCERNS

Vice Chair Crump said he attended a conference on the effects of long-term chronic trauma on school children and more data is coming out on this subject. He mentioned that he and Mr. McLaughlin made presentations for the Interim Legislative Task Force on Comprehensive School Health Reform regarding mental health and school environmental health. Mr. McLaughlin said trauma sensitive schools was a focus at the mental health summit. Member Tonasket spoke about growing concerns about hepatitis C that he was hearing about more frequently. Member Yu indicated that Tacoma-Pierce County Health Department has done a lot of work in this area. She explained that the prevention messages for HIV are similar to those for hepatitis B and C. Member

VanDusen suggested the scope of services provided at the State Public Health Laboratory and its linkage with local health needs and community issues might be an interesting future agenda topic.

9. SBOH POLICY 2001-003, TRAVEL AND TRANSPORTATION, PROPOSED REVISIONS

Mr. McLaughlin introduced this item. He explained that this is largely a housekeeping exercise to update SBOH policy 2001-003 to reflect current reimbursement rates, vendors, and update references to the Administrative Accounting Manual. The Board decided to use generic language in the policy so that in the future the policy would stay current despite small technical changes.

***Motion:** The Board adopts revisions to Policy 2001-003 with minor wording changes to reflect generic state rental car contractor as well as “current POV mileage rate.”*

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

10. PUBLIC HEARING: *VIBRIO PARAHAEMOLYTICUS* CONTROL PLAN RULE WAC 246-282-006

Member Higman introduced this item and welcomed Maryanne Guichard, DOH Director of the Office of Shellfish and Water Protection. Ms. Guichard described the need for a permanent rule to prevent illnesses from *Vibrio parahaemolyticus*. Her presentation covered the history, rule development process, proposed requirements, and two public comments (for more detail, see the presentation behind Tab 10). Member Austin asked about environmental triggers. Ms. Guichard said none had been identified. Dr. Yu asked about cooling issues and was informed this would be part of the training DOH would provide harvesters and dealers. She then asked about enforcement plans and costs. Ms. Guichard explained that DOH would provide technical assistance to harvesters and dealers, there are license revocation options, DOH would increase spot-checking, and local health jurisdictions would not bear the implementation burden. Member VanDusen clarified that the effective date of the rule would be immediately upon filing. Members Higman and Yu complimented DOH staff on their work on this rule. Member Higman pointed out that a review of the significant analysis on the rule strongly supports adoption. Vice Chair Crump asked if there was any public testimony on the rule. There was none.

***Motion:** The Board adopts WAC 246-282-006, *Vibrio parahaemolyticus* control plan, as published in WSR 08-08-087.*

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

The Board recessed for lunch at 12 p.m. and reconvened at 1:30 p.m.

11. PUBLIC HEARING: NEWBORN SCREENING CONDITIONS RULE-CHAPTER 246-650 WAC

Dr. Yu briefly introduced the agenda item. Tara Wolff, SBOH Policy Analyst, reviewed the work of the advisory committee that preceded the filing of the CR-102. She introduced the DOH panelists, Jude VanBuren, Assistant Secretary for the Division of Epidemiology, Health Statistics, and Public Health Laboratory and Mike Glass, Director of Newborn Screening. Ms. VanBuren reviewed advances in genetic screening, public health prevention opportunities, and the importance of criteria in determining which conditions newborns should be screened against.

Mr. Glass called the Board’s attention to the benefits of screening and early treatment (see Cost Benefit Analysis in Tab 11). He reviewed the history of adding conditions to the screening panel over the past eight years. He indicated that there will be other diseases we will be able to screen for

in the future, but said we must make sure our criteria are met so children can receive the full benefits of screening. He gave 3-MCC as an example of a condition that did not meet all of the criteria. Mr. Glass explained how CPT-1 was originally added to the list of conditions considered by the advisory committee and that initially it appeared to meet the five criteria. However, during the public comment period Dr. Wylie Burke at the University of Washington indicated that there were medical colleagues in Alaska and Canada who had concerns about universal screening for this condition. The medical implications of the form of CPT-1 affecting the Alaska native population are not clear. Mr. Glass summarized this information for Member Yu and State Health Officer Dr. Maxine Hayes (see Summary of Issues in Tab 11). They decided CPT-1 did not meet all five criteria. The advisory committee was informed and those who responded were supportive of the decision. Mr. Glass also indicated that there was a request to screen for retinoblastoma during the comment period. However, preliminary analysis did not indicate that it would meet the five criteria. Mr. Glass assured the Board that if it adopted the rule, the Department would implement the program as soon as possible. Mr. Glass recognized his staff (including Sheila Weiss and John Thompson, in attendance) who were vital to the completion of this piece of work. Dr. Yu acknowledged the work of the advisory committee and the complexity of their task. Vice Chair Crump asked if lethality and treatment availability and accessibility were part of cost benefit analysis. Member Yu said the analysis considered these issues. Member Higman asked who bears the cost of testing and treatment. Mr. Glass explained it is funded by multiple sources (i.e. fees collected, insurance, state funding, etc.).

Vice Chair Crump opened the public testimony period. Elaine Noonan, March of Dimes, testified in support of expanding the list of required newborn screening conditions.

***Motion:** The Board adopts the revised Chapter 246-650 WAC as published in WSR 08-08-086 with the following amendments: strike the references to carnitine palmitoyl transferase deficiency type 1-A (CPT-1) in WAC 246-650-010 (8) and in WAC 246-650-020 (2)(a)(xii).*

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

12. BRIEFING ON THE HEALTH OF WASHINGTON STATE REPORT

Deputy Secretary White introduced the agenda item and again welcomed Ms. VanBuren. Every five years, the Department of Health publishes *The Health of Washington State*. In March 2008, the Department released the majority of this document on its Web site; the remaining chapters will be available after June 1, 2008. The report includes information about health disparities associated with age, gender, and race/ethnicity; as well as information about effective interventions. It also provides information on health status, health risks, and health care services. The report includes sections on context of health, general health status, major risk and protective factors, infectious disease, chronic disease, injury and violence, maternal and child health, occupational health, and health care services. DOH will release the chapter on environmental health on-line in June. See Ms. VanBuren's presentation behind Tab 12 for detailed information.

13. SCHOOL RULE UPDATE

Member Higman summarized events leading to the formation of a workgroup charged with refining the rule language. He indicated that Ned Therien, SBOH Policy Analyst, would present workgroup activities taking place since March, and issues raised by the workgroup that were beyond the scope of refining rule language and placed in a "parking lot" for review by the Board. He commented that items in the "parking lot" were not necessarily consensus recommendations of the stakeholder team. Member Higman indicated that the Board would need to establish a calendar for future activities concerning this rule. Mr. Therien explained the statutory authority for the rule and provided an overview of the rule revision process and discussed how the existing rule and working draft compare, new sections, the current stakeholder review team's work, "parking lot" examples, and

next steps (see presentation in Tab 13). Member Higman asked members if they were still supportive of the Environmental Health Committee's charge to make recommendations for a third draft of the rule and of the proposed timeline. He also asked whether the Board wanted hearings on the rule held on both the east and west sides of the state.

At 2:50 this agenda item was suspended to receive public testimony (see item 14 below). Item 13 was reconvened after testimony.

14. PUBLIC TESTIMONY

Jennifer Aspelund, citizen, spoke of her participation in the School Rule Development Committee (SRDC) about four years ago and the recommendations of that group. She expressed concern that many of the provisions recommended by the SRDC seem to have been edited out of the current working draft and encouraged the Board to look at earlier drafts in the process. She expressed concern that the most recent workgroup process has not had adequate representation from parents. She asked the Board to assure that the rule contains provisions to protect all occupants of schools. She asked that the Board review a comparison of the SRDC recommendations with content in the current working draft for the rule revision.

Denise Frisino, citizen, expressed frustration with the rule revision process. She expressed concern about the recent workgroup meetings. She said she was particularly concerned about a statement by Craig McLaughlin at the May 7 meeting of the workgroup that he considered a requirement for monitoring of indoor air contaminants would be too burdensome. Although the stated purpose of the workgroup was to wordsmith the school rule language, she is concerned it has made policy changes. She expressed concerns that the mold notification provisions were not strong enough and that the definition of contaminants did not include mold. She mentioned Vermont as a state that has implemented a good rule to govern school indoor air quality. She asked the Board to assure that provisions protect all occupants of schools. She provided a written copy of her testimony.

Denise Stiffarm, Puget Sound School Coalition, thanked the Board for creating the recent workgroup to help clarify rule intent. She complimented Board and DOH staff on the amount of work that has been done. She would like the Board to consider adding a provision requiring mandatory training for local health officers to help assure uniform application of the rules statewide. She advocated that the Board work collaboratively to secure funding to implement the rule.

13. SCHOOL RULE UPDATE (CONTINUED)

Member Tonasket said he attended one of the workgroup meetings and that he supported the schedule proposed by the Environmental Health Committee. He said it was evident to him the discussions went beyond trying to clarify language. He asked staff to address whether mold provisions had been weakened. Mr. McLaughlin explained that "air contaminants of public health importance" was used in limited ways and that mold was dealt with in its own section. Member Tonasket requested that representatives from agencies referenced in the rule (e.g., EPA and L&I) be asked to attend future rule hearings by the Board. Member VanDusen asked staff to provide a comparison between SRDC recommendations and the current rule revision proposal. Board members discussed crosswalks between different rule drafts. Mr. Therien explained there would be a crosswalk between the existing draft and SRDC recommendations available in June. Member VanDusen indicated an interest in learning more about the Vermont rule. Board members had a short discussion on the workgroup membership, invitations, and attendance. Vice Chair Crump asked whether all members of the workgroup were invited to each meeting. Mr. Therien responded that they were. Mr. McLaughlin explained that based on an agreement with the Legislature, members

represented particular organizations. He said he spoke with representatives to assure that they would work cooperatively. An industrial hygienist, Eric Dickson, and a parent, James Green, were added to the workgroup late. A representative of the PTA was on the workgroup from the beginning. During a meeting that James Green could not attend, the PTA representative became ill at the last minute and also could not attend. Mr. Green's notes were included in the discussion. Workgroup members who could not attend a meeting were allowed to provide comments by e-mail or at a subsequent meeting. Board members discussed calendar issues and logistics of the public getting to a meeting in Moses Lake, which does not have commercial airline service. The Board settled on holding two hearings, one in Eastern Washington (probably in Spokane on August 27) and a one in Western Washington (probably on September 10).

14. HEALTH DISPARITIES POLICY COMMITTEE DISCUSSION

This agenda item was tabled until a future meeting to allow the participation of Board Member Frankie T. Manning who was unable to attend the meeting today.

15. SBOH POLICY 2001-001, LEGISLATIVE COMMUNICATION, PROPOSED REVISIONS

Mr. McLaughlin reminded the Board that it had discussed the proposed updates at its March meeting but had decided not to vote because a Board member who had participate in the discussion had left before a vote could be taken.

Motion: The Board may choose to adopt revisions to Policy 01-001 as proposed, with or without additional changes.

Motion/Second: Tonasket/Yu. Approved unanimously

ADJOURNMENT

Vice-Chair David Crump adjourned the meeting at 4 p.m.

WASHINGTON STATE BOARD OF HEALTH

David Crump, Vice-Chair