



KING COUNTY BOARD OF HEALTH
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Carolyn Edmonds, *Board of Health Chair*

BOH Members:

Richard Conlin
George Counts
Jan Drago
Carolyn Edmonds
Ava Frisinger
Larry Gossett
Steve Hammond
David Hutchinson
David Irons
Kathy Lambert
Frankie Manning
Bud Nicola
Julia Patterson
Alonzo Plough
Tom Rasmussen

BOH Staff:

Kathleen Uhlorn

King County Board of Health
Friday, June 17, 2005
King County Council Chambers
MEETING PROCEEDINGS

Members Present: Richard Conlin; George Counts; Jan Drago; Ava Frisinger; Larry Gossett; Steve Hammond; David Hutchinson; David Irons; Kathy Lambert; Julia Patterson; Tom Rasmussen; Carolyn Edmonds

Members Absent: Frankie Manning; Bud Nicola

Staff: Dorothy Teeter and Jane McKenzie

1. Call to Order

The meeting was called to order at 9:36 AM by Board Chair, Carolyn Edmonds.

2. Announcement of Alternates

No alternates were present.

3. Approval of Minutes

The minutes for the May 2005 meeting were adopted.

4. General Public Comments

None.

5. Chair's Report

The Operational Master Plan Steering Committee met last week. The committee is comprised of Carolyn Edmonds, King County Council member and Chair of the King County Board of Health; Dorothy Teeter, Interim Director, Public Health – Seattle & King County; Bob Cowan, Director, Office of Management and Budget; Sheryl Whitney, Assistant County Executive and King County Council member Jane Hague. The committee will provide direction to staff and oversee the Request for Proposal (RFP) process to select the consultant to assist in the development of the Operational Master Plan (OMP). The committee is co-chaired by Chair Edmonds and Mr. Cowan. The committee decided that it would operate under a consensus model as it developed the RFP for a consultant. Interviews will be conducted in August by the Steering Committee. The committee hopes to finalize the contract in September.

6. Board Member Updates

None.

7. Director's Report

Chair Edmonds acknowledged Dorothy Teeter, Interim Director, Public Health–Seattle & King County. Ms. Teeter introduced herself and briefly discussed her background and her thoughts on the future of public health.

Ms. Teeter received her Masters of Health Administration degree from the University of Washington School of Public Health in 1979. She accepted a post at Children's Hospital and Medical Center in 1979, where she rose to the position of Director of Planning, 1981-86. From 1986 through 1991, Ms. Teeter started her own consultancy, which provided consultative services to hospitals, managed care, and public health organizations. In 1991 began her career with Group Health Cooperative where she rose to the position of Vice President of Quality and Systems Resources. From 2001 until 2002, Ms. Teeter served as Acting CEO for the Foundation for Health Care Quality. In late 2002, Ms. Teeter accepted a post with Public Health-Seattle & King County as its Chief of Health Operations. Ms. Teeter has spent her healthcare career in King County and Washington State.

8. Administrator's Report

Chair Edmonds acknowledged Kathy Uhlorn, Board of Health Administrator. Ms. Uhlorn introduced a new organizational format for meeting materials to Board members.

9. Rulemaking: Environmental Health Unified Hourly Rate (Action Item)

Dr. Ngozi Oleru, Director, Environmental Health Services Division began the briefing for board members. Dr. Oleru referenced a previous request by the board, encouraging the division to institute a unified hourly rate for services rendered. The division has worked with the Board subcommittee in developing the proposed fee. Eunjoo Greenhouse, Senior Administrative Assistant, Environmental Health Services Division, continued with a description of the process to develop the new fee structure based on a division average rate—a contrast to past fee schedules based on program-specific rates. In 2005, the proposed hourly rate will be \$149.78, which was found to be comparable to local government departments but higher than an out-of-state jurisdiction, San Diego County, a county of comparable size to King County; however, San Diego County's tax support level of their health department is 30%; much higher than the 4% level in King County. In addition to a change in the hourly rate and fee schedule, the Environmental Health Services Division staff are also proposing that the division's fees be consolidated into one chapter, Title 2, of the Code of the King County Board of Health. Currently, the division's fees are spread throughout various sections of the code. The proposed fee schedule covers three years, 2005 through 2008 and is based on a 5% inflationary increase to account for a projected increase in employee benefit costs and cost-of-living increases. Five stakeholder meetings were held to discuss the new fee schedule and the main concern raised related to the following:

In the past, service to 501(c) (3) organizations and school kitchens has been supplemented by the County's general fund (CX), allowing these establishments to pay a reduced fee. In recent years this support has waned and, as a result, the proposed fee schedule before the board does not include a discounted fee for these non-profit and public agencies.

Other questions arose related to tax support levels of the division's programs and how that support relates to the fee levels.

Board member Lambert asked for clarification related to meat inspection schedules and plan review fees for restaurant remodels. Dr. Oleru responded that the new code bases the number of inspections on the establishment's risk factors, resulting in a decrease in inspections for some restaurants. Dr. Oleru indicated that the focus of the division's plan review is to create the infrastructure to promote food safety.

Chair Edmonds asked for any further questions and recognized subcommittee members: Board member Counts, Board member Rasmussen, and Board member Nicola.

Chair Edmonds opened the floor up to public testimony. No one wished to testify and Chair Edmonds closed the period for public testimony. Chair Edmonds recognized Board member Counts who wished to make an amendment to the proposed rule.

Board member Counts reported that subcommittee members were very sympathetic to the critical services provided by schools and 501 (c)(3) organizations. Rather than adopting the code as proposed, the subcommittee proposed the compromise of charging these organizations 75% of the full fee. Board member Counts acknowledged that revenue lost as a result of adopting this amendment would need to come from the County general fund or the discount would be eliminated.

Chair Edmonds recognized Board member Counts' motion. Vice-Chair Hutchinson seconded the motion. Board member Irons asked whether the language of the proposed amendment was available in a written format and asked how much the amendment would impact revenue. Ms. Greenhouse replied that the proposed amendment would decrease revenue by \$100,000. Current support from the County General Fund (CX) of approximately \$70,000 exists for the year 2005. The division would need an additional \$30,000 of CX support in order to implement the 25% discount to fees as proposed by Board member Counts.

Board member Irons then inquired about efforts made by the division to determine whether King County Council members and the Executive had been lobbied to support the requisite funding. Dr. Oleru indicated the division's proposal is based on a "full cost recovery" model for services delivered. The Board can adopt a different fee schedule should it choose to do so. Ms. Greenhouse added that a fee discount of 50% would result in \$200,000 in lost revenue, resulting in the need for an additional \$130,000 of CX support because of the current CX level of \$70,000 subsidy for schools.

Board member Irons followed by saying that if the Board chose to proceed with a 50% discount for non-profit organizations and schools, Board members would need to seek support from the Executive and members of the King County Council for the additional funding required. Dr. Oleru pointed out that the proposed 25% fee reduction would provide for lower fees than these organizations are presently paying.

Chair Edmonds clarified that the pending recommendation is a 25% fee reduction.

Board member Irons continued by saying that based on his understanding of the issues, past support by the County Council and the Executive for a 50% fee reduction would seem to indicate likely continued support for such a measure among those same parties. Chair Edmonds agreed and asked for any further comments. Board member Irons made a friendly amendment for a 50% reduction in fees, rather than the proposed 25% reduction. This amendment was supported by Board member Counts.

Board member Lambert asked for clarification on the fee schedule. Ms. Greenhouse replied saying that the fees would be stable through 2005 and the code would provide for modest fee increases in 2006, 2007 and 2008.

Chair Edmonds recognized Board member Gossett who pointed out that the new code would result in some establishments paying more and others less, however the schools and non-profits would likely all pay less. A 25% decrease in their fee would result in a comparable fee to this year's and a 50% decrease would result in these establishments paying less than this year's fee.

Chair Edmonds recognized Board member Hammond who put forth the point that the true question in this dialogue was whether to treat schools and non-profits in the same manner as private businesses.

Chair Edmonds recognized Board member Irons who pointed out that school districts have varying levels of financial resources and that the Board should assist them in any way possible with regards to revenue outlay.

Chair Edmonds recognized Board member Drago who echoed these sentiments.

Chair Edmonds then pointed out that the amendment before the Board is to continue the 50% subsidy for schools and non-profits, resulting in the need for an additional \$130,000 in County support in 2005.

Chair Edmonds recognized Board member Lambert who sought clarification on fees for school kitchens. Dr. Oleru indicated that the division would work carefully to categorize each establishment appropriately.

Chair Edmonds called a voice vote for those in favor of the amendment before the Board. All voted in favor of the amendment and no members voiced opposition.

Chair Edmonds recognized Board member Lambert who proposed another amendment. Board member Lambert said that based on the pending results of the Operational Master Plan (OMP), actual needs for public health services in 2007 and 2008 are still unknown and it seems premature to implement a fee schedule for these years. The proposed amendment would eliminate increases for these years.

Chair Edmonds referred to Carrie Cihak, King County Council Staff, for the timeline on the completion of the OMP. Ms. Cihak indicated that recommendations related to service delivery were planned to be made in March of 2007, however much is still unknown about this schedule since the OMP process has just begun. Chair Edmonds noted that based on this, Board member Lambert's proposed amendment may result in the Department receiving no revenue for 2007. Board member Lambert amended her proposal to only remove 2008's fees. Dr. Oleru replied that any findings from the OMP resulting in a significant change in fees would result in a return to the Board for action.

Chair Edmonds recognized Board member Lambert who indicated her concern was that the code before the Board would not require a report from the Department until 2008. Adding language that requires a review by the Board if the results of the OMP dictate a reduction in fees would allay such concerns.

Chair Edmonds recognized Ms. Cihak who added that the Board could adopt the pending proposal and have it serve the baseline for analysis. Results of this analysis would then become part of a package of specific recommendations presented to the Board and the County Council. Chair Edmonds recognized Board member Gossett who voiced his support of Board member Lambert's proposal to amend the language of the rule to require Board review should the OMP dictate a reduction in fees. Board member Gossett then asked Chair Edmonds for her view of the proposed amendment. Chair Edmonds did not support the amendment as it may delay the Department's funding; but she did feel fees should be revisited after the OMP is completed, and that this review should apply to all the Department's fees.

Chair Edmonds recognized Board member Lambert who proposed that the rule be amended to include a provision requiring the Board to revisit all fees after receipt of the OMP and withdrew her proposal to delete fees for 2007 and 2008. Chair Edmonds clarified that this would likely be a new section to the rule and called for all those in favor of the amendment. All replied in the affirmative and no opposition was voiced.

Ms. Uhlorn called the roll: Board members Counts, Drago, Frisinger, Hammond, Irons, Lambert, Gossett, Vice-Chair Hutchinson, and Chair Edmonds voted in the affirmative. Rule 05-05 was adopted.

10. Rulemaking: Food Code (Action Item)

Dr. Oleru introduced the presentation of the Food Code. The State adopted a new code effective May 2, 2005. While the division has actually started implementing this code and official adoption of this code by the Board is being sought at this time. Dr. Oleru introduced Rick Miklich, Manager, Food and Facilities Section, Environmental Health Services, to provide a brief overview for the Board.

Mr. Miklich began by saying that the State Department of Health began revising the State Food Code and the State Legislature mandated that these revisions be based on the 2001 version of the FDA Food Code. The result was a revised rule (WAC 246-215) that was adopted statewide May 2, 2005. The proposed rule incorporates this WAC into Title 5 of the Code of the King County

Board of Health and repeals Title 6 of the Code. Environmental Health Services staff are also proposing that the section on the licensure for meat cutters be incorporated into Title 5.

Chair Edmonds recognized Board member Hammond who asked for justification for retention of the meat cutter license. Dr. Oleru replied that the provision was historically a part of the local Meat Code and now provides an increased level of food safety. Board member Hammond asked for examples of problems in counties without such a requirement. Dr. Oleru did not have any examples and Board member Hammond indicated skepticism of the requirement's benefits.

Chair Edmonds alluded to the fact that the subcommittee had similar sentiments and would be proposing that the meat cutter's license be retained temporarily and then turned the discussion to Board member Counts. Board member Counts stated that the subcommittee was divided on the issue. Committee research into the issue indicated that institutions which require extra training for managers appear to have a lower incidence of food-borne illness, however no results were found that directly related to the increased training for meat cutters. The subcommittee recommended that the requirement be continued for two years, during which time the Department would gather data on whether this requirement affected food-borne illness and consumer safety.

Chair Edmonds recognized Board member Lambert who was concerned about the number of corrections made to the draft of the rule. Chair Edmonds referred to Jane McKenzie, King County Prosecutor's Office, who indicated that she would check the citations and get back to the Board. Roman Welyczko, Code Enforcement Officer, Environmental Health Division, added that while a large number of code citations contributed to errors, these citations had been checked.

Chair Edmonds opened the public hearing for the proposed rule. Chair Edmonds acknowledged Mr. Cliff Finch, Washington Food Industry, appearing on behalf of the grocery industry who testified in favor of adoption of the Food Code, without the licensing requirement for meat cutters. Other jurisdictions across the country researched the issue and found no significant benefit to consumer safety. While his group did not support the licensure requirement, Mr. Finch asked that the King County Advisory Committee be included in the study should the requirement be retained.

Chair Edmonds recognized Board member Irons who asked about the history of the licensure requirement. Mr. Finch indicated that the change in the meat-cutting industry, from cutting whole sides of beef in stores and the potential for contamination, much of which now takes place at the factory level does not necessitate the continuation of the licensure requirement.

Chair Edmonds recognized Board member Lambert who asked about the experience of large chain stores to the licensure requirement and food safety. Mr. Finch replied that chains found no distinction between different counties or even different states, however they have experienced an administrative burden because the requirement restricts the ability of stores to move meat cutters.

Chair Edmonds then recognized Mr. Anthony Antin, Washington Restaurant Association who expressed support for the adoption of the food code.

Chair Edmonds recognized Tim Faylen, UFCW Local 81, Staff Liaison, Joint Management Industry Apprentice to the Apprentice Program. Mr. Faylen testified that he has been a meat cutter for 27 years throughout the Puget Sound area and expressed support for retention of the meat cutter licensing requirement as well as Local 81's full assistance in the proposed two-year review.

Chair Edmonds recognized Board member Irons who asked for Mr. Faylen's thoughts on why the licensure requirement should be retained. Mr. Faylen replied that throughout his career, he has seen the benefits of the two-year apprenticeship program and testing requirements, which have raised the bar in King County. Mr. Faylen indicated that in his experience as a former meat merchandiser for a mid-size company, licensing did not create a problem. Mr. Faylen indicated the requirement adds to consumer protection and the knowledge and skill level of meat cutters. Board member Irons then asked Mr. Faylen how the industry has changed over time. Mr. Faylen said that while it is true that it is no longer the case that larger sides of beef are cut at stores, meat cutters are now responsible for expanded perishable departments which include thousands of dollars of more diverse products, including seafood.

Ms. Uhlorn pointed out the written testimony included in the Board members' binders and Chair Edmonds closed the public hearing on the rule. Board member Irons requested a few minutes to look at the written testimony submitted--a letter was from Mr. Steve Hilton at WinCo Foods expressing opposition to the meat cutter's license and an anonymously submitted letter also expressing opposition to the meat cutter's license.

Chair Edmonds recognized Board member Hammond who asked for feedback from the subcommittee with regard to the licensure requirement. Chair Edmonds recognized Board member Counts who indicated that the committee made an assumption about health reasons for retention of the requirement. Presently there is not sufficient data related to the issue and therefore the subcommittee recommended continuation of the requirement. The subcommittee also debated the length of the study. Data will need to be gathered to determine whether King County is at the forefront on this issue or whether it is retaining an out-of-date requirement.

Chair Edmonds recognized Vice-Chair Hutchinson who expressed support in retaining the requirement for a specified period in order to get a better sense of consumer safety levels.

Chair Edmonds recognized Board member Hammond who questioned the continuation of the requirement for two years as insufficient data has been found supporting the benefits of the requirement.

Chair Edmonds recognized Board member Lambert who referred to a letter in the packet of written stakeholder feedback from former Governor Gary Locke, encouraging uniformity throughout the state in adoption of the new food code, allowing for emergency action, and addressing the unique needs of urban population centers. Board member Lambert indicated that if other large counties in the area were not adopting a requirement for licensing of meat cutters and no data support the benefit of such a requirement, it may be better to eliminate it and maintain compliance with the former Governor's request for uniformity in adoption.

Chair Edmonds recognized Vice-Chair Hutchinson. Vice-Chair Hutchinson responded to Board member Hammond's earlier comments by indicating that he would rather err on the side of retaining such a requirement based on the possibility of increased safety rather than removing it entirely for lack of evidence of benefit.

Chair Edmonds interrupted the debate and asked for a motion to put the rule before the Board. Board member Lambert so moved. The motion was seconded by Vice-Chair Hutchinson.

Chair Edmonds then urged the debate to continue, recognizing Board member Hammond who stated that while he was unconvinced that the licensure requirement was of benefit, he was not necessarily averse to maintaining the requirement with the condition of studying its impact.

Chair Edmonds recognized Board member Counts who stated that he did not intend to imply that no food-borne illness data existed, but rather data related to food-borne illness with respect to meat-handling compared with other jurisdictions based on the skill of meat cutters does not presently exist.

Chair Edmonds closed the debate by saying that she supported the recommendation of the subcommittee and urged the Board to adopt the recommendations of the subcommittee. Data would then be gathered and the issue would be revisited in two years.

Ms. Uhlorn called the roll:

Board members: Counts, Drago, Frisinger, Gossett, Hammond, Irons, Lambert, Vice-Chair Hutchinson, and Chair Edmonds responded in the affirmative. No opposition was voiced. Rule and Regulation 05-06 passed.

11. Update on Sexually Transmitted Diseases

Chair Edmonds turned the meeting over to Vice-Chair Hutchinson.

Vice Chair Hutchinson granted a recess to allow time for materials to be loaded on the Council Chamber's computer.

Vice-Chair Hutchinson reconvened the meeting and recognized Steven Helgerson, M.D., M.P.H., Manager, Prevention Division. Dr. Helgerson introduced Matthew Golden, M.D., M.P.H., Director of the Sexually Transmitted Disease Control Program. Dr. Golden began his presentation on the epidemiological trends of sexually transmitted diseases with regard to the heterosexual population and men who have sex with men. A steep decline in chlamydial infection was noted in the late 1980's and mid-1990's when widespread screening programs were instituted, the Pacific Northwest being one of the first regions in the United States to institute such screening. Since that time a plateauing of morbidity and perhaps a slight increase in the overall prevalence of infection has been noted, though this may be driven in part by more sensitive diagnostic tests. Dramatic declines in overall gonorrhea rates in King County have been noted with a slight trend upward recently, primarily in men. Over the last 15 to 20 years, the persistence of profound racial disparities in the occurrence of gonorrhea and chlamydial infections has been found in King County and throughout the United States, the United

Kingdom, the Netherlands and several other countries. Relatively low rates of syphilis have been noted in heterosexuals. While an epidemic in 2004 was found in crack cocaine using people in commercial sex workers, incidence has declined so far in 2005.

Prevention efforts include a widespread screening program for gonorrhea and chlamydial infection, rescreening and new approaches to partner notification and treatment. Approximately 50,000 publicly funded tests were given in 2004, paid for through a variety of sources which include the CDC's infertility prevention project; Public Health Seattle-King County funds; and Take Charge, a family planning program. However, in 2005 Take Charge will not pay for STD services and CDC will be cutting about 8,500 tests, resulting in an approximate 17,000 test deficit for the overall program. King County is at the forefront in attempting to widely institute rescreening for gonorrhea and chlamydial infection, starting these efforts in 2002. Partner notification, the process of notifying people who have been potentially exposed to an STD and ensuring treatment of their sex partners, has traditionally been focused on a very small minority of people. Public Health's broader efforts have been quite successful.

Limited funding is a major barrier to sustained programs. The deficit in chlamydial screening has already been mentioned and it is uncertain how these tests will be funded in the next year. Grants have supported the partner notification/accelerated partner therapy program and while grants will be continuously pursued, sustaining core public health functions on temporary funding is not optimal.

Board member Counts asked about persistent ethnic disparities in the incidence of STDs. Dr. Golden replied that such disparity has multi-factorial origins and is based in the existence of separate sexual networks in the United States between ethnic groups, allowing the maintenance of an epidemic in one group with not much of an epidemic in other groups. Dr. Golden noted that other sociological factors may come into play as well.

Board member Counts asked about the frequency with which gonorrhea patients are treated without a culture being taken and without a diagnosis being assigned. Dr. Golden replied that disparity in overall health care is deplorable and may explain some failure to diagnose but indicated that he could not venture to list all of the variables and causes.

Dr. Golden continued with a discussion of syphilis indicating that there was essentially no local transmission of syphilis among men who had sex with men (MSM) in data from 1996. However, a huge increase has been observed over subsequent years, resulting in a doubling of the number of cases between 2003 and 2004. Substance abuse in commercial sex is a big component of the King County heterosexual epidemic and substance abuse, particularly methamphetamine use, is common among MSM as well. Another factor potentially contributing to this epidemic is the Internet. The proportion of MSM with syphilis who reported meeting at least one sex partner over the Internet during the period of potential exposure, increased from 16% to 40% between 2002 and 2005. Dr. Golden also noted an increase in the numbers of gonorrhea cases and chlamydial cases diagnosed among MSM in King County. While syphilis has shown the largest increase in incidence, all of these statistics must be seen in the context of increased sexual risk taking. The data came from Public Health's STD Clinic between 1993 and 2004. The syphilis epidemic is disproportionately an epidemic of HIV positive men.

Public Health–Seattle & King County is the principal source of clinical care for these patients, through the STD clinic and partnerships with community-based organizations. Efforts toward enhanced partner notification and increased awareness and education of this population are under way.

Public Health is attempting to decrease the duration of unidentified infections by instituting new screening guidelines for MSM. King County was the first place in the United States to issue screening guidelines for MSM and these will be undergoing revisions. Promoting testing for HIV, gonorrhea and chlamydial infection may also be effective; however these efforts may not have much impact on syphilis. Dr. Golden believed there is not a big number of people who have syphilis that can be detected by a blood test but have not had symptoms and will not come in for services. Counseling and follow up efforts are being intensified and a routine follow-up for all high risk MSM seen in the clinic is being promoted.

In terms of public education, behavior change is likely the only way to stem the tide of syphilis and HIV in MSM. The Internet is an option and has been used in San Francisco for purposes of partner notification. Public Health–Seattle & King County would like to work toward this end as well. However success related to outreach efforts has been limited and it is very costly to post a public health worker in a chat room.

Limited funding is a consistent barrier and curtails the ability to raise public awareness. More funding would allow for increased testing, an important factor in controlling HIV, clearly the most important STD. There is uncertainty that more funding would make a big difference here. What is needed are new approaches to the problem.

Board Member Counts referred to the generalized increase in STDs occurring among MSM in Seattle-King County in recent years. The national Syphilis Elimination Program found that there was a tremendous racial and ethnic bias in early infectious syphilis rates, and focused on African-American and Hispanic communities. Although the disparity in incidence rates decreased in these communities, an increase in syphilis and other STDs among MSM was noted in that effort. It is a continuing issue and it involves trying to reduce drug use and trying to dispel some of the attitudes about sexual behaviors, in a time of increased availability of drugs and medications to treat HIV.

Board Member Lambert asked about the long term effects of the three diseases. Dr. Golden replied that gonorrhea and chlamydia are primarily marked by infertility, chronic pelvic pain and ectopic pregnancy, with an additional issue of increased transmissibility of HIV and potentially increased vulnerability to HIV if infected.

Board members Counts and Lambert commented on the level of education with regard to such diseases. Dr. Golden added that behavioral intervention studies typically show modest effects and are difficult to replicate and scale up. An obligation exists to make sure that adolescents have the right information and know about risk and optimally that would be coupled with school-based STD screening programs

Vice-Chair Hutchinson commented that the recently elected Attorney General met with Suburban Cities leaders to discuss efforts to eliminate methamphetamine labs.

12. Adjournment

Vice-Chair Hutchinson adjourned the meeting at 12:01 PM.

KING COUNTY BOARD OF HEALTH

CAROLYN EDMONDS, CHAIR

DATE