



**Minutes of the State Board of Health  
June 8, 2011**

Cherberg Building, Senate Hearing Room 3, Olympia, Washington

**SBOH members present:**

The Honorable John Austin, PhD, Chair  
Keith Grellner  
Maria Hernandez-Peck, PhD  
Patricia Ortiz, MD  
Secretary Mary C. Selecky

Stephen Kutz, RN, MPH  
Karen VanDusen  
The Honorable Donna Wright  
Diana T. Yu, MD, MSPH  
James Sledge, DDS

**State Board of Health Staff present:**

Craig McLaughlin, Executive Director  
Desiree Robinson, Executive Assistant  
Laurie Fait, Communications Consultant  
Christy Hoff, Health Policy Analyst

Yris Lance, Community Relations Liaison  
Ned Therien, Health Policy Analyst  
Tara Wolff, Health Policy Analyst  
Lilia Lopez, Attorney General's Office

**Guests and Other Participants:**

Audrey Adams, Washington Action for Safe Water  
Judy Balzer, Ophthalmic Physicians of Washington  
Vicki Bouvier, Department of Health  
Ann Clifton, Mercury Awareness Team of Washington  
Kelly Cooper, Department of Health  
James Curry, Washington Academy of Eye Physicians and Surgeons  
Jerrod Davis, Department of Health  
Michelle Davis, Department of Health

Judy Haenke, Department of Health  
Marlene Inverso, Optometric Physicians of Washington  
Alli Larkin, Washington Action for Safe Water  
Bill Osmunson, Washington Action for Safe Water  
Tami Thompson, Department of Health  
Gayle Thronson, Office of Superintendent of Public Instruction  
Brad Tower, Optometric Physicians of Washington

John Austin, SBOH Chair, called the public meeting to order at 9:32 a.m. and read from a prepared statement (on file).

**1. APPROVAL OF AGENDA**

*Motion: Approve June 8, 2011 agenda*

*Motion/Second: Hernandez-Peck/ Kutz. Approved unanimously*

**2. ADOPTION OF APRIL 13, 2011 MEETING MINUTES**

*Motion: Approve the April, 13, 2011 minutes*

*Motion/Second: VanDusen/Yu. Approved unanimously, with one abstention.*

**3. MEMBER INTRODUCTIONS AND DISCUSSION**

Stephen Kutz, Board Member, said he is an enrolled member of the Cowlitz Tribe and is active in cultural events. He is a registered nurse and military retiree. He currently manages clinics for the tribe in Longview, Seattle, and Vancouver. He has a particular interest in the mental health services

for tribal members because of historical trauma. Jim Sledge, Board Member, said he grew up in Spokane. He spent time in the Peace Corps in Borneo and thirty years as a dentist in Spokane, and is now teaching at the Riverpoint campus of the University of Washington in Spokane. His primary interest for serving on the Board is to promote oral health through prevention and better access to care. Keith Grellner, Board Member, said he has been with the Kitsap Health Department for 22 years and is currently the Environmental Health Director. He has an interest in trying to bridge the economic gaps which underpin public health service provision. Mary Selecky, Board Member, said she served 24 years for local health and since 1998 as the Secretary of the Department of Health. Patricia Ortiz, Board Member, has been practicing primary medicine in the Wenatchee area for over 20 years. She was the first Latina to graduate from the University of Washington Medical School. Her interests are prevention and serving people in changing demographics. Maria Hernandez-Peck, Board Member, is originally from Cuba. She has been with the School of Social Work at Eastern Washington University for 31 years. Her interest is in aging and attracting more people of color into health professions dealing with aging. She is also interested in the link between caretaker grandparents and children. Chair Austin said he was a practicing psychologist in Minnesota for 30 years but now serves as a County Commissioner. His interests are mental health and how rules work at the local level. Diana Yu, Board Member, said she has been the health officer for Thurston County since 1990. She is a Board Certified Pediatrician. She has a lot of interests, including health promotion, zoonotic diseases, tuberculosis, senior physical activity, and emergency preparedness. Donna Wright, Board Member, said she and her husband have had a real estate business for 40 years. She has served on the Marysville City Council for 20 years and on the Snohomish Health District Board of Health for 12 years. Her interest is promoting healthy communities. Karen VanDusen, Board Member, said she had a career in environmental public health since 1965 and served on the King County Board of Health for nine years. She expressed concern for maintaining infrastructure for basic public health functions. She remembered a statement she heard years ago that public health is where medicine and politics come together.

#### 4. SELECTION OF VICE CHAIR

Craig McLaughlin, SBOH Executive Director, explained the Vice Chair position. Secretary Selecky nominated Member Grellner. He was approved by acclamation.

#### 5. Update on the Governor's Interagency Council on Health Disparities and Selection of Board Representative

Christy Hoff, Board and Council Staff, introduced herself as Board staff with the primary responsibility of serving as the Health Policy Advisor to the Governor's Interagency Council on Health Disparities. She provided a brief overview of the Council and its work, including activities funded by its grant from the federal Office of Minority Health. Secretary Selecky asked if the grant provided monetary support for community organizations. Ms. Hoff said they have some modest funding to help support community events.

Ms. Hoff said the Council submitted its first action plan in June 2010, which focused on education, healthcare work force diversity, health insurance coverage, obesity, and diabetes. At its last meeting, the Council selected priority areas for the next update. Those priorities are: (1) the state system and how its actions contribute to or help reduce health disparities, (2) income and poverty, (3) adverse childhood experiences (ACEs), (4) behavioral health, and (5) environmental exposure and hazards. She said the Council is interested in maternal and child health, and therefore, it will ask its advisory committees to focus on the target population of preconception through three years of age. She said the Council will also revisit health insurance coverage, with a focus on ensuring health reform

provisions are implemented in a way that promotes health equity and reduces health disparities. She said the Council is looking for people to serve on the advisory committees.

Chair Austin asked if there was any member of the Board who would like to serve on the Council. Member Kutz expressed interest. Dr. Yu and Dr. Ortiz also expressed some interest but had some concerns about the time commitment. Dr. Yu made a motion to appoint Member Kutz to serve as the Board's representative on the Council and Board members agreed.

***Motion:** The Board appoints Stephen Kutz to serve as its representative on the Governor's Interagency Council on Health Disparities.*

***Motion/Second:** Yu/Hernandez-Peck. Approved unanimously*

## 6. BOARD ANNOUNCEMENTS AND OTHER BUSINESS

Mr. McLaughlin introduced Laurie Fait, as a temporary replacement for Heather Boe. Ms. Fait previously was part of the Board staff. Mr. McLaughlin described the progress of rule making activities of the Board regarding school environmental health, water fluoridation and rules delegated to the Department of Health regarding shellfish sanitation and drinking water. He pointed out documents in Board packets behind Tab 6. He said the Board had received two additional petitions for rule making regarding drinking water fluoridation. He said since there was no request from a Board member to consider these petitions during a full Board meeting, the Chair will respond based on recommendations from the Board's Environmental Health Committee.

Mr. McLaughlin commented on several highlighted pieces of correspondence. One was related to a potential federal grant to consider newborn screening for Severe Combined Immunodeficiency Disease (SCID). Another was related to a federal grant to address substance abuse and mental health issues. He said the Board's monthly FYI was a good way for members to get more information about correspondence and other issues of interest to the Board.

Member Kutz asked how he could get information about rule making that has been suspended. Mr. McLaughlin said most of those are environmental health related and Mr. Therien could provide information to him about them. Secretary Selecky commented on the Governor's rule making moratorium and not knowing for sure when it would be removed. She noted it was originally scheduled to end January 1, 2012. Dr. Yu suggested that new members might wish to consider joining various Board committees. Member VanDusen said the EH Committee has met twice since the last Board meeting. She said recent issues relate to such things as Group B drinking water systems, shellfish protection, food service, food worker card testing, water fluoridation, new legislation, and animal waste. She said Member Grellner has accepted being the new Chair of the Committee. Member Sledge said he has joined the EH Committee.

## 7. DEPARTMENT OF HEALTH UPDATE

Secretary Selecky commented about making a trip to Taiwan in May, financed by the government of Taiwan, to discuss public health issues. She commented that this showed there are common public health problems worldwide. She mentioned the E. coli outbreak in Europe and said it was a role of public health to try to stop it. She said Q fever had been identified in goats in Grant County, some of which were shipped to Montana and Alberta, Canada. Eleven people have become ill. CDC is investigating. Dr. Yu commented the Q fever and E. coli outbreaks were examples of why maintaining basic public health infrastructure is important. Secretary Selecky said a recent statistic of interest is that Washington has the highest rate of exemptions from immunizations for

kindergarteners in the country. She said recent legislation might help address this. The Department does not have money to promote immunizations. She said other organizations are trying to tackle this problem through education, including the Washing State Pediatric Association and the Group Health Foundation. The Gates Foundation appears to be considering helping to fund such efforts, although it usually focuses on health protection in developing countries.

Secretary Selecky reported that the Department's shellfish program has had to announce nine new threatened growing areas. She said the Governor has ramped up attention on protecting Samish Bay.

## 8. BOARD MEMBER COMMENTS AND CONCERNS

Dr. Yu commented that, as a Board member and in her role serving on various committees, she has felt compelled to limit her best practice recommendations because of budget concerns. She said budget restrictions affect her ability to advocate for the best health protection possible. Secretary Selecky commented that this conflict must be looked at by the Board in the context of what can be implemented within constraints. She said open discussion is important, but the final decision must be sensitive to real limits. Dr. Yu said she understands the problems with implementation, but wondered how long public health could be put on the shelf without causing unintended harm? Member Hernandez-Peck said Board members need to point out the damage caused by such decisions. Member VanDusen encouraged the Board to explore the limits of public health promotion. Member Kutz commented that public health often relies on incremental progress.

Chair Austin asked Secretary Selecky whether an alert was coming out about Q fever before the fair season starts. Secretary Selecky and Dr. Yu discussed an alert that went out to public health officials the morning of the meeting.

*The Board recessed from 11:30 to 11:37.*

Mr. McLaughlin introduced Lilia Lopez, AAG, substituting for Melissa Burke-Cain.

## 9. PUBLIC TESTIMONY

Anne Clifton, representing Mercury Awareness Team of Washington and National Coalition of Organized Women, advocated for the elimination of mercury exposures. She described testimony on SB 5005 at the Legislature from people who feel adversely impacted by immunizations. She expressed concern about limitations for recourse through the courts and a requirement that vaccine injury claims go to a special court.

Audrey Adams, Washington Action for Safe Water, testified about sensitivity to fluoride in drinking water. She said autistic individuals and people with other underlying conditions have higher susceptibility to adverse effects of fluoride in water. She said black populations are disproportionately adversely impacted by interaction with lead and fluoridated water.

Alli Larkin, Water District Commissioner, testified that 50 systems in Washington add fluoride and 107 additional systems distribute fluoridated water. She said this is costly to water systems. She expressed concerns about errors and malfunctions causing higher exposure to fluoride. She advocated for the public to vote on decisions by water systems to fluoridate their water.

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Brad Tower, Ophthalmic Physicians of Washington, testified in support of the draft interpretive statement developed by the Board and the Department regarding vision testing in schools. The statement was to be considered for approval by the Board later in the day.

William Osmunson, DDS, Washington Action for Safe Water, asked the Board for an opportunity in the future to give a more in-depth presentation about water fluoridation health concerns. Dr. Osmunson showed a graph of EPA data depicting relative sources for intake of fluoride. He said that EPA recommends a maximum 0.8 mg/kg/day exposure. He said EPA data indicates babies and young children would have detrimental intake of fluoride when drinking water has a concentration of 0.87 ppm fluoride or higher.

James Curry, Washington Academy of Eye Physicians and Surgeons, testified in support of the draft interpretive statement regarding vision testing in schools.

*The Board recessed for lunch at 12:01 p.m. and reconvened at 1:30 p.m.*

## **10. UPDATE ON BUDGET AND RELATED LEGISLATION**

Mr. McLaughlin summarized 2011 State legislation of interest to the Board. He said the Governor is scheduled to sign the 2011-2013 budget bill on June 15. He said a boards and commissions bill passed, which makes it permanent policy of the State to not pay members for travel to meetings without an exemption from the Office of Financial Management. Materials behind Tab 10 in Board packets provide additional information on legislation and the budget.

Secretary Selecky summarized the budget for the Department of Health. She said local government saw revenues plummet in 2008. The State budget was hit later and we expect reductions to continue for a while longer. She said there is some good news in the Department's budget. At least some flexible funding for local health remains. Blue Ribbon Commission-recommended funding to local health was cut only in half, rather than totally eliminated. There is also bad news. Funding for anti-tobacco education is totally cut. She said she will advocate for the federal government to pick up this issue. Funding for grants to partner organizations is reduced. There are reductions in pretty much every program in environmental health. The Department's professional licensing programs are fee supported, but professional recruitment programs are cut. Maternal and child health programs have large cuts. Federal block grants and other federal funding is being reduced. The HIV-AIDS program is an example of change. Regional programs are being eliminated in favor of State-led programs.

Member Kutz commented that reductions in staffing in local public health means that there is less ability to react in emergencies. Secretary Selecky said local public health in Washington has lost 500 positions during the recession. Dr. Yu said that this has resulted in a lot of innovative partnerships. Members thanked Secretary Selecky for leading in these tough times and helping save as much of local public health as possible.

Mr. McLaughlin reported on what the budget means for the Board. A staff position for health impact reviews has been suspended again. Managerial cuts might affect the Board, although the Board has little room for such cuts. Some restoration of previous staff savings by the Board, such as a secretary senior position, will likely give enough flexibility to avoid additional major cuts.

**11. INTERPRETIVE STATEMENT, SCHOOL VISION SCREENING, CHAPTER 246-760 WAC**

Dr. Ortiz introduced Tara Wolff, SBOH Staff. Ms. Wolff introduced Gayle Thronson, Office of Superintendent of Public Instruction (OSPI), and Judy Haenke, Department of Health, who had served on the vision workgroup formed in response to House Bill 1951 and said they were available for questions. Ms. Wolff reviewed materials in the Board packet under Tab 11. She explained the proposed interpretive statement for school vision screening including a description of the issue; a review of the vision rules and statutes; relevant legislative activity in 2005 and 2009; recommendations from the vision workgroup; and the statement's findings and recommendations. The vision rules were not revised after the vision workgroup report was issued because of the Governor's moratorium on rule making and limited staff resources at DOH and OSPI. The interpretive statement finds that schools may offer additional voluntary vision screening besides mandatory distance central vision acuity screening as long as a number of provisions are followed as outlined in the statement.

Member VanDusen asked if this interpretive statement is likely to evolve into a rule. Mr. McLaughlin said he is comfortable with proceeding with a rule revision if stakeholders request it and partners DOH and OSPI have the resources to support it. Member VanDusen asked whether there is an indication from school districts of their preference. Gayle Thronson said a few school districts have contacted OSPI about whether they can allow additional voluntary vision screening. She said there is no major push for an interpretive statement from school districts. Chair Austin asked whether Snellen eye charts are protected under copyright law? A member of the audience, Judy Balzer, Ophthalmic Physicians of Washington, said they are standardized.

***Motion:** The Board accepts the draft interpretive statement (Number SBOH11-01) in concept and requests staff send it to stakeholders for input before it is approved in its final form by the sponsor and the chair, and then file it with the Office of the Code Reviser.*

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

**12. REQUEST FOR DELEGATION, SANITARY CONTROL OF SHELLFISH, CHAPTER 246-282 WAC**

Member VanDusen introduced this agenda item. She said this is a request from the Department for delegated authority to revise a specific section of Board rules. The Department would like to move the commercial shellfish licensing annual renewal date three months earlier than in existing rule. Member VanDusen said the changes are administrative, have broad support from industry, and are non-controversial. She referred members to materials under Tab 12 (on file). She introduced Jerrod Davis from the Department of Health and asked members if they have any questions. Member Kutz asked for clarification about whether this was a request for a one-time move in the renewal date. Mr. Davis explained that it would be a permanent change. The change would initially result in a nine-month license. Afterwards it would revert to being an annual license. Member VanDusen referred members to the motion. Dr. Ortiz asked for clarification whether the new renewal date would start on June 30, 2012. Member VanDusen affirmed this. Dr. Yu asked if there would be a full or prorated fee for the nine-month initial period. Mr. Davis said there would be a prorated fee.

***Motion:** The Board delegates to the Department of Health authority to adopt a revision to WAC 246-282-012 for the sole purpose of changing the expiration date of licenses and harvest site certificates for shellfish dealers from September 30 to June 30 each year.*

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

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### 13. DISCUSSION OF POSSIBLE STAFF CHANGES

Chair Austin announced the Board's executive director will be leaving the Board in a few months and the Board needs to initiate a process to get a replacement. Mr. McLaughlin said he wants to do consulting and writing but is flexible about his final date with the Board. Mr. McLaughlin said he did not believe a big national search was necessary. The Board reviewed a proposed timeline for recruiting and hiring an executive director. Mr. McLaughlin proposed initially screening applications in August and then forwarding a list of candidates for Board member panel interviews.

Member VanDusen commented that Mr. McLaughlin brought great skill and wisdom to his position. She recommended two or more Board members participate in the full recruitment and hiring process. She volunteered to participate in the process, if she is still on the Board. Dr. Yu volunteered to participate. Member Kutz also volunteered. Dr. Yu asked if staff would be involved. Mr. McLaughlin said Desiree Robinson, the Board's Executive Assistant, would be involved in the hiring process and possibly additional staff would be involved in the selection process. Member Kutz said the timeline did not indicate any overlap for orienting the new executive director. Mr. McLaughlin said budget limitations might prohibit overlap, but otherwise he would be open to some overlap.

### 14. REVIEW OF STRATEGIC PLANNING PROCESS

Chair Austin suggested the Board not spend much time on strategic planning at this time because the new executive director should be involved in the process. Mr. McLaughlin said there was no mandate to develop a strategic plan at this time. He recommended staff prepare a strategic plan "bridge" memo for the Board to review in October. Member VanDusen asked if the end of July would be too late to provide input to the bridge plan. Mr. McLaughlin said it would not be too late.

### ADJOURNMENT

Chair Austin adjourned the meeting at 3:06 p.m.

**WASHINGTON STATE BOARD OF HEALTH**

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John Austin, Chair