



**Final Minutes of the State Board of Health
October 12, 2016**

**Red Lion Hotel - Seattle Airport
18220 International Blvd
Seattle, WA 98188
"Seattle Room"**

State Board of Health members present:

Keith Grellner, RS, Chair
James Sledge, DDS, FACD, FICD
Diana T. Yu, MD, MSPH
The Honorable Jim Jeffords
Fran Bessermin
Kathy Lofy, State Health Officer, Secretary's Designee
The Honorable Donna Wright
Angel Reyna

State Board of Health members absent:

Stephen Kutz, BSN, MPH
Thomas Pendergrass, MD, MSPH

State Board of Health staff present:

Michelle Davis, Executive Director
Melanie Hisaw, Executive Assistant
Kelie Kahler, Communications Manager
David DeLong, Health Policy Advisor

Sierra Rotakhina, Health Policy Advisor
Alexandra Montaño, Health Policy Analyst
Lilia Lopez, Assistant Attorney General

Guests and other participants:

Lauren Jenks, Department of Health (DOH)
Patty Hayes, Public Health-Seattle & King County (PHSKC)
Jeff Duchin, PHSKC
Dennis Worsham, PHSKC
Amy Ellings, DOH
Mike Means, DOH
Peter Beaton, DOH
Kelly Cooper, DOH
Tami Thompson, DOH
Drew Noble, H2O Management Services Inc.
John Stebbins, WA State Labor & Industries, Division of Occupational Safety and Health (DOSH)
Todd Dahlberg, City of Bellevue
Doug Lane, City of Bellevue
Carol Carter, Navy
J.D. Wilson, City of Renton
Abdoul Gafour, City of Renton
Dianna Rist, University of Washington, Bachelor of Science Nursing Program
Deitra Crawford, LifeNet Health
Adam Goldstein, Washington Education Association (WEA)
Jennifer Aspelund, Citizen
Audrey Adams, WA Action for Safe Water (WASW) & King Co. Citizens Against Fluoridation (KCCAF)

Keith Grellner, Board Chair, called the public meeting to order at 9:31 a.m., and read from a prepared statement (on file).

1. APPROVAL OF AGENDA

Motion: Approve October 12, 2016 agenda

Motion/Second: Member James Sledge/ Member Diana Yu. Approved unanimously

2. ADOPTION OF AUGUST 10, 2016 MEETING MINUTES

Motion: Approve the August 10, 2016 minutes

Motion/Second: Member Jim Jeffords/Member Fran Bessermin. Approved unanimously

3. BOARD ANNOUNCEMENTS AND OTHER BUSINESS

Michelle Davis, Board Executive Director welcomed the Board to SeaTac. She announced that Members Kutz and Pendergrass would not be attending the meeting. Ms. Davis directed the Board to an invitation (on file) for Member Jeffords to participate in an Action Alliance focused on implementing the Statewide Suicide Prevention Plan. Jim Jeffords, Board Member said the Action Alliance had its first meeting and he described the membership and this group's future work. He offered to share the State Suicide Prevention Plan with Board members.

Ms. Davis described correspondence the Board received including inquiries about the Board's authority regarding the City of Seattle's discussions about establishing safe injection sites. She noted that the Board has also received press releases from the Citizen's of Ebey Reserve and a complaint to the Secretary regarding Island County's local Board of Health. She said the Board received a metering exemption request from the Magna Vista Water Group. The Board would hold a hearing at the November meeting on this request.

Ms. Davis reported that staff filed the proposed vision screening rules and scheduled for public testimony in November. She noted that staff and Members Kutz, Yu and Grellner attended the WA State Public Health Association hearing in Wenatchee. She said that WSPHA is launching a campaign called *Public Health Is Essential*, which is one of the strategies for promoting Foundational Public Health Services.

Ms. Davis announced that Chair Grellner and Board staff would attend a meeting with the Departments of Ecology, Health and Agriculture to meet with an environmental justice coalition in Tacoma on October 13. She reminded the Board that its next meeting would be November 9 in the Tri-Cities and the meeting would cover a number of topics including the 2017 meeting schedule, future meeting locations, and 2017 legislative session.

Chair Grellner announced that he and Board staff recently attended a meeting about CAFOs and shared some of the challenges discussed at the meeting as they relate to the Board's rules on the keeping of animals. He also encouraged everyone to get his or her flu shot in anticipation of the upcoming flu season.

4. DEPARTMENT OF HEALTH UPDATE

Dr. Kathy Lofy, State Health Officer, Secretary's Designee, described decision packages the Department will submit to the Governor. She said the Department's top priority is funding for Foundational Public Health Services, which includes a \$54 million request that would help local health jurisdictions and the Department fill the gaps in important services. The Department is also requesting \$800,000 to continue to fund the Healthiest Next Generation Initiative. Additionally, the Department's requests include funding for ongoing climate change work and an increase the newborn screening fee necessary to add ALD to the newborn screening panel.

Member Lofy described several policy proposals that the Department has submitted for the Governor's consideration, including changes needed for Foundational Public Health Services, legislation to increase the purchasing age of tobacco products to age 21, and potential legislation related to the Governor's lead directive. The Department is also submitting a proposal to address the opioid epidemic that includes a

requirement for hospitals to submit emergency room data to the Department, and an amendment to the prescription drug-monitoring program.

Member Lofy also updated the Board on the anencephaly investigation. She indicated that part of the increase in rates is due to increased detection compared to other states. The elevated rates may not be as alarming as many thought, but there is still no explanation for increase and there is no leading hypothesis at this time. The Department is focusing on prevention messages for the community and is drafting a report to explain its efforts to date, including increased surveillance and prevention messaging.

Member Lofy also shared that Washington received the 1115 Medicaid Waiver. The state will receive \$1.5 billion over the next 5 years, and it will enable Medicaid to purchase services they have not previously been able to purchase. Further money will go to the ACH for population health work.

Diana Yu, Board Member inquired about influenza cases in Washington. Member Lofy indicated that there are a few cases but the peak has not yet occurred.

Chair Grellner suggested that the Board move agenda item 12 up to 10:05am since the meeting was ahead of schedule. The Board concurred.

5. PUBLIC TESTIMONY

Deitra Crawford, LifeNet Health, introduced her organization as a full service non-profit human tissue bank that has serviced the region for almost 30 years. She said last year they processed and returned 50,000 tissue grafts back to patients in the community. She noted their need for regular donations. They are servicing needs of patients and their clinical needs after a transplant. She thanked the Board for their help in streamlining the donation process. She left materials for the Board.

Jennifer Aspelund, Citizen, testified that the medical forms and questionnaires people fill out at medical offices should ask the individual whether their family has a history of alcoholism or substance abuse. She said that when she has had surgery her doctors offered her prescription painkillers. She said she declined the painkillers because she has a family history of substance abuse. Ms. Aspelund also shared her concerns about needle exchanges. She said she recently visited the University Village and noted a homeless shelter and needle exchange next door. She said the needle exchange gives out 13,500 needles a day; gave out 5 million needles last year; and they receive none in return. She expressed her concern that there is no clear authority over safe injection sites and identified several state and local agencies to which she had submitted inquiries.

Audrey Adams, WA Action for Safe Water, thanked the Board for meeting so close to her home. She said her son is hypersensitive to fluoride and cannot drink or shower in fluoridated water. She brought a letter with her from the FDA, Bothell, warning Kirkland Laboratories about unapproved drug violations that contain sodium fluoride. She quoted the letter, read sections regarding unapproved drug violations and misbranding drugs, and she left materials for the Board.

The Board took a break at 10:40 a.m. and reconvened at 10:55 a.m.

6. UPDATE: GOVERNOR'S DIRECTIVE 16-06 ASSISTING COMMUNITY AND AGENCY RESPONSES TO LEAD—DEPARTMENT OF HEALTH RECOMMENDATIONS

Member Lofy introduced Lauren Jenks, Department of Health and Kelly Cooper, Department of Health who shared the work done in response to the Governor's Directive.

Ms. Cooper reviewed the Governor's Directive on Lead issued in May 2016. Ms. Cooper is the Project Manager for the seven workgroups formed in response to the Directive. She described the Department's activities in response to the Directive. She noted that the Directive's goal is to prevent exposure to lead, to remediate known sources to prevent future exposure, and to identify children with elevated blood lead levels

and remediate the source in the environment. The Department did not try to recreate policy but rather update existing documents with the tight budget in mind.

Ms. Cooper presented current activities and future recommendations (presentation on file). She noted that the report is still in draft form and requires approval from the Governor. The decision packages related to lead will be publically available by Friday October 14, 2016. The primary recommendation related to the “School Rule” includes testing drinking water for lead in all schools as a part of a statewide school environmental health program based on existing rules. Ms. Cooper shared concerns from schools regarding their ability to test drinking water, including their opinion that the state should be paying for testing. Ms. Jenks shared recommendations for lead exposure and remediation in rental homes, which includes rental inspection and registry, and answered questions from Board members.

The Department’s recommendation to the Department of Early Learning includes testing drinking water in all childcare facilities in the same way schools would test, and additional training to childcare providers regarding potential exposures to lead in the soil. The report includes a recommendation to the Board to revise the notifiable conditions rules to require labs to report all notifiable conditions electronically, including blood lead tests. Additional recommendations include improvements for the blood lead registry, screening and case management, and remediation. The total budget request is \$6.15 million annual operating and \$1 million annual capital.

Ms. Cooper said she is hopeful the Governor will finalize and approve the report during the week of October 23-29, 2016, which is National Lead Poisoning Prevention Week. Chair Grellner congratulated the Department on their diligent work and asked about remediation practices. Member Yu shared that there is not a consensus among the medical community that lead is an issue in Washington. She recommended the Department expand its outreach to providers to encourage lead testing.

7. PUBLIC HEALTH – SEATTLE & KING COUNTY: FOUNDATIONAL PUBLIC HEALTH SERVICE, RECENT OUTBREAKS AND FUNDING CHALLENGES

Patty Hayes, Director, Public Health-Seattle & King County (PHSKC), welcomed the Board to King County. She focused her presentation on the unprecedented levels of communicable disease, and the shrinking ability by PHSKC to respond to the crisis, due to years of flat or under-funding for public health. She said all metropolitan health departments are facing a disaster if the legislature fails to act. Her presentation (on file) shows the additional important services PHSKC provides through the Metro Foundational Public Health Services. Their focus on prevention work and response has devolved due to the lack of funding. She said they have spent significant time in incident command because of the number of issues and outbreaks. Ms. Hayes suggested what the Board can do is to be aware of the continual workload after the headlines have faded.

Jeff Duchin, Health Officer, PHSKC, shared additional challenges PHSKC is facing including unprecedented numbers of outbreaks such as Legionella and Hepatitis C (on file). He noted these outbreaks require a high degree of experienced staff and a collaboration of partners to address the issues. He talked about the importance of coordinated efforts among stakeholders to control disease. He talked about the increase in Tuberculosis (TB), and noted that the cases were preventable. He said there is other routine work that never goes away such as foodborne illness; complaints and investigations; rabies; Zika; influenza; and pertussis.

Dennis Worsham, Prevention Director, PHSKC, reported that work at the county is busy. He commented on the ongoing erosion of public health funding. He said the public expects government to provide a certain level of activity to protect the public health. He said there are 100,000 people in King County with latent TB, and 1 in 10 will develop active disease. He said on the West Coast there is a huge increase in Gonorrhea (51% increase from 2010 to 2016) and Syphilis (153% increase from 2010-2016). He noted the need to increase partner identification and notification. Mr. Worsham said they are working with innovations like the Seal Program at UW but lack of funding is an issue. Funding issues and managing outbreaks has left the department unbalanced. Since 2001, the Emergency Management Preparedness has responded 50 different

times to emergencies from windstorms to floods. He noted the importance of messaging and communications.

Ms. Hayes talked about short-term needs. She expects PHSKC to spend up to \$200,000 mainly in OT, extra staff, and other associated costs of managing outbreaks. She invited the Board to look at their website and their top priorities. Her goal is to engage the county and local representatives. She commented on the need to engage health care facilities and hospital districts as well.

Member Yu commented that others view PHSKC as a leader and said it is depressing to see the agency have troubles. Member Lofy appreciated the specific examples highlighted in the presentation. Member Yu asked for permission to take pictures of Ms. Hayes' slides. She agreed and said she appreciates when jurisdictions share information and tools.

Member Yu said that the challenge in smaller health jurisdictions and rural communities is finding the right person for the job. She said Mason County has had difficulty filling a CD Nurse position. She suggested local jurisdictions could help each other through shared services; but noted the need for support from local public health leaders like county commissioners.

The Board recessed for lunch at 12:05 p.m. and reconvened at 1:01 p.m.

8. BRIEFING: FOOD INSECURITY NUTRITION INCENTIVE (FINI) GRANT

Fran Bessermin, Board Member, introduced the Food Insecurity Nutrition Incentive (FINI) Grant Program, which supports projects to increase the purchase of fruits and vegetables and improve nutrition among households participating in the Supplemental Nutrition Assistance Program (SNAP). She introduced Amy Ellings, Department of Health, to present the grant activities (presentation on file). Ms. Ellings highlighted that the Department was the only state agency to receive the grant and that it is a 100% match program provided by over 60 agencies and organizations. Ms. Ellings provided an overview of the three incentive strategies, which include a farmers market/Community Supported Agriculture (CSA) match, fruit and vegetable prescription program, and a grocery store rebate.

9. PUBLIC HEARING CHAPTER 246-290 WAC GROUP A WATER SUPPLY

David DeLong, Board Staff, handed out a document provided by the Department updating the material in Board packets under Tab 09g. Mr. DeLong discussed the updates to Chapter 246-290 WAC, Group A Public Water Supplies. Mr. DeLong introduced Mike Means, Department of Health, to provide the Board more detail on the rule, the proposed changes, and public comment. Mr. DeLong acknowledged and thanked audience members Linda Kildahl, Scott Torpie, and Bob James, experts in various aspects of the rule, who were present to assist the Board with technical questions.

Mr. Means' presentation is available in Board materials under Tab 09e.

Chair Grellner asked if the proposed amendments are not contained in the proposed rule that are in the packets. Mr. DeLong said they are amendments to the written language in the original CR 102. Ms. Davis said the information on the handout are the correct proposed amendments, and different from what is in the electronic packets already downloaded on the iPads.

Chair Grellner read a prepared statement for public hearing.

Drew Noble, Small Systems Operator stated he had several issues with the proposed changes. Mr. Noble stated he believes operators should be able to use color wheels and test strips when they test for chlorine levels. He said he thinks that electronic testing methods take too long, cost too much, and require too much care to calibrate and maintain. He said he is concerned that new requirements for temporary disinfection are too onerous. He said requiring engineering of the system for a temporary project is not necessary and adds

excessive cost to temporary projects. He thinks that the “glug method”, occasionally adding chlorine by manually pouring it into the system, is practical and adequate to serve as a temporary means of chlorination. Mr. Noble said he is concerned that continuous disinfection will now be required when it is not necessary to ensure safe water. Mr. Noble agrees that *E. coli* should require continuous disinfection. He said the costs involved for small systems are prohibitive. He said we should concentrate on bare bones necessity for public health.

Mr. John David Wilson, Project Manager, City of Renton said extending the planning time-period to 10 years is a welcome change.

Mr. Abdoul Gafor, Water Utility Manager, City of Renton, thanked the Department for helping with implementation of a complex rule and the high level of service they provided to water systems. He said he appreciates the change to a 10-year planning period.

Ms. Audrey Adams, WA Action for Safe Water said she is concerned about the addition of industrial grade fluoride products added to water systems. She said she believes that the state should regulate fluoride products and provide a list of fluoride products that the state has found to be safe and effective and warranted not promote leaching of lead from old pipes.

Chair Grellner acknowledged the amount of work the Department did on the proposed rule. He said he wanted to see a final version of the rule before adopting the rule. He asked for additional comments from Board members. Members Jeffords and Bessermin agreed with him.

Chair Grellner continued the Board’s decision to its November meeting so Board members could adequately review the large volume of material and recent amendments in the rule package. Chair Grellner asked Department staff to produce rule documents incorporating all recommended changes and amendments so the Board can be clear about the rule language.

10. BRIEFING: ADDRESSING OPIOID MISUSE AND ABUSE

Member Yu highlighted the prescription opioid and heroin abuse and overdose crisis in Washington. She introduced Member Lofy who provided an update on the opioid crisis and an overview of the Washington State Interagency Opioid Working Plan and the Governor’s Executive Order aimed at reducing opioid abuse and overdose (presentation on file).

Member Yu updated the Board on Mason County’s response to the opioid abuse crisis. The county recently held a community forum focused on this issue and used the State’s response plan as a framework. Nearly 100 people attended. Board members discussed intentional versus accidental overdoses, the transition from prescription opioid misuse to heroin use, and over prescription of opioids.

The Board opted not to take break at 2:50 p.m. and continued the meeting.

11. STRATEGIC PLANNING

Ms. Davis directed the Board to strategic planning materials (on file). She reviewed the comments from the small group breakout session. Ms. Davis invited the Board to comment and described next steps. She said she hoped to have a plan for the Board’s approval in November.

Member Sledge said that strategic planning has been a long process and sometimes a challenging task. He said he appreciated the small-group work at the August meeting, and applauds the work.

Chair Grellner said there is no legislation planned for the onsite management program funding this year.

Member Yu asked if the Board wanted to be more active in promoting awareness of Foundational Public Health Services.

12. COMMUNICATIONS POLICY UPDATE

Ms. Davis introduced Kelie Kahler, Board Staff. Ms. Kahler presented members an updated media policy. Ms. Kahler invited members to review the policy, provide input, and ask questions. Member Yu asked for guidance for members when speaking to the media or in public. Members suggested the policy expand to include members. Angel Reyna, Board Member asked for a visual to clarify the guidance. The Board asked Ms. Kahler to refine the policy based on their discussion and bring the policy back for approval at the November meeting.

13. BOARD MEMBER COMMENTS

Member Lofy said the Washington numbers for the National Immunization Survey look great. She said she was cautiously excited and noted it was a limited survey.

Member Yu reminded her fellow Board members to get their flu shots, recommending against the flu mist.

ADJOURNMENT

Keith Grellner, Board Chair, adjourned the meeting at 3:17 p.m.

Motion to adjourn: Jim Sledge/ second Fran Bessermin

WASHINGTON STATE BOARD OF HEALTH

, Chair