



# CATTARAUGUS COUNTY BOARD OF HEALTH

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**Public Health**  
Prevent. Promote. Protect.  
**Cattaraugus County**  
Health Department  
Established 1923

*Joseph Bohan, MD, President*

*Giles Hamlin, MD, Vice-President*

*Zahid Chohan, MD*

*Kelly J. Andreano, Legislator*

*Sondra Fox, RN, MSN, C.S.*

*Theresa Raftis*

*David L. Smith, Mayor*

*Kathryn Cooney Thrush, NP, MSN*

*Donna Vickman, LPN*

## MINUTES February 1, 2023

The 910<sup>th</sup> meeting of the Cattaraugus County Board of Health (BOH) was held at the Old Library Restaurant on February 1, 2023.

The following members were present:

Joseph Bohan, MD

Zahid Chohan, MD

Giles Hamlin, MD

Kelly Andreano, Legislator

Kathryn Cooney-Thrush, NP, MSN

Theresa Raftis (Virtual)

David Smith, Mayor

Donna Vickman, LPN

Also present were:

Kevin D. Watkins, MD, MPH, Public Health Director

Ashley Smith, County Attorney

Legislator Rich Helmich

Legislator Ginger Schroeder (Virtual)

Brenda Hanson, Resident (Virtual)

Ray Jordan, Senior Public Health Sanitarian (Virtual)

Debra Lacher, Secretary to the Public Health Director

Collette Lulay-Pound, Administrative Officer

Rick Miller, Olean Times Herald Reporter (Virtual)

Lynne Moore, Director of Nursing

Dave Porter, Hearing Officer

Bob Ring, Environmental Health Director

Matt Tyssee, Health Educator

Traci Wind, Health Educator

Gilbert Witte, MD, Medical Director

The meeting was called to order by Dr. Bohan. The roll was called and a quorum was present. Dr. Bohan asked for a motion to approve the meeting minutes from December 7, 2022. A motion to approve the Board of Health (BOH) meeting minutes from December 7, 2022 was made by Dr. Hamlin, seconded by Dr. Chohan, and unanimously approved.

The nominating committee report was postponed until the March meeting.

**DIRECTORS REPORT:** Dr. Watkins shared that there are (3) action items for the board. The first action item was the approval of a new immunization fee schedule for the clinic. Dr. Watkins explained that there were a few new changes in the costs for vaccines and that the department wanted to try to recoup the increase costs for those vaccines. A copy of the new immunization fee schedule was emailed prior to the meeting to all Board members, and a copy was available for those in attendance.

After reviewing the immunization fee schedule and the cost variances, a motion to approve the 2023 immunization fee schedule as presented was made by Mrs. Cooney-Thrush, the motion was seconded by Ms. Vickman and unanimously approved.

The second action item, was a request by the department to have the Board's approval to send before the County Legislators a resolution to have the 2022 uncollected debt written off of the department's accounts receivable books. Dr. Watkins explained that the debt was sent to collection agencies but as it is every year, the department only collects a little under (30%) of what is sent to collections. He stated that the total amount that needs to be written off is (\$6,043.83) which includes debt from the following department's divisions: homecare (\$2,462.33); immunization clinic (\$1,123.46); family planning (\$1,068.71); laboratory water (\$1,382.00); and the lab itself (\$7.33). This is a difference of (\$1,003.89) less than what was written off in 2021. A motion was made by Dr. Chohan to allow the department to send a resolution request to the county legislature to have the bad debt written off the department's accounts receivable books, the motion was seconded by Mayor Smith, and unanimously approved.

The final action item for the Board's approval was reaccreditation for the Health Department. Dr. Watkins stated that on November 14, 2017 the Health Department was awarded National Accreditation status by the Public Health Accreditation Board. Accreditation has provided the department with the framework to offer best practices and to strive for continuous improvement. Unfortunately, the department's accreditation status will expire this year and the department would like to apply for reaccreditation. To apply for reaccreditation the Public Health Accreditation Board requires the department to have approval and a letter of support from the Board of Health. This is a labor intensive project, but like before, the department is willing and ready for this challenge. The cost of reaccreditation is (\$5,600.00) for the initial fee and (\$5,600.00) for each subsequent year. The department has budgeted for the initial expense and the legislators have approved this in the department's 2023 budget. A motion to allow the department to apply for reaccreditation and to have Dr. Bohan sign a letter of support on behalf of the board was made by Ms. Vickman, the motion was seconded by Dr. Chohan and unanimously approved. Dr. Bohan stated he would be happy to sign the letter of support that was before him.

Update on the influenza activity. Dr. Watkins stated that during the week ending January 21<sup>st</sup>, 2023, NYS influenza activity levels was categorized as geographically widespread, which is the 16<sup>th</sup> consecutive week of widespread activity that has been reported. Based on the laboratory testing in NYS, where (56,559) specimens for influenza was tested during the week ending January 21<sup>st</sup>, 2023, there were (4,459) tests that came back positive, that's only (8%) which is a (39%) decrease over the previous week. This is encouraging news that the numbers are trending down. Even the number of patients that are hospitalized with laboratory confirmed influenza for the State of NY was (465) which is a (44%) decrease from the previous week. In Cattaraugus County, going back to October 1<sup>st</sup>, 2023, there has been a total of (725) laboratory confirmed influenza reports of which (710) were influenza A, (8) were influenza A & B, and (7) were influenza B. There were no influenza associated pediatric deaths reported during this week for NYS, but during this influenza season, there has been (8) influenza associated pediatric deaths reported, none for Cattaraugus County. It is still recommended that anyone (6 months of age or older) that has not been vaccinated against influenza, get vaccinated as the first line of defense.

Updates for COVID-19. Dr. Watkins stated that the COVID-19 sub-variant XBB.1.5 has emerged as the dominant strain in NYS and it is invading the human immune system and is driving waves of positive cases across the state.

He stated that in Cattaraugus County, for the month of January, there were (343) laboratory confirmed COVID-19 cases reported. The department has followed (2) cluster cases; one in a local nursing home; and one in a facility overseen by the Office for People With Developmental Disabilities (OPWDD). The department no longer conducts contact tracing for the general public, but the department still holds COVID-19 community clinics, and will hold its monthly COVID-19 vaccine clinic on Saturday, January 7<sup>th</sup> at Jamestown Community College from 10AM-1PM.

A copy of the current BOH Certified Food Protection Manager Ordinance was provided to those in attendance. A summary of this ordinance that was developed in 2017 was discussed. Dr. Watkins stated that before the ordinance was adopted, a number of restaurant facilities had repeat violations found during routine inspections and the question came up whether the restaurant staff had any training. It was reported at the time, that the only training in most of these facilities were obtained when the department's sanitarians did their inspections at the facilities. The Board decided to develop an ordinance that would require all medium and high risk restaurants to have their manager's trained in a certified food protection course by December 2018.

Dr. Watkins stated that these food training certificates were good for five years and will expire at the end of this year. Therefore, the ordinance is before the Board for review and to determine if any amendments are to be added. He stated that there are still some areas that need improvement but the department's view is that the training has been productive. Dr. Witte asked if an assessment of the compliance with the ordinance was completed. Dr. Watkins replied that when an inspection is done the restaurant must show a certificate proving that at least a manager has had the training. New restaurants that are just opening are given a window of (30) days to complete the training as a grace period. Dr. Bohan asked if the sanitarians thought the ordinance was working. Mr. Ring replied that they (100%) support the continued training and research shows that managers who receive this training are less likely to have a food borne outbreak. Mr. Jordan reiterated that staff feels that it is a critically important part of the restaurant inspection program to have trained operators. Dr. Watkins stated that it is the department's recommendation that the ordinance continues as written.

He stated that if no amendments are made to the ordinance the department will send out notifications to all restaurant facilities of the upcoming deadline for renewal of the training. Instructors are available if they want to take the course face to face, or they have the ability to take the course on-line. Mr. Ring stated that there are over (500) food establishments within the county, and the department anticipate at least (200) of these certificates will be expiring.

If no amendments are made to the current ordinance the department will send out a letter that includes the ordinance, and also both the in-person and the on-line trainings that are available. They must have a valid certificate when staff meet with them for their inspection. The cost of the training on-line is (\$60.00) and the instructor at St. Bonaventure will be charging (\$100.00) for those who would like to take the class in person. This certificates will still be valid for five years. Mr. Ring added that the State is starting to make moves towards adopting a model food code. Under this model program, it requires that a certified manager be on-site at all times, this would require multiple people to take the trainings to cover all shifts. This may be a foreseeable mandate by the State if adopted, but it is still under review.

**ENFORCEMENT LIST:** Mr. Porter, Hearing Administrator Officer reported there were no administrative hearings to discuss for this month.

Dr. Watkins stated that at the last BOH meeting there was an appeal that came in from Malachi Cleveland, docket #22-019. He read the appeal to those in attendance. The respondent failed to provide an animal confinement form and proof of a current rabies vaccination for his dog after a biting incident. The hearing officer recommended that the respondent be levied a civil fine of (\$75.00) and doubled to (\$150.00) due to a no show after being properly served. Failure to comply would result in a (\$10.00) per day per diem until in compliance. The appeal was tabled to allow the department to follow up with the respondent just to make sure that the dog was transferred to a new owner, and that the vaccination records were in possession of the new owner. Health department staff went back out to the home, and were told that the respondent had moved and the dog was no longer there. In addition, the department sent a certified letter to the address which was returned to the department. Unfortunately, the department does not know the location of the dog or Mr. Cleveland. After reviewing the case, since it was Mr. Cleveland's dog that bit him after he rolled over his tail with a chair accidentally, it is the department's recommendation to close this case even if the dog's vaccination status is unknown.

Legislator Andreano suggested that the case remain open another (30-60) days to see if the dog or owner is found. Mayor Smith asked if legally there is a period of time that the Board must adjudicate an appeal. County Attorney stated that she would need to look into that, but she does not recall seeing a timeframe. Mrs. Lacher provided the guidelines which states that the Board must answer the appeal within (60) days of receipt. Dr. Chohan asked if it's really the department's obligation to track him down. Dr. Watkins replied that normally if the dog had bitten someone in the community we would exhaust all of our efforts and resources to locate the dog and owner. Since, the dog bit the owner, and the owner denied an offer for any post-exposure rabies prophylaxis vaccine, adds to the reason behind why the department recommends that this case be closed. The County Attorney stated that the Board must make a determination on the appeal, either grant it or deny it. A motion was made by Mayor Smith to close (accept) the appeal, the motion was seconded by Dr. Chohan, and unanimously approved.

**NURSING DIVISION REPORT:** Mrs. Moore shared that the current homecare census is (260), and the department is working on marketing again. The department is visiting area hospitals within Erie County and Cattaraugus County (Olean General Hospital) where we are meeting with discharge planners, seeing if that will help make a difference. This process was restarted in the beginning of January.

The department is gearing up to start the Electronic Visit Verification (EVV) program, this mandatory visit verification program for home health care agencies should have been in place by January 1<sup>st</sup> but now Netsmart, the Electronic Medical Records (EMR) provider, is saying the program will not go live for the department's homecare agency until the end of February.

The Outcome and Assessment Information Set Version-E (OASIS-E), which is a data set, used to determine the patient's Plan of Care, was updated on January 1<sup>st</sup>, 2023. Netsmart, usually kicks this out automatically but it did not this year. Information Services, worked to update the system which caused other problems that needed to be addressed. It took nearly three days to correct the errors.

In the clinic, Barb Parish, Supervisory Community Health Nurse (SCHN), retired January 27<sup>th</sup>, 2023 and Brooke Schnell (SCHN) has taken her position. She will do well, and is gaining lots of knowledge as she has big shoes to fill.

Ms. Vickman asked if the Board could send Mrs. Parish a letter of gratitude for here service. Dr. Watkins replied absolutely.

Mrs. Moore stated that the refrigerator for the clinic that was ordered in October, will finally get delivered tomorrow. It will be delivered without the chart recorder and the company will come on-sight to install the recorder once the recorder ships to the company.

In the lead program; in December there were (101) lead tests conducted with the highest blood lead level of (16.2ug/dl) [normal is  $\leq$  5ug/dl]; in January there were (92) lead tests conducted with the highest lead level of (10.6ug/dl). Current lead case load is (105).

HIV testing; Olean, there was (9) tests conducted in December, and (8) tests conducted in January; Salamanca, there were (4) tests conducted in December, and (6) tests conducted in January and in Machias, there was (1) test conducted in December, and (4) tests conducted in January; of all the HIV tests conducted in the two months, none were positive.

Communicable diseases: for the month of January there was (1) case of Amebiasis, the source is still unknown and the investigation continues. There was (1) case of campylobacteriosis in December, probable source was food borne; there was (1) probable case of giardiasis in December from contaminated lettuce which was part of a recall; there were (17) confirmed cases of chlamydia in December and (13) in January; (3) cases of gonorrhea in December, and no positives in January; (5) cases of chronic Hepatitis C in December and (2) confirmed cases and (2) probable cases in January. There was (1) Strep Group A in December, and there were (2) cases of salmonellosis, one in December and one in January.

There were (3) post exposure prophylaxis vaccination series given in December /January that were due to (2) dog bites and (1) cat bite.

Dr. Bohan stated that in Massachusetts there were (2) cases recently of antibiotic resistance gonorrhea, which could be devastating if that spreads around the country. Dr. Chohan stated that amebiasis is more of a tropical disease, usually diagnosed in persons who have traveled to tropical places with poor sanitary conditions and asked if the person was a traveler. Mrs. Moore replied it did not appear that the person traveled anywhere, and because the person is currently hospitalized the department has not been able to interview the patient to see what the cascade of events were.

**ENVIRONMENTAL HEALTH REPORT:** Mr. Ring shared that the rabies clinic held in January vaccinated a total of (221) animals which was (43) more than the department's 2022 January clinic.

The department has been working on the Community Development Block Grant (CDBG) which is a homes and community renewal program for septic systems, wells or creation of lateral connections. The department was awarded (\$400,000.00) to spend over the next two years for low and moderate-income households.



We are anticipating approximately (30) projects to be completed. Our next step will be marketing and applications to get ready for the construction season in June.

The department is also working on long term, state supported, efforts for lead service lines, and the task that municipalities are required to complete for all their service lines to customers. The inventory must be completed by October 2024.

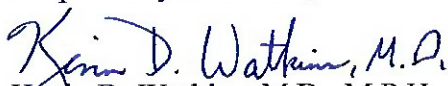
A project that was grant funded, called Drinking Water Source Protection Program, a state-wide program to assist municipalities with proactively protecting their drinking water sources through ordinances and signage consists of (4) municipalities, (Allegany (v), Machias (t), Ellicottville (v & t), and Portville (v)) who were all awarded this grant. The department will work to support them so this program is successful.

New York State Department of Health has released quite a bit of funding over the last few years for fluoridation improvement. The department will contact municipalities to make them aware that those who treat with fluoride can replace infrastructure (100%) with grant funds. Those municipalities that don't utilize fluoridation currently will also be contacted to make them aware that funding is also available to them if they choose to fluoridate. Dr. Bohan asked if most municipalities use fluoridation. Ring responded only (20%). Dr. Chohan asked why the resistance, do people think fluoride is not safe. Ring responded that there is some hesitancy in some municipalities and the department is trying to provide the facts to the municipalities and let them decide. The largest municipality, the city of Olean, have fluoride treatment.

**Old/New Business:** Dr. Watkins reminded everyone the next Board of Health meeting will be held on Friday, March 3<sup>rd</sup>. This is due to a NYSAC conference which will be held on the normal day the Board meeting is held, the first Wednesday of the month.

A motion to adjourn was made by Dr. Chohan, seconded by Ms. Cooney-Thrush and unanimously approved.

Respectfully submitted,



Kevin D. Watkins, M.D., M.P.H.  
Secretary to the Board of Health