



CATTARAUGUS COUNTY BOARD OF HEALTH



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

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Joseph Bohan, MD, President

Giles Hamlin, MD, Vice-President

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Zahid Chohan, MD
Sondra Fox, RN, MSN, C.S.
Richard Haberer
Theresa Raftis
David L. Smith, Mayor
Kathryn Cooney Thrush, NP, MSN

MINUTES July 1, 2020

The 886th meeting of the Cattaraugus County Board of Health (BOH) was held virtually on July 1, 2020.

The following members were present:

Joseph Bohan, MD	Sondra Fox, RN, MSN, C.S.
Zahid Chohan, MD	Dick Haberer
Giles Hamlin, MD	Mayor David L. Smith
Legislator Kelly Andreano	Kathryn Cooney Thrush, NP, MSN

Also present were:

Kevin D. Watkins, MD, MPH, Public Health Director
Ashley Milliman, County Attorney
Richard Helmich, Legislator
Kip Morrow, Legislator
Raymond Jordan, Sr. Public Health Sanitarian
Debra Lacher, Secretary to the Public Health Director
Colette Lulay-Pound, Administrative Officer
Rick Miller, Olean Times Herald Reporter
Lynne Moore, Director of Patients Services
Dave Porter, Hearing Officer
Paul Schwach, MD, Clinical Director
Shomita Steiner Ph.D., Public Health Emergency Preparedness Director

The meeting was called to order by Dr. Joseph Bohan. The roll was called and a quorum was present.

Dr Bohan asked the Board for a motion to accept the June minutes that were distributed by email. Mayor Smith made a motion to approve the minutes of the BOH meeting held June 3, 2020, the motion was seconded by Dr. Chohan and unanimously approved.

DIRECTORS REPORT: Dr. Watkins welcomed and thanked everyone for joining the third teleconference meeting to be held during the pandemic.

Since the last meeting the department has maintained a strong focus of its resources on COVID-19 related responses but as of yesterday, Western New York was given the green light to move into phase 4 of reopening and the department has begun to scale back on its COVID-19 operations.

Dr. Watkins shared a COVID-19 update report, he stated that as of Monday, June 29, 2020, NYS has reported a total of (393,454) confirmed cases of COVID-19 and (24,855) deaths. The number of newly confirmed COVID-19 cases in NYS increased, on Monday June 29, 2020 there were (524) new cases versus (391) the day prior.

The number of hospitalizations for COVID-19 related illnesses in NYS remained flat, on Monday June 29, 2020 there were (891) COVID-19 patients in the hospital versus (853) the day prior. Of the (891) COVID-19 patients in the hospital, (217) were in the intensive care unit (ICU).

Recent mortality for COVID-19 related deaths in NYS remained flat. On Monday, June 29, 2020 there were (13) deaths reported compared to (7) the day prior.

Currently in Cattaraugus County there has been (12,553) diagnostic tests administered, (12,360) were negative, (93) were confirmed positives, (86) of the positives have recovered, and (4) deaths have been recorded. Currently the department is following (3) active positive cases. In addition, the department has monitored over (2,000) residents in quarantine.

Dr. Watkins stated that at our last meeting Dr. Bohan asked for the number of positive cases that were healthcare workers. Of the (93) positive cases, (30) were healthcare workers, additionally, (39) of the positives were asymptomatic, and (26) were contacts of a positive person.

He also shared the ages of those with positive tests (1) was in the age group of [0-9], (4) were in the age group of [10-19], (11) were in the age group of [20-29], (13) were in the age group of [30-39], (6) were in the age group of [40-49], (21) were in the age group of [50-59], (20) were in the age group of [60-69], (10) were in the age group of [70-79], (3) were in the age group of [80-89], and (1) was in the age group of [90-99].

As of July 6th COVID-19 testing for pre-op patients will be conducted by Olean General Hospital (OGH) and the Health Department will still conduct testing for the public.

The New England Journal of Medicine released a study on June 30, 2020, that centered on COVID-19 children in NYS, a copy of the study was distributed to all board members. New York State was one of the first states to identify the emergence of multisystem inflammatory syndrome in children (MIS-C) with widespread SARS-CoV-2 transmission; this hyper-inflammatory syndrome with dermatologic, mucocutaneous, and gastrointestinal manifestations was associated with cardiac dysfunction. This syndrome is rare, and most children who have it eventually get better with medical care, but some children rapidly get worse, to the point where their lives are at risk. This multisystem inflammatory syndrome in children (MIS-C) is a serious condition which can affect heart, blood vessels, kidneys, digestive system, brain, skin or eyes causing inflammation, and swelling, often with redness and pain.

Most of the children that present with this MIS-C, will not test positive for COVID-19 but if their antibodies are tested, they would have positive antibodies. This means that these children have been exposed to COVID-19, but do not currently have COVID-19. NYS being one of the first states to recognize this phenomenon puts NYS on the map for this discovery.

MIS-C shares some of the same signs and symptoms as another condition called Kawasaki syndrome. Kawasaki usually affects children under 5 years of age.

Nationwide, coronavirus cases are up 30% compared to the beginning of June. There are (36) states that are seeing daily COVID-19 cases increases over the past week.

The Governor announced in a new executive order that all individuals traveling to NY from a state with a positive COVID-19 transmission rate higher than (10) per (100,000) residents over a 7 day rolling average or a state with a (10%) or higher positivity rate of COVID-19 over a 7 day rolling average, must quarantine for a 14-day period upon arrival to NYS. At this particular time, there are (16) states that meet this definition including: Alabama, Arkansas, Arizona, California, Florida, Georgia, Iowa, Idaho, Louisiana, Mississippi, Nevada, North Carolina, South Carolina, Tennessee, Texas, and Utah.

Any individual coming from one of these states should notify the Health Department (HD) and the department will place them in precautionary quarantine. There are (3) ways for the HD to find out this information 1.) self-report 2.) calls or complaints from someone in the community or 3.) airport education tables which have been set up in (6) airports in NYS including JFK, LaGuardia, Stewart, Albany, Syracuse, and Buffalo.

Legislator Kip Morrow asked if an individual could eliminate the quarantine period if they were tested and found to be negative. Dr. Watkins replied that an individual can get tested but they are still required to complete the two week quarantine. Legislator Andreano asked why that would be the case. Dr. Watkins replied that that the mean incubation period for SARS-CoV-2 was 5.1 days, and (14) days quarantine must be maintained because at any point in the (14) day period, a person can develop symptoms. In addition, it prevents the spread of the disease that can occur before a person knows they are sick or if they are infected with the virus without feeling symptoms.

Dr. Bohan asked if there were any individuals under quarantine due to the travel restriction. Dr. Watkins stated that currently (26) people are under precautionary quarantine. These individuals are all returning travelers that must quarantine for 14 days. Currently, they are being followed by the department's staff (who contacts them once a day asking them for their temperature and any new symptoms) but this area of contact tracing will eventually be transferred over to the virtual contact center, which is part of the contact tracing program that John Hopkins developed for NYS. County Attorney Ashley Milliman also stated that the executive order reads that travelers from restricted states must quarantine for the full (14) days. Dr. Watkins added that there are several Healthcare personnel that have recently traveled to one of these states where there is community wide transmission of COVID-19. These individuals are under quarantine but because they are essential workers, will still be allowed to go to work, but when they come home, they have to quarantine. In preparation of a possible second wave, the department continues to stay in a preparation mode, ordering personal protective equipment (PPE), ordering collection kits, and looking at whether the department should invest in a COVID analyzer instrument.

Dr. Watkins presented an action item, asking the Board to vote on renewing the credentialing privileges of the following providers; Dr. Gilbert Witte (Medical Director), Dr. Kaitlin Hanmer (Family Planning Medical Director), Dr. Paul Schwach (Clinic Physician), Dr. Donald Higgs (Director of Laboratory) and Kerry Perese (Nurse Practitioner). Every two years the Board must renew their certification and privileges.

Current licensure, current curriculum vitae, professional misconduct enforcement disciplinary review, Medicare/Medicaid program exclusion review, and a copy of their DEA a registration has been provided to Dr Bohan, President of the Board. Dr. Bohan stated that he has reviewed and sees no issues with the documentation. Dr. Chohan made a motion to renew the credentialing and privileges of the (5) individuals, the motion was seconded by Dr. Hamlin, and unanimously approved.

New York's Adolescent Tobacco Use Prevention Act (ATUPA) regulates the sale of tobacco products with the goal of restricting access to youth and young adults. Last year the Board worked extensively on initiating the prohibition of tobacco products specifically vaping to anyone under the age of 21 in Cattaraugus County. Resolutions were presented to and adopted by the County Legislature, who then forwarded those resolutions to the State Legislature. Handouts were provided by email to those in virtual attendance which outlined changes that were adopted by the State legislature, during the passing of the April 2020 budget, which would impact how ATUPA is now going to be regulated.

There are seven new changes that were adopted by the state legislature that have the goal of restricting access of tobacco products to youth and young adults:

- Prohibiting pharmacies, and stores containing pharmacies, from selling tobacco, herbal cigarettes, or vapor products intended or reasonably expected to be used with or for the consumption of nicotine effective May 18, 2020.
- Authorizing the State Health Commissioner to regulate ban or restrict the sale of vapor product carrier oils determined to be harmful, effective May 18, 2020.
- Restricting the delivery of vapor products intended or reasonably expected to be used with or for the consumption of nicotine in quantities greater than 500 milliliters, or total nicotine content of 3 grams, effective July 1, 2020. This is a suggestion that Dr. Bohan asked the department to work on last year, and is now adopted by the State.
- Prohibiting the distribution of vapor products intended or reasonably expected to be used with or for the consumption of nicotine without charge, effective July 1, 2020.
- Prohibiting "price reduction instruments" on tobacco and vapor products intended or reasonably expected to be used with of for the consumption of nicotine (ex. coupons), effective July 1, 2020.
- Prohibiting advertisements related to tobacco and vapor products, electronic cigarettes, and paraphernalia intended or reasonably expected to be used with or for the consumption of nicotine on store fronts and exterior doors and windows on stores located within 1,500 feet of a school, effective July 1, 2020.
- Increasing fine and surcharge amounts for violations in 1399-ee, effective July 1, 2020.

These are several significant positive initiatives that this Board has worked on for years that the State has now adopted. Dr. Bohan asked if the flavors were banned. Dr. Watkins confirmed that yes they were. Mrs. Fox remarked that the casinos are not allowing smoking due to the COVID-19 pandemic so something good has come out of something bad. Dr. Watkins added that he hopes we see an improvement on our health outcomes due to these new changes. Most of the chronic diseases that we see in Cattaraugus County are due to smoking, so these new restrictions should help that situation.

NURSING DIVISION REPORT: Lynne Moore, Director of Patient Services reported that the current homecare census is (260) with (98) admissions and (79) discharges in the month of June. The agency have cared for (3) COVID-19 patients all who have recovered, so currently we have no positive COVID-19 patients being followed in the agency.

Changes in homecare include the resignation of Amit Benedict, Supervisor Community Health Nurse (SCHN) who is moving out of state. Carol Skudlarek who is currently the authorization nurse, and who has been with the department for 23 years will be taking over the position of SCHN in Olean on July 8th.

The lead program continues to follow (116) children with elevated blood lead levels; (103) have blood lead levels between 0-5ug/dl there are (9) with blood lead levels between 5-10ug/dl; and (3) with blood lead levels between 10-15ug/dl., and (1) with a blood lead level between 15-20ug/dl. (normal < 5ug/dl). There are no plans to schedule a lead coalition meeting at this point and testing at WIC sites continues to remain on hold.

Clinic visits have decreased since this same time last year. Total visits for June last year was (320), this year (205) patients were seen in the clinic in June. The majority of these visits were family planning or Cattaraugus County employee physicals.

HIV testing in the clinic included (6) in Olean, (2) in Machias, and (6) in Salamanca, all were negative. Hepatitis C testing there was only (1) in Salamanca, and that was non-reactive. In June there was (1) campylobacteriosis case (15) chlamydia cases, (1) gonorrhea case, (3) chronic hepatitis C cases, (7) suspected Lyme disease cases, (2) confirmed salmonella cases; and (2) cases of strep group A.

Rabies post exposure included one female, who found a bat flying around in her bedroom it disappeared and was never captured. The second was a Pines Nursing Home patient a bat was found flying in a patient's room, the bat was captured but then they let it go. The third was a dog bite and the dog was never found. Therefore all three patients needed rabies post exposure prophylaxis treatment.

ENVIRONMENTAL HEALTH REPORT: Ray Jordan, Senior Public Health Sanitarian reported that there is currently three categories of registration for tobacco vape products.

- 1.) A combination of tobacco and vape products, Cattaraugus County has (19) locations, but one of those is a drug store which is no longer allowed to sell.
- 2.) Just tobacco, Cattaraugus County has (35) locations, some of which are drug stores who will no longer be allowed to sell.
- 3.) Vape shops, Cattaraugus County has (4), of which (2) have indicated that they would be leaving NYS.

A rabies clinic is scheduled for July 11th, at the Little Valley Fairgrounds, and it will be a drive-thru clinic. The fairgrounds has allowed the department to use their facility and the Department of Public Works will provide assistance with signage, and orange tape for proper directional control; the hours of operation will be 9:00AM-Noon.

Environmental Health has also been part of the COVID response team with staff answering calls and complaints and delivery of supplies and food.

Staff continues to do new investigations on lead, and continues to follow-up on lead remediation.

A call was just received on a woodchuck bite which will result in another post exposure rabies prophylaxis treatment.

ENFORCEMENT LIST: Mr. Porter reported there were no new enforcements this month.

Old Business: Dr. Watkins reviewed the latest inspection report for The New Lakeview Chinese Restaurant. Last month the Board asked that due to the continuance of critical violations in the inspection reports for New Lakeview Chinese Restaurant they must have a serv safe instructor visit the restaurant and provide a letter to the board about the findings. The department reached out to the owner and advised him of the Board's recommendation and he followed through with acquiring the onsite serv safe instructor. A report from John Haley, Serv Safe Instructor, was submitted to the Board along with the inspections report from the department's sanitarian. The reports were different and shows that there has been improvement in the owner's facility, but violations were identified during the inspection.

The health inspector found (3) red violations, and (1) blue violation during the inspection. The violations were covered in detail, and discussed with the owner, and (3) were corrected on site immediately.

Dr. Watkins shared that this particular facility has been under the eye of the Board for more than a year now and has been inspected almost monthly. The department has seen improvements but still continue to identify some violations. A copy of the sanitary code was also issued to the Board members that establishes the process that the Board would have to follow if the Board decides not to renew a permit for this establishment. The owner has a right to a hearing prior to the suspension of his permit. The Board held a lengthy discussion following the presentation of the material. Dr. Hamlin asked if John Haley, could do a monthly inspection in order to free up the HD from monthly inspections. Dr. Watkins replied due to Cattaraugus County Sanitary Code regulations, a non-employee inspection would not be valid, but the owner could certainly consult with Mr. Haley on a monthly basis. Mrs. Fox asked if both of these reports were unannounced visits. Dr. Watkins replied that Mr. Haley was an appointment that was set up with the owner, whereas the health department inspection was an unannounced visit. Mayor Smith asked if the inspectors are in full view of the restaurant workers, and it was confirmed that the inspectors are in full view of the workers.

A motion was made by Mrs. Fox to not issue another monthly permit and to close the restaurant within 15 days of the order, this motion was seconded by Mayor Smith. A vote was taken 3 nays, and 4 ayes in agreeance of no permit issuance and closure of facility within 15 days upon receipt of the order. Dr. Bohan clarified that the closure would not start until 15 days after the owner had received the notice and that he could appeal the Boards decision.

Legislator Andreano asked Dr. Watkins to review what phase 4 reopening entails. Dr. Watkins stated that higher education must now start to submit their safety plans for reopening; recreational sports such as professional baseball can happen but no fans will be allowed; low-risk outdoor activities and entertainment at 33% capacity like zoos, low-Risk Indoor Arts & Entertainment like museums and media productions.

A few things have been delayed from opening, gyms are not allowed to open, nor are movie theatres, and certain malls. If the mall has exterior doors on the first floor they are allowed to open. Nail technicians, tattoo artists and those providing personal services are no longer required to have a COVID-19 test every 14 days. Restaurants must maintain their capacity at 50% inside their restaurant, and the same for religious facilities. Personal gatherings can now have as many as 50 in attendance. Summer day camps have now received permission to open but there will be no overnight camping allowed. New guidance will also be sent out to campground owners as soon as the guidance is ready for release. Legislator Morrow asked what is the capacity for campgrounds. Mr. Jordan replied that campground capacity is at 100% of whatever is listed on their individual permit which is based on sewage, lot size etc. Campers should still practice social distancing and no more than 50 people can gather at any event.

The next Board of Health meeting will be held on Wednesday, August 4th.

There being no further business to discuss, a motion to adjourn was made Dr. Hamlin, seconded by Mayor Smith and unanimously approved.

Respectfully submitted,



Kevin D. Watkins, M.D., M.P.H.

Secretary to the Board of Health