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ERIE COUNTY BOARD OF HEALTH

ROOM 904 RATH BUILDING

JANUARY 13, 2011

AGENDA

1. Review of minutes from October 21, 2010 meeting
2. Sanitary Code Update
 - a. adopted
 - b. pending
3. Healthy Choices and MenuCalc
4. BOH on Erie County website
5. Influenza 2010-2011
6. Public Health Alliance Communication
7. Rabies Vaccine Airdrop
8. Drug disposal
9. New Business



COUNTY OF ERIE

CHRIS COLLINS

COUNTY EXECUTIVE

ANTHONY J. BILLITTIER IV, M.D., FACEP
Commissioner of Health

December 14, 2010

Dear Board of Health Member:

The next Board of Health meeting is scheduled for Thursday, January 13, 2011 at 3:30 P.M. The meeting will be held in Room 904 of the Rath Building, 95 Franklin Street, Buffalo, New York 14202.

The minutes from the October 21, 2010 meeting as well as an agenda for the January meeting are enclosed for your review.

Please make every effort to attend the meeting. If you are unable to attend, notify my office at 858-7226. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Richard Judelsohn M.D.".

Richard Judelsohn, M.D.
Medical Director

Encl.
RJ/mac

ERIE COUNTY BOARD OF HEALTH MEETING

MINUTES

OCTOBER 21, 2010

PRESENT: Richard Judelsohn, M.D.
James Hoddick, D.D.S.
John Davanzo, Mount St. Mary's Hospital
Nathaniel Webster, M.D.
Carolyn Montgomery, PhD, NP-C
Dennis Galluzzo, R.P.H.
Matthew Dunaif, D.V.M. – by telephone conferencing

EXCUSED: Gail Polanski
Krista Van Wagner

ERIE COUNTY HEALTH DEPARTMENT

Cheryll Moore, Coordinator, Community Wellness
Tom Muscarella, Environmental Health

NEW YORK STATE RESTAURANT ASSOCIATION, WESTERN
NEW YORK CHAPTER

Rob Free

I. MINUTES OF JULY 15, 2010 MEETING

Dr. Judelsohn called the meeting to order. The minutes of the July 15, 2010 meeting were reviewed. Dr. Hoddick motioned to approve the minutes as written, John Davanzo seconded the motion, all were in favor and the minutes were approved.

II. PRESENTATION ON MENU CALC BY CHERYLL MOORE,
COMMUNITY WELLNESS, ECHD

Ms. Moore gave to the Board of Health an extremely in-depth presentation on MenuCalc, as well as Healthy Choices, and Community Wellness which is being restructured as Chronic Disease and Injury Prevention. Informative handouts were distributed to the BOH.

The software for MenuCalc was designed with the ECDOH's specifications by a company in California. Funding was obtained from New York State grant programs. The purpose of this program is to give consumers the opportunity to make healthy choices. Utilizing the software, restaurants will be able to produce nutrition facts labels for chosen menu items. It is a voluntary program in which the first 200 restaurants will be able to subscribe to MenuCalc at no cost; after that the restaurants will pay for this service. A minimum of two and a maximum of four menu item labels can be produced. If participants want to include more than four menu items, a discounted rate will be given to the restaurateur. Mr. Free told the Board that the restaurant association endorses this product. He went on to explain that the Western NY chapter tries to be proactive, as they realize that down the line this will be a requirement of restaurant owners to provide healthy choice options to consumers.

There was ensuing discussion regarding MenuCalc; Dr. Hoddick motioned that MenuCalc be tabled until the next BOH meeting when its information can be presented to Krista Van Wagner for her input. It could then be rolled out with the support of the Erie County Board of Health. John Davanzo seconded the motion. All were in favor. Dr. Judelsohn suggested that since another meeting will not be scheduled before the MenuCalc press conference November 8th or 9th; that consideration of an endorsement from the BOH be accomplished in a timely manner after Ms. Van Wagner has a chance to review the information. Voting can take place by email.

III. ERIE COUNTY WEBSITE

The Board of Health information has been incorporated onto the Erie County Health Department website. Current members, duties and responsibilities of the Board, Article 5 of the Erie County Charter, the Erie County Administrative Code, Article 5, Section 5.04 as well as the last meeting's minutes are included. Ms. Crosby e-mailed the board members the link to the website; however the members had problems opening the link. She suggested pasting the address into their browsers, some were able to open the link, and others still had problems. We will look into this issue. Ms. Crosby will send hard copies of the information on the website to the Board of Health members.

IV. CALORIE POSTING & RESTAURANT GRADES

Dr. Judelsohn asked Tom Muscarella if he had any knowledge of how the restaurant grading system has worked out in cities (e.g. New York, Los Angeles) that have adopted it. Mr. Muscarella said that it would be obviously extremely beneficial for a restaurant to get

an "A" rating, but he had no official statistics on this subject. Dr. Judelsohn commented that the bar had to be set high to obtain an A rating.

Dr. Judelsohn said that we will observe the new approach on the "Healthy Choices" program on how it will impact restaurants.

V. SANITARY CODE REVISIONS UPDATE

Dr. Judelsohn said that at the July BOH meeting Mark Kowalski was confident, based upon a conversation he had with the New York State Health Department that their finalization of their review of what we had sent to them would be complete by this meeting. Tom Muscarella said that a letter had been forwarded to Dr. Judelsohn regarding this issue.

The only problem with the document as presented was the definition of a Bed and Breakfast. The State changed the definition of a temporary residence (hotel/motel) while we were in the process of amending the Code, and changed from eleven transient lodgers to ten. We stated that a B & B has ten. This is a matter of one change in a number and then rewording on how it is converted (converted house). Our recommendation would be to go along with the State recommendation in the letter regarding Bed & Breakfasts. This makes everything consistent with the NYS building code. Dr. Judelsohn said that he had acted upon the definition issue.

The other issue was for the BOH to select an implementation date. A suggestion of April 1, 2011 made for a hard line implementation date. There will be an outreach to the B & B's regarding changes being made.

Mr. Muscarella also brought up a change in the B & B fee, to be in line with the State rooming house fee. Our recommendation would be to update our fee schedule to indicate Rooming Houses/Bed & Breakfasts. It was agreed that the fee schedule changes be made.

Dr. Hoddick questioned if there needs to be another public hearing before April 1st addressing the changes in the sanitary code revisions regarding housing code issues. Dr. Judelsohn said that we would not if the BOH adopted the revisions and there have been no substantive changes to what was originally proposed. He questioned if the change of the B & B would be considered substantive, to which Dr. Hoddick responded that he personally felt it was not. Dr. Judelsohn said that he would contact the County Attorney for his opinion on this matter.

The other Sanitary Code amendment goes back to 2005 with the expansion of the ECDOH Commissioner's powers in the face of an urgent emergency. The State Health Dept. had many issues with this, one being usurping the NYSDOH Commissioner's powers. Finally we were able to address what

NYSDOH actually did and did not like and what we could respond to. All of this information has been resubmitted with revisions.

VI. COMMUNICATIONS WITH OTHER NYS COUNTY BOARDS OF HEALTH

Dr. Judelsohn commented that this issue came to mind in the spring. He approached Dr. Billittier to see if communication with other NYS county Boards of Health had ever been discussed with other County Health Commissioners. He said that this has never been discussed. There is no State organization of County Health Boards. There is a national organization (NALBOH National Association of Local Boards of Health) to which the ECDOH BOH is a member of. There is a Public Health Alliance which includes the health departments of 7 surrounding counties. Through the Alliance, we will inquire if there is any interest in networking with fellow County Boards of Health. Sharing meeting minutes might give us an idea of something that we should be doing or just finding out what doesn't work. Dr. Judelsohn will report back to the BOH after some inquiries are made.

VII. NEW BUSINESS

Mr. Galluzzo addressed the Board regarding the annual rabies vaccine drop. He found his dog eating some material that said live vaccinia vector; it was apparently air dropped in his yard. There is an 800 number on the packets, Mr. Galluzzo phoned and the person answering said that by picking up the packet with oozing material and having a cut on his hand, he could have inoculated himself against smallpox. A rabies polypeptide is attached to vaccinia virus which is live. He thought that alerting veterinarians when the drop is done again might be a good idea. Dr. Dunaif said that this is published in the NYS Veterinary Society newsletter, and that the airdrop is done annually, with recombinant rabies vaccine. The vaccine is put inside a packet of fish food (a fish protein biscuit). It is actually bait for raccoons that after biting into the packet would inoculate themselves against rabies. The toll free number for information that was on the bait is 877-722-6725.

There was some further discussion regarding this matter as Mr. Galluzzo was concerned with the live vaccine vector as a related pox virus. Dr. Dunaif explained that it is not a live rabies virus. It was agreed that information regarding the air drop should be readily available to the public. Mr. Galluzzo suggested getting the information out to veterinarians, who could in turn get the information out to the public. Dr. Dunaif gave out the toll free number for the New York State Veterinary Society: 800-876-9867.

Mr. Galluzzo also brought up the issue of drug disposal at health care institutions. Specifically a nurse that he was acquainted with mentioned that at the nursing home where she is employed, they were instructed to flush unwanted drugs down the toilet, which contrasts with standard public health recommendations. Mr. Galluzzo felt that it is the BOH's responsibility to protect the public's health and abide by the sanitary code in regard to the water supply. He wanted the Board to take a position on this issue. There was a suggestion that the nurse phone the State Health Department to report the nursing home. However, since she has complained about this issue, this could not be done anonymously. Mr. Galluzzo suggested sending out information to nursing homes in general regarding this issue; perhaps this could be done on the website. Carolyn Montgomery explained that institutions have institutional pharmacies' where the prescriptions are sent to the Buffalo Pharmacy. There was some discussion of the drug disposal drops being scheduled at various sites in Erie County. The next drop is scheduled for Saturday, November 13 at the Mercy Ambulatory Care Center located on Southwestern Blvd. in Orchard Park. Mr. Galluzzo suggested personal unwanted drugs be put into coffee grounds then into the garbage. The drugs are gradually absorbed by the landfill.

The next meeting of the Erie County Board of Health was scheduled for January 13, 2011 at 3:30 P.M. The meeting was then adjourned