



UTAH COUNTY BOARD OF HEALTH

151 SOUTH UNIVERSITY AVENUE
 PROVO, UTAH 84601

MINUTES March 23, 2015

| Members Present: | | | |
|-----------------------------|---------|------------------------------|---|
| Clyde Nielsen, RPh, Chair | X | Teresa Tavares, Vice Chair | X |
| Gaye L. Ray, RN | X | Mayor Jeff Acerson | X |
| Superintendent Keith Rittel | excused | Diane Lohner | X |
| Dianne C. Carr | X | Commissioner Larry Ellertson | X |
| Henry M. Yeates, MD | X | | |

Others present: Dr. Joseph Miner –Utah County Health Department (UCHD) Executive Director
 Debbi Solen – UCHD Secretary
 Number of people attending who signed the attendance sheet – 5

- Welcome by Clyde Nielsen
- Approval of the Minutes from the January 26th meeting

Dianne Carr asked to have more detail added regarding the \$25 vaccine exemption fee. Debbi Solen will review the recording and make additional comments if needed.

The Health Department charges a one-time fee of \$25 for a vaccine exemption and there are a lot of complaints from the public as to why they need to pay for something they are not getting. It is explained to them what the actual cost of investigation, monitoring and control of disease outbreaks are. The \$25 fee doesn't begin to cover these costs.

The Board would like to discuss next time the history of the fees and consider an increase. Parents have requested that the fees be consistent from County to County statewide. This is something that the Board members will bring up at the NALBOH meeting. Large families that want to exempt all of their children find the fee to be prohibitive so the Health Department does allow them to make payments. It was suggested that we make the fee cost more than the vaccines to encourage the parents to immunize their children. However, the vaccines can be given for free if they qualify for the VFC program and because of the ACA most insurances are paying for immunizations now as they are considered preventative.

MOTION: Diane Lohner made the motion to approve the minutes, which was seconded by Jeff Acerson and passed by unanimous vote.

NOTE: After reviewing the recording of the January 26, 2015 meeting the last paragraph in item 7 was added to the minutes.

3. Summary of 2015 Legislature

SB248 – Passed This bill states that there has to be 3 public health representatives on the DEQ Governance Committee. The committee determines how grant funding is spent.

HB17 – Passed This raises visible emission standards for some diesel engines and increases the fine for repeat violations of these standards.

HB110 – Passed Provides authority to the DMV to revoke vehicle's registration if the vehicle falls out of compliance with air emissions standards. The DMV will work in conjunction with county departments of health in counties requiring emissions testing. This will help get "smoking vehicles" off the roads.

Air Quality staff from the Utah County Health Department (UCHD) have met with the police chiefs and mayors about our request for law enforcement to enforce the polluting (smoking) vehicle laws. Law enforcement can report these to Air Quality and Air Quality will do the follow-up. The police will not be called to testify which will leave them and the courts available for other duties.

HB104 – Passed This bill modifies the Utah Dairy Act by removing a prohibition on cow-sharing programs, allowing ownership of a cow for raw milk. There are camphor bacteria outbreaks from unpasteurized milk every year in Utah.

Even though it wasn't a very cold winter a lot was done to improve our Air Quality.

HB226 – Passed This allows Utah to create state-specific strategies and rules to achieve the federal EPA air quality standards. Utah has unique physical characteristics that require different ways to achieve required results. The EPA still has veto power.

HB406 – Passed This bill gives government-backed incentives for the purchase and conversion of garbage trucks, tow trucks, semi-trucks, etc.

HB396 – Passed This bill is allowing wood burning in EPA approved stoves if this is the sole source of heat or in locations where natural gas service is limited. People can apply for an exemption through DEQ.

SB216 – Passed This bill allows tax credits to oil refineries who develop the infrastructure for removing sulfur from gasoline. It has been predicted this tier 3 fuel will improve our air quality by 60-70%. It will cost about 5-6 cents a gallon for the refineries to make and they will pass this along to the consumer.

HB64 – Failed Stores are still unable to sell both raw milk and pasteurized milk. Most stores require a person to sign a waiver when they purchase unpasteurized milk.

The "Healthy Utah" Medicaid expansion did not pass. Governor Herbert will continue to try to work with legislators in a special session. This has been tabled. Utah is still collecting taxes for health care and the money is going to other states. We need health care coverage for lower income individuals and families.

4. Consider Adopting a Late Fee for E-cigarette Compliance Checks

The Legislature passed HB415 that includes pre-emption. That means local regulation can not be more restrictive than this bill. It looks like everything in our regulation is restricted except manufacturing. Licensing and retail sales will be covered now by the State. This new bill gives the Department of Health the authority to determine product quality, nicotine content, packaging and labeling standards for E-liquids. This bill exempts the pre-packaged manufacturers. The new State rules go into effect July 1, 2016. We will not be able to license or conduct compliance checks after July 2016.

There is no State funding for the ENDS Regulation and there is no taxation on E-cigarettes. We are not sure how we will be able to do the compliance checks without the funding. There is tobacco funding but that money can't be used. A tobacco retail license costs \$30 for 3 years and is so low because of the tobacco funding from the tobacco court settlement. The State license for selling E-cigarettes will be \$30 for 3 years and \$20 for each 3 years thereafter. These fees will not fund compliance checks. Paul Jones has not heard back from the state about how we are expected to afford to do the compliance checks.

Utah County's new Regulation for Retail Sale of E-cigarettes, Electronic Nicotine Delivery Systems (ENDS) and paraphernalia and E-liquid and Manufacturing of E-liquid was effective January 1, 2015. We have collected fees for 2015 for licensing and compliance checks. Our permit fees will cover the cost of implementing Utah County's regulation for this year.

The Utah County retailers and manufacturers had until March 1, 2015 to become compliant. Thirty-four stores (18%) have not paid for their license. Ten of the stores have said they will not be selling E-cigarette products anymore. Should we charge a late fee for a permit fee to those retailers who have not paid for their 2015 permit? Are we going to allow them to sell these products?

There are 6 manufacturing companies in Utah County. Two of the inspections passed, 3 are being built and one is moving to Draper. They were having trouble meeting the standards. A copy of the E-liquid manufacturing inspection report and a proof for printing a label was given to Board members for their review.

MOTION: Larry Ellertson made the motion to discuss the late fees at the next Board meeting which was seconded by Dianne Carr and passed by unanimous vote.

5. 2014 Annual Financial Report by Program

Ralph Clegg presented a summary of all the programs available at the Health Department and a financial report showing where the money for running the programs comes from; taxes, grants, fees, etc. This is a good management tool to be able to see if our fees are where they should be or if we are over or under collecting. If we have lost funding are we continuing the service? Are our matching funds as they should be per our grants? Can some of the programs be combined with other programs? Sometimes we get delayed/late payments in 2015 that will be applied to 2014. It's a very good way to see if the programs are performing as we would expect them to. Utah County always balances their budget.

6. NALBOH Communication to Board Members

Membership in NALBOH (National Association of Local Boards of Health) is paid for by the state association. Gaye Ray is the President. Debbi Solen has given NALBOH the Board members email addresses and everyone should be able to go into the website and update their personnel information. This association will help all members be a more effective and powerful influence for the health and well-being of those who live in their district.

There is a webinar on "Public Health Law and Governance" this Wednesday, March 25th. Newsletters are sent to you on a regular basis. April 17th there will be a Local Boards of Health meeting in Provo.

7. National Public Health Week, April 5-11

The theme this year is "Healthiest Nation in 2030" or in one generation. The US ranks at the very bottom of industrialized nations in the world. We spend more on health care than other comparable countries and yet we live shorter lives and have more obesity, infant mortality, diabetes, and heart disease. During Public Health Week we will recognize Dr. Douglas Hacking and the Provo Towne Centre as "Friends of Public Health" on April 7th during Commission Meeting, 9 AM. The last day of Public Health Week, April 11th, will be our Household Hazardous Waste Collection Day.

8. Household Hazardous Waste Collection Day, April 11

Every year this event gets larger and more tonnage is collected. This year they are exchanging 1000 gas cans for a new one that is made better to prevent leakage and vapors. Paper shredding will be done on site and 2 electronic items per vehicle can be given. People need to destroy the hard drive before turning these in. Paint will be donated to "Habitat for Humanity" and can be donated to Restore anytime.

UVU and BYU students will be helping so even though there will be long lines no one should be waiting more than 10 minutes. This has been advertised in city utility billings, newspapers, flyers are being given out, etc.

9. Utah Public Health Association Annual Meeting, April 14-15 at the Davis County Conference Center

The Health Department will pay for the Board members to attend the conference for either Tuesday or Wednesday, whichever fits with their schedule. If you are interested in going, please let Debbi know so she can get you registered.

10. Utah County Clean Air Task Force Update

Reagan National Advertising has given the Utah County Clean Air Task Force some space on their electronic billboards for educational messages. These will be posted in the Fall of 2015. The Task Force is creating short but effective messages.

Provo and Orem cities are going to do “Bicycle to Work” days again this spring. Other cities may join them. It was suggested that perhaps the nation’s obesity rates have increased more than other countries because other countries walk or ride bicycles much more than we do. We need to continue to build more bike trails. These are very popular because they are so much safer than riding on the street.

11. New Employees

Board members were referred to the list of employee changes. A new Nurse Family Partnership program is being started which will require the Health Department to hire about 6 more new RNs with a Bachelors Degree. The Nurse Family Partnership program is for high risk first time pregnant women. A nurse will teach them how to be an effective mother to break the cycle of criminal behavior. It has been shown to be a very effective program. The nurse is in the home frequently for 2.5 years and has a case load of about 20 families. They are in the process of hiring for a Coordinator now.

Marla Raff, one of the Nursing Directors, is retiring. Environmental Health has increased its staff by two.

12. Other business

The Board would like a report about the Trampoline Parks. Dr. Yeates will find out more information about the young woman who was injured last November.

Our next meeting will be May 18, 2015.

MOTION: Gaye Ray made the motion to adjourn the meeting which was seconded by Diane Lohner and passed by unanimous vote.

Meeting adjourned at 5:30 PM.

Joseph Miner, MD
Executive Director
Utah County Health Department

Clyde Nielsen, RPh
Chair
Utah County Board of Health