

District Board of Health Meeting Minutes
District Office Conference Room
Wednesday, September 9, 2015
12:00 p.m.

Members Present:

Delbert Cox
Judge Casey Ellis
Dr. Ben Kutnicki
Judge Ken McFarland
Dr. Gary Minch
Joe Mylor, Chairman
Judge Bobby Lee Westrick

Members Absent:

Judge David Fields

Staff Present:

Jeff Florek
April Harris
Georgia Heise
Justin Pittman
Candice Selph
Michelle Wilburn

Community:

Dan Brenyo

Welcome: Chairman, Joe Mylor, called the meeting to order at 12:25 p.m. A quorum was present.

Public Remarks: Chairman Mylor asked community member, Dan Brenyo, to introduce himself to the Board. Judge Casey Ellis explained that Mr. Brenyo was the new Community Program Manager for Owen County.

Topic: Approval of June 22, 2015 Meeting Minutes

Discussion: The Board reviewed the previous meeting's minutes included in their packet. There was no discussion.

Action: Delbert Cox made the motion to approve the June 22, 2015 minutes. Dr. Ben Kutnicki provided a second. The motion carried unanimously.

Topic: Old Business

Topic: Senate Bill 192

Discussion: Candice Selph passed out a copy of Senate Bill 192 to all Board members, along with a copy of the proposed Syringe Access Exchange Program (SAEP) policy and two versions of an SAEP procedure. Dr. Georgia Heise reminded the Board that local health departments are the only ones who are authorized by law to carry out an SAEP; and that Boards of Health must approve the action, along with the corresponding fiscal court and/or city government.

Recognizing this current public health issue, Dr. Heise reported that the R.C. Durr Foundation gave Three Rivers seventy-five thousand dollars (\$75,000.00) to begin work on the SAEP. Numerous syringe and naloxone kits have also been donated. Although the syringes roughly cost eighteen (18) cents a piece, Three Rivers has been fortunate to receive this help and has not currently had to purchase equipment.

Dr. Georgia Heise remarked that Judge David Fields was unable to attend the board meeting, but asked her to be a proxy to pass along his vote. Judge Fields wished to state that he is in favor of the current SAEP policy and protocol and would like to carry it forward. He noted that this program has the unanimous support of the Pendleton County Fiscal Court and local Board of Health.

Before discussing and voting on the policy and protocol, Dr. Heise gave a basic summary of what was contained within the protocol. The SAEP is both voluntary and anonymous. When an intravenous drug user presents for the program, basic demographic information is inputted into a database, and not the employee's medical file. At the initial visit, participants will be required to speak with the clinical staff who will let them know about available testing (i.e. pregnancy and communicable disease testing) and services; and will be provided with referrals to services based on the situation. If the participant consents to testing, Three Rivers will take their insurance information, when applicable, in order to allow for third party billing. Once the initial visit is over, the needle exchange will take place. All clinical and support staff involved in running the SAEP will be required to complete and pass an educational training program, lasting for four (4) days. She reminded the Board that these documents were a conglomeration of best practices and suggestions gleaned from other SAEPs that are currently operating nationwide.

After explaining the basic components of the SAEP protocol, Dr. Heise directed the Board's attention to the differences in the two versions of the proposed protocol. In one document, the protocol gives a minimum age limit of sixteen (16) to participate. The other document does not specify an age requirement. Another difference is whether or not the facilitators of the SAEP have the authority to serve users with visual drug impairment at the time of the visit; and whether or not substance use will be allowable on health center grounds. In one document, those statements are not included. In the other document, choosing to serve the participant or calling the appropriate authorities would be at the discretion of the clinical and support staff. Dr. Heise noted that the protocol allowing staff discretion is the protocol that Pendleton County selected.

In order to proceed, Dr. Heise indicated that the Board would need to decide whether or not to adopt the protocol and filter it to the local boards; or if the Board would like to create a recommended protocol and allow the local boards the jurisdiction to adjust the protocol as necessary to adopt to their local communities. Dr. Heise shared that the current regulation created by Senate Bill 192 does not allow for local boards to weigh in on the decision making process—only the governing board, and the Fiscal Courts/cities affected. However, by creating a provision for local boards to modify it as they see fit, they have an opportunity to make the SAEP fit their needs. Judge Casey Ellis added that he felt strongly about home rule, and a program like this should include local decision makers.

Action: Gary Minch made a motion for the District Board of Health to set the procedures for implementation in each county. Dr. Ben Kutnicki seconded the motion. Judge Ken McFarland requested to amend the motion so that the District Board of Health would establish *recommended* procedures and allow the individual counties to modify it as necessary.

Mr. Pittman agrees that a recommended procedure should be established. When there are numerous variations on procedures, it might be difficult for local staff to run the program effectively. Dr. Heise interjected that establishing a recommended procedure would be helpful before allowing the locals to adopt the procedures or amend them. Judge McFarland asked if the title on the more restrictive document could be changed to "Recommended Policies." Michelle Wilburn replied in the affirmative.

As a result of the discussion, Dr. Minch amended his original motion to allow the District Board of Health to establish a recommended set of procedures with a provision to allow the local counties to modify the procedures as necessary. Judge Ellis seconded the motion. The motion passed unanimously.

Discussion: Other components that might require discussion and a decision are as follows:

1) Whether or not testing will be required or recommended

Judge McFarland suggested that the Board require participants to be tested. He hopes that by educating and explaining why testing is necessary in the consult that people will understand the importance of submitting to testing. Furthermore, Judge McFarland emphasized that he is trying to bring awareness about the disease heroin brings, not just addressing heroin.

Dr. Kutnicki interjected that it would be beneficial to include in the protocol that participants should be "free of visible impairment" when presenting for SAEP services. This clarification provides participants with a definition to understand why they may be denied services due to being under the influence. He elaborated that he had enough faith in the nurses to recognize intoxication and determine whether or not to call law enforcement. Dr. Heise agreed that having something in writing would provide extra backing for any decision the staff makes. However, she also stated that the protocol could be lenient by not including any "substance impairment" language.

2) Whether or not naloxone kits will be provided to SAEP participants once they complete training

Dr. Minch expressed his disagreement with placing naloxone kits in the hands of addicts. He inquired how many times an average addict uses heroin. Dr. Heise and other board members were unsure, but seemed to remember an average number of five (5) times per day based on previous presentations.

3) Whether or not to allow participants to receive needles without any to exchange after the initial visit

Dr. Kutnicki inquired if any residency restrictions were explicitly stated in the protocol. As it is currently written, Dr. Heise replied none were included.

Dr. Kutnicki further stated that the main purpose of the SAEP was to remove needles from the streets and prevent harm to the public. Therefore, he felt that there should be a ration of how many needles a participant can receive based on the amount of needles they return. Dr. Kutnicki believed it should be an even exchange. Judge McFarland agreed that an exchange of needles should take place. To follow-up, Judge McFarland asked if someone can go to a pharmacy and buy needles. Dr. Kutnicki replied that a prescription was necessary.

4) Whether or not to allow a maximum number of forty (40) needles to be given at each visit

Judge McFarland inquired where the determination of forty needles came from. Dr. Heise replied that it was a number determined by the Northern Kentucky Heroin Impact Task Force. Judge McFarland suggested providing five or ten needles initially, and see if they bring back the five or ten given to them. Dr. Heise stated that addicts apparently use that many needles in a day. In addition, many of the SAEP participants in other locations often come and ask for needles for their friends also. Dr. Kutnicki felt it was acceptable to give them forty needles the first visit, but that follow-up visits would need to be an exchange.

Dr. Kutnicki asked how often the SAEP would be available. Dr. Heise replied that Pendleton County's program would be in effect once a week, but that a specific schedule was not written into the policy or procedure.

Judge Westrick asked what would be required if or when the Board wanted to make changes to the program. Dr. Heise responded that the Board could evaluate the program and make any changes they feel is necessary at any time. Dr. Minch interjected that the more people involved in the decision making might make reaching a consensus difficult. More input from others can be good and bad.

After the discussion by the Board, the following changes were proposed to the more restricted procedure document:

- 1) Strike out the rest of the sentence following, "An eligible person is over the age of sixteen."
- 2) Change the word "will" to "may" in the following sentence: "Clients will be advised of the prohibition of using substances on any health department property."
- 3) Participants are only allowed to come without equipment for exchange on the first visit.
- 4) Change the word "recommend" to "require" in the sentence "...recommend screenings for HIV." Judge Ellis emphasized that since the Board was developing a recommended set or procedures with the goal of preventing the spread of the disease, requiring testing is appropriate. If the local boards feel differently, they can modify the requirement.

- 5) A maximum of forty (40) syringes/clean injection equipment can be given at the initial visit.
- 6) The exchange of contaminated equipment is required at each visit, except at the initial visit. After the initial visit, supplies will be distributed via a 1:1 exchange.
- 7) Strike the sentence, "Participants will be offered a Naloxone kit, if available, and client submits to the required education/training."
- 8) Strike the word "asked" and replace it with "required" in the following sentence: "All participants will be asked to complete a baseline survey..."

Action: Judge Ellis made the motion to accept the recommended procedures document with the above referenced changes. Judge McFarland provided a second. The motion passed unanimously.

Topic: New Business

Topic: Financial

Topic: Fiscal Year (FY) 15 Budget Amendment Approval

Discussion: Dr. Heise explained that health departments who operate a home health agency receive cost settlements at the end of each fiscal year for operational expenses incurred, usually before final close out. However, these cost settlements did not arrive before the fiscal year close out. Currently, Three Rivers is still waiting for these monies to arrive. When the payout occurs, Three Rivers should come out in the black since \$350,000.00 is expected and we were \$340,000.00 in the red. Since closeout had to occur before monies were received from Frankfort, Three Rivers was forced to use money from their reserves to fill this gap. Dr. Heise commented that if cost settlements are ever removed, the Home Health agency will not survive.

Dr. Heise also shared with the Board that after they approved the FY 15 closeout, Frankfort changed the allocations for retirement assistance without notifying the health departments of these adjustments. The Kentucky legislature defended their decision by saying they planned to fund health departments according to population; and insisted that they planned to inform health departments later. The effect of this adjustment meant \$20,000.00 disappeared from the budget, without assurances that it will be reimbursed.

Dr. Heise reminded the Board that operations may need to be adjusted whenever issues are encountered with funding. These adjustments may require layoffs down the road, but she is hopeful that Three Rivers will continue to operate effectively with the money that is provided. Michelle Wilburn interjected that roughly 80.1% of the current operating costs are personnel related.

Action: Dr. Minch made the motion to acknowledge changes made to the FY 15 budget, but disapproves of the delayed closeout payments and monies moved after the FY 15 closeout was approved. Judge Ellis seconded the motion. The motion passed unanimously.

Topic: FY 16 Financial Update

Discussion: Ms. Wilburn informed the Board that since August financials just closed, an accurate picture of this quarter's financials is not yet available. However, an update will be provided at the next meeting.

Topic: Board Members

Topic: Meet our Local Board of Health Members News Article

Discussion: Ms. Selph explained that Three Rivers would like to feature District Board of Health members in the monthly newsletter so that they would be more recognizable by staff and the community. She directed the Board's attention to a document within their packet containing questions about their occupation, goals for the Board of Health, hobbies, and favorite song. Board members were asked to answer these questions and return them to Ms. Selph upon completion.

Topic: Travel Reimbursement Sheets

Discussion: Ms. Selph asked Board members to see her at the conclusion of the meeting to sign for and receive travel reimbursement sheets from the current and previous meetings.

Topic: Adjournment

Discussion: Dr. Heise expressed her thanks to the Board for their valuable discussion and for enduring a grueling meeting. She appreciated their commitment and care for their communities. Chairman Mylor applauded the effort and participation.

Judge McFarland complimented Dr. Heise and Three Rivers on the outstanding video highlighting accreditation, produced by the Public Health Accreditation Board (PHAB). He expressed his congratulations to Dr. Heise and the staff, and felt that Three Rivers was the highlight of the production.

Action: Judge Ellis made the motion to adjourn. The motion was seconded by Judge McFarland. The meeting adjourned at 2:16 p.m.

James B. Tyler

Board Chairman

12/10/15

Date

George Hesse

District Director

12/10/15

Date

Barbara McCony

Board Secretary

12/10/15

Date