

August 14, 2009
West Virginia Sanitarian's Liaison Committee Meeting Minutes
DHHR Building , Flatwoods, West Virginia

10:35 a.m. – meeting called to order by Brad Cochran, R.S., Public Health Sanitation Director

Members present – Brad Cochran, David Thornton, Tim Miller, Susan Plum, Jennifer Nestor, Dave Winowich representing Gail Sowards, Mike Trantham, Curt Richards, and Don Thimsen.

Brad – Several folks could not attend for various reasons and Kearneysville District is having trouble getting a representative due to travel restrictions of current member , Arletta Lancaster, and no one has volunteered to replace her. Don Thimsen was introduced as the new OEHS epidemiologist and representing RTIA on the committee.

Old Business

Gray Water systems update- Based on discussion from last meeting, Rick Hertges is working on some guidance for the use of gray water for other uses such as irrigation or other disposal methods. Mike suggested looking at municipality's storm water regulations to make sure there weren't issues there.

Farmer's Market Guide- The farmer's market guide has been approved and is in the process of being printed. Copies can currently be found on the PHS web site. Comments have been positive.

Mobile Home Task Force Report-Brad

Brad provided the update in Fred's absence: The task force has taken into consideration comments received by the liaison committee. There were only comments from two committee members, but both had great input to the process. Currently, Fred has been giving presentations on the task force progress and they have been well received. Presentations include the Beckley District in-service, Fairmont District in-service, and the West Virginia Housing Institute's annual conference.

Comments received from the Sanitarian's include:

- Include "standards" – don't just reference them
 - Committee wanted to reference current Fire Marshall and Department of Labor's regulations concerning safety, distances, the manufactured home stand, etc.
- Make sure a system is in place to refer to
 - We currently propose to have MOUs with our sister agencies concerning this. We want Sanitarians to know how to proceed when they find a potential violation. Who to report to, how to report it, etc.

- Define “potable water”
 - Currently many of these communities do not fall under our engineering rule as a public water system. The general consensus is that:
 - They must have an approved water supply (construction)
 - They must be able to produce consistent safe water samples
 - If they can do the above items, then a positive feed hypo-chlorinator would not be required, but would continue to sample and inspect the water supply during each inspection.
- Define animal control more
 - Task Force proposed to drop the section about not allowing dogs to run loose. It is felt that we would become animal control officers. Task force members are currently reviewing some city/county lease laws. We are divided on this issue.
- What should be do with abandoned parks?
 - Committee not sure how to address this. Clearly, they would not fall under this rule unless we added new definitions to what we regulate.
- Identify the units in the community
 - Committee feels that 911 should take the lead on this issue.
- Identify the community boundaries
 - Committee agrees on this issue. Each community must identify its boundaries so the sanitarian can clearly identify it.

Comments from the West Virginia Housing Institute include:

- Clear and interesting presentation
- Delighted by our willingness to be inclusive in our study
- Reacting well to the fact we wanted industry input

Next steps include:

- Continue meeting (next meeting is in Flatwoods, DHHR building, August 27, 2009, at 10 am)
- Continue to seek input from all parties involved
 - Fred is currently on the agenda at WVPHA Annual Conference to provide an update and seek additional input.
- Keep everyone in the “loop”
 - task force has a group in Outlook and everyone is copied on any issues Fred receives. Discussion is open and honest.
- Work towards combining 64CSR40 (permitting and operation) with 64CSR41 (design standards).
 - Committee feels this would simplify things and make it easier to comprehend exactly what is expected of owners/operators

Specific Agenda Items for Discussion (Submitted by Committee Members):

Clarence Christian submitted the following request: What should sanitarians do when we encounter what we believe to be child neglect in the form of unsanitary home conditions? I have encountered many situations during complaint investigations, which I felt should have been reported to Human Resources, but was not sure how, or what to do. How does Human Resources handle unsanitary conditions in a home with children, and should we be reporting these conditions, when we find them?

Brad's response to Clarence: In response to your concerns regarding issues with possible child neglect or even adult situations which one may feel need evaluated, any person can file a complaint with their local DHHR Office, either with Child Protective Services or Adult Protective Services. Also complaint may be filed at the Statewide Hotline : (1-800-352-6513) 7 days a week, 24 hours a day.

When OEHS receives referrals which mentions child or adult concerns, we refer them to the same locations mentioned. Additional information can be found at the following web site:

http://www.wvdhhr.org/bcf/children_adult/

If sanitarians come across these types of situations, I would hope they would contact their county DHHR office and report it. I think DHHR would take this report as a more credible complaint, especially if they identify themselves as a county sanitarian. Once DHHR gets involved, there is a lot of HIPPA requirements they must follow as most cases require strict confidentiality. Each complaint is handled and evaluated on a case by case basis.

There have also been cases where DHHR has asked for sanitarian assistance during an investigation of adult living situations. Some discussion followed Brad's comments and Jennifer Nestor stated that it is a law that medical professionals are to notify CPS when they suspect potential abuse. Consensus of the group agreed with Brad.

Curt Richards submitted the following request: State-Wide Food Handling Cards for Temporary Food Events

Nicholas County Health Department employees, other county HD employees, and mobile food unit operators have experienced much frustration going through the permitting process for seasonal/special events. Mobile food unit operators always seem to have food handling cards that are recognized by some counties but not by others. They may also have training from organizations that are recognized by some counties but not by others. When we arrive to do inspections, we sometimes have encounters with angry FE operators because they have just received valid FH cards from another county and discover they must also obtain FH Cards in our county.

We have heard that this topic was being considered (by the state?) one other time in the past but, for whatever reason, was abandoned. If West Virginia could get in place a minimum standards food handling card for temporary/seasonal events, the whole process of permitting these operators would be much less trouble-some. Ideally, a statewide FH Card for ALL food establishments (not just temp/mobile units) would be wonderful. However, just a temp/mobile card would help tremendously.

Brads' response: There has been discussion regarding the implementation of rules or guidance to establish minimum guidelines regarding food worker training so that cards would/could have statewide reciprocity. Brad and Ann Spaner met with a Senator earlier this year who has similar concerns. Brad felt in order for this to be a requirement, a rule would need to be promulgated. Further discussions will be taking place once the Legislative session begins in January. Discussion ensued and comments were generally in favor of establishing minimum requirements. If done, this would be for all food cards not just temporary events. All types of food worker training is being used throughout the state. Brad emphasized that if a rule were passed it would not make food worker training a requirement but only make those counties who wish to conduct such training meet the guidelines.

District/Section Reports:

Susan-Fairmont District: Asked for issues from District but received none. Susan explained two incidents with animal bite reports which included assistance from surrounding counties since bit occurred in one county and animal was in another. Both exceeded 10 day observation periods but animals were OK. Discussion ensued and it was agreed that communication and proper and complete information from the victim be obtained.

Another issue regarding the embossing of septic tanks with the proper date was discussed. Date marking can be different from each manufacturer. Is there a recommended way to mark tanks so that no confusion exists? Date mark in question lead her to believe the tank was 1000 gallons, and production was 2-5-09. In discussion with the manufacturer, it actually was 25th week of 2009. Not sure if the curing process of 28 days required in design standards was met. She had some discussion with Rick Hertges but additional may be needed.

Another concern regarding plastic septic tank approvals. OEHS approved a plastic tank and the design engineer has stated no water is needed before back filling. Discussion ensued and it was determined that manufacturer requirements for back filling does vary and OEHS recommends following the manufacturer's instructions. However, we feel the need to add water is necessary in all tanks due to the potential for floating after a heavy rain. Further discussion regarding inlet and outlet holes being pre-drilled was also discussed. Brad will follow-up with Rick.

Dave W.- St. Albans' District: CIA regulations in Kanawha County: Judge to rule on case pending by August 21, 2009.

Dave also brought up an e-mail from JD Douglas, District Engineer, regarding the new EPA requirement for facilities that use groundwater from private sources such as restaurants, bars, campgrounds, mobile, home parks, etc. Presently, WV rule requires a 30 minute contact time for a chlorinated system, but the new EPA rule, which become effective December 1, 2009, requires a 4-log virus reduction. All facilities currently meeting the WV rule, can meet the 4-log requirement and will have a minimum free chlorine residual. St. Albans EED is currently evaluating all systems in their district and will be providing each facility with the minimum free chlorine number to remain legal with the new requirement. Even though some systems don't qualify as a PWS, the FDA Food Code requires all systems to meet drinking water standards. EED and sanitarians must continue to work together on these systems.

Jennifer-Nursing Section: Plans for fall conference are underway and going well. There is now an approved test to help verify false positive results for TB. Skin tests were discussed and Jennifer explained how the new testing would be conducted on positive cases. This test will indicate if someone is truly positive. H1N1 flu vaccine is being produced and seasonal flu vaccine will be readily available.

Jennifer also reported that a new HIV Pilot Project is underway with testing being provided during family planning clinics.

Marshall University and Cabell-Huntington Health Dept. met to look at the revision of the MU PAN FLU plans. Looking at new CDC guidelines.

Mike -WVU: Mike is working with MCHD to get ready for the upcoming football season and making sure all food concessions will be ready. WVU is also planning to add additional skyboxes at Mountaineer Field in the area of the pressbox. WVU is considering proposals to make all pools within the university system meet the VGB Act. It appears that the cost to retrofit all pools will be around \$150,000. One pool will need major renovations.

Don Thimsen-RTIA: No report

Curt Richards-Beckley District: Nicholas Co. HD administrator will retire at the end of the month. Curt addressed a dog bite situation in Nicholas County as well. Bad information was given to HD regarding the situation. Only had a last name and phone number. Again it was emphasized that it is important to obtain necessary information for proper investigations to take place.

Question regarding homeowner exam for septic systems. Is it OK for a property owner to take exam in one county and install in another county? Consensus: Yes, verify passage.

Tim-MOVHD: Tim says good luck in coming up with minimum guidelines for food worker training. He can't get his six counties to reach a consensus. Tim has sent 2 staff members to Serv-Safe training to be instructors. Hopes to be offering courses in the near future. It was also mentioned that "HEAT"-Hospitality Education and Training thru Dept. of Educ. Also conducts Serv-Safe classes.

Tim reported about a successful dental clinic recently held in MOHV called Mission of Mercy. Over 1200 residents received dental care of all sorts with volunteer dentists and hygienists and dental students. Lots of discussion about this and how great it was. No cost or financial guidelines to participants.

Dave-WVAS: Annual Conference agenda set. WVAS still supporting legislation in the Sanitarian Registration Act. IEHS Conference attendance was down but lots of exhibitors with pool related info.-probably due to VGB Act. Jessica Lucas will be replacing Dave on the Liaison Committee.

Brad-OEHS/PHS report: Brad gave an update on the new Fairmont District Office location at the Middletown Mall. Staff is located with DHHR in the new location. New address is 9395 Middletown Mall, Suite 200, Whitehall, WV 26554.

OEHS has been informed that their office will be moving to the Diamond Building in early 2010 due to the relocation of DHHR leadership from the Capitol. Building 3 is being vacated and renovations will begin after all employees vacate Building 3. Details are sketchy at this time.

Personnel Issues: Judy Vallandingham began her new position as General Sanitation Program Manager on August 3, 2009. She previously was a District Sanitarian in the Beckley Office and prior to her role as District Sanitarian, she was a sanitarian with the Beckley-Raleigh Co. HD.

Vacancies within PHSD: Fairmont District Sanitarian, Fairmont OAI, Beckley District Sanitarian. Have been informed that the OAI should post next week. No word on District Positions.

Training: 2009 Training Class for sanitarians began on Monday at the Central Office in Charleston. Weeks two-three will be held in Morgantown. Currently two new sanitarians and seven returning from last year are enrolled. The entire agenda can be found at the PHS website. If anyone would like a refresher of any of the agenda courses, please contact Linda Whaley or Jessica Lucas to make the necessary arrangements.

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EHTER –Environmental Health Training in Emergency Response make up course/OEHS staff has been scheduled for October 20-22 at the Diamond Bldg. in Charleston. Lodging and meals will not be provided through TP monies for this course. If interested in attending, please contact Jeff Smith ASAP.

PHS has submitted a request to FDA for another Food Course for Mid-year titled Special Problems in Food Establishments. Deals with issues such as variances, reduced oxygen packaging. We should know if our request was accepted by early September.

OEHS Rules for Consideration: 64CSR34-Grade A Milk Rule, 64CSR51-Fees for Services, and 64CSR67-Distribution of State Funds to Local Boards of Health. Other rules of interest include the State Building Code and State Fire Code.

The next meeting has been scheduled for Friday November 6, 2009 at the Ryan's Steakhouse in Bridgeport. The meeting will begin at 10:30 AM.