

## **Board of Health AGENDA**

**NOTICE REGARDING COVID-19 (Novel Coronavirus):** To adhere to COVID-19 social distancing precautions, all on-site public Board of Health meetings are postponed until further notice. To allow access to this meeting, and future Board of Health meetings, call 719-583-4513 for more information. The public may make any public comments by email to Executive Assistant Ramona Chisman-Ewing, at [mona.ewing@pueblocounty.us](mailto:mona.ewing@pueblocounty.us).

The Board of Health meeting will be held **Wednesday, July 28, 2021**, at **12:00 noon by Zoom**.

- A. 12:00 - 12:03 p.m. – Call to Order and Approval / Changes to Agenda (**Action Required**)
- B. 12:03 - 12:05 p.m. – Approval of Board of Health Meeting Minutes held **June 23, 2021 (Action Required)**
- C. 12:05 – 12:10 p.m. – **Public Forum**
- D. 12:15 - 12:30 p.m. – **Action Items**
  - Monthly Financial Report – Georgia Alfonso
  - Contracts – Georgia Alfonso
  - Public Health Order for Schools – Randy Evetts
- E. 12:30-12:45 p.m. **Special Presentation:** Southern Colorado Aids Project (SCAP) – Sarah Money
- F. 12:45 - 1:00 p.m. – **BOH Updates**
  - Public Health Director Report – Randy Evetts
  - Annual Conflict of Interest Policy/Disclosure and Code of Ethics and Conduct – BOH Signatures Required
  - BOH Survey Results – Randy Evetts
- G. 1:00 – 1:05 p.m. – **Unfinished Business**
- H. 1:05 - 1:10 p.m. – **New Business**

**ADJOURN**

The Board of Health meeting was held by Zoom June 23, 2021, at 12:00 noon.

**Board Members**

**Present:** Donald Moore, Board President  
Michael J. Nerenberg, Board Vice President  
Ed Brown, City Council Member  
Eileen Dennis, Board Member

**Excused Absence:** Garrison Ortiz, County Commissioner

**Legal Counsel:** Marci Day, Assistant County Attorney

**Administrative Staff**

**Members Present:** Randy Evetts, Public Health Director  
Katie Davis, Deputy Director  
Georgia Alfonso, Budget and Finance Director  
Jody Carrillo, Environmental Health and Emergency Preparedness Division Director  
Denise DeNardo, Human Resources  
Maria Telfer, Community Health Services Division Director  
Ramona Chisman-Ewing, Executive Assistant

**Staff Members:** Vicki Carlton, Jody Carrillo, Megan Collins, Lindsey Dunbar, Sarah Joseph, Aaron Martinez, Alicia Solis, Zak Van Ooyen, Autumn Whittaker

A. **Call to Order and Approve or Make Changes to the Agenda**

Board President, Donald Moore, called the meeting to order and asked for approval of the Agenda.

**MOVED** by Eileen Dennis, seconded by Michael Nerenberg, to approve the Agenda.

***MOTION CARRIED UNANIMOUSLY***

B. **Approval of Minutes**

**MOVED** by Eileen Dennis, seconded by Michael Nerenberg, to approve the May 26, 2021, BOH meeting minutes as submitted.

***MOTION CARRIED UNANIMOUSLY***

C. **Public Forum**

None

D. **Action Items**

**Financial and Contract Cost Reports**

Financial reports for the end of May 2021 were presented to the Board. Revenues exceeded expenditures by \$654,936.06. The surplus balance is from COVID-19 funding received as a reimbursement instead over a 30-month period. This funding does receive indirect. Not all funding received is reimbursable. Funding may be received in advance of expenses being incurred. By the end of the year, the expenses will be included in the final total. Donald Moore asked if the accounts receivable balance shown on the financials is revenue that has been recognized and Georgia replied, 'Yes, these funds go into receivable until payment is received.'

**MOVED** by Michael Nerenberg, seconded by Eileen Dennis, to accept the monthly financial report as presented.

***MOTION CARRIED UNANIMOUSLY***

**CONTRACTS:**

No contract to present this month.

**Information regarding other contracts or funding; no BOH action required:**

**Emergency Preparedness Program                      7/1/21-6/30/22                      \$354,663**

This contract is between the Colorado Department of Public Health and Environment (CDPHE) and PDPHE. This program is to continue to support effective response to a range of public health threats. This contract is the renewal of a program PDPHE has previously worked in. No additional FTE will be hired. There is no significant change in funding. (Amendment #4 2020\*271). No BOH action or legal review is required; the amendment is only a date and amount change.

**Chemical Stockpile Emergency Preparedness Program (CSEPP) 10/01/20 – 09/30/22                      \$87,770**

This contract is between Colorado Department of Public Safety and PDPHE. This contract is to extend funding to enhance Homeland Security and Emergency Management to institute protective measures and hazard mitigation strategies at the chemical stockpile sites to lessen the vulnerability of the storage structures and their contents to any internally or externally generated accidents. This contract is the renewal of a program PDPHE has previously worked in. No additional FTE will be hired. The funding is less than prior years funding due to decrease in need of services and supplies for supported agencies. (Grant Agreement CSEPP Encumbrance # 21CSEP22PH). No BOH action is required. Contract is pending legal review.

**Immunization Core Services                      7/1/2021 – 6/30/2022                      \$46,991**

This is a contract between CDPHE and PDPHE. This program is to continue to provide core immunization services by increasing and maintaining immunization coverage in Colorado. This contract is an amendment of a program PDPHE has previously worked in. No addition FTE will be hired. It is common for the immunization funding to be allocated in multiple amendments for a contract period. The amendment reflects the federal portion of the contract. I anticipate additional amendments to be issued over the next few weeks. (Amendment #5, 2021\*3524). No BOH action or legal review is required; the amendment is only a date and amount change.

**E. Special Presentation**

**2022 Initial Budget**

Budget and Finance Director Georgia Alfonso updated the Board on the latest changes to the Department's 2022 Department Budget request to the City and County. Currently, the Department is not seeking any additional general funds from the City or County. The majority of the change to the budget is due to COVID-19 funds. Additional ARPA funding is being asked from the County, but it is a separate request and not included in this budget request.

Michael Nerenberg stated it looks like the County's funding request is lower than last year by \$16,000. Georgia explained it is because of the County Trash Taskforce; some of these funds are still in reserves to be used in the future. He stated he would still ask for the full amount, due to the amount of trash in various areas in Pueblo County.

**MOVED** by Eileen Dennis , seconded by Michael Nerenberg, to approve the 2022 Budget request to be presented to the City and County for 2022.

***MOTION CARRIED UNANIMOUSLY***

**Board of Health Updates**

**Model Aquatic Health Code Timeline**

Environmental Health Program Manager Vicki Carlton, along with Environmental Health Specialists Megan Collins, Dayton Ryden, Autumn Whittaker presented the following Model Aquatic Health Code (MAHC) regulation update timeline to the Board and the stakeholder responses to the MAHC survey.

There was an 89% response rate to the stakeholder survey regarding the MAHC adoption:

- 50% of facilities either have the required equipment or could cover the cost of purchasing the equipment.
- 50% of facilities were unsure of the cost to upgrade and whether the cost would be a barrier.
- Several facilities reported saving on chemicals once the automatic feeders were installed.
- There were not any negative responses regarding adoption of the MAHC regulations.

Proposed MAHC Implementation Timeline:

1. June: Completed Stakeholder Survey
2. July/August: Two more stakeholder meetings will be held on the proposed changes
3. September 1st: Public Notice sent by PDPHE 20 days in advance of the public hearing
4. September 22nd: Public hearing held by the BOH
5. November 24th: Final update and resolution for adoption
6. January 1, 2022: Effective date
7. January 1, 2023: Facilities expected to have select MAHC equipment installed/functioning

Megan and Autumn presented the survey results from stakeholders. The Board was also informed of the percent of facilities inspected and how many participated in the survey, the percent of equipment upgrades due by January 1, 2023, the estimated cost for upgrades based on the equipment some businesses already had and what needed to be purchased, and the percent of non-closures vs. closures with businesses who have MAHC equipment between 2016-2021, as well as the number of certified pool operators on staff at various businesses or under contract.

Board President Donald Moore asked about the closure data presented and if the closures were for private or public entities. Autumn stated closures are mainly hotel/motel pools. These entities would benefit by an automated MAHC system (less chlorine use, etc.).

Program Manager Vicki Carlton did ask the Board if they preferred to have the stakeholder meeting on the proposed changes during the September 22, 2021, BOH meeting or hold a special meeting. The Board was advised it is anticipated the participation by stakeholders will be relatively low. The Board decided to host the stakeholder meeting during the September BOH meeting, as these meetings have been successful in the past.

HIPAA Hybrid Summary

Attorney Marci Day updated the Board regarding the HIPAA Hybrid entity and what are possible pros and cons. HIPAA applies to the entire legal entity e.g. PDPHE. HIPAA typically does not apply to traditional public health activities. The process is slightly complex; Marci outlined the steps to determine if the Department should be a HIPAA Hybrid:

- First, determine if PDPHE is a single legal entity
- Review the Department's Organizational Chart
- Interview Management
- Determine if each organizational component within the Department is a covered entity or not (e.g. healthcare providers that do not use electronic billing)

Other items to consider are the impact on data sharing within the organization and the compliance burden, and potential penalties, under federal law, for noncompliance.

Randy reached out to CDPHE for guidance. CDPHE hired a consultant to determine what programs within their organization are covered and which are not. CDPHE had a very small number of programs that fell under HIPAA, so they decided to do away with those programs. This is not a feasible plan of action for PDPHE, so Marci recommend hiring a consultant for review of HIPAA compliant programs vs. non-compliant programs. Failure to comply is quite costly, so it could be worth the review. It is also possible that being a HIPAA Hybrid entity might not be worth the effort, as there is so much information sharing across the organization. Donald Moore asked what are the benefits if this is such a complex task. Marci stated it lessens the compliance burden once the review is complete. Public Health Director Randy Evetts stated he is trying to find out that answer; he is not sure it is worth the effort to change to a HIPAA Hybrid entity or remain as is. Randy also stated the Department operates well as is and it is important to consider being totally HIPAA compliant across all programs, could impede other work the Department does. Eileen stated the Department could review every program to decide what programs are HIPAA compliant and which ones are not, as she doesn't know if this review has ever been done before. Randy stated the next steps are to continue to explore this option in the future by possibly hiring a consultant, as this is a complex topic to understand. Marci also supported this recommendation, as there is a lot to understand before making an informed decision. Board member Michael Nerenberg concurred, as he stated it is a complicated topic, so choosing a knowledgeable consultant is also be very important. Donald

asked if this topic should be brought back to the BOH at a later date. Randy suggested bringing this topic back to the Board in the fall, after checking into the cost of a consultant, etc. to better inform the Board of possible steps to go forward.

#### Legislative Updates

Deputy Director Katie Davis gave an overview to the Board regarding House Bills that pertain to public health. Katie stated all of the bills pertaining to public health, and reviewed in the past with the Board, have passed. Katie mentioned the Behavioral Health Recovery Act Bill has a component included that will continue to support the Department's Regional Health Connector position moving forward.

#### Public Health Director's Report

Public Health Director Randy Evetts informed the Board of the following Department updates:

##### Celebrations:

- At the Pueblo County Sheriff's Office 16<sup>th</sup> Annual Awards Banquet Randy, on behalf of the Department, received the 2020 Sheriff's Commendation Award for the COVID-19 response. Randy also acknowledged several team members from Emergency Preparedness and Response, Communicable Disease, Environmental Health, and Administrative staff members who helped during the COVID-19 response. He stated it was a great effort on behalf of everyone at PDPHE.

##### COVID-19 Updates:

Randy included a written COVID-19 update report in the Board members' packets. He also highlighted some of the information included:

- Incidence rate, positivity, hospitalizations continue to drop across the state; deaths are also slowing dropping.
- India (aka Delta or B.1.617.2 variant) is now the predominant strain in the state.
- 3-separate clusters (introductions to state) - Mesa, Boulder/ Adams, and El Paso/Fremont County.
- Many breakthrough cases in Mesa County nursing/ long-term care facilities is a concern.
- The Delta variant is 50 % more transmissible than UK variant.
- Nomi Health is the new contracted mass vaccinator for the state located at the Pueblo Mall.
- Currently, 52% of people eligible to receive the COVID-19 shot have received one dose, and 46% have received two doses; the goal is 70% for the state.

##### Other Updates:

- Emergency Preparedness Program Manager has been hired; Brian Comfort will start July 1.
- Human Resource Generalist has been hired; Eleanor Cassio will start in mid-July; she will also help support workforce development efforts (training opportunities, etc.).
- Accounting Manager position has also been posted.
- ARPA Funding - PDPHE has submitted a \$3.6 million dollar proposal from the City and County to support on-going COVID response and recovery. If PDPHE is awarded some of this funding, it will not be until later in the year. The funding will allow PDPHE to expand its equity efforts and data gathering and analysis capacity.
- It will also expand our capacity in Environmental Health to support local businesses and address housing and solid waste concerns that have been exacerbated by the pandemic. The ARPA funding request would support this work through 2024.

Donald Moore noticed in Randy's written report the Compensation Plan will continue to be followed; the additional Human Resource person hired is also needed. Donald also asked if EPA has given an update regarding the diesel plume in the area by Sonic Drive-in on Santa Fe Avenue. Randy stated this is an EPA's responsibility; the Department acts as the local liaison. Randy will ask EPA for an update to the Board, as this is an environmental justice issue. ARPA dollars allow for premium pay for people working on the COVID-19 response. The Department did make this request to the County, which amounts to approximately \$2,000/employee if they are a full-time employee and were here during the COVID-19 response.

Ed Brown commented he occasionally receives calls from irate citizens, but he commended the staff members for a job well done during the COVID-19 pandemic.

F. **Unfinished Business**

None

G. **New Business**

None

The next regular BOH meeting is scheduled for Wednesday, July 28, 2021, at 12:00 noon by Zoom.

**MOVED** by Michael Nerenberg, seconded by Eileen Dennis, to adjourn the Board of Health meeting.

***MOTION CARRIED UNANIMOUSLY***



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Donald Moore, Board of Health President



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Randy Evetts, MPA, Public Health Director