

Carolyn Edmonds, *Board of Health Chair*

BOH Members:

Richard Conlin
George Counts
Jan Drago
Carolyn Edmonds
Ava Frisinger
Larry Gossett
Steve Hammond
David Hutchinson
David Irons
Kathy Lambert
Frankie Manning
Bud Nicola
Julia Patterson
Alonzo Plough
Tom Rasmussen

BOH Staff:

Wendy Roark

**King County Board of Health
Friday, January 23, 2004
King County Council Chambers
MEETING PROCEEDINGS**

Members Present: Richard Conlin, George Counts, Carolyn Edmonds, Ava Frisinger, David Irons, Kathy Lambert, Frankie Manning, Bud Nicola, Julia Patterson, Larry Gossett, Steve Hammond, Tom Rasmussen, and David Hutchinson

Members Absent: Jan Drago

Staff: Alonzo Plough and Maggie Moran

I. Subject Call to Order

The meeting was called to order at 9:37 a.m. by Board Chair, Carolyn Edmonds

II. Subject Announcement of Alternates

Chair Edmonds: Dorothy Teeter in for Alonzo Plough.

III. Subject Election of Officers

Board Member Gossett nominated Carolyn Edmonds to continue as the Board of Health Chair during the 2004 calendar year meetings.

Board Member Hutchinson seconded the nomination.

Chair Edmonds called for a vote. Chair Edmonds was unanimously re-elected as Chair.

Board Member Hutchinson nominated Board Member Conlin as Vice Chair from the City of Seattle. Board Member Gossett seconded the motion. Chair Edmonds called for a vote. Board Member Conlin was unanimously elected as Vice Chair from the City of Seattle.

Board Member Hutchinson nominated Board Member Gossett as Vice Chair from King County. Chair Edmonds called for a vote. Board Member Gossett was unanimously elected Vice Chair from King County.

Board Member Hutchinson nominated Board Member Nicola as the Health Professional Vice Chair. Chair Edmonds called for a vote. Board Member Nicola was unanimously elected Vice Chair from the Health Professionals.

Board Member Gossett nominated Board Member Hutchinson as the Vice Chair representing Suburban Cities. Board Member Frisinger seconded the motion. Chair Edmonds called for a vote. Board Member Hutchinson was unanimously elected Vice Chair for Suburban Cities.

Board Discussion:

Chair Edmonds shared with the Board that today is Maggie Moran's last day as Board of Health Administrator. Ms. Moran accepted a position as Director of Planning and Development with Community Health Centers of King County. Chair Edmonds read a proclamation from Executive Sims recognizing Ms. Moran's tremendous contributions to the Board of Health in the three years she served as administrator. Chair Edmonds presented Ms. Moran with a parting gift. Upon Chair Edmonds' invitation, several Board Members expressed admiration of Ms. Moran's efforts as Board of Health Administrator and wished her well in her new position. Ms. Moran thanked the board members for their kind words and well wishes. She also indicated that in her new role for Community Health Centers of King County, she plans to give public comment to the Board in the future.

IV. Subject Approval of Minutes

A motion was made to approve the minutes of December 19, 2003. The motion was seconded and the minutes were approved.

IV. Subject General Public Comments

There were no public comments.

V. Subject Chair's Report

Chair Edmonds gave an update on the Pierce County smoking ban. Last night, a judge ordered an injunction preventing continuation of the ban. Pierce County plans to appeal this decision. Chair Edmonds was in Olympia yesterday before the Senate Health Care Committee and testified in support of two smoking ban bills in her dual role as a member of the State Board of Health, and as Chair of the King County Board of Health. One bill was to implement a statewide ban and the second bill proposed making it explicit that local governments have the authority to enact a ban for within their jurisdictions. In her testimony, Chair Edmonds stated that from a policy standpoint, a state-wide ban makes more sense, but if this is not possible, that she would love to have the authority for the King County Board of Health to take action on this issue. It is unclear what the Legislature is going to do on this issue and so the Board is in a wait-and-see mode. The Board is

going to wait and see what happens with the Legislature, as well as what happens with the appeal in Pierce County. Chair Edmonds stated that she has been very vocal about supporting a ban on smoking in public places in King County and would like a smoking ban in public as soon as the Board is legally able to do so.

According to Chair Edmonds, the State Board of Health had an update on the food service rule revision process. The food service rules are still on track and the State Board is very interested in the revision of the food code. The State Board also passed changes to Group A public water systems; group A systems are fewer than 25,000 people on a water system. The State Board also reviewed non-community, non-transient water systems and brought the state standards in line with Federal standards.

Chair Edmonds said that the State Board discussed the ban on smoking in public places.

Chair Edmonds shared that the message from the Secretary of Health is that the Health Department did very well in the Governor's budget. The Secretary of the State Board advised that that it is still flu season and it is important that people wash their hands and cover their mouth when they cough.

The State Board had a report on school environmental health and a pilot project that is going to be starting to do work on indoor quality issues in school buildings. Board Member Patterson shared there's a school building in Highline that was closed down because people were getting sick from toxic mold.

Board Member Lambert stated that because she had been a schoolteacher she was interested in the school classroom report. One of the things she would like to see is a policy regarding maintenance and remodeling while students are in attendance. When she was a teacher, the school district left students and staff in the building when they were re-roofing and toxic fumes were coming into the classroom all day. She was losing students fairly rapidly due to illness. Another concern is the heaters in many schools are so old that there are a lot of issues with those. She would like to see a process for checking the safety of this equipment.

VI. Subject Board Member's Updates

Board Member Manning shared that she recently had an opportunity to meet with the Mental Health and Health Care Coalition for Community of Color. The coalition gave her a wonderful make-up briefing, because she missed the briefing to the King County Board of Health in November. The coalition

stated that they have plans to come back to the Board with an update. The coalition is anxious to meet with Dr. Plough to schedule these updates. The Coalition expressed appreciation for the Board's support and openness in listening to the presentation.

VII. Subject Director's Report

Dorothy Teeter, filling in as an alternate for Dr. Plough, stated that Public Health spent considerable time during the holiday season addressing Mad Cow disease. Ms. Teeter reported that the State Department of Health is handling general communications for all citizens in the State of Washington. In addition, both the FDA and the EFDA, are taking care of the issues regarding food supply. So while Public Health has been ensuring that King County residents have current information, Public Health has not had a direct role in the issue.

Also in December 2003, an Orange Alert was implemented. This alert provided Public Health with the opportunity to test emergency preparations and ensure who would be on-call for specific issues should the need arise.

Lastly, Ms. Teeter stated that Public Health is hoping the SARS issue remains as quiet as it has been to date. Representatives within Public Health meet weekly to ensure that policies and procedures are in place should the need arise to ramp up efforts regarding SARS.

Board Member Rasmussen questioned what the Health Department is doing with regard to avian flu and whether there is concern that avian flu could be brought to Seattle in some way?

Dorothy Teeter indicated that the Health Department receives daily health alerts from the CDC, which is monitoring the international health situation. If there were any issues of basic concern for King County, Public Health would know immediately. At this time, there is no concern regarding avian flu in this region. Public Health's web site has information for the public on avian flu and SARS issues.

Board Member Rasmussen questioned how this disease could be brought to the West Coast, possibly King County. Board Member Counts responded that the avian flu is acquired from infected birds, primarily chickens. Unlike SARS, a human who might be sick with avian flu cannot transmit this flu. Board Member Counts does not believe that we import chickens from the countries affected by this disease. Board Member Rasmussen questioned whether live birds transmit this disease or whether transmission occurs as a result of eating contaminated bird meat. Board Member Counts stated that

he believes the disease in Hong Kong occurred as a result of contact with live birds, which is why millions of birds were slaughtered.

Board Member Conlin requested an update on the status of influenza in general this winter and whether Public Health had information regarding the effectiveness of the vaccine. Dorothy Teeter responded that the flu season peaked early this year, but that Public Health cannot safely say that there will not be another spike coming. Traditionally, flu season lasts up through March. Public Health does have some vaccine supply left. It is true that there have been stories about the vaccine not being 100% effective against the influenza strains being seen this season. Public Health is choosing to continue to encourage people to keep their habit of getting vaccinated against the flu. Every year there is a small chance that the vaccine will not protect against every strain of flu that may occur.

Board Member Conlin stated that it is important for people to understand how the vaccine is actually selected and receiving a vaccine is the best protection against contracting influenza. People should not be discouraged by the fact that they got their vaccine and still got sick. Dorothy Teeter stated that she had a similar conversation with the Board of Harborview yesterday. Ms. Teeter will recommend that Public Health issue a communication the value of flu vaccinations, although the vaccine may not always be completely effective in preventing contracting the flu.

VIII. Subject Tobacco Prevention Briefing

Chair Edmonds introduced Roger Valdez, Program Manager, King County Tobacco Prevention Program. Chair Edmonds also introduced John Britt, Prevention Coordinator, Tacoma-Pierce County Health Department. The irony of this morning is that she is leaving at 10:30 and turning the gavel over to Mayor Hutchinson, because the Washington Association of Counties is discussing this morning whether to take a position on the two bills in the Legislature regarding the smoking ban in public places.

Roger Valdez introduced key people working on this issue from Public Health:

- John Weisman, Prevention Division Manager;
- Colin Jones, Manager, Secondhand Smoke Prevention;
- John Bennett and Paul Zeman, Tobacco Prevention staff, who do a lot of work in the field of education with particular focus on secondhand smoke and smoking cessation issues.

Mr. Valdez indicated that tobacco, or secondhand smoke, is a well-established health risk. He stated that the presentation would cover the following topics:

- Public Health's chosen approach to this issue;
- Some of the history with the King County Board of Health regarding secondhand smoke;
- Public Health's voluntary smoke-free efforts with businesses;
- An update on what has been happening in Pierce County.

According to Mr. Valdez, secondhand smoke poses a health risk, which should come as no surprise. General public polling performed across the country, and in specific jurisdictions, shows that the general public agrees that secondhand smoke is dangerous, just as they agree that smoking is dangerous. Some key points include:

- Secondhand smoke contains the same substances that smokers inhale through their filtered cigarettes or unfiltered cigarettes;
- There is no known safe level of exposure to secondhand smoke;
- People who are around secondhand smoke have the same things in their blood that cigarette smokers do;
- Hundreds, if not thousands of studies, show adverse health effects in adults and children;
- The American Cancer Society, the Lung Association, Surgeon General, the World Health Organization, and the Environmental Protection Agency, have stated that secondhand smoke is a Group A carcinogen for which there is no safe level of exposure.

Mr. Valdez shared some statistics regarding the incidence of heart disease, lung cancer, middle ear infections in children, asthma, bronchitis and pneumonia. He stated that secondhand smoke exposure, both in public places and in the homes, contributes to sickness and death of residents in King County.

The Board of Health has a history with secondhand smoke policies. The Board of Health prepared a report on options for banning smoking in public places in 1994. The City of Seattle considered a City-wide ban in 1995. In 1999, with Board direction, Public Health staff began to implement a tobacco work plan.

Public Health has promoted and supported voluntary smoke-free policies in King County restaurants, which has demonstrated a marked increase in the number of smoke-free restaurants in King County. Colin Jones' section has been a leader in establishing and beginning the process of working with restaurants to inform them of the positive benefits of being smoke-free.

Lately, they have been working with restaurant owners, and their employees, regarding benefits to their health, as well as to their revenues, in going smoking-free. Over the years, the percentage of smoke-free restaurants has increased from the low 20 percent all the way up to 72% and rising. That is due in no small part to the work of Public Health, as well as the general environment and changing social norms.

There was much Board discussion concerning the following issues

- If so many businesses are voluntarily complying, why do we need a smoking ban? Mr. Valdez and Mr. Britt stated that although there is a high rate of compliance, convincing the remaining smoking to pursue voluntary compliance is quite difficult. Mr. Britt also used the analogy of comparing the restaurant and bar industry to other industries that are required to use protective equipment when their employees are exposed to known dangers.
- Cigarettes are a legal substance. How do we have the right to ban something that is legal? Mr Britt shared that the formal organization of a staff team to submit a proposal to the Pierce County Board was begun last spring. This was implemented after their attorney, Susan Ferguson, believed that she had found a feasible way to “carve a path through the dark forest of preemption.”
- How should scarce resources be allocated regarding public health initiatives? Should resources be expended in order to achieve the biggest dividend? This may mean that limited resources be used for other health programs in light of conflicting data around the negative health impacts of second hand smoking.

Mr. Britt said the reason the Pierce County Board of Health pursued this course was to provide the same guarantees against obvious and serious harm to workers from secondhand smoke that workers in other industries currently benefit from. For instance, cancer rates are 50% higher among persons exposed to second hand smoke than the cancer rate for those person not exposed to second hand smoke. This exposure to carcinogens is equivalent to smoking a couple of packs of cigarettes a day, although the tobacco industry disagrees saying exposure is equal to smoking one cigarette per day. However, this information is based upon looking at the nicotine, not measuring the carcinogens contained in secondhand smoke. The irony about the Clean Indoor Air Act is that those workers who are most at risk, who suffer the greatest harms from exposure, receive the least protection from our Clean Indoor Air regulations. And that irony should not be lost on anybody who worked those types of jobs when they were younger. There are 30 to 40 years of worker safety and protection laws that hopefully will not be rolled back because of logic around workers being able to move from place to place.

The Pierce County Board has always been highly committed to secondhand smoke concerns as part of tobacco prevention and control. The Director, as well as the Board, has been very interested in policy approaches to resolving Public Health issues where appropriate.

Yesterday afternoon, Judge Ronald Culpepper overturned the smoke-free resolution. As a result of the decision, the Tacoma-Pierce County Department of Health at least for now, is prohibited from any further enforcement activity. The Director and Board anticipated the possibility of yesterday's ruling, and while they are certainly disappointed at that ruling, they remain fully committed to the resolution and will be appealing that decision.

The resolution became effective on January 2nd, and it has been in effect for about three weeks. During that time about 80% or so of the 300 newly affected establishments had been fully compliant with the resolution. There were significant voluntary smoke-free policies in many restaurants and bars, very much equivalent to what King County has experienced. Approximately 50 establishments were non-compliant. Some of that non-compliance related to the natural transition to a new law. Other businesses have been very vocal and explicit in flaunting their non-compliance which has garnered media attention. It is also worth mentioning that no fines have been issued. The staff basically distributed business kits to the affected establishments informing them about the resolution, trying to clarify questions about how it impacted them, answering questions about specific provisions, and also providing "No Smoking" signage upon request. Approximately 70 letters were sent to non-compliant businesses. Pierce County Board of Health will encourage newly smoke-free businesses to remain so primarily for the health of their employees.

The passage of this resolution and the attendant public conversation that has resulted has done more to further the work of tobacco prevention and control than any media campaign, brochures, school program, direct service or other effort that the Board has undertaken on behalf of tobacco. Non-smokers, both patrons and workers, have increased their expectations about being able to frequent and work in a smoke-free environment. The public has been further sensitized to the serious harms of secondhand smoke. People are raising questions about the availability of resources to help smokers quit, and the realization by many establishments that going smoke-free can be good for business.

The Board is hopeful that these efforts have also further sensitized Legislatures to the need for a statewide solution to this issue. This is only

part of a longer journey, but even on the merits so far, it is hard to think of a more cost-effective use of Public Health funds.

It is Pierce County Board of Health's hope and expectation that other communities throughout the state who share the same values and concerns will not sit on the sidelines, but will weigh in on this issue in the strongest way possible. It is not only Pierce County workers who deserve the simple right to breathe clean air while at work, but every citizen in the state.

IX. Subject Injury Prevention Update Briefing

Tony Gomez, who manages the Seattle-King County Department of Public Health's Injury and Violence Prevention program, and is also Chair of the King County Traffic Safety Coalition, thanked the Board for the opportunity to present traffic safety as a public health issue. His co-presenters were Deanne Boisvert, Program Coordinator for Injury and Violence Prevention, and Virginia Lee, who is the Centers for Disease Control's assignee working with Public Health for the next couple of years. Ms. Lee will be presenting an update on bike helmet work that has been done in her capacity as an assignee working with Public Health.

Tony Gomez stated that traffic safety is a public health issue because of the impact on our emergency medical services system, our hospitals, a lot of uncompensated care, and our Medical Examiner often has to deal with a lot of these cases in investigation. The department tries to get away from the word "accidents," or "traffic accidents." The term, accident, implies that an incident could not have been prevented. However, by evaluating traffic collisions or crashes are identified that led to the accident, as well as factors that would have prevented that incident. Traffic injuries rank among the top ten leading causes of death for every age category, and most disturbing, it is the leading cause of death for kids between the ages of 15 to 24. Traffic injuries are the second leading cause of death for children up to age 14, and also a significant cause of serious injury.

Between 1992 and 2001, approximately 115 to 120 people are killed per year in King County as a result of crashes. In 2002, the King County Medical Examiner noted that there were 121 King County residents who died in crashes. Thirteen of these deaths were children. 40% of these crashes were alcohol related, which represented a decrease from the 60% in the early 1980s.

Public Health has a contract with the Washington Traffic Safety Commission. This makes them one of several Community Traffic Safety Task Forces dispersed throughout the state. Just about every single county in the state has one of these programs. The elements of Public Health's contract

includes developing the coalition with a focus on impaired driving prevention. The Department is looking at community issues, such as pedestrian safety, bicycle safety, occupant protection, aggressive driving prevention, and street racing. In child death reviews, the Department examines each and every unexpected child death in King County. During this process, some street racing deaths were noted. Consequently, a review of local ordinances found that in other parts of the country, and even in this state, some ordinances helped to give law enforcement the tools to reduce this highly preventable cause of death.

One emphasis of the task force is reducing injury and death as a result of the high number of alcohol related crashes in Highway 99 each year. This focus on 99 has resulted in saving taxpayer dollars, preventing injury and death, and allowing King County citizens and visitors to travel safely on that corridor.

Deanne Boisvert stated that one effort in this arena is special emphasis DUI enforcement patrols, including increased patrols on St. Patrick's Day, Cinco de Mayo, Labor Day, and other holidays, which resulted in removing 1,150 drunk drivers from roads in King County. Other strategies used this year include media advocacy, such as press releases, media stories, radio interviews, traffic sponsorships, and anti-DUI billboards.

There is an ongoing effort to build the coalition by including pedestrian and bicycle advocacy groups, other non-profits working in traffic safety, and law enforcement agencies from outside the Highway 99 corridor. Other emerging issues include pedestrian safety; 20% of traffic fatalities are pedestrians and 17% of pedestrian traffic crashes require hospitalizations. Another task being undertaken is identifying other high crash locations to institute some of the interventions that have helped with Highway 99.

The Seattle-King County Department of Public Health's Emergency Medical Services division, in conjunction with local fire departments, conducts the "Think Again" program aimed at reducing underage drinking throughout King County schools.

Virginia Lee stated that Public Health conducted a bike helmet observation study for purposes of determining the helmet usage rate prior to the education and enforcement campaign that is planned for Spring 2004. Data gathered during this study includes:

- 81% helmet usage;
- 12% of the 635 bicyclists observed were children;
- 86% adults observed used a helmet;
- 51% children and teens used a helmet;

- 86% commuters and recreational riders used a helmet;
- 61% bike messengers used a helmet;
- 6% of the bicyclists observed were messengers.

From this data, it was decided that teens, children, and messengers had low usage rates so they will be targeted during the campaign in the spring.

Tony Gomez stated that the Department has been working with local law enforcement to ensure an understanding of the regulation, as well as buy-in regarding enforcing the regulation. Local law enforcement is concerned that the courts will not hear cases and/or issue fines for non-compliance. The Department is now planning to work on educating and getting buy-in from the courts. Another focus is education through the schools and parents to improve the numbers of teens and children wearing helmets.

X. Subject Adjournment

Vice Chair Hutchinson adjourned the meeting at 12:00 p.m.

KING COUNTY BOARD OF HEALTH

CAROLYN EDMONDS, CHAIR

DATE