



Missoula City-County Board of Health  
November 18, 2010

**Board Members Present:** Dr. Garon Smith (Chair), Dr. Alan Gabster (Vice Chair), Jean Curtiss, Teresa Henry, Ross Miller, and Renee Mitchell

**Board Members Excused:** Eileen Sansom

**Staff Members Present:** Health Administration: Ellen Leahy and Julie Mohr; Environmental Health (Air Quality): Sarah Coefield and Ben Schmidt; and Water Quality District: Peter Nielsen

**Legal Counsel Present:** Marnie McClain (Chief Civil Deputy County Attorney)

**Others Present:** Kelly Hart, Ruth Licitra, Dixie McLaughlin, and Ron Scholl

**MEETING CALLED TO ORDER**

Dr. Smith called the meeting to order at 1:12 p.m.

**ITEM 1 APPROVE OCTOBER 21 MINUTES**

The motion was approved unanimously to accept the minutes with corrections as follows: on pg. 2 to read “Usually the easy answer is to...”, on page 3 to read “...based on the reasons stated...”, on page 4 to read “...agencies can look at...”, and on page 5 to read “...it is likely the same...”

**ITEM 2 JOURNAL REPORT**

- **Attachment A**, “Moving Toward Elimination of Healthcare-Associated Infections: A Call to Action”

Teresa Henry reported **Attachment A**, published in *Infection Control and Hospital Epidemiology*. The CDC and various professional associations have called for a move toward eliminating healthcare-associated infections (HAIs). Successful preventive practices and public health strategies can be used to create the framework needed to eliminate HAIs:

- Implement evidence-based practices that protect patients. Public health departments can collaborate with hospitals and others to share best practices in a non-threatening way and with consumers and legislators to establish legislative mandates that support HAI elimination.
- Align incentives to promote system-wide strategies for HAI prevention. Healthcare payment, oversight and accreditation, and public reporting should be used to increase adherence to practices that prevent HAIs.
- Address gaps in knowledge to press beyond the current medical knowledge. The white paper identified five proposed phases of research needed to address the gaps.
- Collect data to target preventive efforts and measure progress. Public health officials can use data to identify local and regional facilities that need to improve their efforts. The author identified investments needed to obtain timely and high quality data. Public health agencies have a unique role in HAI prevention: as outbreaks are investigated, they can identify preventable causes and help to incorporate them into practice guidelines.

These types of infections currently do not have to be reported in Montana. Director Leahy and Dr. Smith noted the need to work on building partnerships and collaborations before trying to help shape policy. Ms. Henry, Jean Curtiss, and Dr. Gabster commented on ethical and financial challenges associated with identifying versus not identifying specific healthcare facilities that present risks. Use of revised methods of reimbursement may serve as key prevention incentives.

**ITEM 3 IDENTIFY VOLUNTEER FOR DECEMBER JOURNAL REPORT**

Ross Miller will provide the report.

**ITEM 4 BOARD COMMENTS ON THE MILLTOWN PARK ACQUISITION ENVIRONMENTAL ASSESSMENT**

- **Attachment B**, “Montana Fish, Wildlife & Parks Letter to Interested Parties: Draft Environmental Assessment for Land Acquisition for the Milltown State Park: October 28, 2010”
- **Attachment C**, “Board of Health Letter Supporting Purchase of Lands for the Milltown State Park: November 18, 2010 ”
- **Attachment D**, “Milltown Remediation and Restoration” (PowerPoint—3 final slides)

**Recommendation:** The Board and department support development of parks and pedestrian trails as sources of outdoor recreation needed to promote public health through physical activity. Peter Nielsen, Water Quality District, provided a draft letter and recommended that the Board authorize Dr. Smith to sign and submit a revised version on their behalf in support of the purchase of four parcels of land for the future Milltown State Park. The letter requires a correction to the second paragraph on pg. 2 to read “...to continue to pursue its completion.”

**Discussion:** Mr. Nielsen show the last three slides found in **Attachment D**, described the location of the properties in question, and explained how their acquisition will contribute to establishing Milltown State Park. Board and staff members discussed how development of additional trails in the park will tie into a larger trail system connecting Missoula, the Milltown area and other nearby communities.

**Motion:** Teresa Henry made a motion to authorize Dr. Smith to sign the corrected letter of support for purchase of lands for Milltown Park and to submit it on behalf of the Board of Health to Montana Fish, Wildlife & Parks. The motion carried unanimously.

**ITEM 5 UPDATE ON BUDGET AMENDMENTS**

Director Leahy indicated she will submit budget amendments in the near future for the Animal Control Fund and Health Fund. Usually, she does not review this type of activity with the Board but gave the update since the amendments are needed as a result of the tight budget due to budget cuts previously discussed with the Board in other meetings and also due to the need to transfer some costs from the Health Fund to more appropriately fall under the Animal Control Fund.

In the past, the department has not charged the Animal Control Fund other than for the cost of their basic staff and operations. Ed Franceschina is an excellent supervisor. However, the City, in particular, continues to have planning and ordinance-making activities and requests for enforcement related to animal control that require considerable amounts of Jim Carlson’s time. Since the Health Fund has had substantial cuts made by the City during the past two years, it is not appropriate to continue to subsidize the Animal Control Fund with Health Fund dollars. At

Director Leahy's request, Mr. Carlson is completing a time study. Animal Control also needs to acquire a new vehicle. Even with just a small apportionment of Mr. Carlson's time, the only way that she can make the amendment work is to get permission from the Commissioners to reduce their requirement for a 5% cash reserve. The request will not be submitted until Mr. Carlson returns from vacation. Animal Control will go ahead and purchase the vehicle. Director Leahy is also working, with encouragement from Human Resources, to reclassify Mr. Franceschina's supervisory position to a higher grade. Taking these factors into account, the amount Director Leahy wanted to put in the budget for additional costs this year was \$16,000, but she cannot do it without actually using more cash. Regardless of which amendments are made this year, next year's budget—which will soon be proposed—will have the expectation that the Animal Control Fund must start paying some of its own costs.

Director Leahy reminded the Board that the cuts made by the City to the Health Fund have resulted in the loss of positions. Nevertheless, there are areas of activity that the department must pursue even though it cannot afford to do so, such as to prepare for public health accreditation. This is new and big: although it is voluntary, it will soon be necessary in terms of any ability to be eligible for even pass-through grants. She has hired Cindy Hotchkiss as a half-time professional for two-thirds of the year. The costs for this year, including fringe, total approximately \$27,000 and will be paid out of cash.

This and other activities that must be done cannot continue to be paid for out of cash. Director Leahy did an analysis of the cash as it has come in over the last ten years. As expected, smaller amounts are being added to the cash balance every year. She provided the update because these trends will come into play in the next several months. Also, it is not known how upcoming legislative activity will affect local revenues.

In response to a question from Dr. Gabster, Director Leahy explained that accreditation requirements are still under development but will be announced soon. Once available, it will likely take two years to complete substantial prerequisites, which she described briefly. Work done by the Board and the department for the Strategic Directions will be useful but other activities will be necessary. She does not know if funds will be available to maintain Ms. Hotchkiss' position until accreditation is obtained. Thereafter, a paraprofessional can be hired to maintain it. It is best to start the work now while the talent is available and since the budget scenario may worsen over time.

Director Leahy also reported that the department received the Diabetes Prevention Program grant. She will talk with the State soon to learn about contingencies they have announced that involve program modifications. If the modifications are costly, the department will not be able to take on the program. This will be the first time that an agency such as ours and the populations the department serves will get this attention.

#### **ITEM 6 PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

Dixie McLaughlin noted that the legislature is being asked in 2011 to address issues related to Montana's legalization of medical marijuana. She asked what the Board of Health is doing in this area. Director Leahy indicated that the department is following the activities of the Children, Families, Health, & Human Services Interim Committee of the Montana Legislature to obtain direction. Locally, concerns fall into the areas of planning, community values, and police issues.

Whereas the 2011 Legislature will try to address issues of control, the department's focus is on problems with mold due to the amount of water required by these operations; information has been given to the local landlord association.

Ms. Curtiss noted other concerns in the community include: 1) the proximity of medical marijuana providers near schools and daycares; 2) odor issues for co-located businesses due to the smell of the growing plants; 3) increased smoking in public places; and 4) employers' concerns about personnel who want to smoke at work as part of their pain management. She noted the Board and the department may be able to play a role regarding educational issues. The Missoula Underage Substance Abuse Prevention Team (MUSAP), for instance, is trying to counter the growing perception that marijuana is "medicine", given that it is still regarded as a gateway for abuse of other drugs. Renee Mitchell noted it was naïve of citizens to think that legalization would not affect youth. Ms. McLaughlin expressed her hope that the Board and department will address issues of driving impairment while under the influence of marijuana. Ms. Henry said that repeal of legalization is strongly opposed by progressives and conservatives because of the impact on end-of-life care; nevertheless, safety and control issues need to be addressed. Dr. Smith asked that the department inform the Board on legislative activity.

**ITEM 7 BOARD AND STAFF COMMENTS ON ITEMS NOT ON THE AGENDA**

Ms. Curtiss commented on last week's article in the Missoulian on school lunch programs and continued efforts to encourage youth to eat healthy meals, particularly since many children in the county participate in free and reduced-cost lunch programs.

Marnie McClain reported that she filed the Notice of Appeal in the Headapohl/Martin case. The next step will be to transmit it to the Montana Supreme Court.

**ADJOURNMENT:** Dr. Smith declared the meeting adjourned at 1:20 p.m.

Respectfully submitted,

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Ellen Leahy  
Health Officer

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Garon Smith  
Chair