

**OREGON HEALTH LICENSING AGENCY
ENVIRONMENTAL HEALTH REGISTRATION BOARD
Minutes of November 16, 2007**

MEMBERS PRESENT Herbert Hirst, Chairperson, Public Member
Ellen Laymon, Environmental Health Specialist
Russell Hanson, Environmental Health Specialist
Michael Kucinski, Environmental Health Specialist

MEMBERS EXCUSED Richard Maher, Environmental Health Specialist

STAFF PRESENT Patricia Allbritton, Policy and Strategic Planning Division Manager
Cerynthia Murphy, Program Coordinator
Tracy C. Nelson, Administrative Liaison

CALL TO ORDER

Herbert Hirst, Chair, called the meeting of the Environmental Health Registration Board to order at 10:08 a.m. November 16, 2007, at the Department of Agriculture, Basement Hearing Room, 635 Capitol St NE, Salem, Oregon.

INTRODUCTION

Mr. Hirst introduced board members and welcomed Ellen Laymon to the Board, noting Ms. Laymon is an Environmental Health Specialist for the Oregon Department of Agriculture; Food Safety Division. Mr. Hirst also introduced Oregon Health Licensing Agency (OHLA) staff. Ms. Allbritton, Board and Program Division Manager explained that staff member Tracy C. Nelson is the new Administrative Liaison and Cerynthia Murphy is introduced as the new Program Coordinator for OHLA.

APPROVAL OF AGENDA

MOTION

Mr. Hanson made a motion and Ms. Laymon seconded to approve the agenda with the inclusion of an Executive Session. The motion passed with Mr. Hirst, Mr. Hanson, Ms. Kendrick, Mr. Kucinski, and Ms. Laymon voting aye.

APPROVAL OF MINUTES

MOTION

Mr. Hanson made a motion and Mr. Kucinski seconded to approve the minutes of May 18, 2007. The motion passed with Mr. Hirst, Mr. Hanson, Ms. Kendrick, Ms. Laymon and Mr. Kucinski voting aye.

DIRECTOR'S REPORT

Ms. Allbritton presented for Director Wilson. Ms. Allbritton stated OHLA is undergoing internal reorganization to lay a foundation to provide boards, customers and regulated professionals with the best regulatory services and resources. As OHLA's strategic plan develops, the first shift will occur in agency divisions and staff roles. The Business Administration Division is headed by Richard McNew who oversees agency-wide licensing responsibilities, fiscal management, budget and contract management, economic forecasting, human resources and payroll, information technology and systems management, and facility and property control.

Ms. Allbritton added the result of reorganization and review will position the agency to maximize on existing benefits of economies of scale and to make adjustments smoothly and effectively. The agency will carry forward to the 2009 Legislature proposed refinements and promote the value of streamlining and standardizing services and fees.

REVENUES AND EXPENDITURES

Richard McNew, Business Administration Division Manager, introduced himself to members and addressed the agency budget, revenues, standardization and fees. He reported that OHLA has a budget of \$6,131,235. Mr. McNew explained OHLA's objective in reorganization is geared toward efficiencies -- eliminating unnecessary or redundant processes and improving completed staff work and centralizing work around function to best serve the needs of OHLA customers. He stated that the more efficiencies the agency implements the less staff is required, which will have a beneficial affect on license fees. He noted the agency is reviewing every process and position for the agency's new cost allocation plan.

Mr. McNew provided an overview of the internal review that draws on outside resources and other agencies expertise and assistance to recommend efficiencies in restructuring OHLA accounting models, human resources and information technology. He explained that restructuring is an important step in preparing for future growth and expansion without having to increase fees and add staff when a new program is added to the central agency's administrative oversight.

Mr. McNew reported that when the cost allocation model is completed, he will re-project the budget and revenues and provide OHLA's Director, Susan Wilson, with his best assumptions for fees. He addressed changes to the Customer Service area of the agency and plans to add an express lane and on-site service kiosks to provide customers with additional service options.

Focusing on revenues, Mr. McNew reported that the 2007-09 current agency-wide revenue was \$1,410,646. He pointed out the new reporting tools for agency-wide expenditures and revenues based on actual figures. He noted that the members will be provided information on an on-going basis.

ONLINE RENEWALS

Ms. Murphy provided a summary of online and standard renewals from January 2007 through October 31, 2007 for Environmental Health Specialists. She explained the agency is working on ways to encourage licensees to renew online and is considering providing incentives for future use of the online renewal system.

LICENSING

Ms. Murphy provided the Board with statistics from January 1, 2007 through September 31, 2007 which included the following:

January 1, 2007 to October 31, 2007

- Original Licenses Issued – 19
- Licenses Renewed – 169
- Late renewals –18
- Total – 188

Ms. Murphy presented a four-year comparison report detailing the increase and decrease in

licensing transactions from 2003 to 2006.

The Board discussed license requirements for Environmental Health Specialists due to the limited number of qualified applicants entering the field. The fact that Oregon State University eliminated their environmental health educational program, may have contributed to this factor. Dr. Cieslak stated requirement standards should not be lowered but suggested providing the legislature with information regarding the need for the educational program. Chair Hirst suggested the Board look at networking with CLEHS and OEHA to conduct outreach to high school and college students regarding the environmental health field, and the requirements to obtain licensure.

EXAMINATIONS

Ms. Murphy provided an overview of the examination statistics from January 1, 2007 to September 31, 2007:

Environmental Health Written -	Number Conducted – 14 Percent Passing – 64%
Waste Water Written-	Number Conducted – 1 Percent Passing – 0%

Ms. Murphy presented a four- year comparison report detailing the increase and decrease in pass/fail rates including the number of examinations administered and the percent passing from 2003 to 2006.

ENFORCEMENT

The Oregon Health Licensing Agency's ***Complaints and Enforcement Section*** conducts statewide, onsite inspections for licensed facilities and responds to and investigates complaints. Onsite facility inspections include surveillance and monitoring businesses, independent contractors and practitioners. Special Investigations are based on the result of citizen complaints or cases involving critical issues – both civil and criminal, such as bacterial/viral infection outbreaks, unlicensed or illegal practice, prohibited acts, fraud or trade practice violations, incompetence or violations of practice standards and other critical issues involving the health and safety of consumers. The ***Complaints and Enforcement Section*** is responsible for taking disciplinary action against licensees who are found in violation / non-compliance of state law.

Tim Molloy, Enforcement and Investigations Supervisor, reported the Environmental Health Registration Board percentage of overall OHLA complaints received from January 1, 2007 through August 31, 2007.

January 1 through August 31, 2007:

- Total Number of Licenses – 285
- Total Number of Complaints – 1
- Overall Percent of OHLA Complaints – 1%

Mr. Molloy presented statistical complaint information for January 1, 2007 through August 31, 2007;

January 1 to August 31, 2007

- Complaints received – 1
- Proposed Orders – 0

- Final Orders – 0

Mr. Molloy also presented the Board with a four-year comparison report detailing the increase and decrease of complaints received by the agency and number of orders written from 2003 to 2006.

Mr. Molloy drew the Board's attention to the one open file, #07-4996 which has been investigated and is pending response to the proposed order sent. He stated there had been no closed files since the last board meeting.

OUTREACH AND COMMUNICATION

Ms Murphy, in Kraig Bohot's absence, presented an article from the Oregonian. The article refers to the Oregon Board of Nursing undergoing problems from a state investigation. They concluded that the Board's action lacked a sense of urgency to protect the public. This investigation spurred the Department of Administrative Services (DAS) and the Governor's Office to review all state agencies that oversee boards. Ms. Allbritton referred to a September 12, 2007 memo from the Governor's Office requesting all health-related licensing boards to attend a special meeting to discuss regulatory performance, particularly as it relates to the disciplinary process. OHLA was represented at this meeting.

Ms. Murphy provided an overview of the OHLA Web site highlighting recent updates to the Board Web page. New features meet the American with disabilities Act (ADA) standards, such as adjustable type size. The new Oregon.gov 3.0 version offers more flexibility for presenting Web content. The short description of key online resources provides visitors with quick and easy access to what they need. Ms. Murphy pointed out that the OHLA Web Site is initiating the second phase in our ongoing efforts to provide consumers with access to disciplinary action information of licensees.

Ms. Murphy reported that OHLA now oversees its ninth volunteer citizen board – the Sex Offender Treatment board (SOTB), and referred members to the agency's Web site for more information on the new regulatory program.

2007 LEGISLATION

Ms. Allbritton reported that in an effort to keep the boards and councils apprised of the agency's continued communication efforts, OHLA will be providing a Web Analysis Report at the next scheduled board meeting, which will identify the following areas of interest:

- The most popular web pages on the agency's web site
- The number of visits for each web page
- The average length of time each page was visited
- The most popular files downloaded

Ms. Allbritton stated the 2007 Legislature placed the Sexual Offender Treatment Board (SOTB) under the jurisdiction of OHLA. She stated SOTB is a high profile statewide program supported by both the Governor and Attorney General. The Health Licensing Agency was selected because it offered an existing infrastructure and professional staff to respond, develop and coordinate treatment roles with county and statewide criminal and juvenile justice organizations while maintaining a regulatory process that is cost-effective and accountable.

Ms. Allbritton noted that legislation promoted by OHLA during the 2009 Legislative Session will be presented as an agency bill. She advised that legislation pertaining to public protection will need to

be solidified by April 4, 2008.

2008 BOARD MEETING DATES

MOTION

Russ Hanson made a motion and Ellen Laymon seconded to approve the May 16, 2008 and November 14, 2008 Board meeting dates. The motion passed with Chair Hirst, Mr. Hanson, Ms. Kendrick, Mr. Kucinski, and Ms. Laymon voting aye.

2008 CHAIR AND VICE CHAIR

MOTION

Dr. Cieslak nominated Mike Kucinski as the 2008 Chair and Ellen Laymon as vice chair. Mr. Hanson made a motion and Dr. Cieslak seconded the motion for chair and vice chair as nominated. The motion passed with Chair Hirst, Mr. Hanson, Ms. Kendrick, Mr. Kucinski, and Ms. Laymon voting aye.

2008 SUBCOMMITTEES

MOTION

Dr. Cieslak made a motion and Ellen Laymon seconded to accept the committees with the following changes: The motion passed with Chair Hirst, Mr. Hanson, Ms. Kendrick, and Mr. Kucinski, Ms. Laymon voting aye.

Application and Education:	Russ Hanson, Mike Kucinski, Richard Maher
Continuing Education:	Ellen Laymon, Mike Kucinski, Richard Maher
Enforcement:	Mike Kucinski, Richard Maher, Ellen Laymon
Examination:	Russ Hanson, Richard Maher
Legislation and Rules:	Dr. Cieslak, Mike Kucinski, Herb Hirst
Industry Liaison:	Russ Hanson; Alternate Herb Hirst

BOARD INTEREST FILE

Chair Hirst summarized the board interest file which included:

- Portable Sanitation Association International
- ABSA – Biological Safety Conference 2007
- NEHA E-news; September 26, 2007
- NEHA E-news; October 11, 2007

The meeting adjourned at 12:28 p.m.

I attest that the Environmental Health Registration Board minutes of November 16, 2007, are a true and accurate reflection of the matters discussed and the views of the participants.

Cerynthia Murphy, Program Coordinator