

**SAN LUIS OBISPO COUNTY  
HEALTH COMMISSION**

Minutes of Meeting

Monday, May 13, 2013 (County Board of Supervisors Chambers)

Members Present: David Clous, Tracy Del Rio, Lynn Enns, James Pope, Anne Quinn, Jean Raymond, Mary Jean Safe, Scott Smith-Cooke, Susan Warren

Members Absent: Ed Guerena, Gill Blonsley

Staff Present: Penny Borenstein, Jean White

Speakers: Karen Jones (Long Term Care Ombudsman Services of San Luis Obispo)

Agenda Item	Discussion	Action	Who/When
1. Call to Order	Meeting called to order by Commissioner Enns at 6:00 pm. Chair Guerena was absent tonight.	<i>Call to order</i>	<i>Lynn Enns</i>
2. Approval of Minutes	Minutes of April 8, 2013 were approved as drafted.	<i>April minutes approved.</i>	<i>Del Rio/Quinn/All</i>
3. Public Comment	Commissioner Enns opened the floor to public comment with no response.		
4. Overview: Long Term Care Ombudsman Program / Skilled Nursing Facilities In San Luis Obispo	<p><b>Karen Jones, Program Manager and Executive Director for Long Term Care Ombudsman Services of San Luis Obispo</b> distributed a copy of their brochure and provided an overview of the ombudsman program, explaining that ombudsman are trained and certified to provide services at no cost to residents of skilled nursing facilities and residential care facilities for the elderly. Ombudsman services include advocacy, talking with residents, investigating &amp; resolving complaints, safety issues, witnessing durable power of attorney for health care forms, pre- and post- placement counseling, and information &amp; referral. There are 8 skilled nursing facilities and 95 residential care facilities in SLO County. Last year, they received 600 complaints and from Jul-Apr this year, 420 complaints, with 11% of those complaints being abuse allegations (32% alleged against a family member; 38% resident to resident &amp; 30% alleged against facility staff). She noted that Oklahoma just passed a bill that allows recordings in nursing homes.</p> <p>Ms. Jones also talked about an issue in nursing facilities, where residents are increasingly being placed on antipsychotic medications despite having a mental health diagnosis to warrant their use. She explained how dangerous these medications are when prescribed to elderly persons with dementia and can lead to serious medical complications, including death. She advised that AB 973 is addressing this issue and would provide resources &amp; training to facilities to help reduce the number of persons being prescribed these medications. The percentage of residents in SLO County taking one or more anti-psychotic medications (at 14%) is much lower than the national and state averages, 26% and 23%, respectively.</p> <p><b><u>Commissioner Questions/Discussion:</u></b>  <b>Commissioner Warren</b> referred to AB 973 and asked if the trainings would also be provided to the doctors who prescribe. <i>(Karen Jones explained that although the doctors are the ones prescribing the medications, it is the facility staff who will call the physician asking for medication when they are having a problem with a patient. The challenge is that patients are not being appropriately evaluated when they are behaving a certain way.)</i>  <b>Commissioner Warren</b> asked if anti-anxiety drugs were also overly prescribed. <i>(Karen Jones explained that the rates are higher in SLO for residents on anti-anxiety medications, but that these drugs can be</i></p>		

	<p><i>used to treat things other than anxiety.)</i></p> <p><b>Commissioner Clous</b> asked about occupancy rates at the long term care facilities. <i>(Karen Jones advised that nursing homes run between 85- 100% occupancy. Residential care averages about 75% occupancy. It can take a long time to get into a skilled nursing facility, if you are not coming from a hospital.)</i></p> <p><b>Commissioner Clous</b> asked how their organization is funded. <i>(Karen Jones explained they get a small amount of federal dollars, a percentage of fine money and a percentage of the fees paid by nursing homes for quality assurance. They no longer receive any State general fund - removed from budget in 2008.)</i></p> <p><b>Commissioner Clous</b> asked about staffing. <i>(Karen Jones informed they have 3 full-time employees, 1 intern, and 9 certified volunteers, with 15 more certified volunteers starting by June 30<sup>th</sup>.)</i></p> <p><b>Commissioner Smith-Cooke</b> asked if they have an adequate number of volunteers and what is expected of a volunteer. <i>(Karen Jones advised they can always use volunteers and have another training beginning next week. Training is 40 hours, plus another 12 hours in facilities. They also need persons with second languages. Volunteers are certified ombudsman and do facility visits &amp; investigations. They set their own schedule and hours.)</i></p> <p><b>Commissioner Smith-Cooke</b> asked about food inspections for facilities. <i>(Karen Jones explained that the California Department of Public Health inspects nursing homes; the County of SLO Environmental Health Division inspects the larger residential facilities; and the CA Dept. of Social Services Community Care Licensing also does inspections. There are currently some unclear regulations related to labeling of food with Community Care Licensing for residential facilities.)</i></p> <p><b>Commissioner Smith-Cooke</b> noted the difference in the number of beds at residential facilities --varying from 2-130 beds. <i>(Ms. Jones explained that there are 4 or 5 larger residential facilities -- example Manse on Marsh (that is not a skilled nursing facility), as well as small residential 2-bed "houses.")</i></p> <p><b>Commissioner Raymond</b> asked about the difference between paid staff and volunteers and how a person would register a complaint. <i>(Ms. Jones explained that all volunteers are certified ombudsman, but work fewer hours and have a flexible schedule. They may choose not to deal with family issues or abuse issues. Reporting is mainly done by phone or an ombudsman finding a problem when in a facility.)</i></p> <p><b>Ms. Jones</b> provided their phone number 785-0132 for reporting or if someone is interested in becoming a volunteer.</p> <p><b>Commissioner Enns</b> asked how they are listed in the phone book <i>(under "L" for Long Term Care Ombudsman Program).</i></p> <p><b>Dr. Borenstein</b> thanked Karen Jones for the work she does and the services their organization provides.</p>		
<p><b>5. Health Agency / Public Health Report</b></p>	<p><b>Dr. Penny Borenstein, Health Officer,</b> provided an update on the following:</p> <ul style="list-style-type: none"> <li>• <b>Affordable Care Act (ACA):</b> The Governor’s budget is due to be released tomorrow, which hopefully will provide more answers to some of the questions about Medi-Cal expansion. The ACA workgroup met a couple of weeks ago and the ACA subgroup on “Outreach and Education” will meet later this week. Public Health has not heard back on the Covered CA grant they applied for to fund outreach efforts, but the group will continue to meet regardless and work collectively on ways to get the word out to the public on Covered CA and Medi-Cal expansion.</li> <li>• <b>National Nurses Week:</b> Dr. Borenstein thanked and recognized all nurses for the wide range of services they provide.</li> <li>• <b>Newest Influenza Variant:</b> The SLO Public Health Laboratory (PHL) has received the go-ahead to develop capabilities for testing for the newest influenza variant coming out of China. The PHL is one</li> </ul>		

	<p>of only a few dozen labs nationally who will have the capability to test for the variant.  <i>(Commissioner Smith-Cooke asked if there was concern that our area might be especially susceptible. Dr. Borenstein explained that the PHL is considered a laboratory response network for select agents for bioterrorism and naturally causing agents and is funded by the CDC to maintain that capability on a regional basis.)</i></p> <ul style="list-style-type: none"> <li>• <b>California Mid-State Fair:</b> Public Health has been working collaboratively with State Fair management and 4H Clubs to provide a more aggressive push on education around animal handling and hygiene <i>(due to a small cluster of salmonella cases related to exposure to pigs at the end of the fair last year).</i></li> <li>• <b>Sugar-sweetened Beverages:</b> Dr. Borenstein participated in a community meeting on April 29<sup>th</sup> where two experts spoke about what can be done to bring about a reduction in consumption of sugar-sweetened beverages. One of the experts, a physician in Richmond was a party in an attempt to get a tax levied in the City of Richmond that ultimately failed, with 4 million dollars spent by the industry to oppose the initiative. Dr. Borenstein advised that there is a state bill up for consideration for a tax on sugar sweetened beverages. Public Health is supportive of finding mechanisms to decrease consumption of non-nutritious products that are contributing to the obesity problem and will follow this bill closely.</li> <li>• <b>EMS Division’s new application for Smart Phones:</b> the EMS Division secured grant funding to provide an electronic EMS field guide to all EMS partners. The SLO EMS application replaced a printed field manual and is enhanced to equip the field and areas hospitals with current treatment protocols &amp; policies.</li> </ul>		
<p><b>6. Health Commissioner Updates</b></p>	<p><b>Commissioner Raymond:</b> Attended the Adult Policy Services Council where there were questions from the audience about California’s <i>Physicians Orders for Life-Sustaining Treatment</i> (POLST) and an incident that happened in Bakersfield where CPR was not performed on an elderly person who did not have their wishes detailed. She explained that the POLST is about having that conversation as people are getting close to end of life, starting with goals of care. At the State level, they are looking at revising the POLST form next April. Commissioner Raymond commented that New Jersey’s POLST form can be completed by a physician or an advance practice nurse. She advised that POLST will be a topic on the June agenda of the Central Coast Coalition for Compassionate Care. If anyone is interested in attending, contact Commissioner Raymond.</p> <p><b>Commissioner Sage:</b> No report.</p> <p><b>Commissioner Smith-Cooke:</b> No report.</p> <p><b>Commissioner Del Rio:</b> No report.</p> <p><b>Commissioner Warren:</b> Attended the newly integrated Mental Health Board and Drug &amp; Alcohol Advisory Board who will be starting the new fiscal year with a retreat to set priorities.</p> <p><b>Commissioner Warren:</b> Invited the public to North County Connection’s open house to celebrate the purchase of their new property and learn about their programs.</p> <p><b>Commissioner Warren:</b> Commented that the training with Dr. Tom Freese from UCLA “Screening, Brief Intervention and Referral to Treatment” was very well received by the medical community. They will be reporting more on this in the fall.</p> <p><b>Commissioner Enns:</b> No report.</p> <p><b>Commissioner Clous:</b> Attended the Tobacco Control Coalition where it was reported: 1) AB 746,</p>		

	<p>smoking prohibition in multiple family dwelling, did not pass. 2) Two tobacco control compliance checks were done in April &amp; May – one in Arroyo Grande at 18 establishments, with 3 retailers selling to minors and one in the non-incorporated areas at 58 establishments, with 3 retailers selling to minors. Currently, Paso Robles, Atascadero, Morro Bay and Pismo Beach have not adopted tobacco retail licensing. Costs for these licenses vary from \$63.00 to \$500 and are based on the number of establishments and the cost of monitoring the retailers. Ordinances in some municipalities differ in terms of their enforcement language. Penalties are light, with fines in most case. Dr. Borenstein added that the County has had a couple of issues come up with regard to enforcement and is looking at tightening up the ordinance in some areas.</p> <p><b>Commissioner Quinn:</b> No report.</p> <p><b>Commissioner Pope:</b> Attended the HIV Care Consortium meeting today where it was reported: 1) a State audit was conducted of the AIDS Support Network (ASN) and found all data entered was appropriate. 2) ASN put their AIDS Update Symposium on hold for right now due to funding. 3) The Syringe Exchange Program received an increase in the number of syringes, indicating they are making a reduction in the sharing of syringes. 4) Hep C testing was done at Sierra Vista Hospital and they are now looking at other venues. Hep C testing kits are being delivered to Planned Parenthood, CAPSLO, &amp; County clinics. 5) Commissioner Pope invited commissioners and the public to a take-out BBQ fundraiser benefitting the ASN on May 22<sup>nd</sup>. Call 781-3660 or visit <a href="http://www.asn.org">www.asn.org</a> to purchase tickets.</p> <p><b>Commissioner Pope:</b> Attended a community meeting on fracking and shared information about the problems of fracking and a step that cities can take to adopt a “Rights-based” ordinance against fracking. He advised that SLO County sits atop one of the country’s largest shale formations, the Monterey Shale, and such an ordinance would establish local control over what the oil corporations can do. He distributed a letter to commissioners asking for their consideration of a future agenda item about the potential threat to the health of groundwater as a result of a fracking accident. Included with the letter were links to further information, as well as a booklet of personal stories of those who have been harmed by fracking.</p>		
<p><b>7. Committee Reports</b></p>	<p>No committee reports.</p>		
<p><b>8. Prospective Future Items</b></p>	<p><b><u>June 2013:</u></b></p> <ul style="list-style-type: none"> <li>• <b>Program on Hearing Loss</b> – Commissioners Quinn has been coordinating this program with assistance from Commissioner Smith-Cooke. Commissioner Raymond suggested they also may want to contact “SLO County Access For All” for a speaker.</li> </ul> <p><b><u>July 2013:</u></b></p> <ul style="list-style-type: none"> <li>• <b>Health Commission Retreat/Planning Meeting</b></li> </ul> <p><b>Commissioner Raymond</b> asked if there was a list of all of the boards &amp; commissions in the county to see how many there are and to also look at how they can all work together for the common benefit of the county. <i>Dr. Borenstein suggested her office could work with County Admin for a list of boards &amp; commissions that are either in policy or by ordinance, but noted there are also many other boards &amp; commissions that are either non-profit or “self-forming out of mutual interest” throughout the county. She suggested this might be a topic of discussion at the retreat/planning meeting.</i></p>		
<p><b>9. Adjournment</b></p>	<p>Meeting adjourned at 6:58 pm.</p>	<p><i>Adjournment</i></p>	<p><i>All</i></p>