

# BOARD OF HEALTH MINUTES

## TAMA COUNTY PUBLIC HEALTH & HOME CARE

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Monday January 23, 2023 – 12:00 P.M.  
Meeting held via Zoom - Tama Co. Annex Building

**Due to heightened potential public health risks related to the COVID-19 virus, all Tama County Board of Health meetings will be held electronically through ZOOM or by phone conference until further notice.**

**Present:** Sally Custer – via Zoom                      Chris Behrens                      Jolynn Harger  
Lori Johnson                      Sherry Parks, PA-C, via Zoom                      Mick Ferris – via Zoom  
Curt Hilmer – via Zoom                      Tammy Wise – via Zoom                      Casey Schmidt – via Zoom  
Corey Frank – via Zoom                      Heather Bombei – via Zoom                      Dr. Hineman – via Zoom

**Absent:** Shannon Zoffka

The meeting was called to order by Sherry Parks, Chair, at 12:03 p.m.

Sherry Parks read the following statement:

Per Iowa Code, Chapter 21.8, Electronic Meetings, the Tama County Board of Health will conduct meetings via zoom or by phone conference due to circumstances where such a meeting in person is impossible or impractical.

Sally Custer moved to accept the Agenda as presented. Micki Ferris seconded. Motion carried unanimously.

Micki Ferris moved to accept the Minutes of the December 19, 2022 meeting as presented. Sally Custer seconded. Motion carried unanimously.

### **Reports:**

#### **Environmental Report:**

Chris reported that it has been quiet this last month. He attended the IOWWA Conference in Des Moines earlier this month. During this slow time Chris has continued to work on maintenance agreements for septic systems, mapping of current systems, and working with the Recorder to make sure they are correct.

January is Radon Awareness Month, alot of people have been buying Radon kits.

#### **Director's Report**

In Shannon's absence, Lori Johnson presented her report.

*Quality Assurance/Performance Improvement (QAPI):* The December meeting was canceled due to bad weather. The next meeting is scheduled for January 24<sup>th</sup>.

*Community Health Needs Assessment (CHNA):* No new news.

*Supporting Kids in Prevention (SKIP):* The next meeting is January 26<sup>th</sup>, there was no December meeting.

*Public Health Emergency Preparedness (PHEP):* Public Health workgroup meetings, coalition service area and communication meetings continue.

*Human Resources:* No new news.

*Communicable Disease:* There were no communicable disease cases in December. There was 0 animal bites in December.

*Public Health:* The Mobile Food Pantry served 157 households, which included 487 individuals, in December.

Coffee Talks continue and new topics started in January, with a focus on heart health and fall risk reduction.

*COVID:* Tama County moved to a high transmission rate in late November, currently we are in a substantial transmission rate.

*Maternal Health Program:*

Nest Class was held on January 10<sup>th</sup>. The topics were Birth Defects and Routine Tests During Pregnancy. 9 families were in attendance.

*Home Health:*

OASIS E began on January 1<sup>st</sup> for the RN's to use for their assessment criteria in Home Health. With the transition from D to E has come hiccups and issues with the electronic health record and lots of frustrations in the electronic world.

*Future Meetings:*

The Public Health Emergency due to COVID was extended at the Federal level for another 90 days. We continue to monitor transmission levels in the county. Other counties have gone to a hybrid style of meeting. We will have the hybrid option in February as long as we stay out of the high transmission zone. Once we hit high transmission in the county we have to mask and space again and the conference room does not offer space needed to space accordingly. Hybrid models offer a Zoom and in person option for meetings.

**Waiver:** December: Four patients were served under the Frail and Elderly Waiver. There were 4 Maternal Health Home visits in December.

**Financial Report:**

Admissions increased for the month of December. Skilled Nurse visits increased. Home Health Aide visits and hours decreased for the month of December. Our revenue increased for the month of December.

Sally Custer asked why staff received a monthly cell phone reimbursement. Lori said that we have a PHEP Grant that pays this reimbursement for staff as they are expected to respond to an incident as needed. Direct Care staff are also contacted regularly throughout the day on their cell phones with schedule changes.

Micki Ferris moved to approve the Financial Report. Sally Custer seconded. Motion carried unanimously.

**New Business**

A. Tammy Wise, Tama County Human Resources, was present to bring a recommendation to the Board to have the Sanitarian position be managed by the Supervisors. Their intent is to combine the position with Marshall County Planning and Zoning. The position would still report to the Board of Health, but would be under the Board of Supervisors. She said this position would then be full time with benefits and would be available Monday through Friday instead of just part time.

Micki Ferris asked if the Environmental Health position in Marshall County is full time right now. Tammy replied that no, it is part time right now and includes planning and zoning. She said that a car would be purchased so the Sanitarian could go back and forth between counties as needed.

Micki Ferris said that she felt that Chris is handling the position well right now and is very efficient. She feels Tama County would be overshadowed. She feels the position should be left as is, since it works for our County.

Casey Schmidt asked if the Marshall County Sanitarian covered the City of Marshalltown. Tammy said that no, it just covers rural Marshall County.

Sherry Parks feels that was misstated that if the positions were combined that the Sanitarian would be available to Tama County 5 days a week.

Chris Behrens stated that he felt Tama County currently has good coverage. In his current full time job he has a large amount of flexibility. He is able to answer and return calls quickly. He said he felt Tama County was getting full time coverage for a part time price. There is 3-4 days a week he can perform job duties when needed. He is able to be accessed 5 days a week.

Tammy Wise stated that they are interested in putting the jobs together, that is has nothing to do with anyone personally. She feels this will make it better for both counties.

Chris Behrens asked how a Tama County Citizen benefited from a shared position with Marshall County? Sherry Parks said she does not see the benefit of a shared position.

Tammy Wise said the cost of the position would come out of the Board of Supervisors budget.

Sherry Parks asked if the position would be moved out of our jurisdiction? Tammy Wise replied that it would be under the Board of Supervisors but the position would still report to the Board of Health.

Micki Ferris thought that there was probably a lot of legal issues to sort through. Tammy Wise said that she had the legal paperwork and they could do that.

Tammy Wise said that other counties share this position, and that Tama County shares other positions with other counties. Tammy has talked to other counties that share positions and feels this will work out great.

Sherry Parks asked Tammy what counties share a position. Tammy replied that Appanoose, Davis, Lucas and Monroe share. She said that Shannon has a list of the other counties that share positions.

Micki Ferris felt that we needed to discuss this as a Board. Sherry Parks felt we need to look at all implications and revisit the issue.

Tammy Wise felt the Sanitarian position should be a stand alone position and not under Public Health. Sherry Parks said that the Board of Health covers Sanitarian and Public Health .

Tammy Wise said that she had some paperwork to send to Lori which she could forward to the Board to review.

Dr. Hineman asked if the position would be split 50/50. Tammy Wise said that the position would be a Tama County Employee, Tama County would also pay ½ of the expenses. Marshall County doesn't care how much time is spent there as long as it is done timely.

Dr. Hineman asked what the rural population of Marshall and Tama County was. Casey Schmidt looked it up and said that rural Marshall County was 13,000 to 14,000 and rural Tama County was 12,000 approximately.

No action taken at today's meeting.

B. Election of Officers: The Board voted to leave Sherry Parks as the Chairman and Dr. Hineman as the Vice-Chairman. Micki Ferris moved to approve the Election of Officers. Dr. Hineman seconded. Motion approved unanimously.

C. Dr. Hineman moved to Approve the Finance Committee Recommendations. Micki Ferris seconded. Motion carried unanimously.

#### D. Adopt Advisory Board Recommendations

##### 1. Policy Revisions

- a) Tama County Septic Permit Fee Policy
- b) Application for Sliding Fee Adjustment for Service/Credit Policy
- c) Record Protection, Retention & Disposition
- d) Staff Education
- e) Homemaker Orientation Requirements
- f) Homemaker (Direct Care Worker III) Home Health Aide (Direct Care Worker IV) Training and Competency Requirements
- g) Red Flags Rule Compliance
- h) Homemaker – Home Health Aide Position Name Clarification
- i) Patient Appeal Procedure for Denial, Reduction or Termination of Services
- j) Storage, Provision and Management of Medications for Home Health Patients

- k) Policy and Procedure for Height and Weight Measurement
- l) Clinical Records
- m) Comprehensive Assessment/OASIS Documentation
- n) Wound Care and Pressure Ulcers
- o) Governing Body
- p) Assistant Director Position Description
- q) Public Health Nurse Job Description
- r) Registered Nurse/Case Manager Job Description
- s) Licensed Practical Nurse Job Description
- t) Homemaker/Home Health Aide Supervisor Job Description
- u) Homemaker/Home Health Aide Job Description
- v) Homemaker/Home Helper Job Description
- w) CFO/Fiscal Administrator Job Description
- x) Fiscal Assistant Job Description
- y) Executive Assistant Job Description
- z) Office Assistant II Job Description
- aa) Environmental Health Specialist Job Description

After discussion of the above Policy Revisions; Micki Ferris recommended the revision of the first and second sentence on Attachment B in the Application for Sliding Fee Adjustment for Services/Credit Policy. It should say, "Each year our agency receives funding to provide in-home care to the residents of Tama County. As a recipient of those funds we are required by our funding sources to review the financial status of our clients receiving services to determine a person's ability to pay for all or part of the services they receive." Dr. Hineman seconded the correction. Dr. Hineman moved to Approve the remainder of the Policy Revisions as recommended by the Advisory Board. Micki Ferris seconded. Motion carried unanimously.

## 2. Policy Review

- a. Photography of Patients
- b. Review and Collection of Accounts Receivable
- c. Reimbursement for Patient Care Services
- d. Patient Risk Assessment Policy
- e. Skin Care Policy
- f. Foot Clinic Policy/Procedure

After discussion of the above Policy Reviews; Dr. Hineman moved to Approve the Policy Reviews as recommended by the Advisory Board. Micki Ferris seconded. Motion carried unanimously.

## 3. Policy Adoption

- A. Office Assistant I Job Description

After discussion of the above Policy Adoption; Micki Ferris moved to Approve the Policy Adoption as recommended by the Advisory Board. Dr. Hineman seconded. Motion carried unanimously.

### **Old Business**

Lori shared information from Shannon regarding the response from the County Attorney/Attorney from the County regarding Septic System Claims.

Shannon emailed Mr. Heeren on Dec 19<sup>th</sup> (email communications were included in the BOH packet) asking who the BOH should seek legal advice from, he replied that Tammy generally determines where the claim is forwarded.

In the Steven's property the claim was sent to Carl Salmons.

On January 12<sup>th</sup>, Shannon was contacted by phone by Carl Salmons who stated he is the attorney who would represent the County in a legal proceeding. He then explained the statute of limitations being 2 years, the 2 years starts from the time a mistake is made whether the land or homeowner knows or not and suggested Shannon look at Chapter 670.5. He recited the process of the Time of Transfer to Shannon in that an inspection is made and based on that inspection the Sanitarian decides if the system passes or fails. He stated that if a system is

properly functioning and is old it gets grandfathered in (this is his words, not Shannon's understanding). He then reiterated that anything past 2 years means we are not liable and asked repeatedly if Shannon understood this. Shannon told Mr. Salmons that she is a nurse; she is not a legal authority, and she does not give the BOH legal advice. She asked if he would be able to speak with the BOH as she was sure they would have questions and would like legal counsel. He stated that he would like Mr. Heeren to get involved and declined to speak with the BOH at that time. Shannon had provided the paperwork on the Boley property to Tammy to share with Mr. Salmons earlier in the week along with the Zoom recording of the December BOH meeting. After watching this, he recommends that the BOH consider making recommendations for an ordinance and present this to the BOS so that in the future realtors and contractors have an ordinance to follow on timely filing and the recorders office waits for all the pieces to be in place. He also stated that Mr. Boley should file a claim with Tammy. Shannon's understanding from Cory Frank and the DNR is that a Time of Transfer fail should not block the sale of the house. Shannon was not given a chance to discuss our understanding in this agency of the code or ask questions, she was just told what the law is and that we are not liable.

Shannon's personal understanding of this is, a claim has been filed, Mr. Salmons does not see from a legal standpoint that the County is liable, and it is outside the statute of limitations. She does not know what has been discussed with Ms. Steven regarding her claim. However, Shannon feels there is a definite concern as there is missing documentation from 2017, obvious issues in the pictures from the 2017 inspection, the code was the same then as it is now and functioning properly does not merely indicate that a toilet flushes. The concern brought to Shannon by the homeowner was that the system is exactly the same as it was when it passed in 2017/2018 when she purchased the home and it now fails, she is not arguing the failure she is not understanding why it was passed just a few years ago and felt that the individual the county employed at that time was the expert and did not do his job and now she is financially responsible for his oversights/negligence.

Shannon does not know if the BOH wants to speak with Tammy Wise for additional information, hire legal counsel or just settle with the homeowners directly and avoid legal fees and court costs or if that is even an option they may have.

Lori stated that in next year's budget there was money put in for Time of Transfer issues, in case any came up.

Dr. Hineman asked if we had any idea what the cost will be for these two issues. Lori stated the Steven's property was between \$15,000 and \$20,000 and the Boley property was \$15,000. Lori said these amounts would be prorated and would not all be on Tama County. It would be shared with the Homeowner.

Dr. Hineman asked if this would start a precedent and how far a Homeowner could go back?

Lori said that it had to be reported within so many months of closing on a property.

Dr. Hineman suggested we form a Committee that would give a suggestion to the Board of Health at a future Board meeting. Sherry Parks and Sally Custer agreed with this suggestion.

Dr. Hineman said she would be willing to serve on the Committee. Casey Schmidt also expressed willingness to serve on the Committee. Dr. Hineman also thought that we should be able to meet with Brent Heeren.

It was decided that the Committee would consist of Dr. Hineman, Casey Schmidt, Chris Behrens and Shannon Zoffka. They will bring back recommendations to the next Board meeting.

**Correspondence:** Lori shared the I-Smile information sent out with Board packets.

Lori also introduced Casey Schmidt as the new Board of Health member.

**Future Meeting Dates:** The next Board of Health meeting will be held on Monday, February 27, 2023 at Noon

The meeting adjourned at 1:07 P.M.

Respectfully Submitted,

Jolynn Harger, Executive/Financial Assistant