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CHAIRPERSON PRO TEM
VICTOR G. CELENTINO

VICE-CHAIRPERSON PRO-TEM
THOMAS L. MINTER

HUMAN SERVICES COMMITTEE
CURTIS HERTEL, JR. CHAIR
LISA DEDDEN
CALVIN LYNCH
VICTOR CELENTINO
MIKE SEVERINO

INGHAM COUNTY BOARD OF COMMISSIONERS

P.O. Box 319, Mason, Michigan 48854 Telephone (517) 676-7200 Fax (517) 676-7264

THE HUMAN SERVICES COMMITTEE WILL MEET ON MONDAY, FEBRUARY 4, 2002, AT 7:00 P.M., IN CONFERENCE ROOM A OF THE HUMAN SERVICES BUILDING, 5303 S. CEDAR, LANSING.

Agenda

Call to Order

Approval of the [January 14, 2002](#) Minutes and Executive Session Minutes

Additions to the Agenda

Limited Public Comment

1. Public Hearing - Regulation [Eliminating Smoking](#) in Public and Private Work Sites
2. Environmental Tobacco Smoke Task Force / Health Department - Resolution to Adopt a [Regulation Eliminating Smoking](#) in Public and Private Work Sites
3. Health Department
 - a. Resolution to Authorize Clinic [Nursing Staffing](#) Changes
 - b. Resolution to Establish a Position in the Health Plan Management Unit and to Authorize an Amendment in the [Health Department's 2002 Budget](#)
 - c. Resolution to Authorize an American Legacy Foundation Tobacco Reduction Grant Subcontract with the [Anishinaabegamig Cultural Learning Center](#)
4. Delhi Township/Ingham County HazMat Team - Resolution to Accept Equipment from Delhi Township for Use by the Ingham County [Hazmat Team](#)

Announcements

Public Comment

Adjournment

The County of Ingham will provide necessary reasonable auxiliary aids and services, such as interpreters for the hearing impaired and audio tapes of printed materials being considered at the meeting for the visually impaired, for individuals with disabilities at the meeting upon five (5) working days notice to the County of Ingham. Individuals with disabilities requiring auxiliary aids or services should contact the County of Ingham in writing or by calling the following: Ingham County Board of Commissioners, P.O. Box 319, Mason, MI 48854 Phone: (517) 676-7200. A quorum of the Board of Commissioners may be in attendance at this meeting.

HUMAN SERVICES COMMITTEE

January 14, 2002

Minutes

Members Present: Curtis Hertel, Lisa Dedden, Calvin Lynch, Victor Celentino and Mike Severino

Members Absent: None

Others Present: John Neilsen, John Czarniecki, Bruce Bragg, Jerry Ambrose, Joe Lessard, Naomi Gaynor, Peter Cohl, Linda Keefe, Bob Glandon, John Veenstra, Jacquie Burgess, Bud Burgess, Jeff Williams, Jim Moore, Steve Springer, Linda Sofer and others

The meeting was called to order by Chairperson Hertel at 7:06 p.m. in Conference Room A of the Human Services Building, 5303 South Cedar, Lansing.

Approval of the December 3, 2001 Minutes

MOVED BY COMM. LYNCH, SUPPORTED BY COMM. CELENTINO, TO APPROVE THE DECEMBER 3 MINUTES AS SUBMITTED. MOTION CARRIED UNANIMOUSLY. Absent: Comm. Severino

Additions to the Agenda: None

Chairperson Hertel informed the Public that this Committee would not be taking any formal action on agenda item 1 this evening. State laws requires a public hearing be held prior to any formal action. Notice of the public hearing must be posted 20 days prior to the hearing. This Committee will hold a public hearing on February 4, 2002 prior to the regular Committee meeting.

Limited Public Comment

Ms. Sofer spoke regarding the report on the proposed Smoking Regulation and a survey which was conducted by the Robert Wood Johnson Foundation. Approximately 500 people in Ingham County were surveyed regarding the proposed Regulation. The residents were very much in favor of the proposed Regulation.

Mr. Veenstra paid tribute to Comm. Celentino for his handling of the ETS Task Force. Comm. Celentino patiently listened to everyone who commented during the Task Force meetings. The proposed Regulation passed the Task Force with a vote of eight to three. Mr. Veenstra stated Comm. Celentino did a remarkable job of pulling the Task Force together. He also spoke of some specifics regarding the Robert Wood Johnson Foundation survey.

(Comm. Severino arrived at 7:10 p.m.)

MOVED BY COMM. SEVERINO, SUPPORTED BY COMM. LYNCH, TO APPROVE A CONSENT AGENDA FOR THE FOLLOWING ITEMS:

2. Cooperative Extension - Resolution to Authorize a Three Year Continuation of the Ingham County MSU Extension Network Facilitator and Community Development Agent Position
3. Health Department
 - a. Resolution to Authorize Six "Equip" Special Project Grants with the Michigan 4C Association
 - c. Resolution to Authorize a 2001-2002 Licensing Support Services Agreement with the Department of Consumer and Industry Services
 - g. Resolution to Authorize Agreements to Accept Funds Supporting the Adolescent Health Programs
4. Controller's Office - Resolution Authorizing Proposed Amendments to the 2002 Budget

MOTION CARRIED UNANIMOUSLY.

MOVED BY COMM. SEVERINO, SUPPORTED BY COMM. LYNCH, TO APPROVE THE ITEMS ON THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY.

Chairperson Czarnecki commended the Commissioners who were appointed to the ETS Task Force in 2001. The Commissioners did a marvelous job. Hopefully, the Board of Commissioners will reach some unanimity on this issue.

1. Environmental Tobacco Smoke Task Force - Report from Commissioner Celentino, ETS Task Force and Health Department on REGULATION ELIMINATING SMOKING IN PUBLIC AND PRIVATE WORKSITES

Comm. Celentino read his memorandum on this matter which was contained in the agenda packet. The memorandum explained the purpose of the ETS Task Force. The restaurant and bar portion of the proposed regulation was separated and will be reviewed later this year. Comm. Celentino requested this Committee to accept the Report and to set a public hearing date for February 4, 2002. If the regulation is adopted at the February 4 meeting, it will be forwarded to the full Board for its consideration on February 12, 2002.

Comm. Celentino also stated that Corporate Counsel has suggested the THEREFORE BE IT RESOLVED paragraph be amended to remove "to be effective July 1, 2002."

The Committee accepted this as a friendly amendment to the Draft Resolution.

Chairperson Hertel stated the County truly is interested in improving the public's health. This Committee's work on the proposed Regulation is proof of this fact.

Comm. Celentino explained that his personal situation has altered his thinking on this matter. He is very committed to this proposed regulation.

MOVED BY COMM. CELENTINO, SUPPORTED BY COMM. DEDDEN, TO ACCEPT THE ETS TASK FORCE AND HEALTH DEPARTMENT REPORT ON THE REGULATION ELIMINATING SMOKING IN PUBLIC AND PRIVATE WORKSITES AS AMENDED. MOTION CARRIED UNANIMOUSLY.

3. Health Department

b. Resolution to Authorize Changes in the Health Department Staffing and Budget

MOVED BY COMM. LYNCH, SUPPORTED BY COMM. CELENTINO, TO APPROVE THE RESOLUTION TO AUTHORIZE CHANGES IN THE HEALTH DEPARTMENT STAFFING AND BUDGET.

In response to Comm. Lynch, Mr. Neilsen explained that Mr. Bragg understands the Controller's Office will hold him to his commitment that the additional cost of this change will be earned from the additional revenue through contractual relationships with other communities.

Mr. Bragg explained the proposed changes are very important to make at this time. The changes are necessary. The ICEA and the UAW of have been notified of the proposed changes. The ICEA is in agreement with the proposed changes. The UAW is fine with the changes. However, it has issues related to reclassification and reorganization. These concerns will be shared with the Board at some time in the near future.

MOTION CARRIED UNANIMOUSLY.

d. Resolution to Authorize a Refugee Services Agreement with the Michigan Family Independence Agency

MOVED BY COMM. LYNCH, SUPPORTED BY COMM. SEVERINO, TO APPROVE THE RESOLUTION TO AUTHORIZE A REFUGEE SERVICES AGREEMENT WITH THE MICHIGAN FAMILY INDEPENDENCE AGENCY.

In response to Comm. Dedden, Mr. Bragg stated he does not believe this Agreement will change the current relationship between the Health Department and the Refugees. However, the Agreement will change the scope of services which are provided. The Committee discussed this matter briefly.

MOTION CARRIED UNANIMOUSLY.

e. Resolution to Amend the Administrative Services and Medical Services Agreements with the Ingham Health Plan Corporation

MOVED BY COMM. SEVERINO, SUPPORTED BY COMM. LYNCH, TO APPROVE THE RESOLUTION TO AMEND THE ADMINISTRATIVE SERVICES AND MEDICAL SERVICES AGREEMENTS WITH THE INGHAM HEALTH PLAN CORPORATION.

In response to Comm. Dedden, Mr. Bragg explained that the rates will be changed. The Health Department will earn more money through the change to this Agreement. The actual Agreements will contain the necessary numbers.

MOTION CARRIED UNANIMOUSLY.

- f. Resolution to Authorize a Contract with the Ionia County Health Department for Medical Direction and Program Consultation

MOVED BY COMM. LYNCH, SUPPORTED BY COMM. SEVERINO, TO APPROVE THE RESOLUTION TO AUTHORIZE A CONTRACT WITH THE IONIA COUNTY HEALTH DEPARTMENT FOR MEDICAL DIRECTION AND PROGRAM CONSULTATION.

In response to Comm. Dedden, Mr. Bragg explained this Contract will stretch Dr. Sienko's responsibilities. He further stated he offered to back out of this Contract. However, Dr. Sienko believes the Contract can be continued for one more year.

MOTION CARRIED UNANIMOUSLY.

- h. Resolution to Authorize an Abstinence Program Subcontract with the City of Lansing and to Authorize a Federal Abstinence Grant

MOVED BY COMM. LYNCH, SUPPORTED BY COMM. SEVERINO, TO APPROVE THE RESOLUTION TO AUTHORIZE AN ABSTINENCE PROGRAM SUBCONTRACT WITH THE CITY OF LANSING AND TO AUTHORIZE A FEDERAL ABSTINENCE GRANT.

In response to Comm. Dedden, Mr. Bragg explained this matter does not involve any County funds.

MOVED BY COMM. LYNCH, SUPPORTED BY COMM. CELENTINO, TO ENTER INTO A CLOSED SESSION FOR THE PURPOSE OF DISCUSSING THE COUNTY ATTORNEY'S LEGAL OPINION REGARDING THE PROPOSED SMOKING REGULATION. THE MOTION WAS APPROVED WITH THE FOLLOWING ROLL CALL VOTE: YEAS, Comms. Hertel, Dedden, Lynch, Celentino and Severino

The Committee returned to regular session.

- 5. Board Referral - Letter from the Michigan State Police Designating Ingham County as a Recipient of the Grant Monies from the State Domestic Preparedness Equipment Grant Program

Mr. Neilsen stated the Emergency Operations Center and the LEPC are working on the grant application. The grant application may be submitted during the next round of committee meetings.

The Board Referral was received and placed on file.

Announcements: None

Public Comment: None

The meeting adjourned at 7:49 p.m.

Respectfully submitted,

Debra Neff

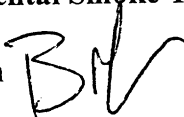
Ingham County Health Department

Bruce B. Bragg, M.P.H., Director
Dean G. Sienko, M.D., M.S., Medical Director

Human Services Building
5303 South Cedar Street
P.O. Box 30161
Lansing, MI 48909-7661
Fax: (517) 887-4310

Community Health Assessment
(517) 887-4475

MEMO

DATE: January 23, 2002
TO: HSC Environmental Smoke Tobacco Task Force
FROM: Robert Glandon 

Colleagues

Enclosed please find the following information:

- 1) A copy of the amended Regulation Eliminating Smoking in Public and Private Work Sites in Ingham County.
- 2) A copy of the Notice of Public Hearing which was published in the January 22, 2002 issue of the Lansing State Journal.
- 3) A copy of the notice Public Hearing on Clean Air Regulation for Ingham County which is being sent to everyone who registered at previous clean air public hearings.

The Public Hearing is scheduled for Monday, February 4, 2002 at the Ingham County Health Building, 2nd floor, 5303 South Cedar Street, Lansing, MI at 7:00 p.m.

The full Board of Commissioners will consider this regulation at their February 12, 2002 commissioners meeting.

cc: Bruce Bragg
John Neilsen ✓
Board of Health
Human Services Committee
John B. Czarnecki

**INGHAM COUNTY, MICHIGAN
REGULATION ELIMINATING SMOKING
IN PUBLIC AND PRIVATE WORKSITES**

Sec. 1000. Title

This article shall be known as the Ingham County Clean Air Regulation.

Sec. 1001. Authority

This regulation is hereby adopted pursuant to authority conferred upon local health departments by the Michigan Public Health Code, 1978 P.A. 368, as amended.

Sec. 1002. Jurisdiction and Administration

A. This regulation shall have effect throughout Ingham County in all areas incorporated and unincorporated, which includes cities, villages, and townships.

B. The Health Officer shall have responsibility for administering and enforcing this regulation, including all amendments hereafter adopted unless otherwise specifically stated.

Sec. 1003. Purpose

A. Ingham County hereby finds and declares that:

1. The U.S. Surgeon General, National Research Council, and National Academy of Sciences, report that environmental tobacco smoke: causes lung cancer in healthy adult nonsmokers, can cause lung function and structure alteration to the fetus of pregnant non smoking women. Additionally, in utero exposure is known to predispose children to long-term pulmonary risks. Further, these agencies found, separating smokers and nonsmokers within the same air space may reduce but does not eliminate a nonsmoker's exposure to environmental tobacco smoke.
2. The U.S. Environmental Protection Agency (EPA) finds that environmental tobacco smoke is a Group A Carcinogen - a category reserved for known cancer-causing agents in humans.
3. The National Institute for Occupational Safety and Health (NIOSH):
 - (a) finds that secondhand smoke poses an increased risk of lung cancer and, possibly, heart disease to people exposed in the worksite,
 - (b) recommends that nonsmokers should not be exposed to secondhand smoke,
and
 - (c) finds that nonsmokers can be protected by elimination of smoking in the building, or establishing separately ventilated smoking areas that exhaust directly to the outside.

B. These studies find that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke is a cause of disease, including cancer, heart disease and stroke in nonsmokers. At special risk are infants, children, teens, pregnant women, elderly people, nonsmokers with long-term exposure to secondhand smoke, individuals with cardiovascular disease, and individuals with impaired respiratory function, including the young, asthmatics and those with obstructive airway disease. Also harmed are those with health conditions induced by breathing secondhand smoke including asthma, lung cancer, heart disease, respiratory infection, decreased respiratory function, including bronchoconstriction and broncho-spasm.

C. Accordingly, Ingham County finds and declares that the purpose of this regulation is to protect the public health and welfare by regulating smoking in public places and places of employment and recreation.

Sec. 1004. Definitions

A. The following words and phrases, whenever used in this regulation, shall be constructed as defined in this section:

- I . "Business" means any sole proprietorship, partnership, joint venture, corporation or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural or other professional services are delivered.
2. "Convention Hall" means any enclosed area where public or private groups assemble to engage in business or social functions.
3. "Employee" means any person who is employed by any employer in the consideration for direct or indirect monetary wages or profit, and any person who volunteers his or her services for a nonprofit entity.
4. "Employer" means any person, partnership, corporation, including a municipal corporation, or non-profit entity, who employs the services of one or more individual persons.
5. "Enclosed Area" means all space between a floor and ceiling which is enclosed on all sides by solid walls or windows (exclusive of door or passage ways) which extend from the floor to the ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid, office landscaping or similar structures.
6. "Food Service Establishments: means a fixed or mobile restaurant, coffee shop, cafeteria, short order café, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern, bar cocktail lounge, nightclub, drive-in, industrial feeding establishment, private organization serving the public, rental hall, catering kitchen, delicatessen, theater, commissary, or similar place in which food or drink is prepared for direct consumption through service on the premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided for the public. Food service establishment does not include: i) a motel that serves continental breakfasts only; ii) a food concession; iii) a bed and breakfast that has 10 or fewer sleeping rooms, including sleeping rooms occupied by the innkeeper; iv) a bed and breakfast that has at least 11 but fewer than 15 rooms for rent, if the bed and breakfast serves continental breakfasts only; or v) a child care organization regulated by Michigan law unless the establishment is carrying out an operation considered by the State of Michigan to be a food service establishment.

7. "Public Place" means any enclosed area to which the public is invited or in which the public is permitted, including but not limited to, banks, educational facilities, health facilities, laundromats, public transportation facilities, reception areas, retail food production and marketing establishments, retail service establishments, retail stores, theaters and waiting rooms. A private residence is not a "public place."
8. "Tobacco Specialty Store" means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental.
9. "Service Line" means any indoor line at which one (1) or more persons are waiting for or receiving services of any kind, whether or not such service involves the exchange of money.
10. "Smoking" means inhaling, exhaling, burning or carrying any lighted cigar, cigarette or pipe.
11. "Sports Arena" means sport pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys and other similar enclosed areas where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events, excluding facilities licensed as a food service establishment.
12. "Worksite" means any enclosed area under the control of a public or private employer which employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges and restrooms, conference and class rooms, employee cafeterias and hallways. A private residence is not a "worksite" unless it is used as a child care, adult day care or health care facility.

Sec. 1005. Prohibition of Smoking in Public and Private Worksites

- A. Smoking shall be prohibited in all enclosed public and private worksites within Ingham County, including, but not limited to, the following places:
1. Restrooms, lobbies, reception areas, hallways and any other common-use areas.
 2. Buses, taxicabs, and other means of public transit under the authority of the County of Ingham, and ticket, boarding, and waiting areas of public transit depots.
 3. Service lines.
 4. Retail stores.
 5. All areas available to and customarily used by the general public in all businesses and nonprofit entities patronized by the public, including but not limited to, attorneys' offices and other office, banks and laundromats.
 6. All areas of galleries, libraries and museums.
 7. Any facility which is primarily used for exhibiting any motion picture, stage, drama, lecture, musical recital or other similar performance, except performers when smoking is part of a stage production.

8. Sports arenas.

9. Convention Halls.

10. Public and private meeting facilities.

11. Every room, chamber, place of meeting or public assembly, including school buildings under the control of any board, council, commission, committee, including joint committees, or agencies of Ingham County or any political subdivision of the State of Michigan, to the extent such location is subject to the jurisdiction of Ingham County.

12. Waiting rooms, hallways, wards and semi-private rooms of health facilities, including, but not limited to, hospitals, clinics, physical therapy facilities, doctors' offices, and dentists' offices.

13. Lobbies, hallways, and other common areas in : hotels, motels, multiple-tenant office buildings and malls, apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities.

14. Public places where bingo games are held.

Sec. 1006. Application of Regulation

Notwithstanding any other provision of this regulation, any owner, operator, manager or other person who controls any establishment or facility may declare that entire establishment or facility as a nonsmoking establishment. This applies to governmental offices of and in Ingham County.

Sec. 1007 Prohibition of Smoking in Places of Employment

- A. It shall be the responsibility of employers to provide a smoke-free worksite as set forth in this regulation.
- B. Notwithstanding any other provision of this regulation, an employer may designate a smoking room for employees, provided such area is a separate enclosed area and is separately ventilated so that smoke does not enter other non-smoking areas of the worksite; and, further provided that the employer shall simultaneously designate an equivalent non-smoking room for employees. The provisions of this section do not include municipal or other governmental employers.
- C. Within 90 days of the effective date of this regulation, each employer having an enclosed place of employment located within Ingham County shall adopt, implement, make known and maintain a written smoking policy. If a current policy does not exist, the policy shall contain, at a minimum, the following wording:
- Smoking is prohibited in all enclosed areas within this worksite except in designated areas. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, employer owned vehicles, and all other enclosed facilities.
- D. The smoking policy shall be communicated to all current employees at least three (3) weeks prior to its effective date, and at the time of employment of all other employees.

E. All employers shall supply a written copy of the smoking policy upon request to any existing or prospective employee.

Sec. 1008 Where Smoking is Not Regulated

A. Notwithstanding any other provision of this regulation to the contrary, the following areas shall not be subject to the smoking restrictions of this regulation.

1. Food Service Establishments.
2. Private residences, except when used as a child care, health care facility or adult day care facility.
3. Hotel and motel rooms rented to guests.
4. Tobacco specialty stores.
5. Hotel and mote meeting rooms or assembly halls while these places are enclosed areas, and being used for private functions.
6. A worksite used by a single business owner which does not ordinarily have public or employee interactions at the site, and does not share a ventilation system with any other worksite.

Sec. 1009. Posting of Signs

A. "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly, sufficiently and conspicuously posted where they can be observed by all persons entering the building. The signage shall be posted by the owner, operator, manager or other person having control of such building or other area.

B. Every public place where smoking is regulated shall have signs posted clearly, stating where smoking is prohibited.

C. All ashtrays and other smoking paraphernalia shall be removed from any area where smoking is prohibited by this regulation by the owner, operator, manager or other person having control of such area.

D. The Health Department shall provide a supply of standard signage which shall be available at cost.

Sec. 1010. Enforcement

A. Enforcement of this regulation shall be implemented by the Health Officer, or his or her designee.

B. Notice of the provisions set forth in this regulation shall be given to all applicants for a business license in Ingham County.

C. Any citizen who desires to register a complaint under this chapter may initiate enforcement through the Health Officer, or his or her designated staff. However, if the complaint is against an employer, the employee shall first exhaust internal procedures.

D. The Health Department or the Fire Department shall require, while an establishment is undergoing otherwise mandated inspections, a "self-certification" from the owner, manager, operator or other person having control of such establishment that all requirements of this regulation have been complied with.

E. Any owner, manager, operator or employee of any establishment regulated by this regulation shall inform persons who are violating this regulation.

F. After exhausting an employer's internal procedures and the Health Department Administrative Rules, a private citizen may bring legal action against any employer to enforce this regulation.

Sec. 1011. Nonretaliation

No person or employer shall discharge, refuse to hire or in any manner retaliate against any employee, applicant for employment, or customer because such employee, applicant, or customer exercises any right to a smokefree environment afforded by this regulation.

Sec. 1012. Violations and Penalties

A. It shall be unlawful for any individual who owns, manages, operates or otherwise controls the use of any premises subject to jurisdiction under this regulation to fail to comply with any of its provisions.

B. It shall be unlawful for any individual to smoke in any area where smoking is prohibited by the provisions of this regulation. Any individual violating this section shall be subject to a warning and shall be required to leave the premises if she or he refuses to extinguish smoking materials.

C. Any individual who owns, manages, operates or otherwise controls the use of any premises subject to jurisdiction under this regulation and on whose premises a violation of any provision of this regulation occurs shall be guilty of an infraction, punishable by:

1. A warning citation for a first violation.

2. A fine not exceeding one hundred dollars (\$100) for a second violation within one (1)-year from a finding of the first violation, provided that adequate time has elapsed between the first and second violation for the alleged violator to have received notice of the first violation.

3. A fine not exceeding two hundred dollars (\$200) for a third violation of this regulation within one (1) year from a finding of the first violation.

4. A fine not exceeding five hundred dollars (\$500) for each additional violation of this regulation within one (1) year from a finding of the first violation.

D. Within twenty (20) days after receipt of a citation issued under this section, the alleged violator may appeal the citation as provided in Section 2462 of the Michigan Public Health Code, 1978 P.A. 368, as amended. Further appeals, as provided by statute, may be to the Ingham County Board of Health, or a committee thereof.

E. Notwithstanding the existence and pursuit of any other remedy, the Health Officer or his/heir designee, without posting bond, may maintain an action in a court of competent jurisdiction for an injunction or other process against any person to restrain or prevent a violation of this regulation.

F. After exhausting an employer's internal procedures and the Health Department Administrative Rules, an employee or private citizen may bring legal action against an employer to enforce this regulation.

Sec. 1013. Public Education

The Ingham County Health Department shall engage in a continuing program to explain and clarify the purposes and requirements of this regulation to citizens affected by it, and to guide owners, operators and managers in their compliance with it. Such program may include publication of a brochure for affected businesses and individuals explaining the provisions of this regulation.

Sec. 1014. Other Applicable Laws

This regulation shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

Sec. 1015. Severability

If any provision, clause, sentence or paragraph of this regulation or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this regulation which can be given effect without the invalid provision or application, and to this end the provisions of this regulation are declared to be severable.

Sec. 1016. Effective Date

A. This regulation shall be effective ninety (90) days from and after the date of its adoption and effect all public and private worksites, unless the employer provides written notification within ninety (90) days from the effective day of the regulation to the Health Officer requesting a hardship extension. Hardship extensions of up to one (1) year may be granted at the discretion of the Health Officer.

Notice of Public Hearing on Proposed Regulation Eliminating Smoking in Public and Private Work Sites in Ingham County.

The Ingham County Human Services Board will hold a public hearing on the proposed Regulation to Eliminating Smoking in Public and Private Work Sites in Ingham County on Monday, February 4, 2002 at the Ingham County Health Building, 2nd floor, 5303 South Cedar Street, Lansing, Michigan at 7:00 p.m. The hearing is for the purpose of receiving comments on the proposed regulation prior to its adoption.

This regulation will prohibit smoking in public and private work sites, as well as some recreation establishments.

The Ingham County Health Department will be responsible for the enforcement of the regulation.

There are monetary penalties imposed for violations of the regulation.

The proposed effective date of the Regulation Eliminating Smoking in Public and Private Work Sites in Ingham County would be ninety (90) days after adoption by the Board of Commissioners.

The full Board of Commissioners will consider this regulation at their February 12, 2002 commissioners meeting.

The Regulation can be viewed in its entirety at www.ingham.org/BC/BC/index/bdindex.htm.

For more information or to receive a copy of the proposed regulation contact Ingham County - Health Promotion at (517) 887-4515.

Public Hearing on Clean Air Regulation for Ingham County

Public Comments are requested on the Final Version of the Clean Air Regulation for Public Places, Private Worksites, and Indoor Community Areas.

This Hearing is being conducted by the Human Services Committee.

Hearing: Monday, February 4 at 7:00 p.m. at the Ingham County Human Services Building, 5303 S. Cedar Street, Lansing. Second Floor, Conference Room A.

The Human Services Committee of the Ingham County Board of Commissioners will consider the proposed Clean Air provisions related to smoking in public and private worksites. No provisions regarding smoking in Restaurants or Bars are being considered at this time. It is possible that the Human Services Committee will approve the Regulation for passage by the Ingham County Board of Commissioners.

Regulation Purpose: “to protect the public health and welfare by regulating smoking in public places and places of employment and recreation.”

Smoking Would be Prohibited in:

Municipal buildings, government buildings, service lines, places where bingo games are held, restrooms, lobbies, reception areas, hallways, and all common-use areas of public and private workplaces, buses, taxicabs, transit depots, retail stores, art galleries, libraries, museums, sports arenas, convention halls, areas used by the general public in all businesses and nonprofit entities patronized by the public, all areas of, public and private meeting facilities, waiting rooms, hallways, wards and semi-private rooms of all health facilities, lobbies, hallways and other common areas in hotels, motels, multiple-tenant office buildings, malls, apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes and other multiple-unit residential facilities.

Smoking Would Not be Prohibited in:

Private residents, restaurants, bars, hotel rooms, motel rooms, tobacco specialty stores, hotel and motel meeting rooms or assembly halls when being used for private parties, and a worksite being used by a single business owner which is independently ventilated.

Smoking in Places of Employment:

A public employer may designate a smoking room for employees if such an area is a designated smoking room, is separately ventilated, separately enclosed and the exhaust is vented directly to the outside. If such a room is designated, a separate and equal sized room must also be provided as a nonsmoking break room. This provision does not apply to recreational facilities, municipal or governmental employers.

Regulation Language:

Request for a mailed copy can be made by calling the Ingham County, Health Promotion office at (517) 887-4315. You may also view a copy of the Public/Private Clean Air Regulation at: www.ingham.org/BC/BC/index/bdindex.htm select “Proposed Clean Air Regulations.”

Agenda Item 2

RESOLUTION STAFF REVIEW DATE January 28, 2002

Agenda Item Title Resolution to Adopt a Regulation Eliminating Smoking in Public and Private Work Sites

Submitted by ETS Task Force/ Health Department

Committees: Ad.Ser/Per. __, H.S. __*, Law & Cts. __, Finance __*

Summary of Proposed Action (see attached letter of explanation, Regulation Eliminating Smoking in Public and Private Worksites, and Notices on Public Hearing)

This resolution will authorize the adoption of a Regulation Eliminating Smoking in Public and Private Worksites as recommended by the ETS Task Force chaired by Commissioner Celentino. The Public Hearing is scheduled for the Human Services Committee February 4, 2002 meeting with the full Board to consider adoption of the regulation on February 12, 2002. The regulation would then be adopted 90 days after the February 12, 2002 date.

Financial Implications

Although fines could be levied by the Health Department (see **Section 1012. Violations and Penalties**) it is anticipated this would be minimal. The Health Department feels they can administer this program with existing staff.

Other Implications

The ETS Task force separated the bar and restaurant amendment from this regulation and will work on that portion of the regulation later this year.

Staff Recommendation: JA ____ JN __*__ HH ____

This resolution should be approved.

Ingham County Board of Commissioners

CHAIRPERSON
JOHN CZARNECKI
DISTRICT 7

CHAIRPERSON PRO TEM
VICTOR CELENTINO
DISTRICT 1

VICE-CHAIRPERSON PRO TEM
THOMAS MINTER
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January 7, 2002

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DISTRICT 10

CHRIS SWOPE
DISTRICT 12

CALVIN LYNCH
DISTRICT 13

TO: Human Services Committee *Victor Celentino*
FROM: Victor Celentino, Chairperson
Environmental Tobacco Smoke Task Force
RE: Regulation Eliminating Smoking in Public and Private Worksites
in Ingham County

The Human Services Committee appointed an Environmental Tobacco Smoke Task Force to review a draft regulation proposed by the Ingham County Board of Health eliminating smoking in public and private worksites in Ingham County. The task force was asked to return to the Committee with a recommendation. The attached recommended regulation will lower the risk of disease in Ingham County by reducing exposure of Ingham County residents to environmental tobacco smoke.

The eleven member Task Force consisted of three Commissioners, representatives of the hospitality industry, Board of Health, labor, Health Department, Lansing Chamber of Commerce, the local Tobacco Coalition and county residents. Corporation Counsel was present at the task force meetings.

One of the first Task Force actions was to separate the restaurant and bar amendment from the regulation, for later consideration. The Task Force discussed the public and private work site portion of the regulation in detail and made several modifications. The attached version of the work site regulation is the result of considerable work and sincere discussion involving all Task Force members.

Commissioner Grebner had provided the task force with an amendment for reducing ETS exposure in bars and restaurants. The Task Force did not have the opportunity to discuss the amendment but will take it up later this year.

Introduced by the Human Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO ADOPT A REGULATION ELIMINATING SMOKING IN PUBLIC AND PRIVATE WORKSITES IN INGHAM COUNTY

WHEREAS, the Ingham County Board of Commissioners appoints the Ingham County Board of Health to assist the Commissioners and the Health Department in identifying major health problems in the county and make recommendations for improvement; and

WHEREAS, the United States Environmental Protection Agency finds that environmental tobacco smoke (ETS) is a Group A Carcinogen, a category reserved for known cancer causing agents in humans; and

WHEREAS, the United States Surgeon General, National Research Council and National Academy of Sciences report that ETS causes lung cancer in non-smokers and impairs prenatal development; and

WHEREAS, the National Institute of Occupational Safety and Health finds that ETS poses an increased risk of lung cancer and possibly heart disease to people exposed in the workplace and finds that non-smokers can be protected by eliminating smoking in the building or by establishing separately ventilated smoking areas; and

WHEREAS, the Ingham County Board of Health has identified ETS as a serious environmental health problem in Ingham County and proposes that the Board of Commissioners prohibit smoking in public and private workplaces in Ingham County; and

WHEREAS, the Human Services Committee appointed a task force to review the draft regulation proposed by the Board of Health; and

WHEREAS, the task force has completed its review and proposes a specific regulation prohibiting smoking in public and private workplaces in Ingham County; and

WHEREAS, the Ingham County Board of Commissioners has reviewed and approved the proposed regulation from the task force.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby adopts the "Regulation Eliminating Smoking in Public and Private Work Sites" to be effective 90 days after Public Hearing.

BE IT FURTHER RESOLVED, that the Regulation shall prohibit smoking in public and private worksites with certain exceptions, including restaurants and bars.

**REGULATION ELIMINATING SMOKING
IN PUBLIC AND PRIVATE WORK SITES**

Sec. 1000. Title

This article shall be known as the Ingham County Clean Air Regulation.

Sec. 1001. Authority

This regulation is hereby adopted pursuant to authority conferred upon local health departments by the Michigan Public Health Code, 1978 P.A. 368, as amended.

Sec. 1002. Jurisdiction and Administration

A. This regulation shall have effect throughout Ingham County in all areas incorporated and unincorporated, which includes cities, villages, and townships.

B. The Health Officer shall have responsibility for administering and enforcing this regulation, including all amendments hereafter adopted unless otherwise specifically stated.

Sec. 1003. Purpose

A. Ingham County hereby finds and declares that:

1. The U.S. Surgeon General, National Research Council, and National Academy of Sciences, report that environmental tobacco smoke: causes lung cancer in healthy adult nonsmokers, can cause lung function and structure alteration to the fetus of pregnant non smoking women. Additionally, in utero exposure is known to predispose children to long-term pulmonary risks. Further, these agencies found, separating smokers and nonsmokers within the same air space may reduce but does not eliminate a nonsmoker's exposure to environmental tobacco smoke.

2. The U.S. Environmental Protection Agency (EPA) finds that environmental tobacco smoke is a Group A Carcinogen - a category reserved for known cancer-causing agents in humans.

3. The National Institute for Occupational Safety and Health (NIOSH):

(a) finds that secondhand smoke poses an increased risk of lung cancer and, possibly, heart disease to people exposed in the worksite,

(b) recommends that nonsmokers should not be exposed to secondhand smoke, and

Agenda Item 2

(c) finds that nonsmokers can be protected by elimination of smoking in the building, or establishing separately ventilated smoking areas that exhaust directly to the outside.

B. These studies find that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke is a cause of disease, including cancer, heart disease and stroke in nonsmokers. At special risk are infants, children, teens, pregnant women, elderly people, nonsmokers with long-term exposure to secondhand smoke, individuals with cardiovascular disease, and individuals with impaired respiratory function, including the young, asthmatics and those with obstructive airway disease. Also harmed are those with health conditions induced by breathing secondhand smoke including asthma, lung cancer, heart disease, respiratory infection, decreased respiratory function, including bronchoconstriction and broncho-spasm.

C. Accordingly, Ingham County finds and declares that the purpose of this regulation is to protect the public health and welfare by regulating smoking in public places and places of employment and recreation.

Sec. 1004. Definitions

A. The following words and phrases, whenever used in this regulation, shall be construed as defined in this section:

1. "Business" means any sole proprietorship, partnership, joint venture, corporation or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural or other professional services are delivered.
2. "Convention Hall" means any enclosed area where public or private groups assemble to engage in business or social functions.
3. "Employee" means any person who is employed by any employer in the consideration for direct or indirect monetary wages or profit, and any person who volunteers his or her services for a nonprofit entity.
4. "Employer" means any person, partnership, corporation, including a municipal corporation, or non-profit entity, who employs the services of one or more individual persons.
5. "Enclosed Area" means all space between a floor and ceiling which is enclosed on all sides by solid walls or windows (exclusive of door or passage ways) which extend from the floor to the ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid, office landscaping or similar structures.

Agenda Item 2

6. “Food Service Establishment” means a fixed or mobile restaurant, coffee shop, cafeteria, short order café, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern, bar, cocktail lounge, nightclub, drive-in, industrial feeding establishment, private organization serving the public, rental hall, catering kitchen, delicatessen, theater, commissary, or similar place in which food or drink is prepared for direct consumption through service on the premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided for the public. Food service establishment does not include: i) a motel that serves continental breakfasts only; ii) a food concession; iii) a bed and breakfast that has 10 or fewer sleeping rooms, including sleeping rooms occupied by the innkeeper; iv) a bed and breakfast that has at least 11 but fewer than 15 rooms for rent, if the bed and breakfast serves continental breakfasts only; or v) a child care organization regulated by Michigan law unless the establishment is carrying out an operation considered by the State of Michigan to be a food service establishment.

7. “Public Place” means any enclosed area to which the public is invited or in which the public is permitted, including but not limited to, banks, educational facilities, health facilities, laundromats, public transportation facilities, reception areas, retail food production and marketing establishments, retail service establishments, retail stores, theaters and waiting rooms. A private residence is not a “public place.”

8. “Tobacco Specialty Store” means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental.

9. “Service Line” means any indoor line at which one (1) or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.

10. “Smoking” means inhaling, exhaling, burning or carrying any lighted cigar, cigarette or pipe.

11. “Sports Arena” means sport pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys and other similar enclosed areas where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events, excluding facilities licensed as a food service establishment.

12. “Worksite” means any enclosed area under the control of a public or private employer which employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges and restrooms, conference and class rooms, employee cafeterias and hallways. A private residence is not a “worksite” unless it is used as a child care, adult day care or health care facility.

Sec. 1005. Prohibition of Smoking in Public and Private Work Sites

A. Smoking shall be prohibited in all enclosed public and private work sites within Ingham County, including, but not limited to, the following places:

1. Restrooms, lobbies, reception areas, hallways and any other common-use areas.
2. Buses, taxicabs, and other means of public transit under the authority of the County of Ingham, and ticket, boarding, and waiting areas of public transit depots.
3. Service lines.
4. Retail stores.
5. All areas available to and customarily used by the general public in all businesses and non-profit entities patronized by the public, including but not limited to, attorneys' offices and other offices, banks, and laundromats.
6. All areas of galleries, libraries and museums.
7. Any facility which is primarily used for exhibiting any motion picture, stage, drama, lecture, musical recital or other similar performance, except performers when smoking is part of a stage production.
8. Sports arenas.
9. Convention Halls.
10. Public and private meeting facilities.
11. Every room, chamber, place of meeting or public assembly, including school buildings under the control of any board, council, commission, committee, including joint committees, or agencies of Ingham County or any political subdivision of the State of Michigan, to the extent such location is subject to the jurisdiction of Ingham County.
12. Waiting rooms, hallways, wards and semi-private rooms of health facilities, including, but not limited to, hospitals, clinics, physical therapy facilities, doctors' offices, and dentists' offices.
13. Lobbies, hallways, and other common areas in hotels, motels, multiple-tenant office buildings and malls, apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities.
14. Public places where bingo games are held.

Sec. 1006. Application of Regulation

Notwithstanding any other provision of this regulation, any owner, operator, manager or other person who controls any establishment or facility may declare that entire establishment or facility as a nonsmoking establishment. This applies to governmental offices of and in Ingham County.

Sec. 1007. Prohibition of Smoking in Places of Employment

A. It shall be the responsibility of employers to provide a smoke-free worksite as set forth in this regulation.

B. Notwithstanding any other provision of this regulation, an employer may designate a smoking room for employees, provided such area is a separate enclosed area and is separately ventilated so that smoke does not enter other non-smoking areas of the worksite; and, further provided that the employer shall simultaneously designate an equivalent non-smoking room for employees. The provisions of this section do not include municipal or other governmental employers.

C. Within 90 days of the effective date of this regulation, each employer having an enclosed place of employment located within Ingham County shall adopt, implement, make known and maintain a written smoking policy. If a current policy does not exist, the policy shall contain, at a minimum, the following wording:

Smoking is prohibited in all enclosed areas within this worksite except in designated areas. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, employer owned vehicles, and all other enclosed facilities.

D. The smoking policy shall be communicated to all current employees at least three (3) weeks prior to its effective date, and at the time of employment of all other employees.

E. All employers shall supply a written copy of the smoking policy upon request to any existing or prospective employee.

Sec. 1008. Where Smoking is Not Regulated

A. Notwithstanding any other provision of this regulation to the contrary, the following areas shall not be subject to the smoking restrictions of this regulation.

1. Food Service Establishments.
2. Private residences, except when used as a child care, health care facility or adult day care facility.
3. Hotel and motel rooms rented to guests.

4. Tobacco specialty stores.
5. Hotel and motel meeting rooms or assembly halls while these places are enclosed areas, and being used for private functions.
6. A worksite used by a single business owner which does not ordinarily have public or employee interactions at the site, and does not share a ventilation system with any other worksite.

Sec. 1009. Posting of Signs

- A. “No Smoking” signs or the international “No Smoking” symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly, sufficiently and conspicuously posted where they can be observed by all persons entering the building. The signage shall be posted by the owner, operator, manager or other person having control of such building or other area.
- B. Every public place where smoking is regulated shall have signs posted clearly, stating where smoking is prohibited.
- C. All ashtrays and other smoking paraphernalia shall be removed from any area where smoking is prohibited by this regulation by the owner, operator, manager or other person having control of such area.
- D. The Health Department shall provide a supply of standard signage which shall be available at cost.

Sec. 1010. Enforcement

- A. Enforcement of this regulation shall be implemented by the Health Officer, or his or her designee.
- B. Notice of the provisions set forth in this regulation shall be given to all applicants for a business license in Ingham County.
- C. Any citizen who desires to register a complaint under this chapter may initiate enforcement through the Health Officer, or his or her designated staff. However, if the complaint is against an employer, the employee shall first exhaust internal procedures.
- D. The Health Department or the Fire Department shall require, while an establishment is undergoing otherwise mandated inspections, a “self-certification” from the owner, manager, operator or other person having control of such establishment that all requirements of this regulation have been complied with.

E. Any owner, manager, operator or employee of any establishment regulated by this regulation shall inform persons who are violating this regulation.

F. After exhausting an employer's internal procedures and the Health Department Administrative Rules, a private citizen may bring legal action against any employer to enforce this regulation.

Sec. 1011. Nonretaliation

No person or employer shall discharge, refuse to hire or in any manner retaliate against any employee, applicant for employment, or customer because such employee, applicant, or customer exercises any right to a smokefree environment afforded by this regulation.

Sec. 1012. Violations and Penalties

A. It shall be unlawful for any individual who owns, manages, operates or otherwise controls the use of any premises subject to jurisdiction under this regulation to fail to comply with any of its provisions.

B. It shall be unlawful for any individual to smoke in any area where smoking is prohibited by the provisions of this regulation. Any individual violating this section shall be subject to a warning and shall be required to leave the premises if she or he refuses to extinguish smoking materials.

C. Any individual who owns, manages, operates or otherwise controls the use of any premises subject to jurisdiction under this regulation and on whose premises a violation of any provision of this regulation occurs shall be guilty of an infraction, punishable by:

1. A warning citation for a first violation.
2. A fine not exceeding one hundred dollars (\$100) for a second violation within one (1)-year from a finding of the first violation, provided that adequate time has elapsed between the first and second violation for the alleged violator to have received notice of the first violation.
3. A fine not exceeding two hundred dollars (\$200) for a third violation of this regulation within one (1) year from a finding of the first violation.
4. A fine not exceeding five hundred dollars (\$500) for each additional violation of this regulation within one (1) year from a finding of the first violation.

D. Within twenty (20) days after receipt of a citation issued under this section, the alleged violator may appeal the citation as provided in Section 2462 of the Michigan Public Health Code,

1978 P.A. 368, as amended. Further appeals, as provided by statute, may be to the Ingham County Board of Health, or a committee thereof.

E. Notwithstanding the existence and pursuit of any other remedy, the Health Officer or his/her designee, without posting bond, may maintain an action in a court of competent jurisdiction for an injunction or other process against any persons to restrain or prevent a violation of this regulation.

F. After exhausting an employer's internal procedures and the Health Department Administrative Rules, an employee or private citizen may bring legal action against an employer to enforce this regulation.

Sec. 1013. Public Education

The Ingham County Health Department shall engage in a continuing program to explain and clarify the purposes and requirements of this regulation to citizens affected by it, and to guide owners, operators and managers in their compliance with it. Such program may include publication of a brochure for affected businesses and individuals explaining the provisions of this regulation.

Sec. 1014. Other Applicable Laws

This regulation shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

Sec. 1015. Severability

If any provision, clause, sentence or paragraph of this regulation or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this regulation which can be given effect without the invalid provision or application, and to this end the provisions of this regulation are declared to be severable.

Sec. 1016. Effective Date

A. This regulation shall be effective ninety (90) days from and after the date of its adoption and effect all public and private worksites, unless the employer provides written notification within ninety (90) days from the effective day of the regulation to the Health Officer requesting a hardship extension. Hardship extensions of up to one (1) year may be granted at the discretion of the Health Officer.

RESOLUTION STAFF REVIEW DATE January 28, 2002

Agenda Item Title Resolution to Authorize Clinic Nursing Staffing Changes

Submitted by Health Department

Committees: Ad.Ser/Per. __*, H.S. __*, Law & Cts. __, Finance __*

Summary of Proposed Action (see attached letter of explanation)

This resolution will authorize staffing changes at the Health Department including three 3/4 time Nurse Practitioner positions changed to full-time status and a part-time Clinic Nurse position changed to full-time status. These changes will be funded by the elimination of the two Nurse Practitioner positions. An appropriate staffing pattern for Primary Care Physicians and Nurse Practitioners has been developed and will be possible to implement with the proposed changes in staffing.

Financial Implications

These changes are budget neutral; the cost of the recommended increases in staffing are offset by the savings from the elimination of the two Nurse Practitioner positions.

Other Implications

This has been reviewed and approved by the Human Resources Department.

Staff Recommendation: JA ____ JN __*__ HH ____

This resolution should be approved.

MEMORANDUM

To: Human Services Committee
Administrative Services/Personnel Committee
Finance Committee

From: Bruce Bragg

Date: January 28, 2002

Subject: Provider Staffing Adjustments in the Community Health Centers

The County has been recruiting for two vacant Nurse Practitioners for several months, without success. Late in 2001, the Board of Commissioners authorized a new Primary Care Physician position, with part of the funding to come from the vacant Nurse Practitioner positions. This communication is a recommendation for changes in the status of four existing nursing positions and the elimination of the two vacant Nurse Practitioner positions.

I am proposing that three 3/4 time Nurse Practitioner positions be changed to full-time status and that a part-time Clinic Nurse position be changed to full-time status. These changes will be funded by the elimination of the two Nurse Practitioner positions.

With the addition of the new physician position, half-time of which is the replacement of contracted physicians at the Sparrow Community Health Center, a new provider schedule has been developed. A key goal in the development of the new schedule is to provide for continuity of care by limiting provider assignments to no more than two sites (community health centers).

An appropriate staffing pattern for Primary Care Physicians and Nurse Practitioners has been developed and will be possible to implement with the proposed changes in staffing (increasing the three Nurse Practitioner positions to full-time). Additionally, we have a Clinic Nurse shortage at the St. Lawrence Health Center that limits productivity and patient care. This can be fixed by changing the status of an existing part-time Clinic Nurse position to full-time.

The recommended changes provide for a good schedule of primary care providers at all health centers and adequate nursing staff at all centers for projected level of patients. These changes are budget neutral; the cost of the recommended increases in staffing are offset by the savings from the elimination of the two Nurse Practitioner positions.

I recommend that the Board of Commissioners adopt the attached resolution and authorize the staffing changes. These proposed changes have been discussed with the President of the ICEA Clinic Nurse Unit. All of the affected positions are within the Clinic Nurse Unit.

Attachment

cc: Bruce Miller w/attachment
John Jacobs w/attachment
Charlyn Stratton w/attachment
Greg Wilhelm w/attachment

Agenda Item 3a

Introduced by the Human Services, Administrative Services/Personnel and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AUTHORIZE CLINIC NURSING STAFFING CHANGES

WHEREAS, the County has been unsuccessful in recruiting for two vacant Nurse Practitioner positions; and

WHEREAS, the County has recently replaced a half-time contractual Primary Care Physician with a full-time employee; and

WHEREAS, the Health Department is proposing to provide the additional, needed primary care provider staffing by increasing three three-quarter time Nurse Practitioner positions to full-time status; and

WHEREAS, the Department is also proposing that a part-time Clinic Nurse position be increased to full-time status; and

WHEREAS, the Health Officer has recommended that the Board of Commissioners authorize these staffing changes and has advised that the additional costs resulting from the changes will be offset by the elimination of the two vacant Nurse Practitioner positions.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes the following changes in nursing positions effective February 17, 2002:

HLHFPL035, Nurse Practitioner II, ICEA Clinic Nursing 07, from three-quarter time to full-time
HLHFPL039, Nurse Practitioner II, ICEA Clinic Nursing 07, from three-quarter time to full-time
HLHADO024, Nurse Practitioner II, ICEA Clinic Nursing 07, from three-quarter time to full-time
HLHSAT013, Clinic Nurse, ICEA Clinic Nursing 01, from part-time to full-time

BE IT FURTHER RESOLVED, that positions HLHSAT008, Nurse Practitioner, ICEA Clinic Nursing 07 and HLHADO014, Nurse Practitioner, ICEA Clinic Nursing 07 be eliminated effective February 17, 2002.

Agenda Item 3b

RESOLUTION STAFF REVIEW

DATE January 28, 2002

Agenda Item Title Resolution to Establish a Position in the Health Plan Management Unit and to Authorize an Amendment in the Health Department's 2002 Budget

Submitted by Health Department

Committees: Ad.Ser/Per. __, H.S. __, Law & Cts. __, Finance __

Summary of Proposed Action (see attached letter of explanation)

This resolution will authorize the establishment of a new Program Specialist position and an amendment to the Health Department's 2002 budget to recognize additional revenue from contracts with other communities. This Unit is providing administrative support services to non-profit corporations in Kalamazoo, Kent and Midland Counties that are developing Ingham Health Plan types of organizations to serve low-income, uninsured persons.

Financial Implications

\$150,000 in revenue has been budgeted from these plans in the Health Department FY 2002 budget. They anticipate that actual revenue will be about \$400,000. This resolution would recognize \$35,000 in new revenue from this source to support the cost of the new position, phone, computer, etc.

Other Implications

Staff Recommendation: JA ___ JN * ___ HH ___

This resolution should be approved.

MEMORANDUM

To: Human Services Committee
Administrative Services/Personnel Committee
Finance Committee

From: Bruce Bragg

Date: January 28, 2002

Subject: Recommendation to Establish a Position and Amend the Health Department's Budget

This is a recommendation to establish a Program Specialist position and amend the Health Department's 2002 budget to recognize additional revenue from contracts with other communities. This Unit is providing administrative support services to non-profit corporations in Kalamazoo, Kent and Midland Counties that are developing Ingham Health Plan types of organizations to serve low-income, uninsured persons. Our work with these plans is creative; this is a new line of business for us; we are helping build health plans in a dynamic environment.

We need to create a new position to do some of the work with the contracted health plans. The work is described below. However, to date we have recognized about \$150,000 in revenue from these plans in our FY 2002 budget. We anticipate that our actual revenue will be about \$400,000. We need to recognize \$35,000 in new revenue from this source to support the cost of the new position, phone, computer, etc.

I am recommending that the Board adopt the attached resolution, authorize the budget amendment and establish the position. The key functions of the position are:

1. Maintain and monitor plan design to assure that only covered services are reimbursed.

- A. Approve for payment any service with a reimbursement in excess of \$2,000
- B. Review suspected claims and error reports to determine the reason claims are being suspected or rejected and communicate findings with vendors
- C. Over-ride rejected claims when exceptions are granted
- D. Serve as a liaison between the Health Department and Assure Care

Agenda Item 3b

- E. Using the RIMS on-line billing status system, handle calls from providers regarding status of claims, non-paid claims, and other provider questions regarding billing.
- F. Assure that claims are submitted to Assure Care in a timely fashion
- G. Load enrollment and authorization files bi-weekly so that programs can be assured that claims are paid only for eligible members and covered and authorized services
- H. Correct error report generated from bi-weekly data load
- I. Oversee distribution of monthly reports from Assure Care to Health Plan Administrators

2. Develop and oversee implementation of the IHP Dental Benefit

- A. Develop program guidelines and procedures
- B. Work with Plan Management Director to assure that IHP members receive dental services
- C. Work with Delta Dental to assure that program materials are appropriate
- D. Summarize information on utilization, cost, member satisfaction for IHP Board

Attachment

cc: Bruce Miller w/attachment
John Jacobs w/attachment
Terri Younger w/attachment
Harold Hailey w/attachment

Introduced by the Human Services, Administrative Services/Personnel and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO ESTABLISH A POSITION IN THE HEALTH PLAN MANAGEMENT UNIT AND TO AUTHORIZE AN AMENDMENT IN THE HEALTH DEPARTMENT'S 2002 BUDGET

WHEREAS, the Health Department has actively sought new funding sources to support the network of community health centers; and

WHEREAS, one of the strategies for funding to support the operation of the community health centers has been to authorize contracts with other communities for health plan management services; and

WHEREAS, the County has entered into contract with non-profit corporations in Kalamazoo, Kent and Midland Counties; and

WHEREAS, as the services to these corporations have developed, it is necessary to add a new position to the Health Plan Management Unit in order to support these corporations and the Ingham Health Plan; and

WHEREAS, the anticipated revenue from the three contracts exceeds budgeted and anticipated expenditures; and

WHEREAS, the Health Officer has recommended that the Board of Commissioners establish a new position and authorize a budget amendment to recognize \$35,000 in additional revenue.

THEREFORE BE IT RESOLVED, the Ingham County Board of Commissioners establish a new Program Specialist/Health position, ICEA Professional 05, effective February 17, 2002.

BE IT FURTHER RESOLVED, that the Controller is authorized to amend the Health Department's 2002 budget, increasing expenses by \$35,000 and increasing revenues from contracts with Kalamazoo, Kent and Midland Health Plan Corporations by \$35,000 to pay for the cost of the new position.

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RESOLUTION STAFF REVIEW

DATE January 28, 2002

Agenda Item Title Resolution to Authorize an American Legacy Foundation Tobacco Reduction Grant Subcontract with the Anishinaabegamig Cultural Learning Center

Submitted by Health Department

Committees: Ad.Ser/Per. __, H.S. __*, Law & Cts. __, Finance __*

Summary of Proposed Action (see attached letter of explanation)

This resolution will authorize a third grant subcontract be awarded to the Anishinaabegamig Cultural Learning Center, a non-profit 501(c)(3) corporation over three years.

Financial Implications

The funding for the subcontract will come from the main American Legacy Foundation grant. It will be necessary to adjust the grants FY 2002 budget to accommodate the additional subcontract. No County funds are necessary to implement the program funded by the American Legacy Foundation. It will be for \$20,000 per year for three years.

Other Implications

Staff Recommendation: JA ___ JN __*__ HH ___

This resolution should be approved.

MEMORANDUM

To: Human Services Committee
Finance Committee

From: Bruce Bragg

Date: January 28, 2002

Subject: Resolution to Authorize a Tobacco Use Cessation and Prevention Initiative Grant
Subcontract

The use of tobacco, particularly by smoking, substantially increases the likelihood that a person will die early or will suffer disease and disability. All of this could be prevented if the person could avoid tobacco use. However, tobacco is addictive. Persons who have begun to smoke have difficulty quitting.

Studies have demonstrated that tobacco use disproportionately affects certain vulnerable population groups, such as persons of color (smoking rates are higher in these populations), and the developing fetus of pregnant women who smoke (smoking causes low-birth weights which lead to a number of problems at and after birth). The County implements a number of tobacco use prevention and cessation programs through the Health Department. During 2000, the County was awarded a grant from the American Legacy Foundation to enhance our efforts to address tobacco use problems in vulnerable population groups. This opportunity came because Ingham County has a Kellogg Foundation Community Voices Grant.

The grant awarded was \$500,000 grant over a four year period. The proposal that was submitted and funded has four major parts:

1. Thirty percent of pregnant women who participate in the Ingham County WIC program smoke. There are very few smoking cessation resources for these women. The Legacy grant will provide for smoking cessation counseling, and nicotine replacement therapy, as appropriate.
2. Environmental Tobacco Smoke (ETS) causes a variety of health problems, some are life threatening like lung cancer and heart disease. The Department will work to reduce ETS in the workplace and in homes. The grant will help the Board of Health publicly recognize workplaces that have gone smoke free. The Department will try to reduce ETS in homes by a.) working with

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primary care providers, to help patients stop smoking at home; and b.) through a community education campaign about ETS aimed at the general audience.

3. Subcontract with groups representing underserved population to develop and implement plans to reduce tobacco use in their respective populations. The initial subcontracts were with The Circle of Indigenous Races for Community Leadership & Empowerment (CIRCLE) and the African American Health Institute.

4. The Department will work with area youths to develop and implement tobacco prevention activities. Youth activities will be based on successful work of others across the country, including youth prevention activities sponsored by the Legacy Foundation.

The Department is now recommending that a third grant subcontract be awarded to the Anishinaabegamig Cultural Learning Center, a non-profit 501(c)(3) corporation located at 14248 Dunn Road, Haslett, Michigan 48840.

The funding for the subcontract will come from the grant. It will be necessary to adjust the grants FY 2002 budget to accommodate the additional subcontract. No County funds are necessary to implement the program funded by the American Legacy Foundation. I recommend that the Board of Commissioners adopt the attached resolution and authorize the grant subcontract.

Attachment

cc: Terri Younger w/attachment
John Jacobs w/attachment
Bob Glandon w/attachment
Don Diskey w/attachment
Bob Townsend w/attachment

Introduced by the Human Services and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO AUTHORIZE AN AMERICAN LEGACY FOUNDATION TOBACCO
REDUCTION GRANT SUBCONTRACT WITH THE ANISHINAABEGAMIG
CULTURAL LEARNING CENTER**

WHEREAS, tobacco use causes substantial disease, disability and early death in Ingham County which disproportionately affects vulnerable population groups; and

WHEREAS, the County participates in a number of efforts to prevent tobacco use and to assist in the cessation of tobacco use; and

WHEREAS, the American Legacy Foundation has awarded a Tobacco Use Cessation and Prevention Initiative grant of \$500,000 over four years; and

WHEREAS, the County has subcontracted grant work with the African American Health Institute and the Mestizo Anishnabe Health Alliance and now proposes to execute a similar subcontract with Anishinaabegamig Cultural Learning Center; and

WHEREAS, the Health Officer has recommended that the Board authorize the subcontract.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes a subcontract of the Ingham Community Voices: Tobacco Use Cessation and Prevention Initiative grant contract with the American Legacy Foundation.

BE IT FURTHER RESOLVED, that subcontract will be with the Anishinaabegamig Cultural Learning Center, 1428 Dunn Road, Haslett, Michigan 48840.

BE IT FURTHER RESOLVED, that the period of the subcontract shall be February 1, 2002 through January 31, 2005 and that Ingham County will provide the Center with \$20,000 during each of the three twelve month periods, to implement the program requirements and conditions of the subcontract.

BE IT FURTHER RESOLVED, that the Controller is authorized to adjust the Health Department's 2002 budget to make the necessary adjustment in the supply line item and the contractual line item to implement this subcontract during FY 2002.

BE IT FURTHER RESOLVED, that the Board Chairperson is authorized to sign the grant subcontract after review by the County Attorney.

Agenda Item 4

RESOLUTION STAFF REVIEW

DATE January 24, 2002

Agenda Item Title Resolution to Accept Equipment from Delhi Township for Use by the Ingham County Haz-Mat Team

Submitted by Delhi Township/Ingham County HazMat Team

Committees: Ad.Ser/Per. __, H.S. __, Law & Cts. __, Finance __

Summary of Proposed Action

This resolution allows Ingham County to receive a donation of a used chlorine repair kit equipment from Delhi Township for the HazMat team. This is a kit that Delhi Wastewater Plant has had for several years. They are getting out of the chlorine business and will donate it to the hazmat team. The HazMat steering committee has expressed an interest in the equipment.

The equipment is :

1 ton cylinder repair kit - Kit #B4030

100 to 150 lb. cylinder repair kit - Kit # A11106

Financial Implications

There is no direct cost to the county. It will be donated by Delhi to the County "as is" with no warranties expressed or implied.

Other Implications This has been reviewed by the County Attorney and Insurance Coordinator.

Staff Recommendation: JA ___ JN * HH ___

This resolution should be approved

Agenda Item 4

Introduced by the Law & Courts and Human Services Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO ACCEPT EQUIPMENT FROM DELHI TOWNSHIP FOR USE BY
THE INGHAM COUNTY HAZMAT TEAM**

WHEREAS, Delhi Township is offering to donate used chlorine repair kit equipment to Ingham County for use by the HazMat team; and

WHEREAS, the HazMat Team is interested in the equipment

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners authorizes the Ingham County HazMat team to accept the following used chlorine repair kit equipment “as is, with no warranties expressed or implied”,

1 ton cylinder repair kit - Kit #B4030 -
100 to 150 lb. cylinder repair kit - Kit # A11106

BE IT FURTHER RESOLVED, that the HazMat team will be responsible for the costs of the maintenance of the equipment.

BE IT FURTHER RESOLVED, that the Ingham County Board of Commissioners is appreciative of Delhi Township for their donation.

BE IT FURTHER RESOLVED, that the Chairperson of the Ingham County Board of Commissioners and the County Clerk are authorized to sign any necessary contract documents consistent with this resolution and approved as to form by the County Attorney.