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State Board of Health Rules Committee

August 4, 2022

1:00pm-3:00pm

Minutes

Meeting can be viewed: <https://illinois.webex.com/illinois/ldr.php?RCID=41321ad69601eb501246935141c9535c>

Minutes

1. Call to Order – 1:00 PM

- a. SBOH members present: Damon Arnold, Rashmi Chugh, John Herrmann, Joseph O'Connor, Karen Phelan, Janice Phillips, Erica Salem, Esther Sciammarella, Susan Swider
- b. SBOH members absent: Pilar Guerrero, Nathan Hoffman, Angela Oberreiter, Julie Pryde, Chris Woodrow
- c. IDPH staff present: Sheila Baker, Tyler Bohannon, Gerrin Cheek-Butler, Jamie Fitzpatrick, Andrew Frierdich, Staci Hoferka, Jessica Ledesma, Michael Morthland, Allison Nickrent, Tracey Trigillo, Amaal Tokars, Director Vohra

2. Public Comment – n/a

3. Updates from Assistant Director Amaal Tokars

- a. Two things to talk to members about today. COVID numbers have increased despite the best efforts of the Department. Summer holidays contributed to an uptick in cases. Important to be cognizant of crowded indoor spaces and stay home if sick. Illinois citizens care and many adhere to guidance. Fall surge in cases is possible. Coordination between local health departments is key to responding effectively. Public-private partnerships are key to mitigating long-term community spread. Equity Task Force is working to mitigate disparity. We have never had so much engagement among local health departments. Stressed importance of CDC alignment. Have continued to move in line with federal agencies. Our deployment has transitioned to more of a pull rather than a push which is helping hospitals better respond to needs.
- b. Suicide trends worldwide. According to WHO more than 700,000 persons die due to suicide every year. 77% of global suicides take place into low to middle-income countries. Some methods for suicide worldwide are ingestion of pesticides, hanging, and firearms. U.S. continually ranks high on suicide death by a firearm. WHO data indicates that war-torn countries struggle with high rates of suicide. In U.S. suicide rate is highest among American Indians, Alaskan natives, and Caucasian males. Provisional data in Illinois points to an overall decrease in suicide. The predominant mechanism is firearm. Predominant location is urban with rural close behind. Middle-aged persons are most impacted by suicide. Data suggests suicide exists in every race, ethnicity, and gender. Those struggling with mental health issues are most susceptible to suicide. Relationship

loss number one driving factor of suicide followed by financial distress. Thank you to members of the board for your time.

4. Monkeypox Virus Update—Dr. Connie Austin, State Veterinarian
 - a. 25,000 cases of Monkeypox worldwide from 80 non-endemic countries.
 - b. U.S. now reports highest number of cases with over 6,000.
 - c. Illinois is reporting 571 cases and is the state with the third highest number of cases behind New York and California.
 - d. Within Illinois the largest number of cases are in the City of Chicago.
 - e. 9% are in suburban Cook County
 - f. 6% are in collar counties
 - g. 1% of cases throughout the rest of Illinois.
 - h. Majority of cases are in adult males.
 - i. Ages range from 20 to 66 (mean 37 years).
 - j. Disproportionately impacting gay and bisexual men (97%).
 - k. Treatment for MPV for seriously ill is TPOXX – an investigational new drug.
 - l. 63 cases have received TPOXX.
 - m. State has received 44,613 doses of vaccine.
 - n. 9,200 persons have been vaccinated.
 - o. Vaccine offered to any close contacts to an MPV case.
 - p. Pep++ is vaccinating high-risk persons.
5. Review of Administrative Rules
 - a. Title 77, Part 295: Assisted Living & Shared Housing Establishment Code
 - i. Presented by Sheila Baker
 - ii. General changes to Rule are minor in nature. Technical clean-up to simply to clarify language. Updated reference material contained within changes. Links are also included for obtaining additional reference information and resources.
 - iii. John Herrmann: Page 6 reference to dietetic nutritionist, seems redundant. Is that a job classification I'm not familiar with?
 - iv. Sean Dailey: Simply mirrors statute. The name of the act changed so must change in Rule.
 - v. Approved for filing with the SOS for first notice.
 - b. Title 77, Part 800: Recreational Area Code
 - i. Presented by Andrew Frierdich
 - ii. General clean-up and modernization of language.
 - iii. First update since 1990.
 - iv. John Herrmann: Suggests grammatical and stylistic revision relative to oxford comma to make language consistent pursuant to page 12 subsection B.
 - v. Karen Phelan: Section I clarification regarding construction and use of "shall." Section [800.300 Permits](#) "Construction at a campground less than a major extension or major alteration shall not require a permit. However, prior to initiating construction, the applicant shall advise the regional office of the Department which serves the campground in writing of the scope of the extension." What is standard protocol?

- vi. Andrew Frierdich: Essentially means if it's not a major alteration or extension, and a permit is not required, it is requested that the licensee contact the regional office to let them know what they are doing.
 - vii. Rashmi Chugh: Is the outline structure the same across the board for formatting all Rules?
 - viii. Tracey Trigillo: Yes – we do not have the ability to change the outlining format. It is established by JCAR.
 - ix. Karen Phelan: Section [800.1600 Electrical Safety](#) “All electrical distribution systems constructed after July 1, 2023.” What changes in 2023?
 - x. Andrew Frierdich: Rules would likely be promulgated by that time.
 - xi. Approved for filing with the SOS for first notice.
- c. Title 77, Part 810: Youth Camp Code
- i. Presented by Andrew Frierdich
 - ii. Amendment proposes to update general references in code and streamline language in youth camp code. First update to code since 1986.
 - iii. Karen Phelan: Page 9, “Plans shall be sealed by an engineer or architect licensed to practice in Illinois if required by professional engineering practice active 1989.” Is there specificity for requirements?
 - iv. Andrew Frierdich: I would imagine. With any buildings or structures where you have the public entering, licensed professional engineers or any type of electrical systems, wastewater treatment systems, an engineer would be required to sign and seal plans.
 - v. Karen Phelan: Section [810.100 Communicable Disease and Accident Reporting](#) other forms of communication other than mail exclusively should be considered.
 - vi. Karen Phelan: Section [810.120 Sanitary Facilities](#) a) does it never have to be brought up to code at any time?
 - vii. Andrew Frierdich: Example – recently had a shower house at a campground and they renovated it and brought it up to code. So this does occur.
 - viii. Karen Phelan: [810.120 Sanitary Facilities](#) b) “A minimum of one shower head shall be provided for each 20 persons or fraction thereof to be accommodated.” Asking specifically here because I do not comprehend.
 - ix. Andrew Frierdich: This essentially means that if there are 100 kids, 5 shower heads are required.
 - x. Allison Nickrent: All the sections before you are open for consideration and public comment. Anyone can comment and make suggestions about any part of the rule even if it's not we would particularly change. We want to make sure it makes sense to you all.
 - xi. Approved for filing with the SOS for first notice.
- d. Title 77, Part 843: CLEAR-Win Program Code
- i. Overview offered by Karen Phelan
 - ii. Jamie Fitzpatrick and Gerrin Cheek Butler available for questions
 - iii. Joseph O'Connor: Raised issue of whether litigation has been pursued by U.S. Attorneys General to prosecute the lead paint industry. Point of interest for later discussions.
 - iv. Jamie Fitzpatrick: Windows are one of the leading sources of lead-based pain hazards.
 - v. Erica Salem: EPA website contains information regarding lead poisoning settlement.

- vi. Gerrin Cheek Butler: Program is working through grantees and action agencies, so jurisdictional implications are not an issue.
- vii. Approved for filing with the SOS for first notice.
- e. Title 77, Part 870: Manufactured Home Installation Code
 - i. Presented by Andrew Frierdich
 - ii. Rule provides clean-up of updating references and information related to continuing education-related requirements. There's been a request over the years to bring the HUD cycle of continuing education into the same cycle as Illinois for continuing education.
 - iii. Both the feds and the state have different continuing education requirements but with some overlap. We are attempting to bring the two into alignment.
 - iv. Joseph O'Connor: Suggests omitting "and" between owner and occupant to "owner occupant"
 - v. Damon Arnold: What is timeline for licensure renewal?
 - vi. Andrew Frierdich: Will need to determine specific start date as to when it will be implemented. Regarding the number of hours, this was feedback offered by the Illinois Manufactured Housing Association – difficulty fulfilling 4-hour requirement, reduced to 3.
 - vii. Esther Sciammarella: What is cost associated with renewal license?
 - viii. Andrew Frierdich: \$150 per year according to the Act for an Illinois licensed manufacturer installer.
 - ix. Approved for filing with the SOS for first notice.
- f. Title 77, Part 880: Modular Dwellings and Mobile Structures Code
 - i. Presented by Andrew Frierdich
 - ii. Amendment proposes to update incorporated references along with general clean-up of Modular Dwellings and Mobile Structures Code. First update since 2006.
 - iii. Karen Phelan: How is height determined regarding modular dwelling stairs?
 - iv. Andrew Frierdich: This is standard.
 - v. Approved for filing with the SOS for first notice.
- g. Title 77, Part 946: Compassionate Use of Medical Cannabis Pilot Program Code
 - i. Presented by Michael Morthland
 - ii. Proposed Rule change is a clean-up to reflect a change in statute as well as to reflect current state processes within the online system and medical cannabis program.
 - iii. John Herrmann: Appreciate the work of the administration and department for its work on the program. This is a great improvement. Can payments be made via debit card as well?
 - iv. Michael Morthland: Yes – can be debit or credit or by any electronic means.
 - v. Erica Salem: From a health equity perspective, I have concerns with people who only have the ability to pay electronically online. Money orders should be permitted, and consumer demographics should be studied.
 - vi. Michael Morthland: This issue has not yet come up. My understanding is that persons would not be prohibited from doing this in the future. The system up to this point has simply required electronic payment. This is something we will investigate.
 - vii. Approved for filing with the SOS for first notice.

- h. Title 77, Part 1010: Health Care Data Collection & Submission Code
 - i. Presented by Stacey Hoferka
 - ii. Purpose of amendment is for automated reporting syndromic surveillance data. This is our real-time system for all emergency department and inpatient visits.
 - iii. Authority established in 2003 but hasn't been effective in reporting from hospitals. The amendment makes clear what hospitals need to report so data quality is standard across our system.
 - iv. John Herrmann: Suggests clean-up language pertaining to use of "meaningful." Redundant.
 - v. Karen Phelan: General issue accessing the link to public health information network. (Staff looking into.) Do we still have issues with shipping charges based on the data?
 - vi. Stacey Hoferka: There are no shipping charges for syndromic surveillance.
 - vii. Joseph O'Connor: Suggests corrections of misspellings and typos on pages 20-21.
 - viii. Damon Arnold: Are hospitals operating on legacy systems and antiquated IT infrastructure able to comply?
 - ix. Stacey Hoferka: Impact will be minimal on critical care access hospitals. They have all been participating in data connection for several years. This will not burden these hospitals.
 - x. John Herrmann: The listing of detailed data is not statutory, correct?
 - xi. Stacey Hoferka: It is not statutory.
 - xii. Approved for filing with the SOS for first notice.
- 6. New Business
 - a. Cottage Food Update—Susan Swider (Postponed until September)
- 7. Upcoming meetings:
 - a. **STATE BOARD OF HEALTH 11:00 - 1:30 PM**
 - iii. September 8
 - iv. December 8
 - b. **STATE BOARD OF HEALTH RULES COMMITTEE 1:00 – 3:00 PM**
 - iv. November 10
 - c. **STATE BOARD OF HEALTH POLICY COMMITTEE 1:00 - 3:00 PM**
 - iii. August 18
 - iv. November 17
- 8. Adjournment – 3:19 PM