



County of San Diego
HEALTH SERVICES ADVISORY BOARD
1600 Pacific Highway, San Diego, CA 92101-2417

Tuesday, January 7, 2020
3:00pm to 5:00pm
1600 Pacific Highway Room 302/303, San Diego, CA

MEETING MINUTES

Members Present		Members Absent/Excused		Presenters	HHSA Support
Seat 6/District 3	Stuart Cohen	Seat 1/District 1	Vacant	Wilma J. Wooten, M.D., M.P.H., Public Health Officer Approval of an ordinance adding provisions to Title 3, Division 2 of the San Diego County regulatory code regarding smoking related prohibitions in the unincorporated area of the County.	Dr. Wilma Wooten Health Officer/Director Dr. Anuj Bhatia, Deputy Director Petra Montiel, Administrative Assistant
Seat 4/Dist 2	LaVonna Connelly	Seat 2/Dist1	Suzanne Afflalo		
Seat 5/Dist 3	Harris Efron	Seat 6/Dist 3 (Alt)	Frank Xu		
Seat 7/Dist 4	James Lepanto	Seat 9/Dist 5	Terese Cisneros- Remington		
Seat 8/Dist 4	Geysil Arroyo	Seat 9/Dist 5 (Alt)	Adrienne-Cisneros- Selekman		
Seat 10/Dist 5	Marsha Bryan	Seat 11/(Alt)	Jennipher Ohmstede		
Seat 11/SCMS	Paul Hegyi	Seat 12/HASDI	Alexiou Dimitrios		
Seat 12/(Alt)	Judith Yates	Seat 13/ Alt	Tim Fraser		
Seat 13/ HCPSC	Henry Tuttle	Seat 14 (Alt)	Jack Dailey		
Seat 14/CCHE	Gregory Knoll	Seat 15/(Alt)	Jenifer Mendel		
Seat 15/BHAB	Michael Matthews	Seat 19/District 3	Diana Aguirre		
Seat 16/HSDPA	Leonard Kornreich	Acronyms:	HASDI: Hospital Association of San Diego and Imperial		
Seat 16/(Alt)	Harriet Seldin	HSDPA: Healthy San Diego Professional Advisory	CCHE: Consumer Center for Health Education		
		SDCMS: San Diego County Medical Society			

Members Present		Members Absent/Excused		Presenters	HHSA Support
		HCPCS: Health Center Partners of Southern California	BHAB: Behavioral Health Advisory Board HSDCA: Healthy San Diego Advisory		

Minutes	Lead	Follow- up Actions	Due
Mar 5, 2019	James Lepanto	To extend an invitation to the new director of Integrated Services, Omar Passons. (Carried Over)	June 2019
May 7, 2019	James Lepanto	Distribute and carry forward White Paper regarding Senior Dental cares. (Carried Over)	June 2019
May 7, 2019	James Lepanto	The committee is to be provided with Counties Legislative Agenda. (Carried Over)	June 2019
May 7, 2019	James Lepanto	To extend an invitation to the new director of Behavioral Health, Luke Bergmann. (Carried over)	June 2019
May 7, 2019	James Lepanto	James to contact Paul Hegyi (Chair) o the Health Legislation to receive a summary of each bill and the resented to the Committee.	June 2019
May 7, 2019	James Lepanto	James to provide the committee with a link to assembly and senate bills that the sub-Committee would like the Committee to support	June 2019
May 7, 2019	James Lepanto	Annual report will be presented to the Committee. (Carried Over)	June 2019
May 7, 2019	James Lepanto	Forward and changes or updates regarding the White Paper directly to Dr. Bhatia.	May 2019
August 6, 2019	James Lepanto	To email the Strategic Plan to all members	August 2019
August 6, 2019	James Lepanto	To prepare a letter to the BOS recommending Oral Health Sub-Committees recommendation on STD and Oral Health.	August 2019
January 7, 2020	James Lepanto	To extend an invitation to the Director of Aging and Independence	February 2020
Next Meeting: HSAB Meeting: Tuesday February 4, 2020, 3:00 pm – 5:00 pm – 1600 Pacific Highway, Suite 302-303, San Diego, CA			

Agenda Item	Discussion	
I. Welcome & Introductions	James Lepanto called the meeting to order at 3:05 PM. The HSAB members and public in attendance were introduced.	
II. Public Comment	No public comment.	
III. Action Items	<p>A. Approval of November Agenda and October Meeting Minutes</p> <ol style="list-style-type: none"> 1. Harris Effron Moved and seconded by Paul Hegyi 2. All HSAB members in attendance voted Aye, with no oppositions or abstentions. The motion carried and the documents were approved. 3. Public comment (related to action items) <p>B. Approval of Tobacco Ordinances, Wilma J. Wooten, M.D., M.P.H., Public Health Services (PHS) Health Officer/Director</p> <ol style="list-style-type: none"> 1. Wilma J. Wooten, M.D., M.P.H., Public Health Services (PHS) Health Officer/Director <ol style="list-style-type: none"> a. Background: <ol style="list-style-type: none"> 1) Smoking is the leading preventable cause of death in the United States causing more than 480,000 deaths each year. Secondhand smoke causes another 41,000 preventable deaths each year in nonsmoking persons, according to the Centers for Disease Control and Prevention (CDC). Smoking, and now vaping, continues to be a public health crisis. On January 2, 2020 the Food and Drug Administration (FDA) issued a policy prioritizing enforcement against certain unauthorized flavored e-cigarette products, including fruit and mint flavors, that appeal to youth. Under the policy, companies that do not cease manufacturing, distributing, and sale of unauthorized flavored cartridge-based e-cigarettes (other than tobacco or menthol) within 30 days risk enforcement actions by the FDA. 2) While there are several statewide regulations that seek to reduce the ease and availability of smoking, the County of San Diego (County) seeks to further improve public health with the implementation of the proposed ordinance in the sections below. On October 15, 2019 (2), the San Diego County Board of Supervisory (Board) directed staff to return with recommendations to address the following: <ol style="list-style-type: none"> a) 1A. Prohibit the sale and distribution of all flavored products for “smoking” as defined by State law. b) 1B. Establish a one-year moratorium on the sale and distribution of all electronic smoking devices. c) 1C. Prohibit “smoking,” as defined by State law, in outdoor dining patio areas, and a buffer zone outside of outdoor dining patio areas. 3) According to the California Department of Public Health (CDPH), teenagers and young adults make up about half of the e-cigarette or vaping-associated pulmonary lung injury (EVALI) cases hospitalized in California, and the only common linkage is 3-cigarette due. The findings of the 2019 National Youth Tobacco Survey, released by the CDC and U.S. Food and Drug Administration (FDA), showed that more than 5 million U.S. middle and high school students reported current be-cigarette use, and increase of more than 1.5 million students reported current e-cigarette use, a percentage that has 	

	<p>increased dramatically since 2018. The CDC also reported current e-cigarette use, a percentage that has increased dramatically since 2018. The CDC also reports that most e-cigarettes contain nicotine and other chemicals that can harm a young person’s developing brain. Additionally, a 2019 RAND Corporation study showed that youth who use e-cigarettes might be more likely to smoke and vape in early adulthood, adding to a growing body of evidence that youth use of e-cigarettes is associated with a greater likelihood of smoking combustible cigarettes in young people.</p> <ol style="list-style-type: none">4) The 2019 National Youth Tobacco Survey also found that, among current exclusive e-cigarette user, approximately 72% of high school students and 60% of middle school students used flavored e-cigarettes. In 2009, the Family Smoking Prevention and Tobacco Control Act made it illegal at the federal level to sell cigarettes with “characterizing” flavors other than menthol or tobacco. However, the ban did not extend to e-cigarettes. According to the survey, youth reported product flavoring as being one of the top reasons for using e-cigarettes. This evidence points to the important role flavors play in the initiation of tobacco use among youth. Like combustible cigarettes, e-cigarettes can produce harmful exposures to secondhand smoke. E-cigarette vapor may contain nicotine, ultrafine particles, and low levels of toxins, which can exacerbate respiratory ailments like asthma and expose non-smokers to other harmful chemicals.5) Currently, the electronic smoking device market is largely unregulated. The FDS is required to grant premarket clearance to each new tobacco product before it can be sold. However, the FDS gave electronic smoking device products on the market as of August 8, 2016 an extended grace period. Furthermore, e-cigarettes are not approved by the FDA as an aid to quit smoking. Studies indicate no evidence of definitive long-term efficacy of e-cigarettes as a cessation aid and many people become “dual users” instead of completely quitting combustibles. E-cigarette manufacturers could request approval to market their products as a “modified risk tobacco product” or a cessation aid. As of November 1, 2019, only one manufacturer has submitted this request. Lacking this FDA approval, manufacturers may not make safety or health claims for their products. Electronic smoking device manufacturers are required to submit Premarket Tobacco Product Applications by May 12, 2020.6) The CDC reports that, in addition to creating an epidemic of nicotine addiction among youth, electronic smoking devices have also led to an acute public health crisis called EVALI. An ingredient in illegal Tetrahydrocannabinol (THC) e-liquids, vitamin E acetate, has been indicated as a chemical of concern in EVALI outbreak. According to the CDC, many of the chemicals used in nicotine e-liquids may cause lung injury, like vitamin E acetate. Additionally, while these chemicals are widely available because they are commonly used in food and household products which are Generally Recognized as Safe (GRAS) by the FDA, the impact when inhaled is unknown or dangerous.7) On October 15, 2019 (2), the Board authorized staff to develop recommendations to prohibit the sale and distribution of all flavored tobacco products for “smoking” as defined by State law and to establish a one-year moratorium on the sale and distribution of all electronic smoking devices. The Ordinance presented here will:<ol style="list-style-type: none">a) Prohibit the sale and distribution of all flavored products for “smoking” as defined by State law with the exemption of “Shisha” products to be used in hookahs.b) Establish a one-year prohibition on the sale and distribution of all electronic smoking devices.8) CDPH has urged everyone to refrain from vaping until current investigations are complete. According to weekly updates provided by the CDC, as of December 27, 2019, 2,561 hospitalized EVALI cases	
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	<p>have been reported from all 50 states in the U.S., the District of Columbia, Puerto Rico, and the U.S. Virgin Islands. Fifty-five deaths are confirmed across the country. In San Diego County, as of December 18, 2019, there have been 41 confirmed and probable EVALI cases reported. It is in the public interest to temporarily prohibit the sale of electronic smoking devices until experts can conclusively determine the source of EVALI.</p> <p>9) Prior to full implementation of enforcement and to ensure a response to the public health crisis, the County’s Tobacco Control Resource Program will conduct an educational and outreach phase. This may include dissemination of information through mailers, the County website, and in-person retailer trainings. Enforcement of both the sale and distribution of flavored products and an electronic smoking products and/or electronic smoking devices have integrated these new restrictions into their existing Tobacco Retailer Licensing programs or adopted a Tobacco Retailer Licensing program. Finally, a public health campaign has been launched within the existing Tobacco Control Resource Program and in coordination with the CDPH.</p> <p>10) According to the CDC, secondhand smoke causes 41,000 deaths annually in non-smoking persons, in addition to the 480,000 deaths in smoking persons annually. Smoke-free air laws, including smoke-free outdoor dining laws, can reduce smoking prevalence, increase smoking cessation, and reduce the incidence of smoking among youth. California established the first statewide smoke-free workplace law in 1995 (Assembly Bill 13; Section 6404.5 of the Labor Code), and since then the CDC has performed studies that verify how smoke-free air laws have been shown to reduce smoking prevalence, increase smoking cessation, reduce cigarette consumption, and reduce the incidence of smoking among youth and young adults. Ten cities in San Diego County have adopted ordinances that further limit acceptable smoking locations, including within parks and beaches, entryways and sidewalks, outdoor areas of multi-unit housing, and outdoor dining patios. These combined policies help reduce exposure to harmful secondhand smoke. As of February 2019, 116 municipalities in California have restricted smoking in all outdoor dining areas. More than half of the municipalities within San Diego County have adopted a ban on smoking in outdoor dining patios, and today’s action asks the County to join that coalition. The American Lung Association State of Tobacco Control 2019 – California Local Grades report was released to track progress on key tobacco control policies in California municipalities. The 2019 report issued the unincorporated areas of San Diego County with an overall tobacco control grade of “F”. If today’s action is approved, the tobacco control grade for unincorporated San Diego County may potentially increase in future reports.</p> <p>11) On October 15, 2019 (2) the Board authorized staff to develop recommendations to prohibit “smoking” as defined by State law, in outdoor dining patio areas, and within a buffer zone outside outdoor dining patio areas.</p> <p>12) The proposed ordinance will do the following:</p> <ul style="list-style-type: none">a) Prohibit “smoking,” as defined by State law, in outdoor dining patio areas, to include a buffer zone outside of these areas.<ul style="list-style-type: none">i. Address secondhand smoke exposure in outdoor dining areas, excluding facilities or locations whose business operation is primarily devoted to the on-premises, smoking of shisha, including but not limited to, establishments such as hookah bars, hookah lounges, hookah parlors, or hookah cafes.	
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- ii. Require restaurant owners to enforce the ordinance, through posting of “No Smoking” or “Smoke-Free” signs and removal of existing ashtrays or other ash receptacles.
 - iii. Establishes a 25-foot buffer zone for outdoor dining areas and a 40-foot buffer zone for permitted mobile food facilities (e.g., food trucks).
- 13) Enforcement of the smoke-free outdoor dining provisions will rely on a complaint-based approach, wherein restaurant owners and their patrons can inform the County of any individual in violation. This enforcement approach is an industry standard for local regulation of smoke-free outdoor dining laws.
- 14) This ordinance is focused on creating the greatest positive public health impact for San Diego County residents by addressing 1) the public health crisis, resulting from EVALI observed nationwide and locally; 2) the alarming increase in youth and young adult e-cigarette use; and 3) the need to extend protections from secondhand smoke exposure to outdoor dining areas. If approved, today’s action will allow the County to protect the health of public from the harms of smoking and secondhand smoke by implementing comprehensive policies that address the public health issues.
- 15) The proposed actions support the Building Better Health and Living Safely Strategic Initiatives in the County of San Diego’s 2020-2025 Strategic Plan, as well as the County’s *Live Well San Diego* vision by encouraging healthy behaviors and developing policies that protect the public’s health from the harms of smoking and exposure to secondhand smoke.
- a) Greg Knoll Moved and seconded by Paul Hegyi.
 - b) There were no corrections to the Board Letter.
 - c) All HSAB members in attendance voted Aye, with no oppositions or abstentions. The motion carried and the Board letter was approved.
- 16) James Lepanto stated that when and/or if this ordinance is approved and enforced – resources be allocated to support it. He asked for a listing of those resources that would be needed to carry the enforcement and educational components out.
- a) Greg Knoll Moved and seconded by Harris Effron.
 - b) There were no corrections to the Ordinance recommendations.
 - c) All HSAB members in attendance voted Aye, with no oppositions or abstentions. The motion carried and the Ordinance recommendations approved.

Discussion (Q/A):

Are there any exemptions to these recommendations?

There is a cultural exemption for – Hookah Lounges.

Will there be an implementation to address the harmful effect of the Hookah lounges?

A PSA to address the effects will be rolled out utilizing material that the State has already rolled out.

What is the point of banning vaping when cigarettes continue to be accessible?

The goal is to prevent exposure to harmful effects. Public Health cannot govern what people do in their homes.

Would you know if the rate of vaping in youth and adolescence in California mirrors the rest of the County?

It is on par with the rest of the Country. The 2019 results on tobacco youth survey indicates that middle school student have increased by 48% in middle school students and 68% in high school students. Teenagers are getting

	<p>hooked on e-vaping due to the flavors being utilized.</p> <p>The ordinance only covers the unincorporated areas but will the licensing cover county wide? The ordinance only covers the unincorporated areas. If other jurisdictions that does not have licensing and would like for Public Health to provide it, we could.</p> <p>At what point does the Public Health Officer or the County of the BOS have the obligation or mandate to supersede the will of the City? Through Kresge we are meeting with each City jurisdiction and are made aware of the TRL Program.</p> <p>C. Public Comments (related to action items)</p>	
<p>IV. Update/Presentation/Discussion/Follow-up Action items</p>	<p>A. None</p>	<p>•</p>
<p>V. Chair's Report</p>	<p>A. Health Services Advisory Board (HSAB) Advance Follow-up Discussion</p> <ol style="list-style-type: none"> 1. Strategic Plan <ol style="list-style-type: none"> a. Jackie Werth indicated that she will make changes that were discussed and that a new draft of the strategic plan will be distributed to the members for their review prior to final approval. 2. Focused Priorities <p>B. Vacancies Discussion</p> <p>C. HSAB Recognition of Community Members</p> <p>D. Document Updates</p> <ol style="list-style-type: none"> 1. STD White Paper 2. 2016-18 Annual Accomplishments Report 	
<p>VI. Informational Items</p>	<p>A. Committee Report</p> <ol style="list-style-type: none"> 1. Policies and Program: Leonard Kornreich, M.D. made the following recommendations: <ol style="list-style-type: none"> a. Concluded that there is a need of better data or oral health with seniors. b. Will partner up with others to see if the HSAB subcommittee may obtain better date. c. Reviewed the BOS discussion on vaping and smoking modifications the subcommittee agreed that this would be a topic for review and discussion. 2. Budget: No reports 3. Nominating Committees: James Lepanto – No reports 	
<p>VII. Public Health Officer's Report</p>	<p>A. Communicable Disease Updates: Meningococcal Disease Outbreak:</p> <ol style="list-style-type: none"> 1. No new cases have been identified. The next planned response meeting is planned for late January. 2. Influenza: <ol style="list-style-type: none"> a. Influenza activity is increasing an expected for this time of the year. b. As of 2/18/19, there have been 1,709 reported cases of influenza since July 1, 2019. c. As of 12/18/2019, there have been seven reported influenza associated deaths since July 1, 2019. 3. Measles: <ol style="list-style-type: none"> a. No new cases reported. b. For calendar year 2019 to date, there have been two reported confirmed measles cases. 	

	<p>c. As of December 11, 2019, there have been 232 reported suspects cases of measles which required evaluation and investigation. Two of these have been confirmed to be a case of measles. There have been 252 lab samples tested in the Public Health Lab.</p> <p>4. Mumps</p> <p>a. From January 1 to December 6, 2019, there have been 3,252 mumps infections reported to the CDC.</p> <p>b. There have been 229 cases reported in California in 2019 so far.</p> <p>c. As of December 23, there have been 65 cases of confirmed or probably mumps reported in San Diego County during 2019.</p> <p>d. The median age is 28 and the age range is from 9 months to 79 years of age.</p> <p>e. For the 65 San Diego cases, 8 have been associated with an outbreak at the Otay Mesa detention facility.</p> <p>f. Note: The incidence of mumps in Baja California, Mexico has been significant increases in 2018 and 2019. We are aware that at least 6 of the 45 San Diego cases have Tijuana connections.</p> <p>g. Further information on Public Health Officer’s report can be found at: https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/documents/HSABDocuments/HSABDocuments2020/Final_%20HSAB_Health_Officer_Notes_1_7_20.pdf</p>	
<p>VIII. Public Comment (Related to the Agenda Items)</p>	<p>A. No Public Comment</p>	<p>•</p>
<p>IX. Agenda Items – Suggested Future Meetings</p>	<p>A. Annual Youth Risk Behavior Survey – (TBD 2020)</p> <p>B. Community Health Assessment, Community Health Improvement, and Public Health Services Strategic Plan (TBD 2020)</p>	<p>•</p>
<p>X. Adjournment</p>	<p>A. Meeting was adjourned at 5:10 PM</p> <p>B. Next Meeting: February 4, 2020, from 3:00 pm to 5:00 pm, County Administrative Center Rooms 302/303</p>	<p>•</p>
<p>XI. Supplemental Information</p>	<p>A. Aging and Independence Services Update – Long Term Care Integration Project</p>	<p>•</p>