

Allegheny County Council

*County of Allegheny
436 Grant Street
Pittsburgh, PA 15219
Phone (412) 350-6495
Fax (412) 350-6499*



Committee Meeting Minutes

Thursday, August 28, 2008

4:00 PM

Conference Room I

Committee on Health & Human Services

*Joan Cleary, Chair; Jim Ellenbogen, Mike Finnerty, Nick Futules, Amanda Green,
Bob Macey, Chuck McCullough, and William Robinson - Members*

I. Call to Order

Summary: *The meeting was called to order at 4:00 PM*

Invited Guests:

Jim Flynn, County Manager or Designee

Dennis Biondo, Director, Kane Regional Centers

Dr. Bruce Dixon, Director, Health Department

Cindy Thomas, Executive Director of Tobacco Free Allegheny

Summary: *Invited guests in attendance: Derek Uber for Mr. Flynn, Mr. Biondo, Henry Miller for Dr. Dixon, and Paul King for Ms. Thomas.*

Council staff in attendance: John Mascio, Jennifer Liptak, and Jared Barker

II. Roll Call

Roll Call: Present: Bob Macey, and Chair Joan Cleary

Absent: Jim Ellenbogen, Michael Finnerty, Nick Futules, Amanda Green, and William Robinson

Non-Member: Chuck McCullough

III. Approval of Minutes

4298-08 Motion to approve the minutes of the June 24, 2008 Health & Human Services Committee Meeting.

Action: **A motion was made by Macey, seconded by Chair Cleary, that this matter be Passed. The motion carried unanimously.**

IV. Agenda Items

Resolutions

4216-08 A Resolution of the County Council of Allegheny County in the Commonwealth of Pennsylvania, authorizing the Nursing Home Intergovernmental Transfer Program pursuant to the Commonwealth Agreement and the Cooperation Agreement; and granting authorization for any and all lawful actions necessary to effectuate Allegheny County's participation in said program.

Sponsors: Chief Executive

Summary: *Mr. Biondo provided the committee with a summary of the bill. He said that this is a continuing program and that the Resolution would authorize the County to participate in the program for one additional year, extending the program through the 2008-2009 fiscal year. He said that there is no cost to the County for participating in the program.*

Action: **A motion was made by Macey, seconded by Chair Cleary, that this matter be Affirmatively Recommended. The motion carried unanimously.**

Discussion Topic:

Act 27 of 2008, The Clean Indoor Air Act

Summary: *Mr. Miller provided the committee with a summary and explanation of the Clean Indoor Air Act. He said that the Act provides that some action on behalf of the Council or the Chief Executive would be necessary in order to elect to have the Health Department enforce it, otherwise it would be enforced by the State Health Department. He said that the way the Act is written no funding would be provided to assist the County in enforcing this. He said that there are provisions for penalties and fines and that the money collected would be retained by the Health Department to help with enforcement costs, but the money generated by this would not be enough to cover enforcement costs. He also said that the Health Department has no mechanism to collect fines. He said that there would be a lot of problems with delegating this responsibility to the Health Department regarding staffing issues and equipment.*

Ms. Cleary and Mr. Miller discussed processes and procedures regarding enforcement.

Mr. King said that the original County Ordinance would have been easier to coordinate than the State's Act. He agreed with Mr. Miller that in order to enforce this at the County level they would need funds for additional staff and equipment. He also agreed that funds generated from penalties and fines would not be enough to cover the cost of enforcement.

Mr. Miller said that they are prepared to do whatever Council decides. Ms. Cleary asked Mr. Miller if the County does not opt to enforce this would the State enforce this by default. Mr. Miller said yes. Ms. Cleary asked him if he would check with other Health Departments within the State to see how they plan to handle this. Mr. Miller said he would do that and get back to her. She asked him if there was a deadline for opting out. Mr. Miller said there is no deadline and that the County can opt in or out whenever they wish.

The Chair asked Mr. Uber if he had any thoughts on this issue. Mr. Uber said that since there is no deadline to opt in or out, he thinks that the County should see how the State handles this before making any decisions.

V. Adjournment

Summary: *The meeting adjourned at 4:25 PM*