

## **State Camp Safety Advisory Council (SCSAC) October 15, 2015 Meeting Minutes**

### Members

Present: Jordan Dale, George G. Coleman, Eric Bacon, Meir Frischman, Robert Scheinfeld, and Dr. Thomas Welch

### Members

Absent: Dawn Ewing, Douglas Pierce, and Gordon Felt

### Department of Health Staff

Present: Michael Cambridge, Timothy Shay, Brian Miner, Megan Mutolo, Victoria Choi, and James Maurer

Chairperson, Jordan Dale called the meeting to order at 10:30 a.m. at the New York State Museum, Conference Room A/B, 260 Madison Avenue, Albany, New York. Dawn Ewing, Douglas Pierce, and Gordon Felt were absent. A quorum was present.

### **Council Administrative Business**

Mr. Shay updated the Council regarding membership reappointments. Dr. Thomas Welch has been reappointed to his position and George Coleman's reappointment is in process. The Council approved the minutes from the last Council meeting held on March 24, 2015.

Prior to this meeting, the Department circulated proposed revisions to the Council's bylaws that were discussed at the last meeting. The revisions removed references to Section 73 of the Public Officers Law (POL), which were not intended to apply to advisory councils. Specifically Article V, section 5(b) was repealed, a reference to Section 73 of POL in section 5(c) was removed, and 5(c) was renumbered to 5(b). Mr. Dale made a motion to accept the changes as presented. Dr. Welch seconded the motion and it was unanimously passed.

### **Justice Center/Status of Amendments to Subpart 7-2 – Update**

Mr. Shay reported that on August 6, 2015, the Public Health and Health Planning Council (PHHPC) did not approve the emergency amendment to Subpart 7-2. As a result, the emergency amendments that had been in effect to implement the Justice Center legislation pertaining to camps with 20% or more campers with a developmental disability expired on September 8, 2015. The Department is planning on moving forward with permanent regulations to be effective prior to next season and was looking for the Council's input on language under consideration.

The Department is considering repealing section 7-2.25, which contains the additional requirements for camps with 20 percent or more developmentally disabled campers, and replacing it with a new section containing two subdivisions. The first subdivision is proposed to include requirements that apply to all camps enrolling a child with a developmental or other disability and the second subdivision would contain additional requirements for camps with 20% or more campers with a developmentally disability. The Justice Center requirements would still only apply to the camps with 20% or more campers with a

developmentally disability. The Council reviewed the language under consideration that would be applied to all campers with a disability and provided feedback. The majority of the discussion focused around the proposed requirement for camp operators to obtain existing treatment plans, care plans, behavioral plans, and/or similar plans for campers with disabilities. The concern was that this requirement would force camps to follow, in their entirety, individualized educational plans that were specifically developed for the school setting where State funding is provided. Mr. Shay stated that the intent was not to require camps to comply with specific plans for educational purposes, but to obtain established care or similar plans from parents or guardians that would protect the camper's health and safety relevant to the camp setting. The Council recommended adding language that would specify that the camp operator and parents would come to an agreement as to what portions of a care or similar plan should be followed at the camp.

Mr. Shay reported that there are no additional requirements being proposed for subdivision two from what is currently in section 7-2.25 and required by the Justice Center legislation/regulations for camps with 20% or more campers with a developmentally disability. However, since the emergency amendments were first adopted, minor revisions are necessary based on recent Justice Center regulations and guidance or to clarify requirements.

Mr. Dale asked for the specific proposed code language to be provide to the Council, so they can better comment on the language. Mr. Shay stated that once the language was finalized and available for comments it would be shared with the Council. The Council also expressed concern about the effective date for new requirements at camps with fewer than 20 percent of children with a developmental disability. It was stressed that there must be enough leeway to allow camps time to comply with any new requirements.

Mr. Shay reported that in response to the motion passed at the last Council meeting, he made another request to the Justice Center to allow all children's camps access to the Justice Center's Staff Exclusive List (SEL). The Justice Center responded that currently access to the SEL is limited to those specified by statute. However, they are considering a bill to expand access.

### **Overview of 2015 Season**

Mr. Shay reported that were no fatalities reported at children's camps in 2015. There was one near drowning of a camper with developmental disabilities that the Justice Center is investigating as potential neglect. The Justice Center's investigation of the incident is ongoing. As a result, Department of Health staff have not been able to investigate it at this time. In addition to the near drowning, there were 14 incidents at camps for children with developmental disabilities reported to the Justice Center (8 abuse/neglect and 6 significant incidents). The Department is working on getting incident data from local health departments for the 2015 season. Mr. Coleman commented that knowing the incident trends occurring at camps Statewide is valuable to camp operators, as it allows them to refocus efforts where needed.

### **Amusement Devices**

Mr. Shay reported that the amusement device guidance was revised and distributed in May. The revisions were made to provide a consistent approach between DOH and DOL including:

- Devices operated outside the timeframe of the camp permit or utilized by the public during the camp's operational time period should be overseen by DOL.
- Engineering plans are no longer required as part of DOH's approval process for new devices.
- ACCT Professional Inspector and PRCA Accredited Vendor were added as acceptable certifications/accreditations for the annual inspection of covered amusement devices and similar equipment in subsequent years after the original design/installation.
- Information was revised to clarify inspection requirements for non-covered devices such as climbing walls without mechanical belays, low rope elements and similar devices.

Mr. Coleman inquired about use of the amusement devices before camp for the purpose of training staff. Mr. Shay stated that would be acceptable and would not require the camp to be overseen by DOL.

### **Mandatory Training for Camp Operators**

Mr. Shay reported that, as agreed to at a previous Council meeting, the Department surveyed local health departments (LHDs) for their view and concerns regarding a requirement for mandated camp operator training. Surveys were received from 38 LHDs. Twelve indicated that they provide operator training: 3 as needed, 8 annually with one requiring operator attendance, and one which did not specify a frequency. Sixteen LHDs indicated that they supported mandated operator training; however 27 had concerns with how it would be implemented. Concerns expressed included staff resources, camp operator's availability to attend, training not needed/redundant, training already provided during pre-operational inspections or one-on-one as needed, who would develop training, and providing a consistent message statewide. Mr. Shay stated that while the Department supports operator training, it does not have the resources to develop and facilitate statewide training for camp operators. The Department will however continue to support LHDs with a yearly program issues memo, fact sheets, and other guidance documents providing information and resources on current issues/topics related to children's camp.

Mr. Coleman asked if LHDs could mandate operator training. Mr. Shay respond, yes and in fact at least one LHD has local regulations that do require operators to attend annual training. Mr. Scheinfeld asked about web based training that is centralized through the Department. Mr. Shay stated that while it is a great idea, the resources are not available to develop it. Mr. Dale suggested that the Department explore making Westchester County's web based training available statewide. Mr. Cambridge agreed to discuss it further internally, but there would be issues such as the materials needing to be vetted through the Department and Westchester's local requirements that would not apply statewide.

### **Local Health Department Permit Fees**

Mr. Shay reported that the Department has looked into the concern that certain LHDs were charging a camp permit fee that was more than allowed by statute and found none. Although some LHDs charge inspection fees in addition to the permit fee, the Department does not review, restrict or approve fees charged for other services. Mr. Shay stated that fees are not a health or safety issue for this Council. Mr. Coleman thanked Mr. Shay for

providing information and suggested that camp operators should address issues related to fees charged on a local level.

### **Backcountry Water Treatment**

The topic of backcountry water treatment procedures for wilderness trips in which campers are consuming surface water from lakes and streams was introduced. Based on inquiries from this past summer, the Department is evaluating the minimum standards for backcountry water treatment. Prior to the meeting CDC's guidance document on the subject and several articles published and provided by Dr. Welch were circulated. Dr. Welch commented that he has found no peer reviewed papers documenting an outbreak associated with drinking backcountry water. His research and papers on backcountry illness focus on personal hygiene to prevent the spread of illness. Audience member Nancy Gucker Birdsall, North Country Camps, commented on her camps experience with backcountry water treatment and the difficulties finding filters that worked effectively for groups. She felt that disinfection was adequate treatment for camp wilderness trips. Mr. Shay stated that, in conjunction with the Bureau of Water Supply, the issue will continue to be evaluated and guidance should be developed for the 2016 season.

### **Other Business**

#### **Supervision of Boating Activities**

Mr. Scheinfeld asked for an update on the boating supervision fact sheet that was being drafted by the Department based on recommendations made by the Council. Mr. Shay stated that the document was not able to be finalized for distribution this year. As previously discussed two recommendations made by the Council for staff overseeing boating activities, including a recommended minimum age of 21 years-old and a recommended minimum of two seasons of past experience, deviate significantly from the requirements currently in the State Sanitary Code and may cause confusion among camp operators and local health departments. The Department does not have data that supports the more stringent recommendations made by the Council and is considering options for moving forward with the fact sheet.

#### **Youth Mental Health First Aid**

Mr. Dale reported that the Youth Mental Health First Aid certification course discussed at last year's fall meeting was given at his camp as part of counselor training for a representative group of about 30 staff. He received positive feedback from the staff that participated in the training and will be offering it again in the future.

#### **Camp Security**

Mr. Scheinfeld inquired about the largescale manhunt for two escaped prisoners in upstate NY this June and how it affected camps in the area. He asked if there was a role for the Department in assisting camps when these types of scenarios occur. Mr. Shay commented that he has previously checked with the Department's Public Health Preparedness regarding security at camps and was advised that working with local authorities is the best approach. Audience members that have camps in the vicinity where the manhunt occurred, stated that local and State police were in contact with the camps and provided assistance. Mr. Dale

commented that camps can contact local law enforcement authorities and they will come into the camp and provide information and guidance.

**Next Meeting/Adjournment**

The Council adjourned at 12:40 after tentatively scheduling the next Council meeting for Thursday, April 21, 2016.