



Creating a State of Health

MINUTES OF REGULAR SCHEDULED PUBLIC MEETING

This amended special meeting of the Food Service Advisory Council, scheduled to begin at 9:30 a.m. on this eighteenth day of January, 2017 was convened in accordance with the Oklahoma Open Meeting Act [25 O.S., §§ 301 et seq.] Further, an advance public notice that was sent to the Secretary of State's Office of Administrative Rules by Facsimile December 12, 2016, prior to this time today, specifying the time and place of the meeting here convened, preceded this meeting. Notice of this meeting was given at least twenty-four (24) hours prior here to and no one filed a written request of notice of meetings of this public body to date.

PUBLIC BODY: OKLAHOMA FOOD SERVICE ADVISORY COUNCIL

DATE: WEDNESDAY, JANUARY 18, 2017

ADDRESS: 21C MUSEUM HOTEL, OKLAHOMA CITY

CONTACT PERSON: TERESA MARTINEZ TELEPHONE: (405) 271-5243

Agenda Item 1:

Open Meeting Act

Bill Ricks announced the filing of the meeting and posting of the agenda in accordance with the Oklahoma Open Meeting Act.

Agenda Item 2:

Call to Order

Bill Ricks called the meeting to order at 9:34 a.m. at the 21C Museum Hotel, Oklahoma City, OK. Teresa Martinez called roll and a quorum was met.

Council members present: Phil Maytubby, Stan Stromberg, Larry Bergner, Roy Escoubas, Brenda Potts, Harold Kelly, Park Ribble, Elizabeth Nutt, Bill Ryan, Jim Hopper, Krista Neal, and Bill Ricks

Council members absent: Michael Farney and Erica Hering

Staff present: Lynnette Jordan, Don Maisch, Phillip Jurina, Marsha Allmon, Paul Gilbert, Chad Newton, Sam Cannella, and Teresa Martinez

Others present: Troy Skow and Mark Childress

Agenda Item 3:

Introductions of New Food Service Advisory Council Members, Michael Farney & Krista Neal

Krista Neal was present and spoke of her background in food and public health.

Agenda Item 4:

Update on the Required Restroom Signs Regarding Pregnancy

Rules regarding restroom signs required have been drafted and public notice was given. Comments on the proposed language has been received, reviewed, and provided to the Board of Health. The font size and type requirement will be removed and the sign size should be reasonably legible. The Health Departments website address will be placed on the signs. This language has been approved by the Board of Health and will go into effect January 1, 2018.

Senate Bill 30, if passed, amends the rules concerning restroom signs regarding pregnancy. This bill only requires signs to be posted at facilities that report abortions to the Oklahoma State Department of Health.

Agenda Item 5:**Review and Possible Action on Approval of December 7, 2016 Meeting Minutes**

Elizabeth Nutt made a motion to approve the minutes. Park Ribble seconded the motion.

Roll call

Aye: Phil Maytubby, Stan Stromberg, Larry Bergner, Roy Escoubas, Brenda Potts, Harold Kelly, Park Ribble, Elizabeth Nutt, Bill Ryan, Jim Hopper, and Bill Ricks

Abstain: Krista Neal

The motion carried.

Agenda Item 6:**Department Report – Licensing & Inspection Update**

Summary of Establishments and Summary of No Inspections reports were provided and Lynnette Jordan explained the information it held. At this time there are 6,353 facilities that have not had the required one inspection for the fiscal year to meet the mandate.

Agenda Item 7:**Review, Discussion and Possible Action on Proposed Changes to Oklahoma Administrative Code (OAC) 310:250 Consumer Health Service – Fee Schedule 14:28 to 1:13:57**

The Food Service Council will be meeting again on February 9, 2017 to allow time for Jim Hopper to take this information before the Oklahoma Restaurant Association. A vote for approval/disapproval will not be made at the January 18, 2017 meeting. This agenda item has been brought before the Council for comment, discussion, and possible action concerning revisions.

Lynnette Jordan provided a draft of summary response to comments received. Multiple attempts have been made to modify and moderate the renewal fees. The re-inspection language and fee has been reinstated. The fee of \$200.00 will be charged on the second re-inspection, or after two consecutive inspections. The plan review fee has been reinstated as it is a service and requires time and effort to review. There was some controversy over the re-inspection fee, that it will not be evenly enforced across the state. The counties that are not fully staffed will not likely reach the point of charging this fee, however, those that are fully staffed are likely to.

An example of the second re-inspection would be that if upon the first routine inspection, a violation is noted, then it is determined that a follow-up activity/action is allowable; this would not count as a consecutive inspection. If upon the next routine inspection, the same violation is noted again, this is the second inspection and if the facility requires a follow-up inspection at this point, then the fee would be charged.

Elizabeth Nutt stated that Tulsa has already received push back concerning the increased fee of temporary licensure. During the open comment phase of the regulations, there were no comments regarding this.

There were some concerns stated that due to reduced staff and the mandate requirement of one inspection a year, some facilities may not have the high level inspections that they need.

Jim Hopper suggested implementing a verifiable self-inspection program approved by the Health Department. In this case, they would only be required to have 3 inspections a year instead of 4. At this time there is a procedure that if an establishment remains compliant the number of yearly inspections performed can be reduced.

There was a suggestion to use some of the revenue from the increased fee for inspector training.

Agenda Item 8:

Discussion on Legislative Agenda Items Possibly Impacting the Food Industry

Not all of the bills were showing up online to be reviewed. The February 9, 2017 meeting will provide another opportunity to review any bills not discussed at this meeting.

There is possibly a bill to use the food from schools sharing tables to provide food for the homeless.

ABLE, at this time, will be the responsible agency for liquor stores that are allowed to sell food. Bill Ricks requested those who provided lists of House and Senate bills to please update the lists for the next scheduled meeting.

Agenda Item 9:

Old Business

None

Agenda Item 10:

New Business

Jim Hopper received a call from multi-unit general manager of a quick serve chain. The manager stated that there was an issue with the inspector concerning the use/nonuse of gloves in the facility. There should not have been an issue unless the employee was violating the hand washing procedures.

Agenda Item 11:

Announcements

Tulsa has one vacancy and was awarded an FDA grant. Oklahoma County has a new Sanitarian and was awarded two FDA grants.

Agenda Item 12:

Next Meeting Date: February 9, 2017 – HRAD Office, 365 Human Sciences, OSU Campus

The meeting is scheduled at 1:00 PM.

Agenda Item 13:

Adjournment

Jim Hopper made a motion to adjourn. Bill Ryan seconded the motion.

Roll call

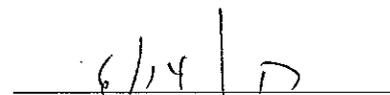
Aye: Phil Maytubby, Stan Stromberg, Larry Bergner, Roy Escoubas, Brenda Potts, Harold Kelly, Park Ribble, Elizabeth Nutt, Bill Ryan, Jim Hopper, Krista Neal, and Bill Ricks

The motion carried.

The January 18, 2017 meeting of the Oklahoma Food Service Advisory Council adjourned at 11:29 a.m.



Chair or Secretary Signature



Date Approved by Vote