

CITY-COUNTY COMMON
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Mayor
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***REVISED* AGENDA**
TUESDAY, JANUARY 9, 2007
COUNTY-CITY BUILDING
555 SOUTH 10TH STREET, ROOM 113
8:30 A.M.

1. APPROVAL OF COMMON MEETING MINUTES OF TUESDAY, NOVEMBER 7, 2006.
2. 8:30 A.M. CONFIRMATION OF CITY-COUNTY COMMON MEETING DATES FOR 2007.
3. 8:35 A.M. ELECTION OF CITY-COUNTY COMMON OFFICERS FOR 2007.
4. PRESENTATIONS
 - 8:40 A.M. a. **National Standard of Practice for Interpreters in Health Care** - Kit Boesch, Human Services Director; Lori Seibel, Community Health Endowment Director; Steve Beal, Health Department Deputy Director; and Suzanne Pringer, University of Nebraska-Lincoln Standards Chair
 - 9:00 A.M. b. **Combined Weed Program Annual Report** - Russ Shultz, Weed Control Authority Superintendent
 - 9:20 A.M. c. **Motor Sports Task Force**
 1. City Council Selection of Representative to Motor Sports Task Force

CITY-COUNTY COMMON MINUTES TUESDAY, JANUARY 9, 2007

Common Members Present

County Commissioners: Bob Workman, City-County Common Chairman, Bernie Heier, Deb Schorr, and Ray Stevens.

City Council Members: Dan Marvin, City-County Common Vice-Chairman, Patte Newman, Ken Svoboda, Robin Eschliman, and Jon Camp.

Other Common Members: Mayor Coleen Seng.

Members Absent: Jonathan Cook (City Council) and Larry Hudkins (County Commissioner)

Others in Attendance: Kit Boesch, Human Services Director; Lori Seibel, Community Health Endowment Director; Steve Beal, Health Department Deputy Director; Suzanne Prenzer, University of Nebraska-Lincoln Standards Chair; Karen Bahr, Medical Translation and Interpretation Leadership Group; Russ Shultz, Weed Control Authority Superintendent; Kerry Eagan, Chief Administrative Officer; Gwen Thorpe, Deputy Chief Administrative Officer; Marvin Krout, Planning; Karl Fredrickson, Public Works and Utilities; Coby Mach, LIBA; Mary Meyer, County Commissioners/City Council Clerk; and other interested parties.

Chairman Workman opened the meeting at 8:30 a.m. and stated the Open Meeting Laws were posted. He called for approval of the November 7, 2006 Common meeting minutes. Svoboda moved to accept the minutes with Stevens seconding. Roll taken with motion passing unanimously.

Second item of business was the election of the City-County Common officers for 2007. Heier nominated Marvin for Chair, with Schorr seconding. Workman called for discussion. Roll taken with motion passing ten to zero. Workman nominated Ray Stevens for Vice-Chair with Heier seconding. Roll taken with motion passing with nine ayes and one abstention.

Workman referred to **Attachment A**, listing the 2007 City-County Common meeting dates. Short discussion with dates accepted. Next City-County Common meeting to be held on Monday, February 5, 2007.

National Standards of Practice for Interpreters in Health Care - Kit Boesch, Lori Seibel, Steve Beal, Suzanne Prenzer, and Karen Bahr. **(Attachment B) (Attachment C)**

Boesch stated the community, with the Community Health Endowment, completed a strategic plan addressing medical translation and interpretation, called the MPI Group with a task force formed to implement key strategies. One strategy is to improve the quality of community services. She stated there are national standards which represent a bar of excellence this community could strive for.

Boesch stated Lincoln has many nationalities. She related an experience in which she observed a young boy explaining medication directions to his father who didn't understand or speak English. Boesch stated such experiences are reasons she serves on the MPI Task Force. Boesch said many groups have endorsed the standards and is asking for this group to endorse.

Prenzer said she is a Medical Translating and Interpreting Advisory Group member and here to talk about the National Council for Interpreters in Health Care Standards, stating over 50 community leaders are pondering issues to devise a plan addressing medical translation and interpreting for the City of Lincoln and Lancaster County.

Prenzer stated the Community Health Endowment joined with the New Americans Task Force to sponsor

focus groups on medical interpretation and translation for non-English, and limited English speaking, clients/population. Prenzer said numerous obstacles, such as risk management concerns, additional tests, etc. could result from not communicating in the language of the health provider. She stated quality interpretation is vital for providers and critical in ensuring basic health care to all patients

Prenzer said the standards were framed because lack of qualified trained interpreters continues as a barrier for quality health care. She stated a qualified interpreter provides guidance, clarifies objections, helps to comply with Executive Order 13166, indicating people be allowed access to interpretation services if receiving health care in an institution receiving federal funding, and Title Six is another foundational law.

Prenzer stated the attachment contains standards history and how they deal with accuracy, confidentiality, impartiality, respect, cultural awareness, and interpreter boundaries and their role in advocacy, all grounded in ethical principles. She added interpreters work without creative editing or flourish, and communicate the message content/intent as accurately as possible, advising everyone and correcting any errors in interpretation. Prenzer said with HIPPA confidentiality is an absolute standard, and there is guidance on an interpreter maintaining written patient information. An interpreter does not allow personal judgment, or values, to influence objectivity and impartiality, refraining from counseling, advising, projecting personal beliefs, with professional respect for all. Interpreters sometimes encourage cultural understanding, or facilitate through barriers which may lead to mis-communication/mis-diagnosis. All are found in the standards.

Workman introduced Seibel, the Community Health Endowment Director, and Beal, second in line at the Health Department. Seibel said the Endowment believes our community does a lot of things very well regarding health care, but every so often there may be a hole which is addressed. One item, after studies like the Blue Print Project, RWJ Studies, and Urgent Matter, is medical translation and interpretation. After this identification the Medical Translation and Interpretation Leadership group developed. Seibel stated they hired Bahr, an expert putting together community and endowment funds. She said eight guiding principles developed with one to look at the highest benchmarks, the sub-guidelines a community should strive for with translation and interpretation. Seibel stated her Board endorses the standards and does competently state this is what our community should strive for, and now is encouraging this body to endorse.

Beal said at the Health Department Dental Clinic between 60%-65% of clients are non-white and a large majority do not speak English. The Health Department wants competencies within their staff, having access to resources, with Lincoln offering an array of resources they utilize. Beal said medical services are delivered in an accountable, appropriate way but thinks having standards is incremental, a bar to strive towards. The Health Department has taken steps including advising staff of community resources available and makes efforts to recruit people with skill sets allowing them to be more competent in the area of standards. For example, people who speak more than one language, or participated in training at Southeast Community College, which is in line with competencies which move us towards the standards.

(Attachment C) Beal stated whenever possible they use staff to interpret, and when not possible will access Community Helping Immigrants and Refugee Progress in Lincoln, known as the CHIP line. Also use Language Link and Lincoln Action Program. Beal said these offer a buffet of resources to do a better job of interpretation and translation. The Board of Health endorses and has worked towards standards for quite some time, and would ask this body to endorse. .

Heier said he is in favor of standards but are people encouraged to learn English? Prenzer replied absolutely yes, stating there's a Lincoln Literacy Council project working with Health Literacy and English combined, so people may be more able to participate in their health care, which is the goal. Seibel said she's watched middle Eastern women learn English, and health care issues, at the same time.

Workman asked Boesch how many languages are spoken in Lancaster County? Boesch stated Lincoln Public Schools are the best indicator, with over 1700 children, speaking 52 different languages, from 48 different countries. Stevens stated he appreciates the collaboration of this committee and community agencies and asked what would she want this body to do? Boesch answered she'd like the City of Lincoln and the Lancaster County Board to officially endorse these as standards we would set in our community.

Schorr assumed if you request an interpreter a fee is involved, and asked how it is allocated? She asked for situations and charges per hour. Boesch said the Juvenile and Adult Court Systems pay \$30.00 an hour. Beal said if using staff is not that expensive, and uses when possible. He said the CHIP Line provides 15 minutes free time, but do have situations where it may be costly and stated there will be the need to work through as this progresses. Seibel said physicians are required to provide an interpreter, if asked, at their own cost. She stated for example with a Medicaid client, an interpreter will cost \$40.00 to \$50.00 for the visit with the physician reimbursed \$25.00 from Medicaid, resulting in physicians losing money seeing non-speaking English clients. Seibel said another issue is how to provide opportunities with some Medicaid reimbursement.

Marvin said he questions the limited consequences. He stated for doctors with Medicaid patients there is an incentive to drop the non-English speaking and if they drop Medicaid he thinks until the unintended consequences are worked through we don't wind up with standards which cost more and serve fewer people. Prenger stated the office of management and budget found the ultimate cost would be minimal with factoring in potential malpractice, risk management issues, and unnecessary testing. At an initial glance we look at the hourly rate, but we would be saved from malpractice law suits, which have begun. Prenger said it is a complicated issue, and trying to look at all the facets.

Camp said by adopting the standards, even with setting aside the malpractice element, may be talking \$35.00/hour for a \$20.00/charge. He said in a client situation such as Boesch observed it could be \$55.00 for a \$20.00 medication. Camp asked who's to pay the fees and where does it fall on the taxpayer? Also, what is the Health Endowment going to cover, adding he could not adopt a standard unless he completely understands. Camp stated it's very laudable, but there is also a cost.

Boesch said she thinks one thing you do is set a standard because it's right. These standards say what's right, not it's going to cost money. Boesch stated it isn't easy to say this person, or entity, has to pay. She said multiple entities need to step up, look at doing this, and being able to afford it. Boesch stated the CHIP Line, on line 8 years, is now used by more people who recognize what's right. Boesch said Medicaid needs to come to the table, along with HHS, and the State, to also recognize this. Boesch stated it is not an easy process but communities should stand up. She said we need help paying and couldn't go to the Legislature if they didn't know the community wants to do what's right. If communities are willing to let kids interpret for doctors they don't need to allocate money or make changes. She said California has passed, or looking at passing, a law saying no individual under the age of 18 is to interpret for health care.

Mayor Seng asked if we are committing financially by adopting the standards? Boesch replied absolutely not. Mayor Seng stated this body normally does not vote but takes back to the individual boards and again asked if there would not be fiscal impacts attached to setting the standards? Boesch said there would be fiscal implications, saying if doctors have standards they adhere to which ultimately becomes law someone is going to have to pay. Boesch said now doctors are paying with Medicaid helping. She stated if our State is welcoming new Americans we either see them in emergency rooms, where we pay anyway, with possibly a malpractice suit. Boesch stated it is not a matter of dodging a bullet on a dollar but doing what's right and having the State come in as a partner. Boesch stated there will be some fiscal impact as it's the right thing and said she didn't know if it would cost the City and County money. Boesch stated the City and County should take a stand as there are right and wrong ways to deal with medical health care in this community. She said if you set a bar and standard you are saying it's our standard and how are we going to meet it? Boesch

stated we need to meet as an entire community with the State. Mayor Seng asked if the JBC was involved? Boesch said the JBC said to bring it to this group.

Newman stated she lived in a foreign country for 16 years and learned the language but her concern would be if the bar is set too high. She said we can learn Vietnamese, etc., but it doesn't give the interpreter the ability to replicate style, tone, or cultural background of the speaker. Her concern would be once we set the standard and have an emergency situation can we then have a 12 year old interpret when you have no one else?

Prenger said according to the training of the office of civil rights they look for intent. She said you do the absolute best to respond to a situation, and if the trained interpreter is assigned elsewhere you look at the next step level. Prenger stated this is the standard we're striving to but we see a community default mechanism saying it's all right to pull an 8 year old out of school as a quick fix. Prenger added one bonus of the standards, and interpreters beginning to professionalize, is the development of small businesses. She said in Lincoln there are three small businesses dedicated as interpreters. Prenger stated the pay scales have a range, offering the flexibility of the intent to do the best one can, striving towards training, with institutions demonstrating the intent. Newman said this is a very important as with 65 languages we do have a problem.

Beal said it is a benchmark to strive towards, adding he is competent of his staff delivering services in the clinic, and doesn't want an inappropriate interpreter, i.e., a child with a mother. Beal stated this is larger than children interpreting and these are recommendations which may have fiscal impact, but stated we would be irresponsible not to have competency sets and standards. He added he came to this body with that intent, not the intent of being extremely costly, as they're recommendations, not mandates.

Workman stated with approval of this Board would suggest to bring to the County Board and the City Council's agendas as there are questions. Mayor Seng stated she would encourage the JBC to also have a discussion as this is extremely important to the community, residents, the business community, and the medical profession. Workman agreed it should also be brought before the JBC. Camp stated for the City doesn't want to commit now but have at a pre-council to discuss. Workman thanked presenters.

Combined Weed Program Annual Report - Russ Shultz

(Attachment D)

Shultz gave a program history saying the reason the City and County work together on a combined weed program was the amendment passage to the Noxious Weed Control Act in 1989, stating cities shall control noxious weeds within their city. He said in 1996 we entered into an interlocal agreement of the County and City saying the Lancaster County Weed Control Authority would administer the City of Lincoln's Weed Abatement Program, and noxious weed control within the City. Shultz said the money or debt of the City and County would be determined yearly, and in 2004 was decided to split equally between City and County.

Shultz stated there were 6200 inspections on approximately 2800 sites last year, a 8% increase. He said the increase was mostly on weed abatement. Shultz referred to the report stating weed abatement heights were added with the need to continue to monitor. Of the violations 98% had heights over 12 inches, only 2% of violations at 7 to 12 inches, and 340 which were non-violations. He said also had 411 inspections under 12 inches, equating to approximately one-half of an inspector's time for the season, meaning we're spending too much time and not accomplishing enough. Shultz added on multiple violations had 15 landowners with 293 violations, 10 or more violations each and a total of 217 landowners with multiple violations, who comprised 16% of all violators, 42 % of violations, and 35% forced cuttings.

Shultz said on the inspections and funding in 2004 had 3 county inspections, with a county inspection probably 3 times as much time as a City inspection. He said in 2004 probably had a 48% - 52% split between City and County workload, going closer to a 60%-40% split in '05 and '06, and projecting in calendar year

2007 a 60%-40%. The City has 60%. Shultz said with the funding, after the decision to split and what happened in '05, '06 and '07 the recommendation is consideration for an adjustment based upon a 2 year history of 60%-40% and projections for next year of the 60%-40 % split.

Marvin asked Shultz if he was saying the City would pick up more cost of weed control? Shultz replied yes. Marvin said if one does the math, 85% of the tax revenue of the County comes from City of Lincoln residents and 100% of property tax dollars from City residents comes from City residents. Doing the math it appears City of Lincoln residents are picking up about 94% of program costs, and only creating 60% of the workload, from the dollars standpoint. Marvin said it seemed like City dollars are paying for a misappropriate amount.

Shultz said with having a City Weed Abatement Program you're responsible for noxious weed control within the City, and it's a matter of funding the program. Shultz stated this is a split between the program workload, plus the inspection program outside the City. He said it does not include any workload outside the City limits of Lincoln. On multiple violators he said they do send letters seeking cooperation of compliance. Shultz said he brought this forward today as each group needs to make a decision on the split. Workman stated this also would need to come before each body and he asked if Shultz would be giving a report to each body. Shultz said he normally does not. Schoor commented this discussion would be a part of our joint budget. Workman said Marvin is talking about a very general concept which we're not going to solve in one minute.

Camp asked with the repeat offenders any thoughts of higher penalties? Shultz said he did propose at one time increasing rates for repeat offenders, but the law office felt it wasn't appropriate. Camp stated he agrees with having an increased fine.

Shultz stated after review of the report to contact him with any thoughts on the operation. Workman said we'll wait for the budget discussion noting the suggestion of 60-40. Schoor said the budget discussion would be held on July 17th. Workman thanked presenter, adding Shultz won a statewide award for weed control.

Motorsports Task Force - Kerry Eagan

(Attachment E)

Eagan stated the task force has met and member list distributed. Schoor stated the task force meets Wednesday mornings at 7:30 with various sub-committees. Eagan said the next major meeting is set for January 24th, although may be the 31st as an out of town doctor will do a noise presentation. Eagan said the document is a task force charge and stated it is important for the City Council to appoint a voting member, and the Mayor's office to provide an ex-officio. Mayor Seng stated their representative is Darl Naumann with Eagan replying it wasn't the original understanding he was an ex-officio. Mayor Seng said the chair and vice-chair were informed the previous week. Workman said Naumann would not be a voting member, but the Mayor's office does have the right to have a voting member. Eagan said the City Council can appoint a voting member and the Mayor's office was ex-officio, but Darl would fill that role nicely, with Mayor Seng agreeing. Workman stated the City Council can appoint a member.

Eschliman stated she moves they stay and resolve the issue, as there already have been two meetings. Stevens said he remembered the City Council was asked to appoint a non-elected official to the committee, but it would be the City's decision. Workman stated the City Council will stay here and the County Board will excuse themselves as there is a meeting starting shortly.

Workman thanked everyone for their attendance. Marvin thanked everyone and the meeting was adjourned. 9:28 a.m.

Mary Meyer, Clerk

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