

**Texas Youth Camp Advisory Committee
Meeting Notes & Action Items**

Purpose or Goal: Youth Camp Advisory Committee Meeting	Location: Department of State Health Services, Exchange Building, N 102, Austin, Texas
Meeting Date: 10/06/2011	Time: 9:30 – 3:15

Attendees		
Beau Biron Committee Member	Danny Dawdy Committee Member	William Hinton Committee Member
Patricia Osborn Committee Member	Kathryn Ragsdale Committee Member	Paula Anderson DSHS
Laura Pfefferle DSHS	Heather Muehr DSHS	Michael Minoia DSHS
Larry Raper DSHS	Mark Hall DSHS	Susan Tennyson DSHS
Vicki Cowling DSHS	Olivia Walker DSHS	Rick Denison
Chuck Hart	Courtney Hoffman	Chas Serol
Gail J. Zahara	Rob Kessler	Britt Darwin-Looney
Laura Hartmann		

Minutes
<p>The meeting was called to order at 9:43 by William Hinton. Everybody present introduced themselves. Committee member Kathryn Ragsdale participated by teleconference and two-way communication was maintained throughout the meeting.</p> <p><u>Review and approval of the meeting minutes from the last two meetings of the Advisory Committee.</u> The committee reviewed the minutes from the 08/25/2010 and 02/24/2011 meetings. Meeting minutes were approved.</p> <p><u>Department of State Health Services updates.</u></p> <p>Susan Tennyson, Director, Environmental and Consumer Safety Section, talked about how the Department funding and budgets were cut this past legislative session. DSHS is looking at which activities have a higher risk to public health. The Department is working with HHSC and leadership downtown to determine which activities provide the greatest amount of good with the resources we currently have. This process will take awhile. We are also working on implementation of bills passed this legislative session. Rider #59 to the appropriations bill mandates that DSHS cover the costs of programs where a fee can be charged and to look at ways to reduce inspections. The Department is currently trying to identify programs for which a reduction in the number of inspections would have the least impact on public health. Comments and recommendations from the advisory committee and the public on how best to allocate resources were encouraged.</p>

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Larry Raper, Manager Environmental Health Enforcement Unit, talked about the history of the enforcement unit and about how cases are processed. He provided a handout of the mandatory considerations in determining the amount of penalties assigned. He talked about how cases were considered by an Enforcement Review Committee (ERC) prior to a Notice of Violation letter being sent to the camp's designated license representative. The ERC is comprised of different program specialists, including representatives from Licensing; Inspections; Policy, Standards, and Quality Assurance; and Enforcement. During the informal conference, we work together with the camp's designated representative to resolve issues. The process is fair across the board to all licensed individuals and facilities. Patricia Osborn would like to see an additional level in the enforcement process, where the designated license representative is contacted prior to a Notice of Violation being sent out. She indicated that more effective internal measures could be taken to correct problems following timely notification of camp management soon after deficiencies are found.

Discussion/report on the 2011 youth camp inspections. Michael Minoia gave a summary of the 2011 youth camp inspections. There were 535 licensed youth camps in 2011, of which 470 were inspected. This represents an 87.9% inspection rate of licensed youth camps, an increase from the 2010 rate of 78.2%. Additionally, several youth camps operating without a license were inspected. Again this year, if any camp was found to have deficiencies, the Department of State Health Services (DSHS) has required a Corrective Action Plan (CAP) from the camp to address the deficiencies. If a CAP was found to have adequately addressed all of the issues, then the matter was closed without further action. There were 67 cases forwarded for escalated enforcement. These cases included all of the unlicensed youth camps, as well as camps that did not send in a CAP in the appropriate time frame. Among the most common violations noted this year were, again, appropriate documentation of criminal background checks and character and integrity records, and lack of a bound medical log or other unalterable record keeping system. Bill Hinton stated that consistency and thoroughness of inspections by inspectors is very important. Patricia Osborn commented that camp inspections should not be reduced and should not occur only when a camp is having problems but routinely to help staff maintain compliance. The availability of the inspection checklist and inspection matrix on the youth camp program website, and using these to do self-inspections, was noted. Paula Anderson discussed efforts toward standardizing regional inspectors.

Paula Anderson stated that terms of three members of the youth camp advisory committee were due to expire in 2011. Additionally, all member terms had expired for the youth camp training advisory committee. She discussed the process to replace members whose term had expired, and stated that DSHS hoped to start the process for both committees within the month. Bill Hinton wanted to know if the youth camp advisory committee could also be the youth camp training advisory committee. Laura Pfefferle stated that members of the youth camp advisory committee could also serve on the youth camp training advisory committee, but that each member would need to apply individually and be evaluated for the position.

Mike Minoia discussed the approval process for a training and examination program on sexual abuse and child molestation.

Heather Muehr talked about how well the licensing process went this year. Leonard Rivas is her top administrative person in the unit, and was put in charge of the youth camp licenses.

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Kathryn Ragsdale wanted to know if the committee could get a report about which types of camps are having more frequent violations. Paula Anderson noted that the frequency of violations is dependent in large part upon the opportunity to conduct inspections, and stated that we would provide this report.

Proposed rules for Campus Programs for Minors. Mike Minoia presented the draft rules for Campus Programs for Minors, which were mandated by the passage of Senate Bill 1414. He discussed the rule making process and handed out an example time line for a rule approval. Bill Hinton opened up the discussion for public comment concerning the draft rules. Britt Darwin-Looney, with Praesidium, Inc., recommended that §265.404(a)(5) be separated out. Do not permit one-on-one adult to minor encounters, and minimize one-on-one child to child encounters. The committee voted to support the adoption of these rules.

New draft youth camp rules. Bill Hinton stated that it was very important for good communication between the committee and the department. He wants to develop the best possible rules that work for both the youth camp industry and the department. He wanted to understand the Department's perspective of the new draft rules. There was a discussion of the March 1, 2011 Youth Camp Advisory Committee Youth Camp Rules Working Document versus the current youth camp rules. It was decided to table the Rules Working Document due to time considerations that would be necessary for a complete revision of the youth camp rules. Instead, the committee decided to make specific recommendations for changes to the current youth camp rules. In order for the changes to be effective for the 2013 camping season, the proposed changes would need to go to the DSHS Advisory Council by June, 2012.

The committee made the following recommended changes to the youth camp rules:

- §265.11(25)(G) Add the word "and" to the end to read "(G) operates as a youth camp only during school vacation periods; and"
- §265.11(25)(H) Reword to read "(H) offers one or more skill enrichment, recreational, athletic, religious, or educational activities, in indoor or outdoor settings."
- §265.11(25)(I) Delete.
- §265.12(g) Delete "Title 5 (Offenses Against the Person), Title 6 (Offenses Against the Family), Chapter 29 (Robbery) of Title 7, Chapter 43 (Public Indecency) or". This would read "(g) Persons whose presence at a youth camp shall be precluded. Youth camps shall not employ paid or unpaid staff members or volunteers at a youth camp, or permit any person to have unsupervised contact with campers other than their own children if the person has the following types of criminal convictions or deferred adjudications: a misdemeanor or felony under Texas Penal Code, §42.072 (Stalking) of Title 9, §15.031 (Criminal Solicitation of a Minor) of Title 4, §38.17 (Failure to Stop or Report Aggravated Sexual Assault of Child) of Title 8, or any like offense under the law of another state or under federal law."
- §265.12(h)(1)(A) Add "Title 5 (Offenses Against the Person), Title 6 (Offenses Against the Family), Chapter 29 (Robbery) of Title 7, Chapter 43 (Public Indecency)." This would read: "(A) a misdemeanor or felony committed within the past ten years under Title 5 (Offenses Against the Person), Title 6 (Offenses Against the Family), Chapter 29 (Robbery) of Title 7, Chapter 43 (Public Indecency) of Title 9, §46.13 (Making a Firearm Accessible to a Child) or Chapter 49 (Intoxication and Alcoholic Beverage Offenses) of Title 10 of the Texas Penal Code, or any like offense under the law of another state or under federal law; or"

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- §265.12(h)(2) Add “by two or more camp executive staff”. This would read: “(2) Camp management shall have on file a written evaluation by two or more camp executive staff for any staff member or volunteer with a criminal conviction or deferred adjudication included in paragraph (1) of this subsection, showing that management has determined the person is suitable for a position at the youth camp despite a criminal conviction or deferred adjudication.”
- §265.15(f) Add “at the minimum”. This would read “(f) Designation of a first aid area. A first aid area, used exclusively to handle health and emergency cases, shall be designated and suitably equipped. A first aid kit containing at the minimum the items listed in this subsection shall be available in the first aid area.”
- Change Figure: 25 TAC §265.16(f)(1) to:

Figure: 25 TAC §265.16(f)(1)

Item
Sterile adhesive bandages in assorted sizes
2-inch sterile gauze pads
4-inch sterile gauze pads
Hypoallergenic adhesive tape
Triangular bandages
2-inch sterile roller bandages
3-inch sterile roller bandages
Scissors
Tweezers
Needle
Moistened towelettes
Antiseptic
Thermometer
Finger splints
Tube of petroleum jelly or other lubricant
Assorted sizes of safety pins
Cleansing agent/soap
Exam quality gloves

- §265.19 Add new (d). This would read: “(d) Safety belts. “In any vehicle used for transportation that is equipped with safety belts or that is required by any law to be equipped with safety belts,
 - (1) the safety belts shall be in good working condition, and
 - (2) all campers shall wear the safety belts provided.”
- §265.29(c) Add new sections dealing with the committees.
 - (6) Presiding officer. Each committee shall annually select from among its members a chair who will serve as the presiding officer of the committee. The presiding officer of the committee shall preside over the committee.
 - (7) Reports. The presiding officer shall file an annual written report with the department.

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- (A) The report may list the meeting dates of the committee and any subcommittees, the attendance records of its members, a brief description of actions taken by the committee, a description of how the committee has accomplished any specific tasks officially given to the committee, the status of any rules that were recommended by the committee, and anticipated activities of the committee for the next year.
- (B) The report shall cover the meetings and activities in the immediate preceding 12 months and shall be filed with the department each [choose month]. The report shall be signed by the presiding officer.
- (8) Committee abolished. By October 1, 2021, the executive commissioner will initiate and complete a review of the committees to determine whether the committees should be continued, consolidated with another committee, or abolished. If a committee is not continued or consolidated, the committee shall be abolished on that date.

Committee Reports on youth camp rule revisions. Tabled for discussion concurrent with revision of the youth camp rules to follow the proposed amendments currently under consideration.

Public comment. Britt Darwin-Looney recommended that §265.12(i)(5)(D) be separated out. Do not permit one-on-one adult to minor encounters, and minimize one-on-one child to child encounters. This will be recommended to the Youth Camp Training Advisory Committee for review.

Chuck Hart with Echo Hill Ranch wanted to know if the requirement for all riders (campers and instructional staff) to wear hardhats, with regard to horseback riding programs applied to Rodeo events. It was discussed that a rodeo event was not a traditional horseback riding program, but more of an adventure/challenge program. Vicki Cowling mentioned that a bill passed in the 2009 legislative session that requires a bull riding helmet for minors at rodeo events.

The next committee meeting was set for February 2, 2012 at the Exchange building from 9:30 to 4:30. Election of the chairperson, vice chairperson, and secretary of the committee will be placed on the agenda.

Meeting was adjourned at 3:15.

Minutes approved: _____

William Hinton, Chair, Presiding Officer