

MEMORANDUM

June 7, 2022

To: LaPlata County Board of County Commissioners
Archuleta County Board of County Commissioners

From: Karin Daniels, Chair, San Juan Basin Board of Public Health
Shere Byrd, Co-Chair, San Juan Basin Board of Public Health

Re: Report on work session regarding the future of the San Juan Basic Public Health District

On April 28, 2022, the San Juan Basin Board of Public Health met in an in-person work session to discuss a number of issues related to the joint health district encompassing LaPlata and Archuleta counties. By prior agreement, arguably by all but one of the members, the meeting was held as an in-person-only session so that we could communicate directly as a Board. Members present were Karin Daniels, Shere Byrd, Terry Peterson, Bob Ledger, Jon Bruss, and Marsha Porter-Norton (La Plata County Commissioner). Alvin Schaaf (Archuleta County Commissioner) was listening via a public internet connection. The agenda focused on the following issues:

- Board of Health roles and responsibilities and avenues of communication with the communities served by San Juan Basin Public Health.
- The Health District – how a district is defined, its core public health responsibilities, and how the Board perceives the current district model is working for each community.
- The current Public Health Improvement plan (PHIP) - how it was developed, and management decisions around services provided under the current PHIP.
- The upcoming process of Community Health Assessment for the new Public Health Improvement Plan.

SJBPH is a District Public Health Agency, an independent subdivision of the State of Colorado, (re)formed by resolution in 2009 by Archuleta and La Plata counties in order to fulfill statutory public and environmental health obligations and authorities in these two counties. The district complies with Colorado Department of Public Health requirements. It serves a population of <100,000 people and is overseen by an independent Board of Health comprised of a representative from each Board of County Commissioners, and five additional members selected and approved by the BOCC representative members for the expertise and oversight they can contribute. In addition to the Commissioners, there are three members from LaPlata County and two members from Archuleta County.

Board of Health roles and responsibilities and avenues of communication

SJBPH's Board policies explain the roles and responsibilities of serving on the Board. The Board works under a model described as a Governing Board, with the major distinction being that members do not directly influence day-to-day operations of the district, but work via District policies and the Executive Director to oversee operations and financial accountability. This requires a level of trust in the management of the District and creates a boundary between oversight and execution of services.

Difficulties in communication have been exacerbated by social distancing, changes in the frequency of Board meetings, the challenges of onboarding of new Board members in a public health emergency, inability to meet in person, and escalated divides between social and political views that have occurred over the last several years. While the Board can now meet in person, it may be that the divides that exist between the two counties now demand that the BOCCs take a closer look at the viability of the combined Health District and its governance structure.

Public Health Improvement Plans

The most recent Community Health Assessment (CHA) and Public Health Improvement Plan (PHIP) was undertaken and adopted by the Board of Health December 2018 and is in effect through 2023. Public focus groups, and other stakeholders from both counties provided input about what they perceive as public health priorities. The SJBPH executive team then developed a plan for services based on their expertise and that stakeholder input. The current plan is based on the 2018 combined priorities for both counties and the core public health requirements in place in 2018. Obviously, priorities for the upcoming PHIP will be different than they were in 2018. In addition, the Colorado Department of Public Health has revised policies governing the delivery and assessment of core public health requirements for each district. Differences in county priorities and desires are already being voiced. Other considerations/influencers now include the pandemic, elections, and societal changes. County views of the regulatory role of Public Health in each community are seemingly very different and have made the work of the SJBPH department at times challenging.

The Community Health Assessment (CHA) process for the next five-year plan is beginning this year. Board members acknowledge that both counties may identify different priorities and that there are philosophical differences around Public Health in general. These differences will further impact San Juan Basin Public Health in terms of what can and cannot be done with the funding that they currently receive from each county, and the personnel that are required to deliver the spread of services that might be demanded. Because of the timing of the CHA/PHIP process, it creates some opportunities for BOCCs to make decisions about the continuation or dissolution of the Health District. PHIPs are required every 5 years and they are typically used to provide guidance to Health Districts for delivering the minimal core services required of each District. If the Health District were to be dissolved, each county could focus on delivery of services deemed relevant to their county by undertaking separate CHA/PHIP processes.

Options Regarding the Health District

The Colorado Department of Public Health requires that each county have either a local public health agency or participate in district public health agency. A population < 100,000, the County (not participating in a District) can choose to have a local Board or be governed by at least three county commissioners, and the BOCC chooses the structure. Together, as a District Archuleta and LaPlata Counties fall into the category requiring a District Board of Health with a makeup as set forth in C.R.S. 25-1-508(3)(a) that requires a local Board of Health. Separately, each county would fall into a second category and could choose to have its BOCC or independent Board oversight of each District. Again, the structure allows for either more direct county control of a Health Agency via the BOCC or more independent control of an Agency through a local independent Board. Once either BOCC makes a decision to dissolve the current District, the State requires that there is mandatory one-year transition period during which separation would occur. This would occur in a stepwise process during which the current District Health Department would continue to deliver all agreed upon services to each county.

Following this year-long process, each county would then begin to make their own decisions about organization and delivery of core public health services as well as other services prioritized by their governing bodies.

Board of Health Recommendation Regarding the Health District

At a meeting scheduled on April 28, 2022, the San Juan Basin Board of Health made a recommendation to dissolve the Public Health District. That recommendation now goes, via this report, to both sets of County Commissioners to act upon. Each Board of County Commissioners can determine if it chooses to take this recommendation and vote to dissolve the District. Importantly, one County's decision constitutes a dissolution.

In order to move forward as a *combined* county district, major changes would need to be undertaken to repair relationships, protect the safety of SJBPH staff and Board of Health at all times, and re-develop a partnership of trust. Core public health services would still need to reflect the combined desires of both counties and Archuleta and LaPlata county citizens would retain an excellent and comprehensive public health infrastructure.

Over the past year, Archuleta County has been actively exploring separation through an Investigative Health Committee but has not made any decisions. At the Board of Health work session, the La Plata County BOCC representative to the Board of Health also expressed an intent to have La Plata County explore separation. This has placed the District in a position of continued uncertainty and disunified governance. Lack of support for the Districts' directions and programs, as well as public questions about financing for desired and undesired regulatory functions of public health has undermined the perception of the Public Health structure in *both* counties. Personnel who have worked tirelessly to protect the health of District communities feel demoralized and discouraged.

The Board of Health has no decision-making power with regard to the structure of the Health District, and it remains the responsibility of the two BOCCs to determine whether or not the Health District should or should not remain intact. Therefore, we offer only a recommendation. It is the *recommendation* of the Board of Health that the current District be dissolved, and each county pursue their individual visions for Public Health services. There are long-standing differences in the way that these two counties view the regulatory role of public health and the services that should be delivered. The perceived and expressed desire for more direct management of public health services to suit each County's needs can best be met by separation into two districts. A separation will entail its own challenges and will impact both counties. Development of a public health infrastructure to deliver the minimum core public health services will take some time to develop, perhaps longer than the one-year transition period. SJBPH staff and the Board of Health are committed to assisting both counties in a seamless transition.