

▶ BUILDING CAPACITY



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Build Capacity With Digital Delivery

Editor's Note: A need exists within environmental health agencies to increase their capacity to perform in an environment of diminishing resources. With limited resources and increasing demands, we need to seek new approaches to the business of environmental health. Acutely aware of these challenges, the National Environmental Health Association (NEHA) has initiated a partnership with Accela called Building Capacity—a joint effort to educate, reinforce, and build upon successes within the profession using technology to improve efficiency and extend the impact of environmental health agencies.

The *Journal* is pleased to publish this column that will provide readers with insight into the Building Capacity initiative, as well as be a conduit for fostering the capacity building of environmental health agencies across the country. The conclusions of this column are those of the author(s) and do not necessarily represent the views of NEHA.

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Have you noticed that most of your recent credit card transactions reflect a new, more modern process?

COVID-19 concerns (e.g., sharing that gross ballpoint pen to sign receipts) plus long overdue security enhancements combined to institute new routines when paying for that family outing. We tend to now tap (not swipe), avoiding grubby hands, skipping signatures, and forgoing paper receipts. According to a Federal Reserve payment study, there were over 40 billion general purpose credit card transactions in 2018—that is up to 40 billion signature scribbles and tiny paper receipts. We can count that waste reduction among the benefits. I know my wallet feels slimmer without those useless copies, and

store owners can celebrate, too. Did you know store owners were compelled to keep merchant copy receipts for 18 months in case somebody disputed a charge?

For the Love of Paper

There are those among us (both regulators and industry) who still embrace the paper. They may give lip service to going paperless but when the time comes, it is difficult to remove paper from the equation despite its costs and limitations.

As a baseline, let's consider the benefits of digital delivery. For this section, we can imagine a Food Establishment Inspection Report (Figure 1) as described in Annex 7 of the Food and Drug Administration (FDA)

model *Food Code* (U.S. Department of Health and Human Services [HHS], 2017).

When we think about digital delivery, we envision:

1. A report instantly delivered via secure email or text as an attachment or hyperlink (a clicked hyperlink can constitute delivery).
2. A professionally designed report in a secure format (e.g., PDF) that is searchable and easily stored, forwarded, and annotated (could still be printed for those who want it).
3. The removed cost, logistics, and the waste of consumables related to paper, ink, toner, and batteries.
4. How to avoid overloading inspectors with equipment and support for printers.

This list presumes a computerized inspection. For districts still using paper-based inspections, moving to a digital format is obviously a prerequisite.

Challenges: Real and Perceived

Naturally, you may encounter an “it's always been this way” mentality. This hurdle can be arduous to overcome since inspectors and operators each harbor their own predispositions. Changing minds without a higher authority can be difficult.

Those predispositions might include a perception that the record is only official when it contains the operator's ink-on-paper to be stored on file for many years.

Wet Versus Electronic Signatures

When a person uses a pen to sign their name, acknowledging receipt of an inspection report or any other document, they have endorsed it with a wet ink signature. Statutes have been

FIGURE 1

Food Establishment Inspection Report From the Food and Drug Administration Model Food Code

FORM 3-A

Food Establishment Inspection Report					Page ____ of ____
As Governed by State Code Section		No. of Risk Factor/Intervention Violations		Date	
		No. of Repeat Risk Factor/Intervention Violations		Time In	
		Score (optional)		Time Out	
Establishment	Address	City/State	Zip Code	Telephone	
License/Permit #	Permit Holder	Purpose of Inspection	Est. Type	Risk Category	
FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS					
Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item. Mark "X" in appropriate box for COS and R. IN=in compliance, OUT=not in compliance, N/O=not observed, N/A=not applicable. COS=corrected on-site during inspection, R=repeat violation.					
Compliance Status			Compliance Status		
Supervision			Potentially Hazardous Food (TCS food)		
1	IN OUT	Person in charge present, demonstrates knowledge, and performs duties	16	IN OUT N/A N/O	Proper cooking time and temperatures
Employee Health			17	IN OUT N/A N/O	Proper reheating procedures for hot holding
2	IN OUT	Management awareness; policy present	18	IN OUT N/A N/O	Proper cooling time and temperatures
3	IN OUT	Proper use of reporting, restriction & exclusion	19	IN OUT N/A N/O	Proper hot holding temperatures
Good Hygienic Practices			20	IN OUT N/A	Proper cold holding temperatures
4	IN OUT N/O	Proper eating, tasting, drinking, or tobacco use	21	IN OUT N/A N/O	Proper date marking and disposition
5	IN OUT N/O	No discharge from eyes, nose, and mouth	22	IN OUT N/A N/O	Time as a public health control; procedures & records
Preventing Contamination by Hands			Consumer Advisory		
6	IN OUT N/O	Hands clean and properly washed	23	IN OUT N/A	Consumer advisory provided for raw or undercooked foods
7	IN OUT N/A N/O	No bare hand contact with ready-to-eat foods or approved alternate method properly followed	Highly Susceptible Populations		
8	IN OUT	Adequate handwashing facilities supplied & accessible	24	IN OUT N/A	Pasteurized foods used; prohibited foods not offered
Approved Source			Chemical		
9	IN OUT	Food obtained from approved source	25	IN OUT N/A	Food additives: approved and properly used
10	IN OUT N/A N/O	Food received at proper temperature	26	IN OUT	Toxic substances properly identified, stored, used
11	IN OUT	Food in good condition, safe, and unadulterated	Conformance with Approved Procedures		
12	IN OUT N/A N/O	Required records available: shellstock tags, parasite destruction	27	IN OUT N/A	Compliance with variance, specialized process, and HACCP plan
Protection from Contamination			Risk factors are food preparation practices and employees behaviors most commonly reported to the Centers for Disease Control and Prevention as contributing factors in foodborne illness outbreaks. Public health interventions are control measures to prevent foodborne illness or injury.		
13	IN OUT N/A	Food separated and protected			
14	IN OUT N/A	Food-contact surfaces: cleaned & sanitized			
15	IN OUT	Proper disposition of returned, previously served, reconditioned, and unsafe food			
GOOD RETAIL PRACTICES					
Good Retail Practices are preventative measures to control the introduction of pathogens, chemicals, and physical objects into foods. Mark "X" in box if numbered item is not in compliance. Mark "X" in appropriate box for COS and/or R. COS=corrected on-site during inspection, R=repeat violation.					
Safe Food and Water			Proper Use of Utensils		
28		Pasteurized eggs used where required	41		In-use utensils: properly stored
29		Water and ice from approved source	42		Utensils, equipment and linens: properly stored, dried, handled
30		Variance obtained for specialized processing methods	43		Single-use/single-service articles: properly stored, used
Food Temperature Control			44		Gloves used properly
31		Proper cooling methods used; adequate equipment for temperature control	Utensils, Equipment and Vending		
32		Plant food properly cooked for hot holding	45		Food and nonfood-contact surfaces cleanable, properly designed, constructed, and used
33		Approved thawing methods used	46		Warewashing facilities: installed, maintained, used; test strips
34		Thermometers provided and accurate	47		Nonfood-contact surfaces clean
Food Identification			Physical Facilities		
35		Food properly labeled; original container	48		Hot and cold water available; adequate pressure
Prevention of Food Contamination			49		Plumbing installed; proper backflow devices
36		Insects, rodents, and animals not present	50		Sewage and waste water properly disposed
37		Contamination prevented during food preparation, storage & display	51		Toilet facilities: properly constructed, supplied, cleaner
38		Personal cleanliness	52		Garbage/refuse properly disposed; facilities maintained
39		Wiping cloths: properly used and stored	53		Physical facilities installed, maintained, and clean
40		Washing fruits and vegetables	54		Adequate ventilation and lighting; designated areas use
Person in Charge (Signature)			Date:		
Inspector (Signature)			Follow-up: YES NO (Circle one) Follow-up Date:		

enacted in the U.S. and Canada that a) allow e-signatures and electronic records to have the same legal effect as physical (i.e., wet ink) signatures and records and b) ensure that a contract is not made invalid solely because it exists only in an electronic form.

There are some exceptions where a document still warrants a wet signature. Examples include property title instruments, investment securities, wills, powers of attorney, family law matters (e.g., adoption, divorce), and others of this ilk.

Ordinances That Specify Physical Delivery

It still occurs, however, that an inspector cites local or state ordinances as the basis for keeping with the physical (paper) delivery.

There is a challenge here. Primarily, it's not practical to study all of the applicable codes across 2,500 health departments. If this issue is suspected, you'll have to call upon local resources. Through your health department's legal counsel (e.g., county counsel), the question can be researched and interpreted. An opin-

ion letter on file should allow for revised procedures. Refreshing the ordinance or embracing the FDA Food Code is another way to go.

The Food Code

The FDA Food Code is agnostic on the matter. As stated in Annex 5 of the Food Code:

The inspection form is the official document utilized by a regulatory agency for documentation of compliance of the food establishment with regulatory requirements. The goal of the inspection form is to clearly, concisely, and fairly present the compliance status of the food establishment and to convey compliance information to the permit holder or person in charge at the conclusion of the inspection. (HHS, 2017, p. 620)

At the conclusion of an inspection event, the ideals above can be met by reviewing a shared screen or by transmitting a provisional report for review prior to the final.

Conclusion

The remaining questions and policies surrounding this topic are worthy of a healthy debate. Putting aside the cost savings and other benefits, is the physical hand off of a paper food facility inspection report measurably superior in achieving compliance and protecting the public's health?

Perhaps soon enough we will have superior technology. Perhaps we will transmit the report to the operator's smart device where they can wave their hand across the holographic images of facility violations, zooming in and around, à la *Minority Report*. Until that date, we can avail ourselves of the technology that is out there and that is already well understood by most folks—or at least easily demonstrated. 🤖

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Reference

U.S. Department of Health and Human Services, Public Health Service, Food and Drug Administration. (2017). Food Code: 2017 recommendations of the United States Public Health Service, Food and Drug Administration. <https://www.fda.gov/media/110822/download>