

**Florida Department of Agriculture and Consumer Services
Division of Agricultural Environmental Services
Bureau of Entomology and Pest Control**

Florida Bed Bug Workgroup Meeting

MINUTES

Date: January 16, 2013

Location: 3125 Conner Blvd., Tallahassee, FL 32399

MEMBERS PRESENT:

Florida Department of Agriculture and Consumer Services (FDACS):

1. Mr. Dale Dubberly
2. Mr. Mike Page
3. Ms. Sonia Cotto-Febo

Agency for Health Care Administration (AHCA):

1. Mr. Paul Brown
2. Ms. Ann Avery
3. Ms. Laura Manville

Department of Business and Professional Regulations- Div. of Hotels (DBPR):

1. Steven Von Bodungen

UF (Entomology and Nematology Department):

1. Dr. Faith Oi

Pest Control Companies:

1. Mr. Don Whitehead
2. Mr. Louis Witherington (Falcon Termite and Pest Control)
3. Mr. Tom Jarzynka (Massey Services)
4. Mr. Troy Conner
5. Ms. Jennifer Leggett

Rental Industry:

1. Mr. Clifford (Chip) Guy
2. Mr. Joe Jonovich

Cruise Ship Industry:

1. Mr. Jim Warneke
2. Ms. Tanya Peak-Smith (Walt Disney World Pest)

Legal Services (Advisor):

- 1. Mr. Mark Ruff

Housing Association:

- 1. Ms. Nicole Upano (National Apartment Association)

Department of Education:

- 1. Ms. Jennifer Fowler
- 2. Mr. Don Whitehead

Hotel Industry:

- 1. Mr. Geoff Luebke

NOT PRESENT:

Mr. John Cooksey (replaced by Mr. Troy Conner),	Ms. Rosanna Barrett	Mr. Jon Hamrick
Ms. Cheryl Urbas	Ms. Monique Donahue	Mr. Scot Haislip
Ms. Laura Heiselman	Mr. Chip Tatum	Ms. Kathy Torian
Ms. Sharon Saulter	Dr. Phil Koehler	Ms. Julie Dudley

ITEM #1 - CALL TO ORDER:

The meeting was called to order at 10:00am.

ITEM # 2 - REVIEW OF THE MINUTES:

The minutes were reviewed from the meeting of August 22, 2012 and were approved.

ITEM #3 - OLD BUSINESS:

Welcome and introduction of new members:

- Mr. Mike Page welcomed the workgroup and introduced the new members: Sonia Cotto-Febo with FDACs and Ms. Laura Manville from ACHA.

- Ms. Cotto-Febo introduced herself and stated that her primary responsibility is working with the Agricultural Worker Safety Program. Ms. Cotto-Febo provides a lot of outreach and education to the migrant community throughout the State of Florida. She has been teaching migrant farm workers about pesticide safety awareness as well as providing outreach materials on pesticide safe homes as far as reducing exposures to children in these environments. She also has worked with Migrant child care facilities and in relation to bed bugs has provided a little basic training for them.
- Mr. Dubberly added that Ms. Cotto-Febo will be an asset to this workgroup because of her ability to translate current documents and future documents into Spanish.

Discussion on work groups mission and Sunshine Law:

- Mr. Page reiterated that due to budget constraints, Mr. Jeff Blair will no longer be facilitating our meetings. Also the Sunshine Law does not apply since we are not setting policy and it is not a regulatory group. We are not established by statute and the decisions do not affect a regulated industry. Our mission is to develop models for getting good information out to the consumers or industry as it relates to Bed Bugs.

Discussion on quarterly meetings:

- At the last meeting it was decided that quarterly meetings would be held, however upon revisiting this with the workgroup they decided that every 4 months would be adequate. Mr. Page stated that the sector groups might be working on piloting and developing information during the times between those periodic meetings for presenting at the meetings, so the meetings can be more productive.
- Mr. Witherington stated that this will be fine as long as they aren't "marathon meetings".

Media Releases:

- Mr. Page discussed media releases and stated that they can be done through our Department, joint release with other State agencies. It was discussed that although this group can make this happen we need to identify the information to be announced and should be able to have a plan in place to direct people (traffic) to the correct place for more information. It was agreed that this idea will be postponed until we are ready and have adequate tools to implement it.

ITEM #4 - NEW BUSINESS:

Mr. Page reviewed the following workgroups:

- **Sector Team review (leader in bold):**

- Rental Housing and Retail (~~Chip Tatum~~ Laura Heiselman is now President, **Chip Guy**, add Nicole Upano)
 - Tourism Industry & Hotel/Motel (Kathy Torian, **Tanya Peak-Smith**, Geoff Luebke)
 - Schools (Faith Oi, ~~Jon Hamrick (retired)~~ designated Don Whitehead, **Jennifer Fowler**, Dan Wasinko?, Eddie?, Dale Seal?)
 - Public Housing - There was a discussion about the need of ideas. Dr. Oi stated that in other states, it's Department of Health, it would have to be someone in there; Page I'll have to call Sharon and talk to her about that)
 - Transitory Worker's Housing (**Sonia I. Cotto-Febo**, elementary schools is one of the groups – probably need to be on both groups – add Dale Dubberly)
 - Pest Control Operators (Jennifer Leggett, **Tom Jarzynka**, Jim Warneke (also could be Hotel/hospitality-cruise ship), Louis Witherington, Joe Jonovich, Troy Conner (also Hotel/hospitality) (Mark Ruff)
 - University Extension Specialists (**Faith Oi**, Phil Koehler, add Bill Kern)
 - Department of Health ((**Sharon Saulter**)
 - Institutional Care Facilities (**Catherine Avery** substitute Laura Manville, Paul Brown).
- Mr. Page stated that he will develop another roster with the sector teams and send out a spreadsheet that we can update the workgroup contacts.
 - **Review of IFAS Bed Bug Website**
Dr. Oi stated that there was not a whole lot of updating, since they have not gotten a lot of material from sector groups themselves and stated that's the information needed to begin populating the site.
 - Dr. Oi stated that they have got the structure right would like to ask sector groups to go review the information to make sure it is Florida relevant. They want to update it monthly. Dr. Oi recognizes there is a need to post information on institutional care and a new bullet point will have to be added and populate it that with information.
 - **Review of BBWG Work plan (established Nov. 2011) -- tabled**

1. Immediate Relevant Needs Discussion

- (Example) Apartment dweller information:
 - What to do when you have Bed Bugs (BBs)

- How to prevent in multiunit dwellings
- How to recognize early signs of introduction/infestation
- Student related concerns
- Furniture: used, rented, discarded
- Litigation – Mr. Ruff stated that he can supply an example to help the group understand the expense of bed bug litigation.

Discussion on Foggers for bed bug control:

- Mr. Page stated the he created this as an off the cuff kind of list and I'm sure there are some other things that we should talk about.
- This will probably end up driving how we redevelop (or re-work) our Florida plan to follow up on a three items and one of them is a discussion on foggers. Dr. Page mentioned that a couple of good IFAS research/papers have come out recently that revealed that foggers are of no use whatsoever. He feels that the group needs work on a document that can be published on our website that recommends that these are not to be used for bed bug control.
- Besides, he mentioned that he will further discuss this subject at higher levels in the Department but he recommends that the group put a document together very quickly and make it a priority.
- Dr. Oi-stated that it can be done on the website now and she understands that there might be information already stating foggers are ineffective.
- She added that the problem is the situation with EPA's Bed Bug Website information especially, their search engine for products lists that has every single product they've ever registered. This list includes products currently NOT registered, like the propoxur products and so they have contributed to the confusion in the general public about foggers because they took their discretionary funding from last year and actually produced two videos on how to use foggers – which is ludicrous. And so there is no need for approval – it has already been peer reviewed, gone up the chain, presented many, many times and they're simply causing more hazard in the living space than control.

- Mr. Page asked the workgroup to send a letter on behalf of this group to the EPA asking why they are doing this.
- Dr. Oi stated that the issues with the EPA bed bug website fall between the cracks between OPP. She suggested that we need to find out who was actually responsible and they're not sure inside the agency. It was suggested to probably send it to Frank Ellis and he might be able to route it to the right person but right now, it's not a clear line of reporting. Page asked Mr. Dubberly to share some information about this.
- Mr. Dubberly said there's kind of another side of it, too. As Faith knows, there are companies out there that have products registered by EPA as she's mentioned and they're state registered as required in Florida. I've been doing a little bit of survey work with some of the PCO operators out there and I found it amazing how much fog is actually used out there for bed bug treatments. So, there are a lot of applications. I can tell you in a two month period from this one company, I had 500 jobs and they were all treated with fog. Its effectiveness is questionable.
- Mr. Page stated this is something that we can kind of petition to NPMA (National Pest Management Association). He asked the PCO sector team, if this is something that is going on in the industry? And if people is using foggers to do bed bug treatment and if this is something that the industry should get behind and change – or what?
- Mr. Guy said that going out in the field he has found store manager using their bed bugs practices and policies, that includes straight guidelines that includes the use of Steri-Fab® and actually destroying products and still items come back with bedbugs and don't even use them. He has seen where some of my management staff will actually place the items in the back of the box trucks and let off a couple of foggers to take care of the problem and all of a sudden they have got an infestation throughout the entire store or it just blows up into something worse. In fact he is seeing its use in his industry currently.
- Ms. Manville said that ACHA investigated a complaint last week in an assisted living facility, sixteen beds, and the facility has had bed bugs according to the company treating it. The facility was being treated with the heating method, probably for several months because residents had ended up hospitalized. The facility was using the foggers according to the pest control company that finally eradicated the bed

bugs. What the foggers accomplished was driving the bed bugs back into the walls so that the facility would think they were gone but they would re-appear a couple of weeks later, so they may have used the foggers for several months.

- Dr. Oi asked Mike to ask the task force to collect those cases where the foggers have been ineffective and have actually caused a worse problem and submit those to the EPA instead of just writing a white paper.
- Mr. Page stated that was a good idea. The only problem was that he wasn't sure how those kinds of cases were collected.
- Dr. Oi said if our membership here would write four or five lines of their experiences with the failures and that we really do need professional pest control who know how to inspect for this pest in order to treat it because in the situations that we have been called in with the schools and when we've gone to the student's homes, somebody has been in there doing something but they didn't know what it was, how to inspect for it, how to recognize the bug, you know, things like that which caused the infestation to proliferate, so, the fogger thing is just one of many issues – there are a lot of charlatan type bed bug remedies being promoted out there right now.
- Mr. Page stated that it's not just foggers, it's also 25B products, too, that are problematic.
- Ms. Leggett commented on Dale's question, and said that he doesn't know of any of the pest control companies in his area that are in contact with that are using foggers. Where they are seeing them is when property managers, homeowners, or residents of apartments have used them themselves. He added that it really surprises him that Mr. Dubberly has a survey result that says one company did 500 bed bug jobs using foggers. He said that he doesn't know of anyone that uses foggers in their protocol, but that he doesn't have access to all of the people that Mr. Dubberly surveyed, so, anything is possible.
- Dr. Oi said to Jennifer, the scary thing is that the EPA claims that their website is directed to consumers. Dr. Oi went on to say that most of what they are recommending is foggers because that has the greatest number of registrations.

- Mr. Dubberly said that the one that he looked at also indicated that most of the facilities treated are apartments so when you actually get down to apartments, it seems like you throw fumigation out, pretty much, for a treatment method. He thinks that they're not doing a heat treatment because you would have to do those room by room – they're just going in there and identifying the bed bug issues and selling the owner on a treatment for these two units and maybe the adjoining units and they'll use foggers.
- Mr. Page said that part of this falls on the industry to kind of develop some kind of protocol or best management practice (BMP) for bed bug control
- Dr. Oi mentioned that NPMA has the BMPs out there and when it comes to her, doing a good job is following some kind of protocol that is out there that involves some kind of residual in areas where you know you are going to have reinfestation and things like that, so it's really a big problem.
- Dr. Oi stated in response to Mr. Dubberly's question that the NPMA's BMPs are up there.
- Mr. Dubberly asked if we could maybe push them in a little different direction rather than just saying here they are. Mr. Page said that this kind of becomes a consumer education thing. People who are hiring companies need to ask them how are they going to treat it and if the company tells them they're going to use foggers, they can tell them sorry and shop for another company.
- Ms. Leggett replied then you've got the difference between the 200 dollar job and the 2,000 dollar job.
- Mr. Page said I don't have the answer to this but certainly, I think, some sort of logical, sound recommendation on the use of those foggers, as being ineffective, needs to get out there and/or at least let them know foggers don't work.
- Mr. Guy stated ever since we ran into that problem part of our standard operation procedures within our company when it comes to bed bug practices now is to put it into the hands of a professional. Get a hold of the extermination services and there are no extermination services that we're currently using that uses those foggers, so maybe the push is to get people to understand that this is something that needs to be handled

by professionals. You can have preventative measures, you can have things you can do if you see them, but ultimately the treatment and eradication needs to be left in the hands of the professionals.

- Mr. Page agreed and said that's the thing that we want to push. The best way to start, to get some input from our sector group on what they are seeing in the industry and make it a task and he'll send out an email specific to that and he'll start to collate the information.
- Dr. Oi asked Mr. Ruff if he could put together some bullet points on the bad outcomes because that seems to be an effective approach when they train these guys. They put you on early in the program so that they know what the bad outcomes might be if they don't do certain things and then train them on the correct methods.
- Mr. Ruff replied that he can do that but the problem that he sees is this litigation outcome won't push them. He doesn't get involved in the choice or selection of products. The problem seems to be that the consumer doesn't know exactly what they are getting, either through the detail of the inspection or the type of treatment being offered. Then you have companies that may not have fumigation licenses trying to handle outbreaks that they can't take care of with a "B&G gun". So, it's kind of a curve for the industry, it's kind of a curve for the consumer as well, whether the treatment is going to be effective or not.
- Dr. Oi mentioned that the EPA does not have fumigation information on their website. They think that some guy is going to get a hold of a cylinder off of E-bay or something and do it himself so; they made the conscious decision to not list fumigation as an option.
- Mr. Dubberly stated that most of the products EPA is recommending are 25B products.
- Mr. Guy has a legal question, and he doesn't know the exact details or ramifications of what would happen. Let's say the tenant gets bed bugs – how they got them, who knows, if the landlord (or whoever) then takes responsibility to self exterminate with that product, and then turns around. Doesn't the burden fall on whoever self treated at that point based on a legal ramification? And why can't it just be mandatory that professionals handle those types of situations?

- Mr. Ruff said that the issue that he has is a strict interpretation of Chapter 482 – a landlord is taking rental money, and as part of the rental money he is taking, he has to provide pest control service. So, essentially, he’s actually performing pest control without a license. So, you could probably manipulate Chapter 482 and stop that process. He thinks that there is liability for the unit owner who tries to address that by themselves, the biggest problem that we see is folks that get a hold of these chemicals and they over treat and some of the **PI** injuries that we see is not due to the bed bug themselves but actually a chemical burn.
- Mr. Dubberly mentioned to Mr. Ruff that he thinks the issue goes a little farther than that, too. When you get into the HUD/Landlord Tenant act there are certain requirements that they have to do and all of the calls that we get in our offices, too, are tenants complaining about their landlords trying to get out of their leases, and the same with apartments and things like that. So, the water is pretty muddy out there – is there a bed bug infestation, or not; people don’t contact a professional; all kinds of scenarios out there.
- Mr. Ruff said there also seems to be, at least from my experience, there seems to be an issue of money. Consumers are making a choice based on what they can afford. Sometimes the pest control company will walk in, indicate that fumigation is necessary, and the consumer states they can’t afford that, they can’t move out, what’s my next option? Then he hears the heat treatment and well, that’s really expensive, too – isn’t there a chemical treatment you can do? The consumer is always going to the least costly fix and sometimes that fix isn’t good enough – So, in my mind, the consumer is making a bad choice or the pest control operator is over selling the service.
- Mr. Guy suggested that it seems like we need to educate the consumers and landlords to inform them that if you take this into your own hands, here are the risks that you’ll face by doing so and not getting a hold of a professional.
- Mr. Ruff said he thought the Department could issue a memo something along those lines.
- Mr. Page agreed that the Department could issue some kind of Memorandum. Mr. Page finished the discussion on the use of foggers for bed bug control and asked each

sector group for information on the use of foggers within their industries. Then that information will be taken into consideration and will be made a topic for next time.

- Mr. Dubberly reminded Mr. Page that at the last meeting Dr. Koehler was supposed to develop some kind of memo for posting. He has done a couple of presentations dealing with landlord/tenant responsibilities. So, maybe we touch base with Dr. Koehler and do some follow up on that.
- Ms. Nicole Upano with the National Apartment Management Association said that they have a couple of things posted such as a bed bug resource center on our website and there maybe some materials that we have prepared that may be helpful to you.
- Mr. Page asked her to send him the link to their website.
- Ms. Leggett requested that Mr. Page send out the above mentioned link also include the NPMA link for the NPMA Best Management Practices because some of this stuff is covered in that, too.
- Ms. Leggett asked if we could go back to Mr. Ruff for Landlord/Tenant responsibilities, because I do still not understand who's responsible for what.
- Mr. Page asked Mr. Ruff that he thought at one point that he had stated several years ago that landlords were responsible for bed bug infestations but they lobbied the legislature and convinced them that this would put them out of business, so that was removed. Landlords basically don't have any responsibility to tenants when they get bed bug calls.
- Mr. Conner mentioned that he was just involved with a landlord who the tenant stopped paying their rent and filed a complaint with the local authorities and they went out and did an inspection and the unit was infested with bed bugs and until the landlord took care of the bed bug issue, which by the way, they found evidence that they had been using those foggers trying to take care of it, they were forced to take care of it by the local government.
- Mr. Ruff asked if we were wrong about the landlord responsibilities. This is an important issue for him. He brought the example that recently he had some calls involving tenants renting/moving into already infested house/apartments. These were

just your average Joe moving from Michigan or students that were moving into these places that already had bed bugs; he suggested that maybe this group needs to address that type of situation.

- Mr. Ruff asked Mr. Page to refer him to resources from FDACS so he could work together and develop a document for the website.
- Mr. Guy added in regards to those responsibilities, and speaking strictly from the retail and rental industry, you know, if he has to take his product into a home and they get bed bugs on it and he'll bring it back and have to throw it away, he will take a loss, it's called a cost of doing business, and it almost seems like on the same ground as being an apartment owner or housing owner – where the bed bugs came from and whose fault it is irrelevant to that point. He doesn't blame the tenant in the house, he has to deal with it and exterminate, eradicate or dispose of the item to correct the issue. He thinks that we're looking at something that's pretty viable in helping to determine or solve the problem when it comes to the apartments and landlord owners.
- Mr. Jarzynka said it's been his understanding for some time, that the obligation of the property owner is to provide the tenant with a vermin free environment and what he has seen is that they are getting indications that there may even be some changes in the contracts or lease agreements that the owner will provide that vermin free environment, including bed bugs, when the lease is signed, but not through the continuation of the occupancy by the tenant if it becomes infested and the tenant becomes responsible for that.
- Mr. Guy asked who is certifying that vermin free environment when that lease is signed.
- Mr. Jarzynka replied that in some cases, they'll have a PCO come in and do an inspection of the unit, pre-rent and they provide them with an inspection report that says there was no visible evidence of bed bugs.
- Mr. Guy asked is it more mainly just apartment complexes or true homeowners renting properties? Is it happening all the time? Or is it just few and far between?
- Mr. Jarzynka replied that it's a percentage, but not a great percentage and it's mostly in multiunit structures. He has the same experience, it's mostly multi-unit and I'd say it's a small percentage of our customers. It seems to be an outcome of having tenants infest and re-infest their units due to risky behavior and the landlords are tired of paying for the services.

- Mr. Ruff said that the Department Agriculture's website have actually got this posted on helpflorida.com landlord...and even FDACS website puts out this Section 83.51 sub 2 a, and it puts out the statute and says the landlord is responsible for the reasonable removal, or the reasonable provisions for removal of bed bugs. FDACS has already got that posted but this is the situation where the landlord, let's say someone moves out of the unit and it's infested – he can't relet the unit, and the landlord is responsible for eliminating that infestation before a new tenant moves in – but if that tenant continues to reinfest, reinfest and reinfest- that's when the question comes in about whether the landlord has made reasonable provisions for them.
- Mr. Guy said that he would personally like to see, too, that since it's a small percentage, and virtually none of the homeowners that are renting properties, you could have someone with bed bugs infest the home – they move out – the landlord doesn't see any bed bugs and say it looks good to me and they are not getting professionally certified prior to the next tenant moving in – now we have two bed bug cases – one has moved onto another property, possibly infesting that one, and now the new tenant has bed bugs as well. Also, it would be really nice to see something that requires an inspection – a professional inspection prior to renting.
- Mr. Page agreed with Mr. Ruff that he will put this down as a task for you and someone from our Department to work on.
- Mr. Page said after a review of the notes from last August meeting reflect that the folks from DOH had a request for what I'll call an action plan in assisted living facilities and nursing homes and I'm not sure exactly what they were after but it's mostly how to handle . He was wondering if DOH already has some information and materials based on that.
- Ms. Manville said that she was a little confused by it; I mean I can speak to it a little bit – as far as nursing homes, assisted living and everything, those are regulated by AHCA, but they typically get complaints when there are reports of infestation. They routinely partner with the DOH because they rely on them being the experts with the vermin and pests, so generally, when they receive complaints they make sure they are notified.
- Ms. Manville added that the case she had last week, what she was mainly looking for them to assist me in doing an inspection after I did mine to truly make sure we had the facility free of bed bugs which is just like what ya'll were speaking about regarding apartment buildings. She said that it was very likely to have similar situations at ALFs. You can get rid of the bugs but if they are in some of the resident's personal items or things like that, you don't want them coming back. One situation they frequently see when dealing with elderly people with very delicate skin – diabetes, healing issues so

bed bug bites can be a major problem. The other thing that they're seeing that came up last week was a limited mental health facility where, like Ms. Cotto-Febo was talking about, we may have a very transient population, a population that is getting a lot of their personal items and furniture from thrift stores and things like that which I think that contributes to bringing bed bugs from one facility and one place into another. They also deal with the issue, probably similar to landlords where in an effort to control costs, the facilities are not quick to shell out several thousands of dollars to do the most effective treatment to get rid of the bed bugs.

- Ms. Manville said the one issue that they ran into last week and maybe DOH would be able to speak better to this, but I work primarily in Pinellas County and DOH helps them, routinely going into these facilities and following up on reports of bed bugs. Apparently, in some of the other areas in Florida, the county Housing Department has the regulatory authority position with the facilities where they issue permits and the DOH in these locations do not routinely go out and follow up because they don't think they've got the authority to do that. So, there may be a need for clarification on that issue to make sure that pretty much across the State, the same procedures are being followed.
- Mr. Page asked if they have something that's actually codified, an action plan, if you will – does DOH know about it?
- Ms. Manville asked Mr. Brown to speak to that issue. Ms. Manville thought that there may be a memorandum of understanding of some sort.
- Mr. Brown of ACHA said that he thinks the problem that we are facing is we are the regulatory agency for the assisted living facilities and nursing homes and we are getting on a daily basis additional complaints of facilities have a bed bug infestation. They make an immediate referral to the DOH and also if they substantiate that there is a bed bug infestation, they will cite the facility.
- Mr. Brown also said that their job as a regulatory agency requires them to go back to that facility and determine if deficiencies have been corrected. He thinks DOH lacks of a certain protocol of what the facility must do in order to eradicate the infestation. It has been frustrating for them when they return to follow up and the facility has tried different remedies to eradicate the pest being unsuccessful. They are looking for some

kind of guideline, preferably from the DOH that would spell out specifically what steps or what actions the facility needs to take.

- Mr. Page said that was perfect and that is what the workgroup needs to work on.
- Mr. Ruff – asked if they are talking about your internal procedures or are you talking about the necessary treatment method employed by the pest control operator?
- Mr. Brown replied that they are not talking about the treatment method, they need an authoritative voice that says “we’ve identified that there is a problem in an assisted living facility or nursing home and these are the actions the facility has to take”. Now from our agency’s point, they can only cite them for the deficiency – they’ve violated resident’s rights to live in a home like environment or safe living conditions or something along those lines – but once we’ve issued a citation to a facility confirming a bed bug infestation, THEN what happens? And that’s where we see a shortfall – nothing happens. It’s an ongoing thing because no one is specifically telling the facility that these are the steps you need to take – not what they think they should be doing. That would certainly help them.
- Ms. Manville stated in Pinellas County, we get a report from the DOH that states their recommendations and they are very familiar with inspecting for and identifying bed bugs, but in other counties of the state, that is not the case. In another county, the Health Department person has never seen a living or dead bed bug. I think this is like what you were talking about with the foggers and they are ineffective so a paper with specific bullet points on what is deemed acceptable to follow through with as guidelines for clearing up bed bugs would be very helpful.
- Mr. Ruff asked if ACHA goes in and confirms the bed bug infestation and informs the facility that they have a bed bug infestation and the facility does nothing – is that what you’re saying.
- Ms. Manville explained that it wasn’t what she was saying. She further explained that what’s happened is that they went in and verified a bed bug infestation from interviewing the residents and the staff. They confirmed they had a bed bug infestation and for a long time. In interviewing the pest control company, they also confirmed there had been a bed bug infestation, they had treated it once and the facility had not followed through on their follow up recommendations and the bed bugs returned and

it had to be treated again. And the pest control company again gave them follow up recommendations on what to do to keep the bed bugs from returning. So, sometimes the facilities don't do anything, sometimes they treat with foggers, sometimes they use other pesticides and sometimes they go the whole gamut and have a heat treatment and will even bring in the dogs to make sure there are no bed bugs. They'd like to know what the minimum they have to do to that would be expected to get rid of the bed bugs. Typically, they may spray and they do a follow up and those are the extent of their involvement until the next complaint. Then they go back out so we just need to know what to look for to make sure that their efforts will most likely result in eliminating the bed bugs.

- Mr. Ruff asked who has the authority to levy a fine or a penalty on these folks for not following the recommendation of the pest control company.
- Ms. Manville stated that ACHA does.
- Mr. Page said that it sounded like you could cite a facility having unsanitary conditions or a bed bug situation, but do you have the authority to make them fix it and follow valid recommendations?
- Mr. Brown said he thought ACHA is the one that can cite them for the bed bug infestation but they have no definitive remedy for the bed bug infestation. It's not like they can go to the facility and say that you have to do A, B, C and D – they have nothing along those lines and what they are doing is referring/relying on the DOH – They'd like to see them go to the facility and outline a specific action or plan that they must take and then we could go back and determine whether they have done what the DOH has told them to do.
- Mr. Page said that makes sense to me now, what the DOH was asking for. They're asking for these plans – that's what they need so that's perfect for this group. We've got to work on that issue.
- Mr. Jarzynka stated to Mr. Page in determining how to answer that question, one of the points you'll be writing to is stating that there is this pest and we're going to mandate you do this, this and that to control that pest – that takes away that individual company's opportunity to work their program and their system for dealing with that pest. It also could thwart the technician customizing the service to the

specific need based on his observations. I think that the outline that they are looking for plays into the NPMA's Best Management Practices where it outlines, in different service types and features of those services that providers can come in and use that base structure and design their bed bug service to be effective.

- Mr. Page agreed and asked if the NPMA BMPs are already out there guiding this situation but they may not be aware of them and it's not his intention to be overly scripted in how they need to mitigate these things. Certainly, the professionals need to be able to do what you just said – the flexibility in how they approach it and do the problem solving. So, maybe that's all they need to do is get together a list of those BMPs that could be effective with this sector. Again, he thinks when we first started this workgroup; we all agreed that we don't have to recreate the wheel here. There's plenty of stuff out there all we have to do is re-package it, if that's the case, or get the people that information that's already developed.
- Mr. Page said that we only had this meeting for an hour and a half, and we're close to the end but frankly, I think we've got enough on our plate to deal with here and I've got some sector assignments for the next meeting.

Sector Assignments for next meeting

- Mr. Page said that after he receives the minutes he will send them out to everyone. There are five different tasks for this group:
 - Each Sector group to review the website for content and need – what's missing
 - Fogger discussion – collect information/case examples from each sector area/industry
 - Tenant/Landlord responsibilities – NPMA BMPs – and Mark wanted to work with someone from our Department. Nicole – I have questions on that one are you just looking generally? Looking for regulatory/legislation? Page – No, I think this is just informational – Nicole – well like I said we have an informational brochure for property owners/managers– will send you the link – hopefully, that will be helpful to you.
 - Mark Ruff – presentation on bed bug litigation
 - Developing action plan for what should take place in nursing home/assisted living facilities when found to be infested with bed bugs

Next Meeting Date?

- Mr. Page stated that he would like to talk about next meeting dates. December is always bad. I'd also like to not count this one.

April – August - October (early in month) – I'll try to suggest several dates via survey.

ADJOURNMENT:

Mr. Page thanked everyone for their participation and will be sending out an updated roster to everyone.