Welcome to the
Model Aquatic Health Code Network Webinar

Updating Pool Codes at the Local Level

Friday, October 20, 2020
12:00 pm ET

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Today’s Presenters

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Presentation Outline

• Aquatic Health & Pool Codes

• Research Brief: Pool Code Updates and Use of the MAHC in Local Jurisdictions

• Experience of Local Health Departments Utilizing the MAHC to Update Pool Codes
  • Cuyahoga County, Ohio
  • City of Kansas City, Missouri

• Questions
Aquatic Health & Pool Codes
Aquatic Health

Health Benefits

• Good form of aerobic physical activity
  • Fourth most popular sports activity in the U.S. (1)
• Decreases risk of chronic illnesses (2, 3)
• Improves mental health
  • Deceased anxiety among people with fibromyalgia (4)
  • Improved mental health among pregnant people (5)
  • Improved family connectivity (6)
Aquatic Health

Associated Risks

• Drowning
  • A leading cause of unintentional injury-related death for children 1 to 14 years old (7)

• Injuries and emergency department visits

• Waterborne illness outbreaks
  • 500 disease outbreaks linked to aquatic venues from 2000 to 2014 (8)
Background on Pool Codes

- Developed and updated by state and local government
  - No federal authority that regulates or monitors aquatic venues
- Pool codes set requirements and standards for aquatic venues
- Standards vary significantly among jurisdictions
The Model Aquatic Health Code

• Developed by the Centers for Disease Control and Prevention (CDC)
• Voluntary guidance documents to be used by states and localities to create or update existing pool codes
• Address the design, construction, operation, maintenance, policies, and management of aquatic facilities
Research Brief: Pool Code Updates and Use of the MAHC in Local Jurisdictions
• NACCHO & CDC: Working together to exam the aquatic health regulatory successes and challenges of local health departments.

• Study goals:
  • Supplement existing knowledge on the status of local pool codes;
  • Understand local authority to modify and update pool codes.
  • Assess the use of the MAHC and its corresponding resources.
  • Identify best practices, challenges, and technical assistance needs

• Qualitative study: Nine key informant interviews with local public health agencies responsible for pool code enforcement (April-October 2019).
• Process for Pool Code Updates:
  • The authority of local public health agencies to update pool codes depends on state and local regulations, with the majority required to keep rules at least as strict as the state’s rules.
  • Pool codes updates often lack set schedules, and they require complex legislative processes that may involve local agencies and stakeholders.

• Barriers and Catalysts for Pool Code Updates:
  • Barriers: Competing interests of stakeholders and partners; prioritization of other public health policies; and the time, effort, and costs associated with pool code changes.
  • Catalysts: Public pressure following recreational water-related injuries and drownings and state-level commitment to code improvements.

• Use of the Model Aquatic Health Code (MAHC):
  • While local jurisdictions appreciate the MAHC as an evidence-based, comprehensive tool with consistent standards, its length, perceived strictness, and complexity can make it challenging to understand and implement.
Aquatic Health & Safety Pilot Program

Goal: Assist local health departments in reviewing, revising, and strengthening aquatic facilities’ codes to ensure the health and safety of its citizens in pools, waterparks, splash pads, and hot tubs/spas.

• Launched by NACCHO in early 2020 with the support of CDC
• Two agencies awarded $8,000 to:
  • Review local pool codes to identify gaps and areas of improvement (using the MAHC as a resource)
  • Develop a draft action plan on how to address the gaps and weaknesses in their current pool codes.
References


Aquatic Health & Safety Pilot Project
About the Cuyahoga County Board of Health

• Located in Northeast Ohio
  • Encompasses the City of Cleveland
    • Cleveland proper falls under jurisdiction of the Cleveland Department of Public Health
  • CCBH is the public health department for 58 cities, villages, & townships
• In 2019 CCBH licensed 618 public bodies of water
  • Swimming pools, special use pools, spas, spray grounds
Ohio Swimming Pool Laws & Rules

- Law & rules maintained by the State of Ohio
  - Ohio Revised Code (ORC) Chapter 3749
    - Gives Director of Health authority to create swimming pool rules
    - Delegates authority to local jurisdiction
  - Ohio Administrative Code (OAC) Chapter 3701-31
    - Ohio swimming pool rules
      - Construction, operation, maintenance, safety, etc.
Ohio Rule Revision Process

• All Ohio rules required to be reviewed once every 5 years
  • Rule Advisory Committee convened
    • LHDs, OEHA, AOHC, ARC, YMCA, ODA, industry
      (operators, service, construction, campgrounds, hotel/motel) etc.
  • Last revision completed in 2009 effective 2011
  • Proposed rules developed during rule review process that began in 2014
    • MAHC used as guidance document
    • Proposed rules never became effective
NACCHO Aquatic Health & Safety Project

1. Review the current Ohio Revised Code (ORC) 3749 and Ohio Administrative Code (OAC) 3701-31 that were last revised and approved in 2011, along with the proposed rules from the 2014 rule review, to compare them with similar local codes in other jurisdictions and the Model Aquatic Health Code (MAHC).

2. Develop a draft action plan to address the gaps in the current Ohio pool code, along with the proposed pool code from the 2014 rule review, and present to the Ohio pool rule review committee when it reconvenes.
NACCHO Aquatic Health & Safety Project

• Northeast Ohio Aquatics Consulting & Training, LLC
  • Chuck Kunsman
• Compare the OAC vs the MAHC
• Determine major items that are not covered in OAC
• Enlist industry for input
  • Conducted zoom meetings with operators, suppliers, contractors
**NACCHO Aquatic Health & Safety Project**

- **OAC vs MAHC comparison**

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NACCHO Aquatic Health & Safety Project

• Determine some major items that are not covered in OAC
  • Float Tanks/Sensory Deprivation Tanks
  • Underwater shelves & benches
  • Qualified operator training
  • Maximum capacity
NACCHO Aquatic Health & Safety Project

- Enlist industry for input
  - Northeast Ohio Aquatics Roundtable
  - Topics of discussion
    - Lifeguard requirements
    - Capacity limits
    - Combined chlorine testing
    - Special feature testing
    - Automatic chemical controller requirements
    - Turnover rates
    - First aid kit minimums
NACCHO Aquatic Health & Safety Project

• Next steps
  • Ohio Department of Health has reconvened the rule advisory committee
  • Project work will be shared with committee members
  • Use lessons learned & draft action plan to help guide decision making processes
  • Promote the MAHC throughout the revision process

• Adopt updated swimming pool rules for the State of Ohio
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Using the MAHC in Kansas City

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Our Code History

- Current version adopted in 2014
- Previously revised in 2008
- Revision reviewed and adapted pool ordinance to meet local needs
Our Approach

Project Goals

• Utilize the MAHC to assess the state of current ordinance

• Identify gaps and areas of improvement in current ordinance

• Use MAHC as a resource to draft potential update to ordinance
Our Process

1. Read and familiarize ourselves with MAHC
Our Process

2. Create a code comparison spreadsheet
3. Utilize the MAHC Annex to add Scientific and Public Health Rationale
Our Process

4. Consider the Pros and Cons of adopting each update
5. Prioritize potential updates to address local needs
Our Results

- Extensive process
- Provides a baseline of our code
- Line by line analysis of each code
- Utilize the MAHC as a resource for our ordinance update
Next Steps- Draft Code

- Discuss project results with Division Management
- Draft a new code once finalized
- Collaborate with other City departments for consistency
Next Steps - Review and Pass Code

- Submit draft for industry review for feedback
- After feedback, submit to Law Department
- City Council vote on ordinance and sets an enactment date
Next Steps - Implementation

- Provide code update information to industry partners
- Revise local Qualified Pool Operator class to address updates
- Train inspectors on new updates
Thank you!

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Thank you for attending today’s webinar!
You will receive a follow-up email with the webinar recording

Questions?