INDIAN GAMING IN CALIFORNIA

Introductions:
Mr. Ed Fluette, Director, Office of Environmental Health & Engineering
Ms. Carolyn Garcia, Director, Division of Environmental Health Services

Office of the Area Director (OAD)
Office of Management Support (OMS)
Office of Public Health (OPH)
Office of Environmental Health & Engineering (OEH&E)
Office of Environmental Health & Engineering
Division of Environmental Health Services (DEHS)
Division of Health Facilities Engineering
Division of Sanitation Facilities Construction
52 FTEs
Goals For Today’s Presentation

History of Indian Gaming and DEHS Staffing

Present the current challenge of Indian Gaming in California for DEHS

Identify Short term solutions and planned activities

Seek tribal guidance on Indian gaming inspections in California – long term solutions
“Operation will allow, during normal hours of operation, inspection of food and beverage services in the gaming facility by State or County health inspectors, whichever inspector would have jurisdiction but for the Gaming Facility being on Indian lands, to assess compliance with these standards...

unless inspections are routinely made by an agency of the United States government to ensure compliance with equivalent standards of the United States Public Health Service”.
The 1975 Indian Self-Determination and Education Assistance Act, Public Law 93-638, gave Indian tribes the authority to contract with the Federal government to operate programs serving their tribal members and other eligible persons.

This rule became effective on August 23, 1996 and California Indian tribes engaged in self-determination negotiations with the IHS/CAO.
Indian Gaming in 1996/2017

1996: Approximately 35 Indian gaming operations in California

2017: 62 gaming operations (177% increase)
DEHS Staffing in 1996/2017

1996: IHS DEHS Staff – 4 Total
Redding, Sacramento (2), and Escondido
3 locations

2017: IHS DEHS Staff – 7 total
Redding, Arcata, Sacramento (2), Ukiah,
Clovis, and Escondido
6 locations
Expansion of DEHS Staff (1996 – 2017)

2011 First-time EHO position established in Sacramento, to expand service in northern / central California.

2012 First-time EHO position established in Ukiah to expand service in Mendocino, Lake, and Sonoma Counties.

2016 1 of 3 Sacramento EHO positions relocated to Clovis to expand service in central California.

2017 New position approved for Arcata to expand service in northwest California.

Arcata, Redding, Ukiah, Sacramento (2), Clovis, and Escondido.
Description of the Challenge

Resource Requirement Methodology (RRM)

Based on workload, RRM calculates staffing need to carry out workload

Current environmental health workload in CA

Total # Facilities in 2017 1,685
Staffing required 20.9 FTES
Current DEHS staffing 7.0 FTES
Workload - Facilities in California

Health centers / Health stations
Head start / Day care centers
Hotels
Swimming pools
Health spas / Barbers / Tattoo parlors
Restaurants / Taverns
Retail grocery stores / Commodity warehouses
Community water / Liquid waste disposal systems
Senior citizen centers
Workload - Facilities in California

YRTCs
Schools
Illegal solid waste disposal sites
Seasonal / temporary celebrations
Campgrounds/trailer parks/youth camps
### Challenge

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
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<tbody>
<tr>
<td>Total number Facilities in 2017</td>
<td>1,685</td>
</tr>
<tr>
<td>Staffing required</td>
<td>20.9 FTEs</td>
</tr>
<tr>
<td>Current DEHS staffing</td>
<td>7.0 FTEs</td>
</tr>
<tr>
<td>Indian gaming workload</td>
<td>681 Facilities</td>
</tr>
<tr>
<td>Staffing required</td>
<td>6.6 FTEs</td>
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RRM by Facility Type
n= 18,779
California DEHS Direct Services

- 30% Community Establishments
- 70% Gaming Establishments
INDIAN GAMING WORKLOAD IN CALIFORNIA

GAMING OPERATIONS FEATURE:

- HOTELS
- BAKERIES
- CATERING
- WATER SYSTEMS
- TAVERNS
- BINGO PARLORS

- HEALTH SPAS
- DRINK STATIONS
- RESTAURANTS
- SEWAGE SYSTEMS
- BARBER SHOPS
- GAMING FLOORS

- KIDS GAME ROOMS
- KIDS DAY CARE
- SWIMMING POOLS
- CONFERENCE SPACE
- BUTCHER SHOPS
## SUMMARY OF THE CHALLENGE – INDIAN GAMING

<table>
<thead>
<tr>
<th>Program</th>
<th>FTEs</th>
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<tbody>
<tr>
<td>Community Environmental Health RRM and Tribal health programs</td>
<td>14.3 FTEs</td>
</tr>
<tr>
<td>Indian Gaming RRM</td>
<td>6.6 FTEs</td>
</tr>
<tr>
<td>Injury Prevention RRM</td>
<td>8.0 FTEs</td>
</tr>
<tr>
<td><strong>Total Staffing Need</strong></td>
<td>28.9 FTEs</td>
</tr>
<tr>
<td>Current DEHS Staffing</td>
<td>7.0 FTEs</td>
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Short Term Initiatives - Solutions

Buyback - Design methodology for a sliding scale cost to each facility for service

Special request to IHS Headquarters to support the IHS/CAO initiative. Pilot project to address a national challenge

Identify which larger gaming facilities have their own “in-house” inspection staff

Narrow Focus. Prioritize which facilities within a gaming operation will be inspected, e.g., ONLY restaurants, taverns, and swimming pools. How many FTEs will that require?
Short Term Initiatives - Solutions

- Hire one EHO to conduct only Indian gaming inspections (special request to IHS Headquarters)
- Presentation at the National Indian Gaming Commission
- Presentation at the California Indian Gaming Commission
- Present Indian gaming challenge to OEH&E directors
- Present Indian gaming challenge to EH program directors
Voting Issue

Buyback - Design methodology for a sliding scale cost to each facility for DEHS services. Implement methodology and begin buy-back options for negotiating tribes

OR

Inspect only food/tavern related facilities and swimming pools only. Manageable? Narrow the focus of what is being inspected and concentrate on the higher risk activities. Certainly more manageable for DEHS staff.
Comments/Questions/Discussion

Edwin Fluette  
916-930-3981 ext. 334
edwin.fluette@ihs.gov

Carolyn Garcia  
916-930-3981 ext. 336
carolyn.garcia@ihs.gov
Portland Area IHS

Context: Portland DEHS Food Safety Program

**Portland Area does not survey gaming establishments**

Agreement between the Tribal Gaming Commission/Tribe/IHS to have a **Tribally-hired individual perform Indian gaming inspections for that particular tribe**

IHS DEHS Responsibilities
- Provides work plan
- Provides a training plan for the tribal EHS designee
- Provides forms and guidelines for inspections
- Performs audits of inspections and generates an annual assurance and certification statement
Portland Area IHS

Tribe/Tribal Gaming Commission responsibilities

Designate a managerial liaison to coordinate with IHS DEHS

**Hire an EHS position (tribally-hired inspector)

**Tribe and tribal gaming commission responsible for all food, health, and safety surveys/inspections within an Indian gaming facility

IHS DEHS and Gaming Commission perform triennial comprehensive site reviews of the establishment(s)

**Estimated cost to the Tribe: $85,000 (for EHS position)