

- The Iowa Department of Inspections and Appeals (DIA) contracts with several local county Health Departments to do retail food and lodging establishment licensing and inspections for approximately half of the counties in Iowa
  - The food inspection program is meant to be self-funded with user license fees covering the cost of providing the program, and for many years this was the case
  - An increase in local programs' contractual obligations including FDA Standards requirements, training and standardization of inspectors, and use of a new food database has ensured that the services being provided by local programs are equivalent to or better than the DIA program, but they have also significantly increased operational costs of the program
  - Food establishment licensing fees have only been slightly increased two times in the last 35 years, once in 1997 and once in 2008
  - Local contracts are now in the position of having to use local tax dollars to fund the program
  - It is inappropriate to require local taxpayers to cover the costs of a program that is meant to be covered by user licensing fees from the businesses that are receiving the services, and not putting this cost on local taxpayers could lead to additional property tax reduction
  - For contracts that cover multiple counties, local tax dollars from the county where the program is based cannot be used to subsidize food and lodging inspections in other counties
  - Counties without a local inspection program do not provide any type of funding to the county that is covering the program since it is supposed to be funded by user fees
  - Due to the lack of sufficient funding to cover the operating costs of the program, and the increase in operational costs and contractual obligations, several contracts have returned their counties back to DIA for licensing and inspection
  - In 2009, DIA covered retail food and lodging inspections in 23 counties, and today it covers 52 counties
  - Transferring more of this responsibility to DIA requires increases in the number of state employees to cover the territories formerly covered by local contracts
- The number of counties that DIA inspects has more than doubled in the past five years, but because their annual appropriation from the Iowa Legislature has not been increased sufficiently, DIA remains understaffed and has been forced to drastically decrease the frequency of their routine food and lodging inspections
  - Food establishments that were routinely inspected every 6 to 12 months are now often inspected only every 12 to 24 months, and sometimes even 36 months, which is far below the standards recommended by the FDA
  - Hotels and motels are no longer routinely inspected at all and are only inspected upon opening or receipt of a complaint
- If food establishment licensing fees are not appropriately increased to a level that supports the inspection program, more contracts will be forced to return their counties to the DIA for inspection, which could result in a virtual shutdown of the food inspection program across the state
- Rod Roberts, Director of DIA has indicated that if too many more counties are returned to that State agency, it will make no sense to offer retail food and lodging inspection contracts to local contractors at all, and the entire program shall be returned to the State level, requiring the addition of even more state employees

- Discontinuing the local retail food and lodging inspection program contracts would be a very short-sighted decision and should be prevented from happening under any circumstances
  - Counties can typically provide this program at a much lower cost than if the State were to cover each county
    - State inspectors generally have much higher salaries and more costly benefits than local inspectors
    - Travel costs are generally much lower due to the closer proximity of the inspector
  - DIA has reduced their inspection frequencies significantly, but many local contracts are still providing more frequent inspections and other services such as consultations
  - For a State agency that is already understaffed, having it cover inspections in the entire state would essentially cost taxpayers much more, but result in much less actual service being provided
  - Currently, applications for new establishments sent to DIA are not even reviewed for approximately 30 days. Local contracts do not have this backlog and typically will review new applications almost immediately, thus providing better service and a more business-friendly environment
  - After the delay in application review, there is likely additional delay due to the inspector needing to make time in their schedule to get to the establishment for a pre-opening inspection
  - Making new businesses wait unnecessary additional time is bad for local businesses who are looking to open up and begin operating
  - Consumer complaints are able to be responded to and investigated much more quickly
  - DIA no longer provides additional services such as consultative inspections prior to business expansion, or to inform prospective new business owners what would need to be done at a particular location in order to bring it into compliance with the Food Code, and therefore make it eligible for a license
  - Local inspectors are known in their community and typically have a closer working relationship with businesses, the public, and other local governmental agencies
  - Returning the entire retail food and lodging inspections program to DIA would essentially be taking good local jobs in a scientific career field away from local constituents and handing them over to State employees
  
- Local food inspectors, or environmental health specialists, typically have a much closer working relationship with their local public health offices, and are frequently part of the same entity
  - This relationship is essential when responding to reports of illnesses associated with food establishments that come in as a report to public health
  - Local public health officials are typically the ones responsible for interviewing people with certain reportable illnesses, and can work directly with their local inspectors in environmental health who will follow up on any reports of illnesses being associated with food establishments or food workers. This allows for very good lines of communication and very rapid response times
  - Certain outbreaks that may require post-exposure prophylaxis to prevent spread of an illness, such as a Hepatitis A outbreak, require that public health and inspectors in environmental health are able to work closely together and this allows for a better response
  - Local environmental health inspectors are able to cooperate more closely with local public health during disaster responses, such as when there is flooding, and are also able to respond much more quickly
  - Local environmental health inspectors are able to respond immediately to other issues such as water main breaks or other interruptions to the potable water supply, fires, and power outages that may threaten the safety of the food supply

- Many counties employ highly qualified environmental health personnel that cover multiple environmental health programs in addition to retail food and lodging inspections
  - Environmental health is a recognized profession across the country, and the system of having local environmental health professionals cover multiple programs in their jurisdiction, including food and lodging inspections, is a common one in many states
  - Removing the responsibility of retail food and lodging inspections from the local environmental health practitioner could put these positions in serious jeopardy because a great portion of their job responsibilities will have been eliminated and turned over to state employees
  - Counties could essentially begin eliminating these positions, making them part time, or contracting with other counties, again affecting response times, local authority, and closer working relationships with businesses, the public, and other local governmental agencies
  - This could have a significant effect on other environmental health programming as well. For example, the Iowa Department of Public Health (IDPH) contracts with local environmental health inspectors to inspect swimming pool, tanning, and tattoo establishments, and to follow up on cases of lead poisoning, but if that local inspector were no longer there these responsibilities may also need to be returned to the State, requiring the hiring of even more additional state employees
  - Local environmental health inspectors play a vital role in public health emergency response systems. Their expertise is needed on a variety of issues faced by local authorities and most have a designated position in the respective county's or department's emergency command structure
  - This could all result in a major destabilization of environmental health in the State
- Counties must be allowed to retain the option to have local authority over their own county's retail food and lodging licensing and inspection program
- Counties must be provided sufficient resources , via adequate license fees paid by the users of the services, to be able to fund their contracted retail food licensing and inspection program with no or minimal local property tax support
- Fees must be adequate enough to also allow counties to attract and retain the highly qualified employees that are required to work in the program, which are typically college graduates in a science field
- The fee schedule that is being proposed was written in a joint effort by DIA, local contractors, and industry representatives. The final version that came out of our negotiations is industry's proposal which raises fees an amount they considered to be acceptable, and also simplifies the fee structure, which will make it easier for businesses

**Important items to highlight:**

- The increase in state employees that will be required if contracts continue to return their counties to DIA, or are not given the option the keep their contract
- The importance of allowing counties the option to retain local control of their retail food and lodging licensing and inspection program
- The more business-friendly responsiveness that is provided by local programs, such as the great reduction in wait time before a new establishment can open up
- The proposed fee structure was developed jointly by DIA, local contractors, and industry representatives