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Services

Texas Department of State
Health Services

FY '19-'20 YOUTH CAMP INFORMATION

September 1, 2018-August 25, 2020

Youth Camp Advisory Committee Meeting Minutes

October 23, 2019 | 10:00 am

Department of State Health Services

Exchange Building | 8407 Wall St. Austin, TX 78754 | Room S. 125

Attendees:

- Jason Guzman (DSHS)
- Jeff Mantia (DSHS)
- Simone Salloum (DSHS/HHSC)
- Thalia Gonzaga (DSHS)
- Tim Huchton (ACA)
- Courtney Williamson (TX Derma Society)
- Victoria Price (Cmte. Member)
- Dan Neal (CRMP)
- Bob Miller (Cmte. Member)
- Danny Dawdy (Committee Chair)
- Shannon Brown (DSHS)
- Brandon Briery (Cmte. Member)
- Rick Denison (BSA)
- Andrew Burchfield (Cmte. Member)
- Joe Contreras (DSHS)
- Allen Smith (Cmte. Member)
- Patricia Osborn (Cmte. Member)
- Xavier Garcia (Burchfield Ministries)

Minutes:

- 1.) Mr. Danny Dawdy - Welcome and call to order.
 - Start time – 10:00 am
 - Mr. Danny Dawdy motions to move item #5 to right after #1 (passed)
 - Patricia Osborn committee member and Courtney Hoffman (lobbyist) participating by conference call on the phone.
- 5.) Mr. Jeff Mantia - New committee member status or introductions.
 - New Members
 - Victoria Price
 - Brandon Briery
 - Working on getting another candidate(s) to fill two committee member vacancies.
- 2.) Mr. Jeff Mantia - Review and approval of the meeting minutes from the last meeting of the Youth Camp Advisory Committee (March 21, 2019).
 - Motion to approve last meeting minutes passes
- 3.) Mr. Jeff Mantia - Review and discussion of licensing changes, and trends in violations noted during 2019 inspections
 - No common violations that were seen in the last season as most camps are compliant
 - Slight trend in rental youth camps operation: lack of sexual molestation awareness trainings and background checks for 3rd party adult staff.
 - Lots of questions received in Spring 2018 concerning licensing requirements, in particular youth camp specialized activities.



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- 4.) Mr. Jeff Mantia, Ms. Simone Salloum, and Ms. Shannon Brown - Discussion of proposed rule process and revisions to Texas Administrative Code Title 25, Part 1, Chapter 265, Subchapter B (relating to Texas Youth Camps Safety and Health).
- The proposed amendments to §265.11 (6), (19), (25), (26) and §265.15(h) are minor revisions to clarify definitions of a supervisor/ counselor, day camps, youth camps, minimum frequency of youth camp specialized activities, and medical log.
 - §265.11(6) – change from “more than 4 hours” to run for 4 hours
 - (19) – removed the term “leader” to an adult that is 18 years or older
 - Campers that are 18 years or older do not need background checks so long as they are not working or assuming a supervisory role
 - Proposing that 18 years or older campers should get background checks or exclude them from youth camps to grey areas
 - (25) – youth camps now need two specialized activities in the span of each session
 - (26) – specialized activities are amended to state these activities need adult supervision at all times
 - §265.15(h) – “bound” is removed; it is not literal and digital logs are acceptable
 - The proposed amendments to §265.12(f) clarify the requirement of annual criminal background checks for all adults who have unsupervised contact with campers
 - All adults who have unsupervised contact with campers need background checks
 - Ms. Patricia Osborn – what about 18 year-old campers who have records? The rule is not written to include campers.
 - The proposed amendments to §265.12(g) & (h)(1)(A) remove preclusion of persons with certain criminal history to allow for the employment of persons with certain Class C assault misdemeanors
 - If a camp wants to hire those with Class C misdemeanors, they now can, but camps can still deny this
 - The proposed amendments to §265.12(i) clarify that anyone who will have unsupervised contact with campers must complete a sexual abuse and child molestation awareness training and examination program
 - The proposed amendment creates an additional record retention period under §265.12(k), for documents related to a sexual abuse investigation and /or conviction, of youth camp staff
 - Youth Camps need to report sexual abuse allegations to DSHS even after law enforcement has been made aware
 - Only allegations of abuse that happen on the camp grounds during operational periods
 - The proposed amendment to §265.15 (d)(3) creates a requirement that camps develop and maintain a written policy regarding the method for reporting to the department suspected abuse or neglect of a minor occurring at the camp



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- The proposed amendment to §265.15 (d)(4) creates a procedure by which DSHS will forward a report of alleged abuse of a camper to the Department of Family Protective Services or other appropriate agency
- The proposed amendments to §265.23(a)(3)(B) & §265.24(c)(3)(B) were necessary due the definition changes made in §265.11

6.) Bob Miller - What can committee members do, as individuals or representatives of stakeholders to help DSHS in its mission; to include a discussion of the flow of information, discussion, and feedback

- Committee proposes holding another meeting before rules get published in order to discuss the publication
- Ms. Shannon Brown and Ms. Simone Salloum discuss the valid methods of discussion in accordance with the Open Meetings Act

7.) Courtney Williamson - Texas Dermatological Society rule change recommendations for use of sunscreen by participants at licensed youth camps

- Ms. Courtney Williamson representing for Eric Woomar
- Proposing to add rule to allow campers to bring sunscreen that is FDA approved in youth camps
 - There is no current prohibition of bringing sunscreen
- Ms. Patricia Osborn motions to amend the sitting proposal to add a statement in the rule stating that sunscreen is not a prescription medication
- Motion to further discuss this topic at the next meeting passes

8.) Public Comment

- Mr. Tim Huchton – specialized activities (formerly “hazardous activities”) requirement change has camps worried that they will no longer qualify
 - This discussion is reserved for the next meeting since it is not on the original agenda
- Mr. Tim Huchton – camper to camper abuse is becoming a trend and might need to be addressed
- Mr. Denison (BSA)– girls are now allowed in boy scouts camp and co-ed camps are allowed, so dress codes and gender identity discussions need to be addressed
- Dan Neal – recommends adding camper to camper abuse to next agenda and proposing that a subject matter expert is brought into the discussion

9.) Set next meeting date

- March 25, 2020 at DSHS Exchange Building at 10:00 am

10.) Meeting adjourn at 11:51 am



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Inspection numbers FY '19



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Youth Camps Licensed	Youth Camps Inspected	Youth Camps NOT Inspected
483	471	12
	(97.5%)	(2.5%)
6 Non-licensed or expired facilities inspected.		

Compliance Cases `FY19

9 Cases were referred to Compliance

- **8 cases went to Compliance Review & Informal Conference**
- **5 cases assessed \$3,625 in Administrative penalties**
- **2 cases were placed on a "Directed Plan of Correction"**
- **1 case was sent a "Warning Letter"**



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Incomplete inspection numbers FY '20

Youth Camps Licensed	Youth Camps Closed	Youth Camps Inspected	Youth Camps Status Undetermined
358	129	212	17
	(36%)	(59.2%)	(4.7%)

Information as of August 25th.

Updating Youth Camp Webpage to include FAQs- Guidance



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- **C.A.M.P.ference 2020**

Camp Feedback to take to Youth Camp Advisory Board

Common questions for program consideration and guidance.

Resulted in program creating a new webpage on the youth Camp website to include a FAQ page.

[Youth Camp Guidance- FAQs](#)

Example of FAQs-Guidance



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What activities are considered Youth Camp Specialized Activities that qualify my program for a license?

In rule, §265.11 (26), there are five defined types of youth camp specialized activities, in an outdoor setting, that require an adult trained specialist to oversee at all times:

- Waterfront Activities
 - Swimming
 - Kayaking
 - Canoeing
 - Boating
 - Snorkeling
 - Scuba Diving
- Archery
 - Archery range
 - Archery Tag
 - Axe / knife / spear target throwing
- Horseback Riding Program
- Challenge Courses
 - Zip Lines
 - High/Low Ropes
 - Wall Climbing
 - Rock Climbing
 - Wall
- Riflery
 - BB Guns
 - Paintball
 - Rifle range
- Other activities may be considered on a case by case basis. To determine whether an “other” activity, not explicitly on our list, would be a qualifying activity, we will consider the following: Does the activity pose an elevated risk of injury, necessitate additional liability insurance, and require constant trained adult supervision and safety equipment?

Updating Youth Camp Webpage to include -- Revised Penalty Matrix



Number	Violation	TAC § Number	Regulation	Significant Level III Penalties: \$250-1st Offense \$375-2nd Offense \$500-3rd Offense	Serious Level II Penalties: \$500-1st Offense \$625-2nd Offense \$750-3rd Offense	Critical Level I Penalties: \$750-1st Offense \$875-2nd Offense \$1000-3rd Offense License Revocation
32a	Permanent Food Service Facilities	25 TAC §265.13(t)	"Permanent food preparation, storage and service areas. Permanent food preparation, storage and service areas must be maintained in compliance with 25 TAC, Chapter 228, Texas Food Establishments, as amended." Violations correspond with Priority Items # 1-20 on the TFER inspection checklist.			X
32b			"Permanent food preparation, storage and service areas. Permanent food preparation, storage and service areas must be maintained in compliance with 25 TAC, Chapter 228, Texas Food Establishments, as amended." Violations correspond with Priority Foundation Items # 21-33 on the TFER inspection checklist.		*	
32c			"Permanent food preparation, storage and service areas. Permanent food preparation, storage and service areas must be maintained in compliance with 25 TAC, Chapter 228, Texas Food Establishments, as amended." Violations correspond with Core Items # 34-47 on the TFER inspection checklist.	*		
33	Playgrounds and equipment	25 TAC §265.13(u)	"Playgrounds and equipment. Playgrounds and playground equipment shall meet the standards set forth in the U.S. Consumer Product Safety Commission Publication Number 325, "Handbook for Public Playground Safety", April 2008 as amended. Equipment that does not meet these standards may not be used by campers."		X	
34	Maintenance and operation of campsites	25 TAC §265.14(a)	"Maintenance and operation of primitive campsites. Primitive campsites shall be maintained and operated in a safe and healthful manner."		X	
35	Drinking water at primitive camp, on hikes, or on trips away	25 TAC §265.14(b)	"Drinking water at primitive camp, on hikes, or on trips away. Drinking water used at primitive camps and on hikes and trips away from permanent campsites shall be from a source known to be safe or shall be rendered safe."			X

Rules update-recent revisions

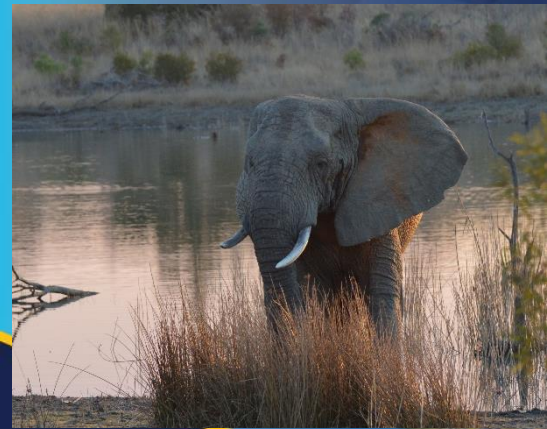


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Sections 265.23 and 265.24 were revised February 2020, to explicitly state that DSHS must consider any violations of the Texas Youth Camp Safety and Health Act and the rules, including employment of an individual convicted of an act of sexual abuse that occurred at the camp when determining whether to deny an initial or renewal youth camp license application, per HB 4372. Section 265.12 was also revised to specify that only Class C misdemeanors under Texas Penal Code section 22.01 (Assault) were excluded from the mandatory preclusion provisions.

More details on slides # 3 & 4 of this presentation.



Thank you, any questions??

Jeff Mantia, R.S.
Compliance Officer

**Texas Department of State Health Services
Public Sanitation & Retail Food Safety Group
PO Box 149347 MC 1987 Austin TX 78714-9347**

512-231-5753

Jeffrey.Mantia@dshs.texas.gov



8/25/2020

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