



**Public Health**

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# CATTARAUGUS COUNTY BOARD OF HEALTH

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*Andrew Klaczynski, MD, President*

*Joseph Bohan, MD, Vice-President*

*Giles Hamlin, MD*

*Joseph Eade*

*Sondra Fox, RN*

*Richard Haberer*

*James Lapey*

*Georgina Paul, FNP*

*James Snyder*

## MINUTES

September 5, 2012

The 808<sup>th</sup> meeting of the Cattaraugus County Board of Health was held at St. Bonaventure Clubhouse Restaurant, Route 417, Allegany, New York on September 5, 2012.

The following members were present:

Andrew Klaczynski, MD

Sondra Fox, RN

Joseph Bohan, MD

James Lapey

Giles Hamlin, MD

Georgina Paul, FNP

Joseph Eade

James Snyder

Also present were:

Kevin D. Watkins, MD, MPH, Public Health Director

Kathleen Ellis, Administrative Officer

Thomas Brady, County Attorney

Eric Wohlers, Environmental Health Director

Raymond Jordan, Sr. Sanitarian

Susan Andrews, Director of Patient Services

Gilbert Witte, MD, Medical Director

Henry Storch, MD, Clinic Physician

Paula Stockman, County Legislator

Donna Vickman, County Legislator

Linda Edstrom, County Legislator

Carl Edwards, County Legislator

David Porter, Hearing Officer

Rick Miller, Olean Times Herald

The meeting was called to order by Dr. Klaczynski. The roll was called and a quorum declared. Mr. Eade made a motion to approve the minutes of the August 1, 2012 Board of Health meeting and the minutes of the July 18, 2012 Professional Advisory meeting. It was seconded by Mr. Snyder and unanimously approved.

Dr. Klaczynski welcomed Mr. Carl Edwards, County Legislator to the meeting.

**Director's Report:** Dr. Watkins reported that since the last meeting, the public health and health planning council, who is authorized by Section 225(4) of the Public Health Law, amended the New

York State Sanitary Code regarding synthetic drugs. Dr. Watkins reviewed pages 16 & 17 of the Order which states that small businesses must comply by not engaging in any possession, manufacturing, distribution, sale or offer of sale of synthetic phenethylamines and synthetic cannabinoids; that local governments must comply by enforcing the State Sanitary Code; and local boards of health may impose civil penalties for a violation of this regulation of up to \$2,000 per violation, pursuant to PHL, Section 309(1)(f). Pursuant to PHL, Section 229, local law enforcement may seek criminal penalties for a first offense of up to \$250 and 15 days in prison, and for each subsequent offense up to \$500 and 15 days in prison.

Dr. Watkins stated that the Health Department visited two local smoke shops to inform them of the Order and found one shop to be in possession of these products, even though they were previously warned of the State Health Commissioner's Order issued in May, 2011 which prohibits the sale of these products. The owner was very apologetic and said that he received samples from several manufacturers without his solicitation. He voluntarily handed over three 15 gal. trash bags of these products to the Health Department (a picture of items collected was viewed). They were then handed over to the Sheriff's Department who gave them to the New York State Troopers to be analyzed by the State. This owner has been placed on notice and another offense will leave us no other alternative but to contact local law enforcement.

Dr. Witte asked how the products were labeled. Dr. Watkins stated that the products were marked "not for human consumption" and Mr. Wohlers added that some of them were labeled "potpourri." Mr. Snyder asked why this is a Health Department concern and not the Sheriff's Department. Dr. Watkins stated that jurisdiction is given to both agencies. There was discussion on the different enforcement actions that the Health Department, Board of Health and local law enforcement agencies can take. This amendment was to the State Sanitary Code and enforcement of this law will be based on complaints.

Dr. Watkins stated that since the last meeting the Health Department has received multiple reports regarding West Nile Virus (WNV) surveillance which has been in epidemic numbers across the country. WNV is transmitted to humans primarily by mosquitoes. It is not usually transmitted person to person but there have been cases of WNV being passed on to others through blood donations, organ transplants and rarely from a mother to a child while breastfeeding. About 80% of people infected with WNV experience no symptoms, but 20% may have flu-like symptoms which can include headache, fever, nausea, muscular weakness or a skin rash on the chest or back. These symptoms usually resolve without treatment in a few days or weeks. About 1 in every 150 people infected with WNV will become seriously ill with an infection that affects the central nervous system (CNS). With a CNS type of infection caused by WNV, patients frequently experience severe symptoms such as confusion, convulsion, high fever, stiff neck, and headaches and they may go into a coma. They may experience encephalitis or meningitis and may develop muscular paralysis. This is a very serious form of WNV and much more common in the elderly and those who are immunocompromised. Most symptoms will resolve within several weeks, but some nerve damage and paralysis may linger or be permanent. There is no anti-viral treatment for West Nile Virus. The Centers for Disease Control (CDC) reports that the number of WNV cases for 2012 is the highest that they have seen since 1999. Dr. Watkins went over information on the WNV handouts (see attached).

In Cattaraugus County we are following one suspected human case of WNV. Because we are not conducting mosquito surveillance, we are not submitting any mosquito pools for testing, therefore cannot determine with certainty that WNV is in our area. Nevertheless, there was a crow found in Cattaraugus County that was positive for WNV and other surrounding counties have reported positive WNV mosquito pools (Chautauqua and Erie counties). Therefore, we can speculate that WNV is in our area, and we are taking the initiative to conduct preventive measures to alert the residents of its presence. Preventive measures include informing residents to buy repellent that contains DEET, to limit their exposure to mosquitoes at dusk and dawn when mosquitoes are most prevalent and if they are outdoors during this time period they should wear long sleeve shirts and long pants. Residents should also empty any standing water around their home. If we start to see a peak in the number of human cases of WNV, we would strongly consider spraying for mosquitoes. Dr. Bohan suggested that mosquito surveillance be a part of the 2013 Health Department budget since we know that WNV is in Cattaraugus County. Dr. Watkins stated that we will include it in the budget for next year, but are limited to only increasing the overall department's budget by 2% over last year's budget.

Dr. Watkins announced that the Health Department is in the process of setting up flu clinics. The 2012-2013 influenza vaccine is a trivalent vaccine that has 3 components; those components include: Influenza A (H1N1) antigen, Influenza A (H3N2) antigen and Influenza B antigen. This seasonal vaccine is not designed to protect against the variant Influenza which is Influenza A (H3N2v). It has recently been detected and associated with any person who comes into contact with swine (recently at county fairs) causing a variant type of swine flu. There has been no decision to produce a vaccine for this particular strain yet, but the CDC is monitoring the situation.

Dr. Watkins stated that there have been 22,000 cases of Whooping Cough (Pertussis) reported in the United States this year. As of August 11, 2012 there have been 13 deaths in the United States due to Pertussis. In 1959 there were more than 40,000 cases of Whooping Cough in the United States and we are on track to see that many cases this year. In New York State, there are approximately 1,200 cases as of August 20, 2012 and no deaths. In Cattaraugus County we have had two confirmed cases and two probable cases and one suspected case as of August 21, 2012. Dr. Watkins stated that the Tdap vaccine is available free of charge to anyone who is uninsured and needs the vaccination.

Dr. Watkins said that information on the number of Clean Indoor Air Act (CIAA) waivers in New York State by county was mailed to Board members. Mr. Brady recommended that the Board move into Executive Session subject to attorney-client privilege. Dr. Bohan made a motion to go into Executive Session; it was seconded by Mr. Eade and unanimously approved.

No actions were taken after moving out of Executive Session. Dr. Klaczynski requested a motion to continue the waivers, abolish them or postpone the voting until the next meeting. Mr. Lapey made a motion that no new CIAA waivers be considered, entertained or granted by the Board of Health and that any existing waivers expire on December 31, 2012 and will not be renewed. It was seconded by Mr. Eade.

Discussion: Mr. Snyder stated that he will respectfully not support this motion because these four establishments are insignificant in view of what has been accomplished in regard to compliance with the CIAA. He does not want to put them out of business. He urged the Board to vote against it and

try to work out a better alternative. Dr. Klaczynski stated that smoking is harmful and health care costs increase because of diseases caused by smoking and these costs are usually paid by Medicaid and Medicare. Mr. Eade stated that several counties in the State never allowed waivers and the primary responsibility of the Board of Health is to uphold the CIAA and improve the health of the residents of Cattaraugus County. Mrs. Fox added that other businesses had to comply with the CIAA and believes that these establishments should have to also. There are counties that have successfully rescinded waivers and she would like to see more energy put into helping people to quit smoking. Dr. Witte agreed with Mr. Eade that the Board of Health stands for improving the health of the residents of Cattaraugus County. Dr. Bohan stated that he believes that the Board regrets ever granting the waivers and now a report from Roswell Park Cancer Institute states that smoking rooms do not keep second hand smoke away from other patrons. If there is scientific proof that these rooms are not effective, it would be a good reason to deny the waivers.

Dr. Klaczynski suggested that the waivers be extended until the end of 2014 to prepare the establishments for them to be discontinued. Mrs. Fox stated that the Board voted to do that a couple years ago and it sends the wrong message as the Board of Health. Dr. Witte agreed. Dr. Watkins stated that the establishments were sent letters stating that their waivers would be discontinued and then representatives of the establishments appeared before the Board and the Board reconsidered and granted the waivers for another 18 months, they will all expire on December 31, 2012. Mr. Edwards stated that it is not the government's job to protect everyone from everything and if someone chooses to smoke it is none of the government's business. Mr. Snyder stated that the State granted boards of health the right to grant waivers because they believed there may be circumstances where municipalities would have establishments needing exceptions to the CIAA law. Mrs. Fox stated that she learned that when the CIAA amendment was passed, granting waivers was a compromise made to get the bill passed, so that they had the support of those groups. Dr. Klaczynski asked Mrs. Fox if she could get a copy of the study that Roswell did to show that these rooms are ineffective.

Mr. Brady stated that he wants the record to reflect that the Board's decision is not based on supposition or speculation as to what may or may not have happened in any of these facilities. If the Board votes to take this action, it is simply changing its position and deciding not to extend the waivers that were granted in the past. It is not basing the decision on whether or not children come in and out of the facility or whether or not Roswell takes a certain position with regard to this issue. The issue before the Board is simply whether to extend the waivers or not.

Dr. Hamlin stated that he is a former smoker, but does not smoke now. He agrees with everything that has been said about the hazards and health risks of smoking, but the Board should be fair to the establishments who met the conditions in order to receive the waivers and have been compliant with the regulations over the years. He stated that it is hard for him to understand how the facility can have two separate heating and cooling units and somehow smoke gets into the non-smoking section. He would like to get more information before a vote is taken. Dr. Klaczynski would like to see the minutes from 2003 to see whether the wording said "temporary" or "permanent" waiver. Dr. Watkins stated that the waivers that are sent to these establishments say "temporary" on them. Mr. Jordan stated the waivers are only good for one year and expire at the end of the year with the option to be renewed.

The motion to discontinue the waivers has been made and seconded. A roll call vote was taken: Dr. Klaczynski – yes; Dr. Bohan – yes; Dr. Hamlin – no; Mr. Eade – yes; Mrs. Fox – yes; Mr. Lapey – yes; Mrs. Paul – no; Mr. Snyder – no. Since there are 5 yes votes, the motion to discontinue the waivers to the **Ischua Fire Department, Off Track Betting-Olean, Rough Kutts-South Dayton and Little Valley V.F.W.** is passed. These establishments will be notified.

**Nursing Division Report:** Mrs. Andrews reported that the flu clinics have been scheduled throughout the County. The clinics are being scheduled a little earlier this year because the CDC guidelines state that the vaccine should be administered as soon as it is available. However, there are concerns that perhaps the immunities might not last through the end of the flu season which can be February or March. Dr. Witte commented that the longer the vaccination period, the more people that can be vaccinated and feels the County is doing the right thing. Mrs. Andrews stated that the flu shot is \$20 for individuals that are not covered by insurance.

Mrs. Andrews also reported that Congressman Reed is coming to the Health Department to look at our Home Care Agency tomorrow afternoon.

**Environmental Health Division:** Mr. Wohlers reported that every year Environmental Health conducts five rabies clinics for the public to bring their pets in to get free rabies vaccinations. One is scheduled during the winter in January, one in the spring in May and the three clinics scheduled in the fall are as follows: 1) held yesterday at Markhams; 2) 9/6/12 in Allegany; and 3) next Tuesday, 9/11/12 in Franklinville. They are scheduled from 4:30–7:30 p.m. at the D.P.W. garages at those locations.

Mr. Wohlers said that the Health Department receives periodic reports of WNV cases in New York State. There are scientists speculating that if the climate change that we are currently experiencing continues, the warm conditions may be conducive to more mosquito borne illnesses and these types of viruses and those that are transmitted by birds could be on the rise.

Mr. Wohlers also reported that because of the hot, dry summer we have seen an increase in the amount of blue-green algae (BGA) that is blooming in area water bodies. The last several years the State has had grant funding to monitor more closely the incidence of toxic algae blooms on water bodies in New York State. The State has a very good website on BGA and the health risks. People need to learn how to recognize BGA versus ordinary, harmless green algae, be aware of the dangers, and avoid contact with it (including pets). BGA has been observed or confirmed on two small lakes in Cattaraugus County this summer and in the Allegheny Reservoir. There have also been reports in some smaller private ponds. If you go to the DEC website there are pictures to help identify BGA, as well as a map and tables listing where lakes have been sampled and BGA confirmed.

Mr. Porter reported the following enforcement cases for Board action:

**DOCKET 12-015**

**COLDSPRING VOLUNTEER FIRE CO., 2603 Route 394, Coldspring**

**Violations: 10NYCRR, Article I, Section 5-1.72(c)(1)** Respondent failed to submit complete daily records for the operation of the public water supply for the month of May 2012 to CCHD by the 10<sup>th</sup> day of the following month. Previous violations, Docket #09-029, #11-050, & 11-064. Notice of

**DOCKET 12-015 (continued)**

Hearing with no stipulation offered was mailed 6/21/12. It was received and signed for by Cathie VanSickle on 6/27/12.

**DOCKET 12-024****COLDSPRING VOLUNTEER FIRE CO., 2603 Route 394, Coldspring**

**Violations: 10NYCRR, Article I, Section 5-1.72(c)(1)** Respondent failed to submit complete daily records for the operation of the public water supply for the month of June 2012 to CCHD by the 10<sup>th</sup> day of the following month. Previous violations, Docket #09-029, #11-050, 11-064 & 12-015. Notice of Hearing with no stipulation offered was mailed 7/25/12. It was received and signed for by Cathie VanSickle on 7/27/12.

**Administrative Hearing:**

Sanitarian: Chris Covert appeared for CCHD and was sworn.

Respondent: Failed to appear at hearing.

Enf. 1 was read and affirmed to be correct by Ms. Covert and identified as People's Exhibit #1 for Docket #12-015 and People's Exhibit #2 for Docket #12-024. There was no civil compromise offered for either docket number as this was the 4<sup>th</sup> and 5<sup>th</sup> violation. The operation report for May was received 7/3/12 and the operation report for June was received 8/7/12. Ms. Covert submitted a letter dated 4/16/09 (P. Exhibit #3) that was sent to Respondent explaining enforcement policies and that the County no longer calls operators when the reports are late. Ms. Covert also submitted a copy of an email between the Respondent and the Health Dept. dated 9/29/09 (P. Exhibit #4) again explaining Respondent's responsibility and enforcement policies.

The last fine the Respondent paid was \$250 for Docket #11-064.

Hearing Officer Finding: Respondent is in violation of 10NYCRR, Section 5-1.72(c)(1) – failure to submit complete daily records for the operation of the public water supply for the months of May and June, 2012 to CCHD by the 10<sup>th</sup> day of the following month.

Recommendations:

- 1) That Respondent pays a \$250 fine for each violation (Dockets 12-015 and 12-024) to be received by CCHD on or before 9/28/12.
- 2) That Respondent provides a written protocol acceptable to CCHD to be in compliance of 10NYCRR, Section 5-1.72(c)(1)
- 3) If the fine of \$500 and protocol are not received by 9/28/12, then permit will be revoked for one month for every month late.

Dr. Bohan made a motion to accept the Hearing Officer's recommendation; it was seconded by Mrs. Fox and unanimously approved.

Board Ordered:

- 1) That Respondent pays a \$250 fine for each violation (Dockets 12-015 and 12-024) to be received by CCHD on or before 9/28/12.
- 2) That Respondent provides a written protocol acceptable to CCHD to be in compliance of 10NYCRR, Section 5-1.72(c)(1)
- 3) If the fine of \$500 and protocol are not received by 9/28/12, then permit will be revoked for one month for every month late.

**DOCKET 12-016****PORKY'S BAR, ANDY J. MICHAEL, 2983 Rogers Road, Hinsdale**

**Violations: 10NYCRR, Article I, Section 5-1.72(c)(1)** Respondent failed to submit complete daily records for the operation of the public water supply for the month of May 2012 to this office by the 10<sup>th</sup> day of the following month. Previous violation, Docket #11-065. Notice of Hearing offering a \$100 civil compromise was mailed 6/21/12. Certified mail was returned unclaimed. Rich Dayton, Public Health Technician, hand delivered Notice of Hearing to Patricia, co-owner, on 7/25/12.

**DOCKET 12-021****PORKY'S BAR, ANDY J. MICHAEL, 2983 Rogers Road, Hinsdale**

**Violations: 10NYCRR, Article I, Section 5-1.72(c)(1)** Respondent failed to submit complete daily records for the operation of the public water supply for the month of June 2012 to this office by the 10<sup>th</sup> day of the following month. Previous violation, Docket #11-065, 12-016. Notice of Hearing offering a \$200 civil compromise was hand delivered by Rich Dayton, Public Health Technician, to Patricia, co-owner, on 7/25/12.

**Administrative Hearing:**

Sanitarian: Chris Covert appeared for CCHD and was sworn.

Respondent: Failed to appear at hearing.

Enf. 1 was read and affirmed to be correct by Ms. Covert and identified as People's Exhibit #1 for Docket #12-016 and People's Exhibit #2 for Docket #12-021. P. Exhibit #3 is a letter dated 10/19/11 that was sent to Respondent stating that the September 2011 report was not received and explaining enforcement policies.

Hearing Officer Finding: Respondent is in violation of 10NYCRR, Section 5-1.72(c)(1) – failure to submit complete daily records for the operation of the public water supply for the months of May and June, 2012 to CCHD by the 10<sup>th</sup> day of the following month.

Recommendations:

- 1) That Respondent pays a \$200 fine for Docket #12-016 to be received by CCHD on or before 9/28/12 with a \$10 per diem fine if not received by that date.
- 2) That Respondent pays a \$400 fine for Docket #12-021 to be received by CCHD on or before 9/28/12 with a \$10 per diem fine if not received by that date.

Mrs. Fox made a motion to accept the Hearing Officer's recommendations; it was seconded by Mr. Eade and unanimously approved.

Board Ordered:

- 1) That Respondent pays a \$200 fine for Docket #12-016 to be received by CCHD on or before 9/28/12 with a \$10 per diem fine if not received by that date.
- 2) That Respondent pays a \$400 fine for Docket #12-021 to be received by CCHD on or before 9/28/12 with a \$10 per diem fine if not received by that date.

**DOCKET 12-017**

**REID STORES, INC., CROSBY'S, 105 Rock City Street, Little Valley**

**Violations:** NYS Public Health Law, Section 1399-cc On Wednesday, July 11, 2012 at approximately 3:31 P.M., a pack of Marlboro Gold cigarettes was purchased in your establishment by a person under the age of eighteen (18). Notice of Hearing offering a \$300 civil compromise and \$50 surcharge was mailed 7/18/12. It was received and signed for by Alyssa Fuller on 7/19/12.

**Administrative Hearing:**

Sanitarian: Chris Covert appeared for CCHD and was sworn.

Respondent: Bob Burns, District Manager for Reid Stores, Inc. and Annie, Team Leader for Crosby's in Little Valley, NY appeared and were sworn.

Ms. Covert gave the following testimony and evidence:

People's Exhibit #1 – Enf. 1 read and affirmed to be true and correct

P. Ex. #2 – pack of cigarettes purchased

P. Ex. #3 – possession form for minor

P. Ex. #4 – copy of learner permit with photo of minor

P. Ex. #5 – ATUPA guidelines for minor

P. Ex. #6 – student permission form

P. Ex. #7 – copy of minor's birth certificate

Mr. Burns admitted that the incident did take place as described. He described in detail the policies that have been established to prevent the sale of tobacco products to minors in the future.

Hearing Officer Finding: That Respondent is in violation of NYS Public Health Law, Section 1399-cc – sale of tobacco products to a person under 18 years of age.

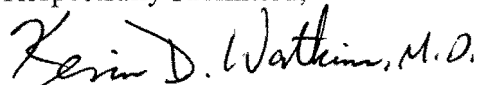
Recommendation: Mr. Burns will pay the \$300 civil compromise and \$50 surcharge once he receives notification from the Cattaraugus County Board of Health. Failure to pay the civil compromise and surcharge by 9/28/12 will result in a \$10 per diem fine until paid.

Mr. Eade made a motion to accept the Hearing Officer's recommendation; it was seconded by Mr. Lapey and unanimously approved.

Board Ordered: That Mr. Burns pays the \$300 civil compromise and \$50 surcharge once he receives notification from the Cattaraugus County Board of Health. Failure to pay the civil compromise and surcharge by 9/28/12 will result in a \$10 per diem fine until paid.

There being no further business to discuss, Mr. Eade made a motion to adjourn. It was seconded by Mr. Lapey and carried to adjourn.

Respectfully submitted,



Kevin D. Watkins, M.D., M.P.H.

Secretary

KDW/km





[CDC Home](#)

[Search](#)

[Health Topics A-Z](#)

Division of Vector-Borne Diseases

**West Nile Virus**

[West Nile Virus Home](#) | [DVBDD Home](#) | [Search](#) | [Site Index](#) | [Contact Us](#)

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- [Fact Sheet](#)
- [Q & A](#)

## Specific Topics

- [Maps & Human Cases](#)
- [Clinical Guidance](#)
- [Lab Guidance](#)
- [Workplace Safety](#)
- [Background](#)
- [Ecology/Virology](#)
- [Education/Training](#)

## Resources

- [In the News](#)
- [Publications](#)
- [Conferences](#)
- [Related Links](#)
- [State & Local Government Sites](#)
- [Guidelines for Surveillance, Prevention, & Control](#) PDF [77 - pages]

[West Nile Virus Home](#) > [Statistics, Surveillance, and Control](#) >

## Statistics, Surveillance, and Control

[Maps and Data](#) | [Surveillance Program](#) | [Guidelines](#) | [Case Definition](#) | [See Also](#)

[Esta página en Español](#)

## West Nile Virus (WNV) Human Infections Reported to ArboNET, by State, United States, 2012 (as of August 28, 2012)

Human Disease Cases Reported To CDC

State	Neuroinvasive Disease Cases	Non-Neuroinvasive Disease Cases	Total Cases*	Deaths	Presumptive Viremic Blood Donors†
Alabama	8	5	13	1	0
Arizona	11	5	16	1	4
Arkansas	20	5	25	2	2
California	24	20	44	2	16
Colorado	12	11	23	0	0
Connecticut	3	0	3	0	0
District Of Columbia	1	0	1	1	0
Florida	8	11	19	0	2
Georgia	16	5	21	3	5
Idaho	2	2	4	0	0
Illinois	19	2	21	1	6
Indiana	3	9	12	1	6
Iowa	1	4	5	0	3
Kansas	9	10	19	1	0
Kentucky	3	0	3	0	1
Louisiana	47	26	73	6	17
Maryland	7	5	12	1	8
Massachusetts	3	0	3	0	0
Michigan	53	18	71	3	27
Minnesota	16	19	35	1	17
Mississippi	52	46	98	2	15
Missouri	3	3	6	1	4
Montana	0	1	1	0	0
Nebraska	8	18	26	0	11
Nevada	0	0	0	0	1
New Hampshire	1	0	1	0	0

<b>New Jersey</b>	2	2	4	0	1
<b>New Mexico</b>	4	2	6	0	0
<b>New York</b>	10	3	13	1	7
<b>North Carolina</b>	3	0	3	1	1
<b>North Dakota</b>	5	12	17	0	14
<b>Ohio</b>	31	12	43	0	10
<b>Oklahoma</b>	54	26	80	5	31
<b>Oregon</b>	0	1	1	0	0
<b>Pennsylvania</b>	8	4	12	0	3
<b>South Carolina</b>	5	3	8	0	7
<b>South Dakota</b>	36	62	98	1	25
<b>Tennessee</b>	4	1	5	0	0
<b>Texas</b>	392	341	733	30	58
<b>Utah</b>	0	2	2	0	0
<b>Virginia</b>	1	4	5	0	1
<b>West Virginia</b>	2	0	2	0	0
<b>Wisconsin</b>	1	0	1	0	0
<b>Wyoming</b>	1	1	2	0	0
<b>Totals</b>	<b>889</b>	<b>701</b>	<b>1590</b>	<b>65*</b>	<b>303</b>

\* Includes confirmed and probable cases.

† Of the 303 presumptive viremic blood donors, 43 (14%) developed clinical illness and are also included as "Human disease cases reported to CDC".

\*One death that was incorrectly entered was removed on 8/30/2012.

**Neuroinvasive disease cases**, refers to severe cases of disease that affect a person's nervous system. These include encephalitis which is an inflammation of the brain, meningitis which is an inflammation of the membrane around the brain and the spinal cord and acute flaccid paralysis which is an inflammation of the spinal cord that can cause a sudden onset of weakness in the limbs and/or breathing muscles.

[Click here for further explanation of WN meningitis and/or encephalitis.](#)

[Click here for further explanation of acute flaccid paralysis](#)

**Nonneuroinvasive disease cases** refers to typically less severe cases that show no evidence of neuroinvasion—primarily West Nile fever. WN fever is considered a notifiable disease, however the number of cases reported (as with all diseases) may be limited by whether persons affected seek care, whether laboratory diagnosis is ordered and the extent to which cases are reported to health authorities by the diagnosing physician.

See the case definition (2011) for [Neuroinvasive and Non-Neuroinvasive Domestic Arboviral Diseases \(includes diseases caused by California serogroup viruses; eastern and western equine encephalitis viruses; and Powassan, St. Louis encephalitis, and West Nile viruses\)](#).

**Presumptive viremic blood donors (PVDs)** are people who had no symptoms at the time of donating blood (people with symptoms are deferred from donating) through a blood collection agency, but whose blood tested positive in preliminary tests when screened for the presence of West Nile virus. Some PVDs do go on to develop symptoms after donation, at which point they would be included in the count of human disease cases by their state.

**Total Human Cases Reported to CDC:** These numbers reflect both mild and severe confirmed and probable human disease cases occurring in 2012 to ArboNET by state and local health departments. ArboNET is the national, electronic surveillance system established by CDC to assist states in tracking West Nile virus and other mosquito-borne viruses. Information regarding 2012 virus/disease activity is posted when such cases are reported to CDC.

Of the 1590 WNV cases, 889 (56%) were reported as neuroinvasive disease cases and 701 (44%) were reported as nonneuroinvasive disease cases. Three hundred and three WNV presumptive viremic blood donors (PVDs) have been reported at this time.

Please refer to [state health department web sites](#) for further details regarding state case totals.

## County Arboviral Surveillance Activity:

2012 Arboviral Activity - through August 28

COUNTY	West Nile Virus				Eastern Equine Encephalitis				COUNTY	West Nile Virus				Eastern Equine Encephalitis			
	Human Cases <sup>1</sup>	Equine Cases	Mosquito Pools	Other	Human Cases	Equine Cases	Mosquito Pools	Other		Human Cases <sup>1</sup>	Equine Cases	Mosquito Pools	Other	Human Cases	Equine Cases	Mosquito Pools	Other
ALBANY	0	0	0	0	0	0	0	0	OSWEGO	1 (0)	0	5	0	0	0	0	0
ALLEGANY	0	0	0	0	0	0	0	0	OTSEGO	0	0	0	0	0	0	0	0
BROOME	0	0	0	0	0	0	0	0	PUTNAM	0	0	0	0	0	0	0	0
CATTARAUGUS	0	0	0	0	0	0	0	0	RENSSELAER	0	0	0	0	0	0	0	0
CAYUGA	0	0	0	0	0	0	0	0	ROCKLAND	0	0	112	0	0	0	0	0
CHAUTAUQUA	0	0	1	0	0	0	0	0	SARATOGA	0	0	0	0	0	0	0	0
CHEMUNG	0	0	0	0	0	0	0	0	SCHENECTADY	0	0	0	0	0	0	0	0
CHENANGO	0	0	0	0	0	0	0	0	SCHOHARIE	0	0	0	0	0	0	0	0
CLINTON	0	0	0	0	0	0	0	0	SCHUYLER	0	0	0	0	0	0	0	0
COLUMBIA	0	0	0	0	0	0	0	0	SENECA	0	0	0	0	0	0	0	0
CORTLAND	0	0	0	0	0	0	0	0	ST LAWRENCE	0	0	0	0	0	1	0	0
DELAWARE	0	0	0	0	0	0	0	0	STEUBEN	0	0	0	0	0	0	0	0
DUTCHESS	0	0	0	0	0	0	0	0	SUFFOLK	2 (0)	0	192	0	0	0	0	0
ERIE	5 (0)	0	143	0	0	0	0	0	SULLIVAN	0	0	0	0	0	0	0	0
ESSEX	0	0	0	0	0	0	0	0	TIOGA	0	0	0	0	0	0	0	0
FRANKLIN	0	0	0	0	0	0	0	0	TOMPKINS	0	0	0	0	0	0	0	0
FULTON	0	0	0	0	0	0	0	0	ULSTER	0	0	0	0	0	0	0	0
GENESEE	0	0	0	0	0	0	0	0	WARREN	0	0	0	0	0	0	0	0
GREENE	0	0	0	0	0	0	0	0	WASHINGTON	0	0	0	0	0	0	0	0
HAMILTON	0	0	0	0	0	0	0	0	WAYNE	0	0	0	0	0	0	0	0
HERKIMER	0	0	0	0	0	0	0	0	WESTCHESTER	2 (0)	0	24	0	0	0	0	0
JEFFERSON	0	0	0	0	0	0	0	0	WYOMING	0	0	0	0	0	0	0	0
LEWIS	0	0	0	0	0	0	0	0	YATES	0	0	0	0	0	0	0	0
LIVINGSTON	0	0	0	0	0	0	0	0									
MADISON	0	0	0	0	0	0	0	0	UPSTATE TOTAL	14 (2)	0	564	0	0	1	0	0
MONROE	0	0	0	0	0	0	0	0									
MONTGOMERY	0	0	0	0	0	0	0	0	BRONX	1 (0)	0	10	0	0	0	0	0
NASSAU	2 (1)	0	69	0	0	0	0	0	KINGS	1 (0)	0	46	0	0	0	0	0
NIAGARA	0	0	0	0	0	0	0	0	NEW YORK	5 (0)	0	5	0	0	0	0	0
ONEIDA	0	0	0	0	0	0	0	0	QUEENS	3 (0)	0	85	0	0	0	0	0
ONONDAGA	2 (1)	0	13	0	0	0	0	0	RICHMOND	1 (0)	0	120	0	0	0	0	0
ONTARIO	0	0	0	0	0	0	0	0									
ORANGE	0	0	5	0	0	0	0	0	NYC TOTAL	11 (0)	0	266	0	0	0	0	0
ORLEANS	0	0	0	0	0	0	0	0									
									STATEWIDE TOTAL	25 (2)	0	830	0	0	1	0	0

<sup>1</sup> Number in parentheses indicates the number of deaths.

The total number of positive specimens or mammals depends on the amount of surveillance and testing in each county, and is not necessarily associated with degree of risk. WNV-positive birds are not shown.

## West Nile Virus Update

As an ongoing update of West Nile Virus cases confirmed by the NYSDEC Wildlife Health Program, the following table is a summary of positive animals to date. Interestingly, 4 grey squirrels recently tested positive from Buffalo, Amherst, and Tonawanda (Erie Co.). American crows (AMCR) are being intensively tracked by researchers from the Cornell Lab of Ornithology, resulting in many submissions from Tompkins Co. Other birds testing positive for WNV include broad-winged hawk (BWAH), common raven (CORA), Cooper's hawk (COHA), great horned owl (GHOW), northern goshawk (NOGO), and red-tailed hawk (RTHA). These animals were submitted for routine diagnostics to the NYSDEC Wildlife Health Program rather than a statewide WNV surveillance effort.

COUNTY	AMCR	BWAH	CORA	COHA	GHOW	NOGO	grey squirrel	RTHA	Grand Total
Albany	2								2
Cattaraugus	1				1				2
Chemung								1	1
Clinton	1								1
Erie	2			1			4		7
Essex			1						1
Fulton	1								1
Greene	1								1
Monroe	1								1
Nassau								4	4
Niagra	1								1
Rensselaer	2								2
Saratoga	1	1				1			3
Schenectady	1			1					2
Suffolk								1	1
Tompkins	14								14
Unknown	1					1			2
<b>Grand Total</b>	<b>29</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>46</b>