

Minnesota Department of Health
Evaluation Protocol for
Environmental Health Services Programs

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Note: This document is being continually updated. The version on the MDH website may not always be the most current. Please contact staff from the Partnership and Workforce Development Unit at MDH for the current version.

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Evaluation Protocol for Environmental Health Services Programs

I. Introduction

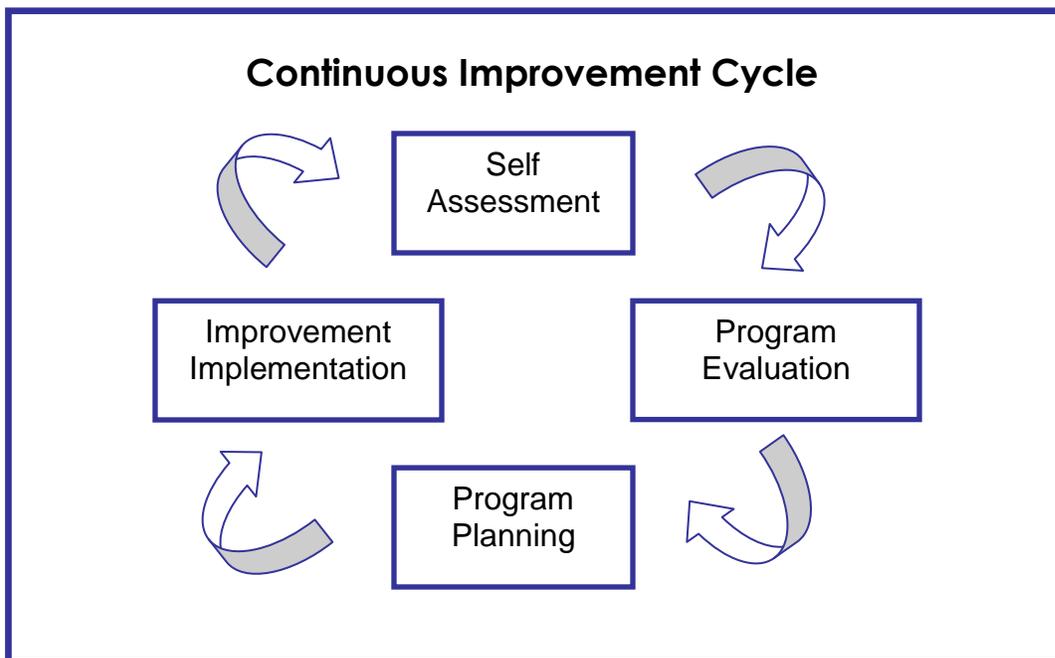
PURPOSE

The purpose of the program evaluation is to ensure that minimum program standards put forth in Minnesota Statutes, Rules and the Delegation Agreement are in place and maintained, in order to protect public health.

OBJECTIVES

Program evaluation provides a means to: systematically review and continuously improve environmental health services programs; achieve core program consistency; reinforce public health goals; improve and maintain public health outcomes; discover and share program excellence; inform policy, planning and resource allocation; assist in achieving best practices; create a culture of accountability; and create an environment where open communication between delegated programs and MDH becomes the standard.

The evaluation is meant to be part of a continuous cycle of change and improvement whose other elements are program self-assessment, planning for improvement and the implementation of those improvement plans, as pictured below.



PROGRAMS TO BE EVALUATED

An evaluation will be conducted for each jurisdiction that has signed a delegation agreement with MDH regardless of whether or not they contract with another delegated agency to perform the duties covered under the Agreement. MDH will be evaluated using the same criteria set forth for delegated agencies.

Individual delegated jurisdictions are referred to in this document as the Program or delegated program. Each program area (i.e., Food, Lodging, Pools, Mobile Home Parks (MHPs), Recreational Camping Areas (RCAs), and Youth Camps) is evaluated separately and as part of the entire Program evaluation.

EVALUATORS

Evaluations of MDH and delegated programs will be performed by a team comprised of MDH staff from the Partnership and Workforce Development Unit (PWDU) and senior members of the MDH field staff.

OBSERVERS

As many as three trained observers from delegated agencies may volunteer to attend MDH evaluations at their own expense. If delegated agencies wish to have non-MDH observers as part of their evaluation teams, they may recruit one or more volunteers. Observers will be selected from those who attended the MDH training on the evaluation protocol and materials that was held in June 2009, or have received equivalent training at another time.

If a large number of trained observers apply to observe MDH evaluations, they will be selected in such a way that various constituencies (urban, rural, large county, small county, etc.) are equally represented.

The following items are observer expectations:

- The observer is expected to observe the full process, including attendance at both the opening and closing meetings and at least 50% of the field inspections.
- During the in-office records review, the observer may ask questions about the process but should reserve opinions and comments for discussion with MDH staff outside of the offices of the program that is being evaluated.
- Other than greeting the manager or person-in-charge, the observer should remain silent during the field evaluations. If the observer has any questions or comments, they should be discussed with MDH staff outside of the establishment that is being evaluated.
- Transportation and accommodations will not be provided by MDH.

EVALUATION SCHEDULE

Evaluations will be limited to no more than one formal evaluation per year, and no less than one formal evaluation every five (5) years, except when program performance warrants more frequent evaluation.

EVALUATION SCOPE

The Evaluation is based on requirements put forth in Minnesota Statutes, Rules, and the Delegation Agreement. The structure of the Evaluation is taken from the U.S. Food and Drug Administration (FDA) Draft Voluntary National Retail Food Regulatory Program Standards.

II. EVALUATION PROCESS

NOTIFICATION and REQUEST for INFORMATION

MDH will provide a list annually of the next Programs to be evaluated, and will work with Program administrators to determine a convenient schedule for both parties. The Program will receive formal notification of an upcoming, regularly scheduled evaluation no less than two months prior to the evaluation. Evaluations may vary from this schedule in two circumstances: (1) when Program's performance warrants immediate evaluation; or (2) when both parties agree to a shorter notification period.

The Notification Packet will include:

- *Evaluation Protocol*;
- *Delegation Agreement* (Appendix A);
- *Letter of Intent to Evaluate*, including a proposed timeline for the evaluation;
- *Materials Requested for Review* (Appendix B), identifying which documents will be reviewed by evaluators prior to the evaluation and which will be reviewed onsite. This list includes a request for licensing records, by license category and risk level, from which field evaluation selection will be randomly chosen; and a request for the most recent self-assessment;
- Sample *Letter for Introduction to Establishments* to be evaluated (Appendix C);
- *Evaluation Survey Tools* (Appendix D);
- *Frequency Matrix* (Appendix E);
- *Randomization Procedure* for selecting facilities for field evaluation (Appendix F);
- *Field Inspection Reports* (Appendix G); and
- *Evaluation Summary Report Outline* (Appendix H).

RANDOMIZATION

Licensed establishments will be selected for field evaluation based on random selection methodologies detailed in the FDA Audit Manual (Draft), June 30th, 2004. Random selection of licensed establishments will follow the protocol described in the Randomization Procedure (Appendix F). The random selection will be conducted onsite the first day of the evaluation.

PRE-EVALUATION RECORDS REVIEW

In preparation for the onsite portion of the evaluation, evaluators will review the most recent program self-assessment; relevant ordinances and codes; staffing and organizational documentation, and other requested documentation identified in Appendix B. This review allows for a more efficient use of staff time onsite by assisting the Program in their preparation for the evaluation, and helping evaluators to guide or focus the evaluation. Pre-review also allows evaluators to assess several requirements of the Delegation Agreement regarding program structure and resources.

ADMINISTRATIVE EVALUATION

Upon arrival at the agency, the evaluators will meet with Program management to discuss the evaluation procedure and timeline. This will be followed by a summary and discussion of the pre-evaluation records review and most recent self-assessment. Evaluators and Program staff will discuss enforcement, licensing and plan review procedures. Finally, participants will discuss the Program's educational materials and methods.

FIELD EVALUATION

Field evaluation of randomly selected establishments in all program areas will be conducted to determine whether risk classifications are correctly assigned; the Program enforces the statutes, rules and ordinances; the Program identifies and appropriately documents violations of statutes, rules, and ordinances; establishment inspections demonstrate accurate and consistent application of enforcement procedures; and that education is being incorporated into the inspection process.

Field evaluation is not conducted to compare individual inspection reports with those of the evaluators, or to evaluate the Program's performance based on findings at individual establishments. Rather, the value of field evaluation lies in the analysis of overall data; and the identification of current and emerging trends. Data resulting from field evaluations throughout the state will also be useful to guide future policy, program and educational needs at the state and local levels.

Field evaluation will be conducted using the Field Inspection Reports (Appendix G). The field evaluations are not full regulatory inspections. Corrective actions will not be taken at the

establishment and the establishment will not receive a copy of the inspection report. If an imminent health threat exists, the delegated agency representative will be contacted immediately to respond to the imminent health threat. When less critical deficiencies are observed, they are noted on the evaluation form but not discussed with establishment management during the field evaluation.

Feedback on the inspector(s) will be sought during the field evaluation. Questions asked will elicit information about agency-industry relations in general, and specifically about such things as frequency of and methods used to provide education, information and training.

Field evaluation results will have some impact on the scoring of some evaluation criteria on the Survey Tool.

EVALUATION SUMMARY REPORT

Administrative and field observations will be summarized, with recommendations, in a draft Evaluation Summary Report (See Outline, Appendix H) that will be issued in writing within sixty days after the final day of the evaluation and will be based on discussion and evaluation findings. The Evaluation Summary will place the Program into one of the following status categories: *Acceptable*, *Acceptable Needs Improvement*, *Conditionally Acceptable*, *Unacceptable*, and *Termination*.

The Program Administrator has thirty days to review and respond to the draft report in writing. The final Evaluation Summary Report will be issued after the comments from the Program Administrator have been reviewed. In most cases the final Report will be completed within 30 days.

The Summary Report will include the following elements

- Frequency Matrix reports
- Individual program area reports
- Value-Added elements report
- Overall Program Score
- Program standard averages
- Narrative re: comments and discussion
- Recommended improvements needed
- Timeline for improvements, if applicable
- Additional Requirements/Conditions, if status assigned is *Unacceptable*.
- Formal Notice, if status assigned is *Termination*

APPEALS PROCESS

If the Program Administrator does not agree with the final report, or has serious concerns regarding the evaluation process that were not resolved during the onsite debriefing, the parties may choose to engage in the following appeals/conflict resolution process:

Step 1: Informal discussion between the Program Administrator and the head of the evaluation team. The parties will attempt to resolve points of conflict through this discussion. When appropriate, this may result in a revised Evaluation Summary.

Step 2: When informal discussion does not result in conflict being resolved, the Program may initiate a formal appeals process as follows:

- Program submits written response to disputed findings in the Evaluation Summary. This response should include specific concerns and justification or explanation for each item.
- Evaluation team responds in writing.
- Documentation is reviewed by the MDH Environmental Health Services Section Manager. If a dispute arises in the course of an MDH program evaluation, review will be conducted by the MDH Environmental Health Division Director.
- Reviewers will determine the outcome of such disputes. This process may include mediated discussion among the parties.
- If differences are not resolved through this process, The Commissioner of Health will make a final determination on the outcome.

FOLLOW-UP

The Program has 30 calendar days to respond to the Evaluation Summary.

- If the overall program status assignment is *Conditionally Acceptable*, or *Unacceptable*, or if the status assignment of any individual program area is *Subject to Termination*, program management must provide an improvement plan to address specific deficiencies revealed during the evaluation. Evaluators will follow up with Program staff within two months of the evaluation to discuss the improvement plan.
- Programs that are in *Conditionally Acceptable* or *Unacceptable* status may require further evaluation.
- Programs whose status is *Termination* at the end of the conflict resolution process will be immediately terminated.

I. EVALUATION TOOLS

RANDOMIZATION PROCEDURE

The Randomization Procedure (Appendix F) describes the process by which licensed establishments in each program area will be randomly selected for field evaluation.

FREQUENCY MATRIX

The Frequency Matrix (Appendix E) is used to:

Step 1: Determine the percentage of inspections that are overdue for each program area. Depending on the data management methods used by the Program, the analysis will be performed either on the randomly selected establishments chosen for field evaluation, or on all Program establishments;

Step 2: Calculate the median number of days the overdue inspections are past due; and

Step 3: Determine where the program area fits in the matrix.

Frequency will be determined using either: (1) inspection frequency statistics for establishments randomly chosen for field evaluation, or (2) the entire electronic inspection database for the Program, if they are available electronically, and the Program believes they are accurate. If the Program wishes, both sets of data will be analyzed.

The frequency matrix results affect those criteria on the Survey Tool that refer to the frequency of inspections. The results of this analysis will help to determine the scoring for those individual assessment criteria (see Section IV).

EVALUATION SURVEY TOOL

The Evaluation Survey Tool is modeled after the FDA Draft Retail Program Standards. The Survey Tool consists of a list of “evaluation criteria” describing program elements, attributes or activities such as, “The Board employs qualified inspection staff as defined in the Delegation Agreement.”

Each delegated program area (e.g., Food, Lodging, Pools, etc.) is evaluated and scored separately, using a Survey Tool designed for that program area. Evaluation Criteria appearing on the Survey Tool fall into one of three categories:

- **Essential Program Elements:** Appearing in orange-shaded boxes on the Evaluation Survey Tool, essential program elements (or essentials) are those required in statute and/or rule and in the Delegation Agreement that form the backbone of the regulatory program being evaluated. These are mandatory requirements that must be in place and functioning well in every agency.
- **Required Program Elements:** Appearing in yellow-shaded boxes on the Survey Tool, the required program elements are those important practices, tools and resources, required by the Delegation Agreement, that support and augment the essentials.
- **Value-Added Program Elements:** Value-Added program elements are not required by law or the Delegation Agreement. These items, appearing in unshaded boxes on the Survey Tool, are practices, tools and resources that may help support core functions, reinforce public health goals, and improve and maintain public health outcomes.

TERMS USED IN THE SURVEY TOOL:

“Source Materials,” listed under each standard category on the survey tool, refer to the materials requested for review prior to the evaluation or during the administrative review whose review may impact that particular portion of the evaluation.

The “Comments Sections” will be used to make notes on observations, or to explain unique program elements or conditions which affect Program performance. The contents of the comments section will make an important contribution to the scoring of the survey tool, and the summary report. For example, the jurisdiction may currently have an ordinance which is not in compliance with a new state law. The comments field may explain that the ordinance is in revision and will be revised on a given date.

FIELD INSPECTION REPORTS

Field Inspection Reports were designed to document field evaluations in each program area (i.e., Food, Lodging, Pools, MHPs/RCAs, and Youth Camps). Field inspection reports were modeled after forms used by state and local agencies, and can be found in Appendix G.

Evaluators will use the forms to collect information on the following factors and conditions for each program area:

Food Program Factors: Based on Conference for Food Protection form

Foodborne Illness Risk Factors and Public Health Interventions	Good Retail Practices
Demonstration of Knowledge	Safe Food & Water
Employee Health	Food Temperature Control
Good Hygienic Practices	Food Protection
Preventing Contamination by Hands	Proper Use of Utensils
Approved Source	Utensils, Equipment, and Vending
Protection from Contamination	Physical Facilities
Potentially Hazardous Food Time/Temperature	Education Incorporated into Inspections
Chemical	
Conformance with Approved Procedures	

Lodging Program Factors:

Demonstration of Knowledge	Space Requirements
Building Requirements	Bedding – Linen
Floors	Room Furnishings
Walls, Ceilings	Toilets, Showers
Screening	Plumbing
Lighting, Ventilation	

Pool Program Factors:

Demonstration of Knowledge	Support Facilities
Water Quality	Pool Area
Pump Room	Life Safety Equipment
Signage	

MHP/RCA Program Factors:

Demonstration of Knowledge	Incinerators
Location	Garbage & Refuse
Caretaker	Vermin Control
Spacing	Night Lighting
Animals	Community Kitchen & Dining
Water Supply	Bottled Gas
Plumbing	Fuel Oil Systems
Sewage Disposal	Fire Protection
Toilet, Bathing & Laundry Facilities	Shelter Plan

Youth Camp Program Factors:

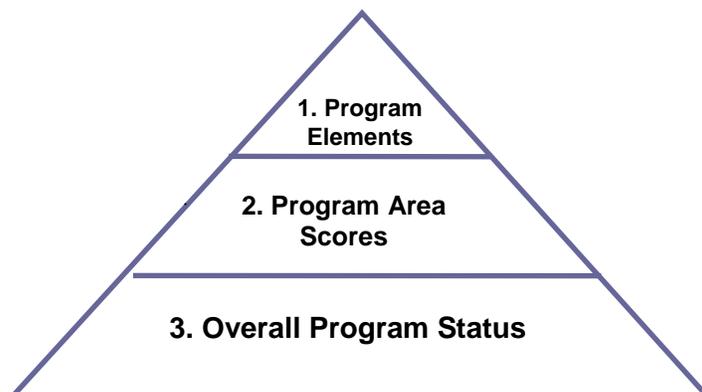
Demonstration of Knowledge	Plumbing
Location	Toilet Facilities
Buildings	Sewage / Excreta Disposal & Liquid Wastes
Sleeping Quarters	Garbage & Refuse
Kitchen	Swimming Beach
Food Procurement & Storage	Responsible Persons / Practitioners / First Aid
Food Service & Personnel Health	Livestock
Dishwashing Facilities	Water Supply
Bathing & Handwashing Facilities	

IV. EVALUATION SCORING PROCEDURE

SCORING LEVELS

There are three levels of scoring:

- **Level One:** Scoring of individual evaluation criteria or **Program Elements** (e.g., “Ordinances have been revised as needed to be consistent with current statutes and rules.”) These scores will be used to determine the following:
- **Level Two:** Scoring of each **Program Area** (i.e., Food, Lodging, Pools, MHPs/RCAs, Youth Camps, and Self-Assessment). These scores will be used to derive the following:
- **Level Three: Overall Program Status.**



LEVEL ONE: SCORING OF INDIVIDUAL PROGRAM AREA EVALUATION CRITERIA (PROGRAM ELEMENTS) FROM THE SURVEY TOOL

Evaluation Criteria

As described in Section III above, Evaluation Criteria listed on the Survey Tool fall into three categories. These are called *Essential*, *Required*, and *Value-Added* program elements.

Scoring of *Essential* and *Required* program elements help to determine the status of each program area, and ultimately the overall Program status.

Scoring of *Value-Added* program elements is used to describe Programs and program areas that have added additional activities, tools and resources to their practice that are not required. The *Value-Added* score will be used to describe an **Acceptable** program as **Acceptable, Exceeds Essential Standards**.

Each *Essential* Program Element is scored, as follows:

Essential Program Elements (orange items)	Value for Calculations
Acceptable (little or no improvement needed)	2
Needs Improvement	1
Unacceptable	0
Null (does not apply)	

Each *Required* program element is scored, as follows:

Required Program Elements (yellow items)	Value for Calculations
Acceptable (little or no improvement needed)	2
Needs Improvement	1
Unacceptable	0
Null (does not apply)	

Each *Value-Added* program element is scored as follows:

Value-Added program Elements (white items)	Value for Calculations
In Place	2
In Process	1
Not Planned	0
Null (does not apply)	

LEVEL TWO: SCORING OF INDIVIDUAL PROGRAM AREAS (i.e., FOOD, LODGING, POOLS, MHPS/RCAS, YOUTH CAMPS, AND SELF-ASSESSMENT)

First a status designation (Acceptable, Needs Improvement, or Unacceptable) is determined for all *Essential* program criteria in the program area. (E.g., One *Essential* item received a score of “Satisfactory” and all the rest were “Excellent.” Therefore, the *Essential* item score is “Acceptable.”

Essential Program Elements (orange items)	Designation
All <i>Essential</i> items = Acceptable (2) <i>or</i> No more than one <i>Essential</i> item = Needs Improvement (1) <i>and</i> No <i>Essential</i> items = Unacceptable (0).	Acceptable
Two or fewer <i>Essential</i> items = Needs Improvement (1) <i>or</i> No more than one <i>Essential</i> item = Unacceptable (0)	Needs Improvement
Three or more <i>Essential</i> items = Needs Improvement (1) <i>or</i> Two <i>Essential</i> items = Unacceptable (0)	Unacceptable

Next a status designation (Acceptable, Needs Improvement, or Unacceptable) is determined for all **Required** program criteria in the program area. (E.g., There are 30 “yellow items” on the Survey Tool for food programs. Twenty-eight (93 percent) of these items are rated “excellent.” Therefore, the **Required** item score is “Acceptable.”

Required Program Elements (yellow items)	Designation
80 to 100 percent of <i>Required</i> items = Acceptable (2)	Acceptable
At least 80 percent of <i>Required</i> items = Acceptable (2) or Needs Improvement (1).	Needs Improvement
More than 20 percent of <i>Required</i> items = Unacceptable (0).	Unacceptable

Finally, **Essential** and **Required** scores are combined to result in an overall program area score. The following is a graphic illustration of the Level Two Program Area Score. The diagram shows how the **Essential** score *and* the **Required** score are added together to determine the Program Area Score:

Illustration: Merging of Essential and Required Scores
to Obtain Combined Program Area Score

<i>Essential = A</i> <i>Required = A</i> A/A	<i>Essential = N</i> <i>Required = A</i> N/A	<i>Essential = U</i> <i>Required = A</i> U/A
<i>Essential = A</i> <i>Required = N</i> A/N	<i>Essential = N</i> <i>Required = N</i> N/N	<i>Essential = U</i> <i>Required = N</i> U/N
<i>Essential = A</i> <i>Required = U</i> A/U	<i>Essential = N</i> <i>Required = U</i> N/U	<i>Essential = U</i> <i>Required = U</i> U/U

Green = Program Area is Acceptable
 Turquoise = Program Area Needs Improvement
 Blue = Program Area Unacceptable
 Violet = Program Area is Subject to Termination

An averaged *Value-Added* score of one (1) or higher is used to describe **Acceptable** Programs that have **Exceeded Essential Standards**.

Conditions	Program Area Score
Both <i>Essential</i> score and <i>Required</i> score = Acceptable <i>and</i> Averaged <i>Value-Added</i> score > 1	Acceptable, Exceeds Essential Standards
<i>Essential</i> score <i>and</i> <i>Required</i> score = Acceptable	Acceptable
One or both scores = Needs Improvement <i>and</i> Neither score = Unacceptable	Needs Improvement
<i>Essential</i> score = Acceptable or Needs Improvement <i>and</i> <i>Required</i> score = Unacceptable	Unacceptable
<i>Essential</i> score = Unacceptable	Subject to Termination

LEVEL THREE: OVERALL PROGRAM SCORING

The Delegation Agreement requires that program evaluation must result in the assignment of each evaluated Program to one of the five following designations:

- **Acceptable:** “Acceptable” is the highest designation assigned by the Delegation Agreement. This means that the entire Program and all its programs areas have satisfied each essential program element and all or most of the required elements. An Acceptable rating is not an indication that a program is simply “average.” Evaluators do not expect all programs to reach this standard but do expect that Acceptable status will be the goal of all programs.
- **Acceptable with Improvements Needed:** Most programs are expected to fall into this category. Programs in this category will discuss with evaluators those improvements and adjustments they need to make in one or more areas. Program staff will be expected to make these improvements within an agreed upon timeframe.
- **Conditionally Acceptable:** When programs are assigned this status designation, program staff and evaluators will discuss essential and required program elements that must be improved. The improvements needed by such a program will be greater in number or severity than in the category above. Program staff will be expected to write a plan for improvement within thirty days of the evaluation. The plan must include a timetable for correction and must be approved by MDH.

- **Unacceptable:** “Unacceptable” programs are programs whose failure to achieve essential or required program elements is considered to be so serious as to put the program in marginal status. Program staff will be expected to write a plan for improvement within thirty days of the evaluation. The plan must include a timetable for correction and must be approved by MDH. Programs in Unacceptable status will be subject to a more rigorous follow-up, including further evaluation. Program functions for delegated programs may be temporarily assumed by MDH staff.
- **Termination:** According to the Delegation Agreement, “Termination” status means that the situation requires MDH to terminate the delegation immediately, and that all delegated duties immediately revert to MDH.

Overall Program Status is determined by adding together the program areas scores:

Conditions	Overall Program Designation
All program area scores = Acceptable <i>and</i> Averaged Value-Added score = 1 or higher	Acceptable, Exceeds Minimum Standards
All program area scores = Acceptable	Acceptable
Program areas representing less than 25 percent of all establishments = Needs Improvement <i>and</i> No program area = Unacceptable <i>or</i> Subject to Termination	Acceptable with Improvements Needed
Program areas representing 25 percent or more of all establishments = Needs Improvement <i>and</i> No program area = Unacceptable <i>or</i> Subject to Termination	Conditionally Acceptable
Any program area = Unacceptable <i>and</i> Program areas representing less than 25 percent of all establishments = Subject to Termination	Unacceptable
Any program area = Unacceptable in two subsequent program evaluations; <i>or</i> Program areas representing 25 percent or more of all establishments = Subject to Termination; <i>or</i> The evaluation summary report describes a program that is in critical status and is failing to protect the public health.	Termination

PROGRAM STANDARD AVERAGES

The Evaluation Summary Report will also include a report *on Program Standard Averages*. Scores for *Essential* and *Required* program elements *within* each program standard and *for* each program area will be added and averaged (e.g., food program, Standard 1 element scores + pool program, Standard 1 element scores + lodging program, Standard 1 element scores ... divided by total number of elements for those program areas = Standard 1 Averaged Score.)

This report is designed to provide a look at Program performance in the Program Standard areas specifically. Program Standard Averages may clarify the need to focus more closely on one or more Standards (e.g., staff training or illness investigation) or may help to describe program strengths in certain areas.

V. PROGRAM SELF-ASSESSMENT

DELEGATION AGREEMENT REQUIREMENT for SELF-ASSESSMENT

The Delegation Agreement requires that, “the Board shall conduct a self-assessment and provide MDH with a written description of the program status. This information must be submitted to MDH at least 30 days prior to MDH’s formal assessment of the Board’s performance ...”

TIMING

It is recommended that self-assessments be conducted annually. However, the frequency of self-assessments may be determined by Program staff. To ensure a valid and reliable comparison of self-assessment and program evaluation results, the self-assessment results submitted prior to formal evaluation must be for a self-assessment conducted within one year of the program evaluation.

PROCESS

The program self-assessment will be conducted using the Evaluation Survey Tools (Appendix D) created for the formal program evaluation. This assessment may be performed using the web-based or paper version of those tools. It is recommended that the Program also use the Frequency Matrix to determine where the Program stands in terms of overdue inspections.

OPTIONAL FIELD COMPONENT

It is not required but may be useful to the Program to include a field component in the self-assessment process. Two possible field assessment strategies are these:

- **Pre-Evaluation Field Assessment:**

Program selects a random sample of facilities, including some from each of the program areas. Inspections are performed using the Field Inspection Reports (Appendix G) created for the field portion of the program evaluation; and when possible, by staff who are typically not assigned to those facilities. Results are used to identify trends and areas of potential concern.

- **Post-Evaluation Field Assessment:**

Program inspects the same randomly selected facilities that were chosen for the field portion of the formal program evaluation. Inspections are performed using the evaluation Field Inspection Reports (Appendix G). Results are used to compare Program and evaluator results.

Appendix A: 2009 Delegation Agreement

The Delegation Agreement will be inserted into this document, if sent in paper form; attached if sent electronically; and can be found online at:

<http://www.health.state.mn.us/divs/eh/food/pwdu/delegationagreement.html>.

Appendix B: Materials Requested for Review

Materials and Records Requested for Evaluation

Materials to Be Submitted At Least 30 Days Prior to Evaluation:

- Ordinances and codes relevant to each program area,
- Delegation Agreement application, if applicable,
- List of licensed facilities separated by license type including risk category,
- Organizational charts (staffing diagram),
- Position descriptions for environmental health staff,
- Description of licensing category definitions and descriptions for all establishments,
- Procedures for responding to food and waterborne illness,
- After hours staffing policy and after-hours contact number,
- Enforcement policies, procedures and tools,
- Documented procedures referenced in Standard 3 section 4,
- Copies of Registered Sanitarian certificates and FDA standardization records,
- Written Staffing Transition Plan,
- Mutual Aid Agreement(s)
- Staff credentials and certifications,
- Copy of the Program's most recent self-assessment, and
- MN Train records, if applicable.

Materials to Be Available At the Time of the Evaluation:

- Copies of inspection reports for randomly selected establishments,
- Inspection frequency data for the past three years (Note: Missing inspection reports and dates will not be accepted after the evaluation team has conducted the on-site Administrative Evaluation.),
- Other compliance forms or documents, e.g. risk control plan,
- Copies of variances, as requested,
- Plan review reports, if requested,
- Educational or training materials relevant to uniform inspection that Program staff wish to be included in the review,
- Complaint log and relevant materials,
- Any materials pertinent to industry and community relations that Program staff wish to be included in the review, and
- Electronic licensing and inspection data.

Appendix C: Letter to Establishments

Agency Letterhead

Date

Dear (Operator):

Every few years the Minnesota Department of Health reviews (local public health jurisdiction's) food, beverage, lodging, manufactured home park, recreational camping area, youth camp and public pool inspection program to determine its effectiveness. For the purpose of this review, an evaluation team from the Minnesota Department of Health (MDH) is conducting inspections at a number of randomly selected establishments in (city/county)

These evaluations are meant to be a review of our environmental health inspection program, not of your facility. While these visits will be similar to your usual inspection by our agency, there will be no orders issued to you and you will not receive a copy of the inspection report.

Please consider this letter an introduction to the Minnesota Department of Health evaluation team who is conducting the review in this area. I have asked them to leave this letter at your establishment, so that you can refer to it if you have a question about this process.

If you have any questions or concerns before or after the Department of Health visit to your establishment, please do not hesitate to contact us at (agency phone number).

Sincerely,

Name
Program Supervisor

Appendix D: Evaluation Survey Tools

The Evaluation Survey Tools will be inserted into this document when it is sent in paper form; attached, if sent electronically; and are linked to the online version at: <http://www.health.state.mn.us/divs/eh/food/pwdu/delegationagreement.html>.

Appendix E: Inspection Frequency Matrix

For all of the establishments in each program area that are overdue, what is the median number of days past due?

NOTE: This is not the number of inspections past due, it is the median number of days the inspections are past due.

	Median number of days past due: ≤ 30 days	Median number of days past due: 31 – 60 days	Median number of days past due: >60 days
Percent of all inspections past due: ≤ 10 % overdue	Acceptable	Needs Improvement	Not Acceptable
Percent of all inspections past due: 11 – 20 % overdue	Acceptable	Needs Improvement	Not Acceptable
Percent of all inspections past due: 21 – 30 % overdue	Acceptable	Not Acceptable	Not Acceptable
Percent of all inspections past due: > 30 % overdue	Acceptable	Not Acceptable	Not Acceptable

Percent of all inspections past due (percent of all inspections overdue as specified in MN Statutes: 12, 18 or 24 months, and using the time between regular, full inspections [not follow-up or complaint-type inspections]).

Inspection frequency will be calculated using the randomly selected establishments according to the chart on the following page. If the agency's electronic inspection system allows the calculation of the inspection frequency for all establishments for the past 3 years with a minimal amount of number-crunching, inspection frequency may be based on 3 years worth of data.

Total Number of Licensed Establishments	Number of Licensed Establishments to be Evaluated
1	1
2	2
3-4	3
5	4
6-7	5
8	6
9-10	7
11-12	8
13-15	9
16-18	10
19-21	11
22-25	12
26-29	13
30-34	14
35-40	15
41-48	16
49-58	17
59-71	18
72-88	19
89-114	20
115-153	21
154-225	22
226-390	23
391-1237	24
>1238	25

EXAMPLE 1: An agency has 1500 licensed food establishments.

Step 1: Determine the percentage of inspections that are overdue.

When taking into account the 12-18-24 month inspection frequency requirements stated in statute, we calculate that 125 inspections are overdue. $125 / 1500 = 8.3\%$ overdue (this puts you in the first row of the matrix “Percent of all inspections past due: $\leq 10\%$ overdue”).

	Median number of days past due: ≤ 30 days	Median number of days past due: 31 – 60 days	Median number of days past due: >60 days
Percent of all inspections past due: $\leq 10\%$ overdue	Acceptable	Needs Improvement	Not Acceptable
Percent of all inspections past due: 11 – 20 % overdue	Acceptable	Needs Improvement	Not Acceptable
Percent of all inspections past due: 21 – 30 % overdue	Acceptable	Not Acceptable	Not Acceptable
Percent of all inspections past due: $> 30\%$ overdue	Acceptable	Not Acceptable	Not Acceptable

Step 2: Calculate the median number of days the overdue inspections are past due.

Of 125 overdue inspections, we calculate that the median number of days past due = 9 days.

EXAMPLE 1: For the 125 inspections that are overdue, these are the number of days each inspection is overdue.

1 6 16 1 16
 5 15 5 9 21
 45 74 7 8 6
 39 68 465 18 4
 2 2 54 2 3
 7 9 68 19 25
 6 4 1 54 1
 12 55 8 86 6
 16 87 31 32 7
 5 6 4 87 4
 18 5 65 41 65
 79 7 15 36 3
 1 63 16 97 9
 6 2 4 54 1
 9 41 7 4 5
 297 11 8 8 7
 56 6 88 2 11
 32 98 32 6 10
 1 54 9 4 20
 7 132 14 1 5
 56 5 3 44 7
 25 7 7 13 9
 34 9 6 2 11
 18 22 8 43 9
 3 17 5 8 1

Definitions:

Mean = the average (in this case, the sum of all the days past due divided by the number of inspections overdue: $3476 / 125 = 27.81$)
 Mean days past due may be skewed upward by a few inspections that are very much past due, and tend to be somewhat higher than median days past due.

Median = The number in the middle. (You arrange the numbers from lowest to highest, and then find the number exactly in the middle. In this case, 1 2 3 ... 9 ... 132 297 465). The median days past due identifies the midpoint of the distribution and may more accurately describe the dataset because it is less affected by the extremes.

Mode = the number that occurs most often

Range, 1 to 465 days
9 = Median
27.81 = Mean (Average)
7 = Mode

EXAMPLE 1 (continued)

Step 3: Determine where the program area fits in the matrix.

Based on the 9 day median, the program area is in the “acceptable” box in the first row.

	Median number of days past due: ≤ 30 days	Median number of days past due: 31 – 60 days	Median number of days past due: >60 days
Percent of all inspections past due: ≤ 10 % overdue	Acceptable	Needs Improvement	Not Acceptable
Percent of all inspections past due: 11 – 20 % overdue	Acceptable	Needs Improvement	Not Acceptable
Percent of all inspections past due: 21 – 30 % overdue	Acceptable	Not Acceptable	Not Acceptable
Percent of all inspections past due: > 30 % overdue	Acceptable	Not Acceptable	Not Acceptable

EXAMPLE 2: An agency has 250 licensed food establishments.

Step 1: Determine the percentage of inspections that are overdue.

When taking into account the 12-18-24 month inspection frequency requirements stated in statute, we calculate that 41 inspections are overdue. $41 / 250 = 16.4\%$ overdue (this puts you in the second row of the matrix “*Percent of all inspections past due: 11 – 20 % overdue*”).

	Median number of days past due: ≤ 30 days	Median number of days past due: 31 – 60 days	Median number of days past due: >60 days
Percent of all inspections past due: ≤ 10 % overdue	Acceptable	Needs Improvement	Not Acceptable
Percent of all inspections past due: 11 – 20 % overdue	Acceptable	Needs Improvement	Not Acceptable
Percent of all inspections past due: 21 – 30 % overdue	Acceptable	Not Acceptable	Not Acceptable
Percent of all inspections past due: > 30 % overdue	Acceptable	Not Acceptable	Not Acceptable

EXAMPLE 2 (continued)

Step 2: Calculate the median number of days the overdue inspections are past due.

Of the 41 overdue inspections, we calculate that the median number of days past due = 39 days.

EXAMPLE 2: For the 41 inspections that are overdue, these are the number of days each inspection is overdue.

1	6	16	45	33
5	201	88	9	
45	74	7	8	
39	68	412	255	
69	2	54	2	
7	321	68	19	
73	4	28	54	
12	55	8	86	
31	87	31	32	
5	115	42	87	

Range, 1 to 412 days
39 = Median
63.51 = Mean (Average)
45 = Mode

Definitions:

Mean = the average (in this case, the sum of all the days past due divided by the number of inspections overdue: $2604 / 41 = 63.51$)
Mean days past due may be skewed upward by a few inspections that are very much past due, and tend to be somewhat higher than median days past due.

Median = The number in the middle. (You arrange the numbers from lowest to highest, and then find the number exactly in the middle. In this case, 1 2 4 ... 39 ... 255 321 412). The median days past due identifies the midpoint of the distribution and may more accurately describe the dataset because it is less affected by the extremes.

Mode = the number that occurs most often

Step 3: Determine where the program area fits in the matrix.

Based on the 39 day median, the program area is in the “needs improvement” box in the second row.

	Median number of days past due: ≤ 30 days	Median number of days past due: 31 – 60 days	Median number of days past due: >60 days
Percent of all inspections past due: ≤ 10 % overdue	Acceptable	Needs Improvement	Not Acceptable
Percent of all inspections past due: 11 – 20 % overdue	Acceptable	Needs Improvement	Not Acceptable
Percent of all inspections past due: 21 – 30 % overdue	Acceptable	Not Acceptable	Not Acceptable
Percent of all inspections past due: > 30 % overdue	Acceptable	Not Acceptable	Not Acceptable

EXAMPLE 2 (continued)

(Also note for EXAMPLE 2: if we were to use the *mean* (63.51 days), the program area would be in “not acceptable” status.)

	Median number of days past due: ≤ 30 days	Median number of days past due: 31 – 60 days	Median number of days past due: >60 days
Percent of all inspections past due: ≤ 10 % overdue	Acceptable	Needs Improvement	Not Acceptable
Percent of all inspections past due: 11 – 20 % overdue	Acceptable	Needs Improvement	Not Acceptable
Percent of all inspections past due: 21 – 30 % overdue	Acceptable	Not Acceptable	Not Acceptable
Percent of all inspections past due: > 30 % overdue	Acceptable	Not Acceptable	Not Acceptable

Appendix F: Randomization Procedure

Procedures for Random Selection of a Representative Sample of Establishments to Be Inspected during Program Evaluation

1. **Count the number of facilities in each licensing category (i.e., Food and Beverage (Food), Pools, Lodging, MHP/RCA, and Youth Camps).**

For purposes of this sample selection, multiple facilities located within one license category are not counted. For example, an establishment that has one lodging, three pools, and two food licenses (bar or restaurant) is counted as one lodging, one pool, and one food.

2. **Add the totals for each licensing category to determine the overall total number of facilities from which a sample will be selected.**
3. **Use this total and the *Minimum Inspections Table* to determine the minimum number of field inspections that will be performed.** For example, in a jurisdiction with **255** facilities, a minimum of **23** inspections will be conducted as part of the evaluation.

Table One: Minimum number of inspections			
No. Facilities	No. Inspected	No. Facilities	No. Inspected
1	1	30 - 34	14
2	2	35 - 40	15
3 - 4	3	41 - 48	16
5	4	49 - 58	17
6 - 7	5	59 - 71	18
8	6	72 - 88	19
9 - 10	7	89 - 114	20
11 - 12	8	115 - 153	21
13 - 15	9	154 - 225	22
16 - 18	10	226 - 390	23
19 - 21	11	391 - 1,237	24
22 - 25	12	1,238 or more	25
26 - 29	13		

4. **Determine the percentage each program area represents of the total number of facilities.**

In the example below, 219 (or 86 percent) of the 255 facilities in the jurisdiction are Food facilities.

[*Do the math:* 219 (food facilities) / 255 x 100 = 85.88. Standard rounding applies, so the result is **86** percent.]

Perform the calculations for the remaining program areas.

[*Do the math:* 26(pools) / 255 x 100 = 10.19 or **10** percent; 7(lodging) / 255 x 100 = 2.74 or **3** percent; 1(MHP) / 255 x 100 = .39 or **0.4** percent; and 2(youth camps) / 255 x 100 = .78 or **0.8** percent.]

License Category	No. of Facilities	Percentage of All Facilities	No. to be inspected.
Food	219	(85.88) 86	(19.78) 20
Pools	26	(10.19) 10	(2.3) 2**
Lodging	7	(2.74) 3	(.69) <1**
MHP/RCA	1	(.39) 0.4	(.092) <1**
Youth Camps	2	(.78) 0.8	(.184) <1**
Total	255		

5. **Determine the number of facilities in each program area to be inspected in the field.**

In the example, Food facilities account for 86% of the total number of facilities.

According to the *Minimum Inspections Table*, at least 23 field inspections will be required. Eighty-six percent of 23 inspections equals **20** inspections.

[*Do the math:* 23 inspections x .86 = 19.78 or **20** inspections.]

Pools account for 10 percent of all facilities, so will require roughly ten percent of all inspections.

[*Do the math:* 26(pools) x .10 = 2.3 or **2** inspections]

******For Lodging, MHPs and Youth Camps, the numbers are very small. Using the same calculations as for food and pools, these program areas would require one inspection (or less) per program area, as indicated in Table Two above. The following rule applies for program areas with small numbers of facilities:

At least five facilities in each program area must be evaluated. If calculations produce a number less than five, the number of inspections will always be rounded up to five, as indicated in Table Two (revised) below. In cases where the jurisdiction does not have 5 establishments in a delegated program area, all of the establishments in that program area will be included.

Table Two (REVISED)			
Number of facilities to be inspected, by percent of total			
License Category	No. of Facilities	Percentage of Total Facilities	No. to be inspected.
Food	219	(85.88) 86	(19.78) 20
Pools	26	(10.19) 10	(2.3) 5
Lodging	7	(2.74) 3	(.21) 5
MHP/RCA	1	(.39) 0.4	5
Youth Camps	2	(.78) 0.8	5
Total	255		

The numbers for MHP/RCA and Youth Camps in this example are so low that calculations will be unnecessary. Assume five inspections for each of these program areas.

Note: In the example, the total number of inspections required is 23. Because of the rounding-up that was done for small program areas, the table lists 40 inspections. The Evaluation team and Program staff may decide either to reduce the number of inspections for the largest program (food, in this case) or to perform the extra inspections.

5. **Number each list of the jurisdiction’s facilities sequentially, if the lists are not already numbered.**

Note: Numbered lists do not have to begin with the number “1.” For example, a jurisdiction may number FBLs from 1 to 200, MHPs from 200 to 250, etc. A random number generator can be given any sequence from which to choose a sample. However, there cannot be any gaps in the numbering, so closed facilities or those that will be excluded for any other reason must not be numbered.

6. **Use a random number generator to select the order in which facilities will be inspected.**

There are many random generators online to be used at no cost. If the option is given, select “no repeats” when generating random numbers. Generators can be found at <http://www.randomizer.org/form.htm> and <http://www.psychicscience.org/random.aspx>.

When a list is relatively small (1 to 100 facilities), it may save time later to randomize the entire list. With larger lists, request about 20 percent more random numbers than are needed for your sample, to allow for unexpected exclusions.

Facility numbers *must be used in the order they are presented* by the random number generator. Unused numbers will not affect the sample.

7. **For each list that you wish to randomize, ask the random generator for X random numbers from the number set 1 to Y.**

For the example above, the following inspections will be performed:

License Category	No. to be inspected.
Food	20
Pools	2
Lodging	5
MHP/RCA	5
Youth Camps	5

The random number generator must produce 20 random numbers to represent food facilities. Presume that the jurisdiction’s 219 food facilities are numbered 1 to 219. To avoid having to select another sample, request 25 random numbers from the number set 1 to 219.

If any of the 20 randomly selected Food facilities are attached to facilities in other program areas, these should be used to fill numbers needed in those program areas. This will save time and resources during the field inspection portion of the evaluation.

For this example, if four of the twenty food facilities have pools, the *first two* of the pools on the list will be inspected. Similarly if one or more lodging facilities are attached to any of the randomly selected food facilities, the *first* of these on the list should be inspected.

8. **For any program area not drawn under the random sample for food, randomize separately following the procedure described above.**

Appendix G: Field Inspection Reports

The Field Inspection Reports will be inserted into this document when it is sent in paper form; attached, if sent electronically; and can be found online at:
<http://www.health.state.mn.us/divs/eh/food/pwdu/delegationagreement.html>.

Appendix H: Evaluation Summary Report

Standard Report Outline

Part 1: Program Evaluation Summary

- Overall Program rating (e.g. – “Acceptable,” “Needs Improvement,” etc.)
- Individual Program Area scores derived from Survey Tools
- Dates and location of evaluation; names of evaluation team members and program staff involved in the process.

Part 2: Summary & Discussion Narrative (content may vary by jurisdiction)

- Introduction
- Program Standards Discussion, including: a description of evaluation findings, in each of the Program Standard areas; recap of discussions with Program staff, and pertinent recommendations or further actions.
- Field Trends, including a brief narrative summary of findings from the field evaluation.

Part 3: Printed copies of the survey tools for each Program Area

Additional Elements

- If status assigned is “*Unacceptable*,” the report will include a section regarding additional requirements and conditions for continuation of the Program.
- If status assigned is “*Termination*,” the report will include a formal notice and letter of intent.