

Food, Pools, and Lodging Program Evaluation Overview

Introduction

The Minnesota Department of Health (MDH), charged with protecting public health under Minnesota Statutes, Chapters 144, 157, and 327, has the duty to inspect, license, and regulate: food, beverage and lodging establishments, public pools and related facilities, youth camps, manufactured home parks, and recreational camping areas.

Minnesota Statutes, Section 145A.07, Subdivision 1 authorizes MDH to enter into an agreement to delegate those duties to community health boards, or cities or counties that had an established delegation agreement prior to January 1, 2014. When those duties are delegated to a local entity, MDH retains ultimate responsibility for the performance of those duties.

Per the delegation agreement, MDH may perform evaluations on a routine basis or whenever necessary, if the performance of the Board warrants more frequent evaluation.

Purpose

The purpose of program evaluation is to serve as a guide to MDH and delegated program managers in the design and management of their Food, Pools, and Lodging (FPL) programs. When applied in the intended manner, the Program Evaluation process should:

- Ensure that the requirements described in Minnesota Statutes are being met.
- Ensure that requirements described in Delegation Agreements between delegated programs and MDH are being met.

Scope

Most FPL programs in Minnesota have responsibilities beyond those defined in the MDH Food, Pools, and Lodging Services (FPLS) delegation agreement, such as drinking water protection, public health nuisances, and body art regulation. This program evaluation process is limited to administration of the food, pools, and lodging regulatory programs.

The standards included in the evaluation process mirror those described in the US Food and Drug Administration (FDA) Voluntary National Retail Food Regulatory Program Standards. They have been modified to reflect the required elements described in the delegation agreement between MDH and delegated agencies and encompass all program areas.

Objectives

The evaluation is meant to be part of a continuous cycle of self-assessment, verification and improvement.

Program evaluation provides a means to:

- Systematically review and identify program areas in need of improvement.
- Discover and share program excellence and best practices.
- Inform policy, planning, and resource allocation.
- Create a culture of accountability.
- Support an environment where open communication between delegated programs and MDH is the standard.
- Promote wider application of effective risk-factor intervention strategies.
- Improve industry and consumer confidence in FPL programs throughout Minnesota by enhancing uniformity within and between regulatory agencies.

History

Program evaluations have been done for as long as delegation agreements have been established. In 2015, the Environmental Health Continuous Improvement Board (EHCIB) reviewed the FPL program evaluation process by gathering feedback from all stakeholders on the evaluation process's strengths and weaknesses. The EHCIB made a recommendation supporting the development of an improved evaluation process, with the aim of promoting the continuous improvement of all FPL programs in Minnesota. The goal was to advance the EHCIB's goal of establishing a common understanding of a quality FPL program and develop corresponding metrics and tools to be used in program self-assessment and evaluation.

A workgroup was chartered in 2016 to develop the new process. Members represented state and locally delegated programs from metro and non-metro areas, to promote a balanced perspective and spirit of partnership. 2017 through 2019 the program evaluation tools and worksheets were piloted, and improvements were made based on feedback from participating delegated programs. The rollout of the new evaluation process was delayed in 2020 and 2021 due to COVID-19 pandemic response priorities and began in 2022.

Evaluation Process

The FPL Evaluation Process uses a Continuous Improvement approach. Evaluations will occur Standard by Standard rather than agency by agency. Evaluations of agencies on all standards will be a multi-year process.

Each Program Area (i.e., Food, Lodging, Pools, Manufactured Home Parks (MHPs)/ Recreational Camping Areas (RCAs), and Youth Camps) is evaluated as part of the entire Program Evaluation.

Programs to be evaluated

An evaluation will be conducted for each jurisdiction that has signed a Delegation Agreement with MDH. MDH will be evaluated using the same criteria set forth for delegated agencies.

Program 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). Additional staff from MDH Field Operations and/or delegated agencies may be requested to assist, on a case-by-case basis.

Program evaluation tools

The components for each standard include:

- Required elements from Minnesota Statutes and Delegation Agreements
- Evaluation criteria and scoring rubric for each element
- Instructions about how to assess the elements
- Additional forms, spreadsheets, and examples as needed to aid in the self-evaluation of each criterion.

SharePoint site with agency workspaces

A SharePoint site has been developed as the main “hub” for the program evaluation process. It includes:

- Resource library that houses the program evaluation tools.
- Secure agency workspaces for document submission and evaluation.

Order of evaluation

The order of evaluation gives agencies an opportunity to implement foundational ordinances, policies, and procedures for their program in the early years, and builds upon each of those elements as time goes on, culminating in a file and field assessment in the final years.

Recognizing that the file and field assessment will take additional staff time, at least two years are planned to evaluate these standards.

Year 1: Ordinance Review and Staff Training

- Standard 1: Regulatory Foundation
- Standard 2: Trained Regulatory Staff

Year 2: Program Policy/Procedures and Resources

- Standard 3: Inspection Program Based on A Systems Approach
- Standard 8: Program Support and Resources

Year 3: Response and Outreach

- Standard 5: Illness Investigation and Response

- Standard 7: Industry and Community Relations

Years 4 and 5: Putting it All Together

- Standard 4: Uniform Inspection Program
- Standard 6: Compliance and Enforcement

Annual evaluation timeline

January-February:

- Standard training for delegated program staff (Virtual)
- Statewide Summary Report for previous year evaluation of Standards

February-September:

- Self-assessment (approximately one month), verification audit, follow-up discussion, share draft report, continuous improvement process (if applicable)

October-December:

- Wrap-up meetings, final reports

Evaluation criteria

The instructions, scoring forms and rubrics for each standard include the criteria that will be evaluated. The evaluation criteria within each Standard are based on the delegation agreement and were developed under the direction and advisement of [Environmental Health Continuous Improvement Board](#) at MDH.

Documents to be reviewed

For each Standard, the FPL Program must submit a self-assessment and supporting documentation to their SharePoint workspace. The instructions and rubrics for each Standard include examples of supporting documents and records that apply to each criterion.

The documentation submitted will be reviewed by MDH evaluators to verify the self-assessment findings.

Evaluation scoring

A Standard is marked as “Meets” if criteria for all elements within the standard are met. If the criteria for one or more elements within a Standard are not met, the Standard is marked “Does Not Meet.”

Self-assessment and verification process

Self-assessment

A self-assessment is an internal review by FPL Program management to determine if the existing program meets the requirements in the Delegation Agreement. The Delegation Agreement requires the FPL Program to conduct a self-assessment using the program evaluation protocol and tools and provide MDH with the written results.

The FPL Program will conduct a self-assessment using the Program Evaluation tools and worksheets to determine if the criteria for each Standard “Meets” or “Does Not Meet.” To ensure a valid and reliable comparison of self-assessment and program evaluation results, a self-assessment must be conducted less than one year prior to the program evaluation by MDH.

Verification

MDH will verify the accuracy of each self-assessment conducted by the FPL Program for each Standard. During the verification process, MDH will review the supporting documentation and confirm that the self-assessment accurately reflects the FPL Program’s achievement status with each criterion.

If the documentation for each criterion provides adequate information to determine the FPL Program meets the criteria, it is marked “Meets.” If supporting documentation for each criterion cannot be verified, MDH evaluator(s) will have a follow-up discussion with the FPL Program to gather additional information as needed.

Follow-up discussion

A follow-up discussion will be scheduled between the FPL Program and MDH evaluators after the verification process is completed. The follow-up discussion is an opportunity for FPL Program staff and MDH evaluators to ask questions, request additional information, discuss the verification audit findings, or discuss areas of improvement for criteria that “Does Not Meet” prior to the evaluation report being written.

Evaluation report

The evaluation observations and findings will be summarized, with recommendations, in a draft Program Evaluation Report. The Program Evaluation Report will include scoring for each criterion listed under each Standard evaluated and an overall status of “Meets” or “Does Not Meet” for each Standard.

The FPL Program will have an opportunity to review and respond to the draft report in writing. The final Program Evaluation Report will be issued after the comments from the FPL Program have been reviewed.

The FPL Program must respond to the final Program Evaluation Report and provide a written correction plan that addresses criteria that “Does Not Meet.”

Continuous Improvement Process

A Continuous Improvement Process will be used for each criterion that “Does Not Meet.” The process provides an opportunity for agencies to either correct the item or submit a correction plan. Correction plans will be reviewed. The criteria will be marked as being “met,” or if they are not met, further discussions will occur with the goal of all programs meeting all elements.

Communication

Frequent communication ensures FPL Program staff can provide input on evaluation decisions throughout the process so that MDH evaluators can make accurate conclusions for program improvement. Open communication between FPL Program staff and the MDH evaluation team is a priority during all stages of the evaluation process. to ensure clear understanding of programs and appropriate application of the Standards.

The evaluation team will provide opportunities for the FPL Programs to ask questions and have discussions. These opportunities will be virtual and include one-on-one meetings between the FPL Program and MDH evaluation team, self-assessment training, open office hours with the MDH evaluation team, and individual FPL Program follow-up discussions as the evaluation progresses and preliminary results become available.

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