

► BUILDING CAPACITY



Darryl Booth, MBA

Peer Reviews Build Capacity for County Inspection Effectiveness

Editor's Note: A need exists within environmental health agencies to increase their capacity to perform in an environment of diminishing resources. With limited resources and increasing demands, we need to seek new approaches to the business of environmental health.

Acutely aware of these challenges, NEHA has initiated a partnership with Accela (formerly Decade Software Company) called *Building Capacity*. *Building Capacity* is a joint effort to educate, reinforce, and build upon successes within the profession, using technology to improve efficiency and extend the impact of environmental health agencies.

The *Journal* is pleased to publish this bimonthly column from Accela that will provide readers with insight into the *Building Capacity* initiative, as well as be a conduit for fostering the capacity building of environmental health agencies across the country.

The conclusions of this column are those of the author(s) and do not necessarily represent the views of NEHA.

Darryl Booth is senior vice president and general manager of environmental health at Accela and has been monitoring regulatory and data tracking needs of agencies across the U.S. for almost 20 years. He serves as technical advisor to NEHA's informatics and technology section.

All administrative industries struggle with the human factor—the individual interpretations of law and rules when carrying out inspections and enforcement. Research has identified such biases across both the public and private sectors from the distribution of Medicaid and Medicare to the classroom and rental housing inspections (<http://www.news-gazette.com/news/local/2010-01-17/inconsistent-inspection-plagues-county-rental-housing.html>).

Environmental health is no exception. We strive for perfection and consistency, we train

and receive advanced degrees and continuing education, and we go out into the field with the best of intentions, but the human factor is always present.

Seattle & King County Environmental Health knew that there was growing interest in making restaurant data easily available for consumers to inform their dining choices. But when food program leadership began researching placarding and scoring methods, they found a degree of variation in the data underlying existing procedures that they couldn't ignore.

Becky Elias, food and facilities section manager for the county, reached out to Daniel Ho, a preeminent scholar of government data disclosure and administrative law at Stanford Law School. Ho studies the way in which laws are carried out in order to achieve what the law originally intended. Ho (2012) frames the problem of individual interpretations:

[Study] findings speak richly to long-standing puzzles in regulation and administrative law...How does the institutional design of inspection or disclosure regimes affect regulatory outcomes? How can we disclose information to enlist private actors to properly incentivize regulated industries? The concrete policy implications are considerable. Targeted transparency's emphasis on simplification shouldn't just apply to information *disclosure*, but also to information *collection*. (p. 587)

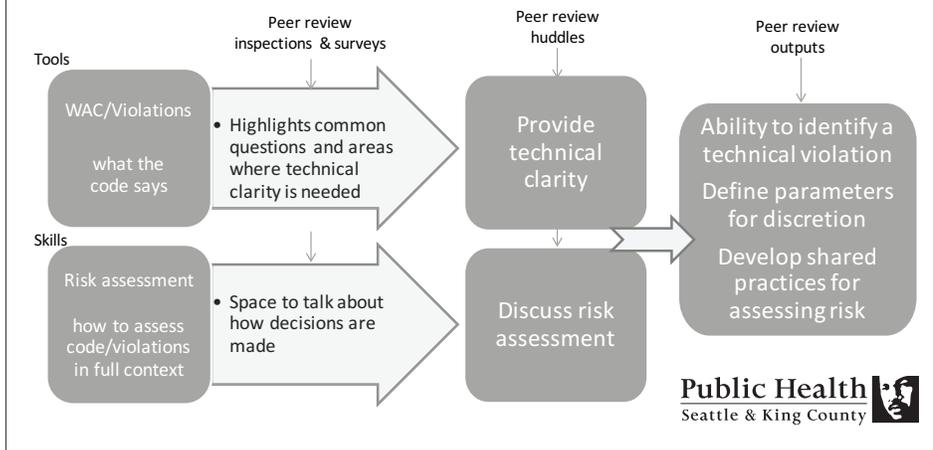
Drawing on academic research, Ho was interested in how peer reviews could stabilize inspection inconsistencies. Together, Elias and Ho set up a randomized controlled trial to assess the effectiveness of peer review as a method for improving the quality and consistency of inspections, and thus standardize food program inspections and scoring (Figure 1).

Half of the program staff was randomly selected to participate. For four months these inspectors were randomly paired up with each other to conduct one full day of inspections a week, side by side, each documenting violations independently. The project tracked the instances when inspectors cited violations differently within the same inspection.

"Inspectors make many decisions independently," explained Elias. "We wanted to better understand how they make those deci-

FIGURE 1

Overview of the Peer Review Process and Goals



sions, assess food safety, and apply the food code.” To not bias the results, it was crucial that the inspectors didn’t feel judged. “People were nervous. We worked to enable them to talk to and learn from each other in an open, nonjudgmental manner,” Elias added.

The county prepared for months beforehand, working directly with staff to delve into the core concepts they were about to explore. “In one meeting we talked about how exactly they would work together in their inspections and what does it mean to them to get along with each other,” remembered Elias. “In another we discussed what consistency means to them and why they value it in their work. Their answers were so insightful, for example, ‘it would improve my confidence in my peers and myself,’ ‘it would strengthen credibility,’ and ‘reduce friction.’”

Elias believes that inspectors are aware of inconsistencies. “I think there’s an unspoken, and sometimes a clearly named, tension. Our inspectors hear from operators that ‘the other inspector doesn’t do it like this.’ Their answers in our group sessions indicated that they were cognizant of this issue and, better yet, did in fact desire an atmosphere of openness and teamwork.”

Once the trial period started, Ho’s team at Stanford began churning the data and would regularly send insights back to Elias. “It often felt like he was turning on the lights for us,” said Elias.

The data was compelling. When it came to violations that relate directly to food safety,

inspectors differed 60% of the time. That’s not to say that someone would cite a temperature violation and the other wouldn’t, but rather that they’d cite slightly different violations. “They are definitely catching the problems and addressing food safety,” Elias pointed out, “but the slight difference in how it is cited can lead to different violation points in an inspection, which can affect a grade in a window. It makes sense that small variations, that are human nature, can feel like much bigger inconsistency challenges. Knowing this enables us to address it.”

Better yet, “The peer review data over time showed significant behavior change. Our inspectors became more consistent with one another,” Elias stated. “Being able to discuss their differences after inspections helped them come to consensus.”

One inspector said of the peer review, “Seeing the other person do their inspection helped highlight where my weaknesses are—very interesting and is helping me to do better inspections!” Knowing where inspectors diverged also guided the development of targeted training material. These materials and guidance documents focused on code interpretation, the inspection decision-making process, and parameters for appropriate discretion.

An unforeseen benefit, commented Elias, is how the paired inspections have affected the inspectors themselves. “We saw improved staff morale. Being an inspector is in many ways a solitary job, so coming together like this has made them feel more like a part of a team.”

Here are just a few of the comments inspectors shared about their time in the field together.

- “[A]n imperative tool in helping me be a better inspector. It also helps me value my profession more, which is a godsend.”
- “I do not feel so alone.”
- “The moment we stop listening, we stop making progress. Peer review keeps us listening to each other.”

The experiment’s impact was so positive that the method has now been expanded from the 24-person pilot to the entire food program of 60 individuals, with staff doing one day of peer review inspections each month.

The trial is over but the data is still undergoing analysis. Through the findings of the peer review, Seattle & King County Environmental Health has developed an evidence base to inform a restaurant scoring system. This new model incorporates how many inspections to use as the basis for scoring, which violations best track risk and minimize inspector inconsistency and perverse incentives, and how to account for variation across locales and inspectors.

The county plans to release the methods and scoring algorithms once documented and finalized for any agency interested in learning more. The peer review results will be published in a forthcoming issue of the *Stanford Law Review*. In fact, the original experiment was performed with a neighboring county, even though the county utilized a slightly different citation method.

“The overall result, we hope, is a simple, locally meaningful, and more reliable inspection score,” said Elias. “We don’t expect our inspectors to be robots but we do expect them to have a shared thought process about how they do their work. By addressing these goals, we will be able to help consumers know how well a restaurant is practicing food safety.” 🐷

Corresponding Author: Darryl Booth, Senior Vice President and General Manager of Environmental Health, Accela, 2633 Camino Ramon #500, San Ramon, CA 94583. E-mail: dbooth@accela.com.

Reference

Ho, D. (2012). Fudging the nudge: Information disclosure and restaurant grading. *The Yale Law Journal*, 122(3), 574–688.