

KEEPING CURRENT

GOVERNMENT

Shutdown Letdowns

Government gridlock harms quality, safety and increases risk

As the clock wound down on Sept. 30 and lawmakers failed to reach an agreement on the U.S. federal budget and President Obama's healthcare overhaul, the country prepared for its first government shutdown in 17 years.

Initially, many Americans may have felt mostly unaffected by the shutdown, particularly if they weren't one of the 800,000 nonessential federal employees who were furloughed, a government contractor or someone who regularly relies on government services.¹

What many didn't realize was the partial

shutdown—which eventually ended on Oct. 17—also sidelined thousands of inspectors and regulators who monitor and manage safety and quality in various industries.

While federal law requires workers whose jobs are considered "necessary to protect life and property" to be retained, the shutdown forced most regulatory agencies to operate with skeletal staffs—increasing the chances of missing a potential hazard.²

"The risks are going up every day," Ronald White, director of regulatory policy at the Center for Effective Government, a Washington-based group, said during the shutdown.

"These are under-the-radar kind of effects that are not clearly obvious to the person on the street."³

Within just 10 days of the government's closure, certain events signaled the importance of processes that maintain safety and quality, and revealed potential consequences of not having these regulatory procedures in place at full force.

Salmonella outbreak

A week into the shutdown, the U.S. Department of Agriculture (USDA) issued a public health alert after it learned that illnesses caused by salmonella Heidelberg may be associated with raw chicken products from Foster Farms at three of its California facilities.⁴

Concerns were circulating about how food recalls or illness outbreaks would be handled during the

shutdown. Most federal meat and poultry inspectors kept their jobs—87% of the USDA's Food Safety and Inspection Services employees continued to work—although the U.S. Food and Drug Administration, which is responsible for 80% of the food supply, halted routine food inspections.⁵

The Centers for Disease Control and Prevention (CDC) was significantly hampered in tracing illness outbreaks due to the shutdown of PulseNet, a network of public health laboratories that locates trends and matches up cases to identify foodborne illness outbreaks.⁶

Each year, PulseNet monitors about 250 clusters of foodborne diseases. At the time of the shutdown, the agency was tracking more than 30 illness clusters. During the shutdown, just one person—instead of eight—monitored important pathogens such as salmonella, E. coli and listeria. Another person watched listservs and data systems for outbreaks and investigations—a job usually performed by five people.⁷

"The long and short of it is that there is only a skeleton crew at CDC to respond to any kind of outbreak," Scott Becker, director of the Association of Public Health Laboratories, said when the shutdown began. "It's awful for public health."⁸

Days later, consumers of Foster Farms' chicken began to fall ill. As of Oct. 8, 278 known people in 18 states were sickened. To make matters worse, the outbreak involved seven strains of salmonella—some resistant to commonly used antibiotics. It hospitalized 42% of sufferers, which is high compared to the usual 20% hospitalization



rate for victims of salmonella Heidelberg, said CDC spokesperson Barbara Reynolds.⁹

“That means more people are going to the hospital, and their infections will be harder for physicians to treat,” said Caroline Smith DeWaal, food safety director of the Center for Science in the Public Interest.¹⁰

“This outbreak shows that it is a terrible time for government public health officials to be locked out of their offices and labs and for government web-sites to go dark,” DeWaal said.¹¹

Following news of the outbreak, CDC director Thomas Frieden determined not having PulseNet resulted in “an imminent threat to health and safety,” and seven staffers were allowed to return to work.¹²

An electric car ignites, recalls halted

Normally, if a vehicle goes up in flames, the National Highway Traffic Safety Administration (NHTSA), which investigates safety complaints and orders carmakers to recall vehicles, would travel to the scene. But when a Tesla Model S electric car’s battery pack ignited in Washington state after it struck metal debris, that wasn’t the case because NHTSA field investigations had been suspended.¹³

On Sept. 30, the NHTSA posted a notice on its website stating it would not announce new auto-related recalls and evaluate safety complaints during the shutdown.

According to Joan Claybrook, safety advocate and former head of the NHTSA, the agency releases about 700 auto recalls per year affecting 20 million vehicles. For every workday lost to the shutdown, an average of three recalls covering 80,000 vehicles are delayed indefinitely, she said.¹⁴

Automakers can announce their own recalls during the shutdown. For example, on Oct. 9, General Motors recalled its 2014 pickups after it was discovered the seat backs might not hold up if the truck is hit from behind.¹⁵

Still, Claybrook said, the NHTSA’s inability to func-

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Who's Who in

NAME: Marc Kelemen.

RESIDENCE: Westlake, OH.

EDUCATION: Bachelor of science degree in chemical engineering from Case Western Reserve University in Euclid, OH, and an MBA from Baldwin-Wallace University in Berea, OH.

CURRENT JOB: Director of quality and engineering at ROE Dental Laboratories in Martins Ferry, OH; president of NanoSynopsis Consulting in Westlake, OH; adjunct faculty member at South University in Warrensville Heights, OH.



INTRODUCTION TO QUALITY: Kelemen was appointed to manage the quality and engineering functions of a 24/7 chemical plant. There, he was tasked to create written procedures for the entire operation, while being accountable for products meeting all quality goals. By implementing robust standard work, as well as learning and using the hard and soft skills he learned from ASQ activities and resources, the operation brought critical C_{pk} s from about 1.2 to about 2 and increased productivity by 8%.

PREVIOUS EXPERIENCE: Thirty years in the consumer electronics arena and leader of a team that developed the proprietary process to enable the world’s first commercial zero mercury alkaline cell. That process is still in use today and has saved the organization about \$1 million per year for 20 years.

ASQ ACTIVITIES: ASQ Board of Directors for six years; Section Affairs Council vice chair (geographic communities); leadership roles in Electronic and Communications Division and Quality Management Division (technical communities); and Learning Institute Strategic Advisory Board. Kelemen has also helped update the body of knowledge (BoK) for the certified manager of quality/organizational excellence exam and the nanotechnology BoK.

RECENT AWARDS: Included in the 2012 class of ASQ fellows. Named inventor on eight U.S. patents; voting member of American Society for Testing and Materials Technical Committee (TC) E-56 Nanotechnology and TC E-60 Sustainability; and member of new products development team at American Society for Metals (ASM) International.

PERSONAL: Married 24 years. Twin sons and a daughter.

FAVORITE WAYS TO RELAX: Live theater and concerts, massage and *reiki*, a Japanese energy therapy.

QUALITY QUOTE: We can accomplish so much because we proudly stand on the shoulders of giants such as Deming, Juran and Feigenbaum. We apply the tools and experience to make today better than yesterday, but not quite as good as tomorrow.

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Shutdown letdowns (continued from p. 13)

tion at capacity could be life threatening.

"If unsafe cars are on the highway, if the agency isn't operating so it can't put out consumer alerts, if it can't finish up a recall notice that it wants to publish or negotiate with an auto company they want to do a recall, that puts the public at risk," Claybrook said during the shutdown.¹⁶

Others affected

Along with auto and food safety, many other regulatory functions experienced a higher sense of risk associated with furloughed employees and hampered operations. Some examples include:

Workplace safety. The Occupational Safety and Health Administration (OSHA), responsible for inspecting workplaces, retained 230 of 2,235 workers—only enough staff to respond to complaints with "a high risk of death or serious physical harm," according to OSHA's shutdown plan.

Antipollution efforts. Inspections of water treatment plants and industrial sites, as well as some work cleaning up hazardous chemicals, were on hold as 94% of Environmental Protection Agency employees were furloughed.

Nursing home care oversight. According to the Centers for Medicare and Medicaid Services, routine federal inspections to

examine safety, clinical care and medication being administered at nursing homes weren't conducted during the shutdown.

Nuclear plant oversight. The U.S. Nuclear Regulatory Commission had been using carryover funding to remain open for the first week of the shutdown, but then closed, keeping only enough staff to respond to emergencies.¹⁷

Mine inspections. With about 40% of its staff working, the Mine Safety and Health Administration conducted limited mine inspections. Days after the shutdown began, three coal mine fatalities occurred—the first time the industry saw three consecutive days of fatal accidents in a decade.¹⁸

Back to work

Last-minute legislation ended the disruptive 16-day government shutdown as Obama signed the bill in the early morning hours of Oct. 17. Federal employees were expected to report to work the same day and begin reopening offices, public parks, research projects and community programs.¹⁹

Just how quickly the government resumes normal operations was not immediately clear. All told, the shutdown cost the government billions of dollars, and some said it damaged the nation's international credibility. The longer-term effects the shut-

down will have in the United States and around the globe remain to be seen. What most can agree on, however, is hampered operations of many of the nation's regulatory agencies does, in fact, present a significant risk to safety and quality.

—Amanda Hankel, assistant editor

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