



**Temple
University**
Beasley School of Law

Center for
Public Health Law
Research

Research Protocol for CityHealth: Restaurant Rating

Prepared by Center for Public Health Law Research

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CITYHEALTH: RESTAURANT RATING

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Research Protocol

- I. **Dates of Protocol:** June 15, 2016; October 25, 2016; February 3, 2017; January 31, 2018; October 7, 2019; October 29, 2019; December 2, 2020; November 3, 2021
- II. **Scope:** Compile statutes, ordinances, and policies on Restaurant Rating laws across the 40 largest cities, their respective counties, 25 states and the District of Columbia. The purpose of the CityHealth project is to collect important public health policies and determine what makes a healthy city. For a particular health policy, the goal is to display the state, county, and city law involved in shaping this policy at the city level. This dataset contains coding questions examining Restaurant Rating laws. This is a cross-sectional dataset capturing currently effective law valid through June 1, 2021.
- III. **Primary Data Collection**
 - a. **Original project dates:** April 18, 2016 - June 15, 2016
 - b. **Original dates covered in the dataset:** December 29, 2014 – April 1, 2016
 - c. **Data collection methods:** The team building this dataset consisted of three team members: two legal researchers (“Researchers”) and one supervisor (“Supervisor”) overseeing the quality control process.
 - d. **Databases used:** Searches were conducted using WestlawNext, city and county codes; the laws were then collected from state-specific legislature websites. County and city laws were collected from official government websites, municode.com and amlegal.com.
 - e. **Search terms:** “restaurant grading,” restaurant inspections, food inspections, food safety grade, placard system, food establishment inspections, retail food inspections; restaurant rating
 - i. Key word searches were supplemented by examination of the table of contents of each relevant section of the law identified.
 - ii. Once all the relevant laws were identified in each jurisdiction, a master sheet was created for each jurisdiction that summarized the relevant laws within the scope at each jurisdictional level. This summary included the statutory history for each law and the effective date for that version of the law.
 - f. **Information about initial returns and additional inclusion or exclusion criteria:** The initial scope included a broader range of restaurant inspections. After consultation with the client, the team decided to focus on laws that provided restaurants with a grade based on the inspection results. The idea is that restaurant grading can turn inspection results into quick and easily-digestible information for persons considering dining at a restaurant. The Researchers restricted their search to cities, counties, or states with laws specifically on restaurant rating. The team excluded laws that applied to manufacturing and food processing. The team also

excluded optional rating systems or laws about grades posted to a website instead of at the restaurant location itself. Preemption and city authority laws were also deemed beyond the scope for this dataset.

- i. For the legal text sources, the team included only city or county ordinances and state statutes on restaurant rating. Excluded are Department guidelines or websites on restaurant rating for the city. The goal was to evaluate cities who have actually enacted legislation on restaurant rating.
- ii. Some cities require that a copy of an inspection report be made available or visible at the restaurant. Others require notifying patrons of a restaurant's compliance or non-compliance with food safety code or some other type of binary pass-fail result display. For this version of the dataset, these inspection reports and binary pass-fail systems were deemed beyond the scope. Instead, we focused on cities that post a range of scores to be quick and easily understood to potential restaurant goers. A future version of this dataset may look into evaluating cities that make inspection reports available, binary pass-fail posting systems, and online grading systems.

IV. Coding

- a. **Development of coding scheme:** The Researchers and Supervisor drafted coding questions and circulated them for review until all parties felt they had been sufficiently refined. Once the coding questions were finalized, they were entered into the MonQcle.
- b. **Coding methods:** The Researchers were responsible for coding 20 cities each, including the respective state and county laws. Both Researchers independently coded their assigned jurisdictions. After coding their first five jurisdictions each, the Researchers 100 percent redundantly coded the states to evaluate the questions and responses. The Supervisor checked all research against the redundant research conducted by the other Researcher and credible secondary sources tracking Restaurant Rating laws.
- c. **Quality control:** The Supervisor oversaw the quality of the data by downloading the data from the MonQcle into Microsoft Excel and reviewing it in order to find caution flags, missing answer choices, and errors in the coding. An original coding review sheet was sent to the Researchers for their review. Issues in the coding were discussed by the Researchers in coding meetings and resolved accordingly.
 - i. The Supervisor reviewed the redundant coding by downloading the data from the MonQcle into Microsoft Excel and comparing the records, variable by variable, looking for divergences. When a divergence was identified, it was discussed with the researchers. The reason for the divergence was identified and resolved. A measure of divergence was calculated by the Researcher and the redundant record was deleted.
 1. The rate of divergence on June 12, 2016 was 11.87%. Once all of these issues were resolved, the entries were re-coded accordingly.
 - ii. The Researchers frequently diverged on the question "Where must restaurant grades be posted" because the answer choices available were not representative of what the laws actually stated. For example, our answer choices would include a specific location on the door of the restaurant or on the wall of a restaurant. However, some of the laws would simply say that the grade must be posted on the front of the restaurant or just be made visible to the public. The team decided to edit the answer choices to capture these more general location statements.

- iii. The Supervisor also clarified that the question originally drafted as “What kind of grade is assigned” is meant to capture the type of assigned grade that is required to be posted. This does not include any sort of numerical score that stems from an inspection result unless that numerical score is then required to be posted. The Supervisor edited the question to “What kind of grade must be posted” to make the intention of the question clearer.
- iv. Several cities required that restaurants be graded “routinely” but did not specifically define “routinely.” Therefore, the team added “Routinely” as an answer choice to the question “How often are restaurants graded.”
- v. Following these question edits, the Researchers re-coded their originally assigned cities accordingly. The Supervisor assigned more states to be redundantly coded to ensure that the rate of divergence was below 5%. The Supervisor followed the process above to review the new round of redundant coding.
 - 1. The rate of divergence on June 14, 2016 was 2.94%. Once all of these issues were resolved, the entries were re-coded accordingly.
- vi. The Supervisor then did a final check of the original coding for all states and ensured that the state coding was consistent for the Arizona, California, Tennessee, and Texas entries since these states had multiple cities included in this dataset.

V. October 2016 Update

- a. **Data collection methods:** One Researcher conducted research to determine if any states had enacted relevant legislation effective through October 1, 2016, and to identify pending legislation that may be close to passage. The Researcher used the same search terms stated above.
- b. **Coding updated findings:** The Researcher found that laws were amended in Boston and Dallas. Each city record was updated and re-coded. The team also analyzed the existing question set and coding to make sure they were best capturing the overall goal of restaurant rating as it relates to public health. The team wanted to emphasize that optimal restaurant rating laws alert the public to the restaurant’s quality prior to or upon entering a restaurant. Therefore, the team developed clearer coding rules for the questions and re-coded all records accordingly, as described below.
 - i. **For the question, “Where must the restaurant grade be posted?”** the team coded the answer choice “*Posted outside the restaurant*” when the law required the restaurant grade to be (1) posted outside the restaurant, including on the door or in a window; (2) visible to the public; (3) visible to the public upon entering; (4) visible to the public or patrons; or (5) clear upon entering the establishment. The goal here was to code cities that require the grade to be visible to persons outside the restaurant or as they are entering the restaurant. The team coded “*Posted inside the restaurant*” when the law required the restaurant grade to be (1) posted inside the restaurant; or (2) visible to patrons.
- c. **Quality control:** The Supervisor originally assigned three cities for redundant coding. The initial rate of divergence on October 11, 2016 was 17.6%. The Supervisor assigned another three records for redundant coding and the divergence rate dropped to 13.70% on October 12, 2016. The team met to better define the location question as detailed above. Following this determination, the team went through two more

rounds of redundant coding. On October 21, the divergence rate was 4.16% and on October 25, the divergence rate was 0%. All divergences were discussed and resolved accordingly.

VI. February 2017 Update

- a. Prior to publication, the team reviewed all of the data and scoring results. The cityhealth team decided to credit cities who have passed laws in 2016 with future effective dates. Because of this, one Researcher coded the Boston restaurant rating law, that was passed (and is optional) in 2016. The posting of restaurant ratings becomes mandatory, one year later, in August 2017. The Boston record was redundantly coded and the divergence rate was 0%. The Supervisor reviewed Boston and all other city records prior to publication.

VII. December 2017 Update

- a. **Data collection methods:** The Researchers conducted a review of each city that included searching for amendments to laws that were previously collected, any additional laws that may be necessary, and for any new restaurant rating laws that had been enacted since the February 2017 update. The Researchers searched for restaurant rating laws in WestlawNext, Google, city ordinance databases, and city websites.
- b. **Coding updated findings:** In addition to researching each city for newly amended laws, additional laws, and newly enacted laws, coders also made note of any potential coding inconsistencies. Additional city laws were identified by researchers in San Antonio and a necessary state law was identified for all Texas cities. Milwaukee, Seattle, Atlanta, and Charlotte had updates.
- c. **Quality control:** Milwaukee, Seattle, Atlanta, Charlotte, San Antonio, and Austin were redundantly coded. With the exception of San Antonio, all Texas cities were coded identically because only a Texas State law applied. As a result only Austin was redundantly coded. San Antonio was coded differently because the City of San Antonio has an applicable restaurant rating law with different requirements. The Researchers compared the records and the divergence rate is 7.41%. All divergences were discussed and resolved. Researchers conducted a Statistical Quality Control (SQC) Check because the original divergence rate was above 5%. Based on our ability to conduct this work over time, we assume that the overall error rate in any resulting dataset is below 5%. We select a sample size of n coding instances from the final dataset necessary to be 95% confident with an alpha of .05 that the error rate is less than 5%. Each coding instance selected is reviewed for accuracy. For this update, the Supervisor conducted an SQC check of all the records. To be 95% confident with an alpha of .05 that the error rate is less than 5%, 41 variables were redundantly coded. No divergences were identified.

The Supervisor checked the original coding to check for any other coding or building issues and any issues were resolved. This dataset is now valid through December 1, 2017.

VIII. August 2019 Update

- a. **Data collection methods:** The Researchers conducted a review of each city that included searching for amendments to laws that were previously collected, any additional laws that may be necessary, and for any new restaurant rating laws that had been enacted since the December 2017 update. The Researchers searched for restaurant rating laws in WestlawNext, Google, city ordinance databases, and city websites.

- b. **Coding updated findings:** In addition to researching each city for newly amended laws, additional laws, and newly enacted laws, coders also made note of any potential coding inconsistencies. Amendments to laws were found in Atlanta, San Antonio, San Diego, and Virginia Beach.
- c. **Quality control:** Atlanta, Austin, Columbus, Dallas, El Paso, Louisville, Memphis, San Antonio, San Diego, and Seattle were redundantly coded. No divergences were identified, and the divergence rate was 0%.

The Supervisor checked the original coding to check for any other coding or building issues and any issues were resolved. City representatives were also given an opportunity to review their scores prior to publication. During this process, we spoke with a city leader on the scoring criteria itself. We agreed to look into alternative pathways for achieving gold medals during the criteria review scheduled for the 2021 assessment.

This dataset is now valid through August 1, 2019.

IX. February 2020 Update

- a. **Valid through date note for all datasets:** All of the CityHealth datasets that are currently published were published in December 2020. Please see the individual policy pages or protocols for the exact valid through date as not all of the datasets had the same valid through date for this update.
- b. **Data collection methods:** The Researchers conducted a review of each city that included searching for amendments to laws that were previously collected, any additional laws that may be necessary, and for any new restaurant grading policies that had been enacted since the previous update. The Researchers searched for restaurant grading policies in WestlawNext, Google, and city ordinance databases.
- c. **Coding updated findings:** In addition to researching each city for newly amended laws, additional laws, and newly enacted laws, the Researchers also made note of any potential coding inconsistencies. Charlotte, San Antonio, and San Francisco had updates to their policies, but none of these changes impacted their medal standing.
- d. **Quality control:** Charlotte, San Antonio, San Francisco, and two cities without changes were redundantly coded. The Researchers compared the records and the divergence rate was 0%. The Supervisor checked the original coding to check for any other coding or building issues and any issues were resolved. Cities were given the opportunity to review the final coding results. This dataset is now valid through February 1, 2020.

X. December 2021 Update

- a. **Data collection methods:** The Researchers conducted a review of each city that included searching for amendments to laws that were previously collected, any additional laws that may be necessary, and for any new restaurant grading policies that had been enacted since the previous update. The Researchers searched for restaurant grading policies in WestlawNext, Google, and city ordinance databases.

Coding updated findings: In addition to researching each city for newly amended laws, additional laws, and newly enacted laws, the Researchers also made note of any potential coding inconsistencies. Atlanta, Fort Worth, Fresno, Long Beach, Los Angeles, Sacramento, San Diego, San Francisco, San Jose, and Washington DC had updates to their policies.

Quality control: Atlanta, Fort Worth, Fresno, Long Beach, Los Angeles, Sacramento, San Diego, San Francisco, San Jose, and Washington DC were redundantly coded. The Supervisor compared the records, and the divergence rate was 0%. The Supervisor checked the original coding to check for any other coding or building issues and any issues were resolved. This dataset is now valid through June 1, 2021.