

**CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH  
BOARD OF HEALTH MEETING**

**MINUTES**

**Thursday, April 16, 2009**

A meeting of the Philadelphia Board of Health was held on Thursday, April 16, 2009, in the Municipal Services Building, 1401 J.F.K. Boulevard, Room 1450.

**Board Members Present:** Jose A. Benitez, MSW; Shannon P. Marquez, MEng, PhD; Scott McNeal, DO; Susan Schewel, CRNP, PhD; Donald F. Schwarz, MD, MPH; Robert G. Sharrar, MD, MSc

**Board Members Absent:** Marla J. Gold, MD; Yolanda A. Slaughter, DDS, MPH

**Attendees:** Richard Annunziato; Eddie Battle, Kerry Buchs; Thomas Huynh; Nan Feyler; Jarma Frisby; Kay Graham; Sam Gulino, MD, Caroline Johnson, MD; Carmen Lemmo; Bozena Lamparska; James Lutz; Joe Meade; Giridhar Mallya, MD, MSHP; Izzat Melhem; Jeff Moran; Katherine C. Maus; Patrick O'Neill; Peter Palermo; Palak Raval-Nelson, MPH, PhD; Thomas Storey, MD; Kevin Vaughan; Carla Waite

**Welcome and Introductions**

Board President Donald F. Schwarz, Health Commissioner, called the meeting to order at 5:10 PM. He welcomed the members of the Board and asked for amendments and corrections to the minutes of the regularly scheduled Board meetings of February 10, 2008 and the Special Meeting of the Board on Dental Amalgam, held on March 19, 2009. A typographical error was corrected on page six of the minutes of February 10, 2009. The Board approved the minutes of both meetings.

Commissioner Schwarz announced that City Council's Committee on Health and Human Services heard testimony on the dental amalgam fact sheet and voted, without amendment, to bring the issue to City Council as a whole which is expected to consider the issue in approximately two weeks. Commissioner Schwarz said that when the fact sheet is approved by City Council, following a 30-day period of public notification, the Department of Public Health will begin the process of distributing the fact sheet to dental offices in Philadelphia. The fact sheet will be translated into Spanish and at least one other language. The Board will reconsider the issue of dental amalgam at the beginning of the year to see if there is new scientific information on the subject. The ordinance will go into effect at the beginning of September.

**Waiver to Animal Control Regulations**

Current regulations limit to 12 the number of cats and dogs combined at a residential property, but also provide the Department of Public Health with the power to grant

waivers to the regulation. The Law Department has advised the new regulations are needed to establish a process for granting waivers, and prepared proposed regulations for review by the Board (Attachment A). As set forth in the regulations, waivers will be granted by a vote of the Board of Health on a case-by-case basis following a hearing on the waiver request.

Izzat Melhem, Director of Environment Health, Philadelphia Department of Public Health, testified on behalf of the proposed regulations and entertained questions from the Board. He explained that the matter arises from a request by a resident who wishes to maintain an animal shelter. He said that the proposed regulations include spaying/neutering requirements, and require that 75 percent of neighbors support the issuance of a waiver.

Commissioner Schwarz entertained a motion to approve the proposed regulations. It was moved and seconded. **Motion passed.**

### **Proposed Asbestos Regulations**

The Board reviewed new regulations pertaining to the process of asbestos abatement (Attachment B). Thomas Huynh, Director of the Division of Air Management Services, Philadelphia Department of Public Health, spoke in support of proposed regulations, submitted written testimony (Attachment C), and answered questions from the Board.

Board member Dr. Robert Sharrar noted that no contractors were present to discuss the proposed regulations and asked if there is a period for public comment. Mr. Huynh said that if approved, the regulations will be sent to the Law Department for review and then to the Department of Records where notice will be posted for 30 days. During that period, anyone affected by the regulations may provide comment or request a public hearing.

Commissioner Schwarz entertained a motion to approve the proposed regulations. It was moved and seconded. **Motion passed.**

### **Department of Public Health Overview**

Commissioner Schwarz opened the meeting to an informal session asking Board members to join the audience for a presentation on the mission and activities of the Department of Public Health. He invited department division directors and the public to join the discussion and introduced Dr. Giridhar Mallya, Director of Policy and Planning, who provided the Department of Public Health Overview (Attachment D).

Dr. Mallya's presentation will continue at the meeting of the Board of Health scheduled for Thursday, June 11, 2009.

The session concluded at 7:00 PM.