

**CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC HEALTH
MEETING OF THE BOARD OF HEALTH
Tuesday, September 15, 2009**

A meeting of the Philadelphia Board of Health was held on Tuesday, September 15, 2009, in the Municipal Services Building, 1401 J.F.K. Boulevard, Room 1450.

Board Members Present: Jose A. Benitez, MSW; Marla J. Gold, MD; Shannon P. Marquez, MEng, PhD; Donald F. Schwarz, MD, MPH; Robert G. Sharrar, MD, MSc; Yolanda F. Slaughter, DDS, MPH

Attendees: Nan Feyler; Kay Graham; Sandra Greene; Sam Gulino, MD; Caroline Johnson, MD; Carmen Lemmo; Giridhar Mallya, MD, MSHP; Jeff Moran; Jeff Moran; Elaine Strunk; Kevin Vaughan

Welcome and Introductions:

Board President Donald F. Schwarz, Health Commissioner, called the meeting to order at 5:40 PM. He welcomed the members of the Board and asked for amendments or corrections to the minutes of the meeting of August 13, 2009. It was moved that the minutes be approved as written. The motion was seconded. **Motion passed.**

Announcements:

Commissioner Schwarz reported that the Department of Public Health has recorded some new cases of H1N1 influenza associated with the return of college students to the city; but those cases do not appear to have spread to the wider community. However, other parts of the nation are seeing significant numbers of cases, and the department is actively preparing for its eventual arrival. Vaccine is expected to arrive by mid-October. The Department of Public Health has developed a strong partnership with the School District of Philadelphia, which will enable immunization to take place in the schools.

Regulations Governing the Collection of Service Fees from Health Center Patients

As Federally Qualified Health Center (FQHC) look-alikes, the City's Ambulatory Health Centers are required by federal regulations to charge service fees. The Philadelphia Code requires that the Board of Health adopt regulations governing the collection of such fees. Dr. Schwarz noted that the effort to implement the fees is an administrative decision related to the budgetary process and federal requirements. The Board's role is to set a fee schedule and approve any subsequent changes to that schedule.

Board members were provided with copies of the proposed "Regulations Governing the Collection of Service Fees from Health Center Patients." (Attachment A)

Dr. Schwarz introduced Nan Feyler, Department of Public Health Chief of Staff, to provide testimony on the proposed regulations.

Feyler said the all FQHCs and FQHC look-alikes are required to have a sliding scale of fees. The proposed fees for City operated centers are lower than other health centers in the city in keeping with their role as safety net service providers. It is hoped that the new charges to uninsured

patients will prove to be an incentive for those who are eligible for coverage to enroll. Benefits counselors are available at each center to assist in this process.

The sliding scale of fees is based on annual income and family size. When the regulations are adopted, the fees will be phased-in. For the first six months, all patients will be assessed the lowest charge, five dollars. Patients who are unable to pay will not be turned away. They will be asked to pay on the next visit and this information will be recorded. After three unpaid visits or \$60, a bill will be sent to the patient. A continuing problem may require a meeting with the center director, but no one will be denied urgent care.

Information at the centers, community meetings, and local newspaper articles are a part of the phase-in period when patients are educated about the transition.

Dr. Giridhar Mallya, Director of Policy and Planning, is developing an evaluation structure that will assist the department in monitoring the transition.

Collection of the fees will take through a "cashless" swipe card system.

Feyler reviewed the proposed document for the Board.

Dr. Gold asked what amount of revenue fee collection is expected to generate. Dr. Schwarz said that approximately one million dollars would be generated; however, he said that if half of the children who are currently uninsured were to become insured it would generate seven to nine million dollars a year. The collected revenue is deposited in the City's General fund, Schwarz said.

Jose Benitez asked what mechanism exists to provide for those who cannot document their income. Nan Feyler reported that a form has been devised to meet this need. Similar to one used in applying for medical assistance, it allows the patient to attest to sources of income. Dr. Schwarz added that documentation of income is advantageous to the City because it enables patient participation in free pharmaceuticals programs that save costs to the City.

Drs. Slaughter and Sharrar raised questions about the frequency of charges to patients receiving comprehensive care requiring multiple visits for the same purpose. Dr. Schwarz said that there would be not be charges for follow-up care. He said that protocols are being developed for each kind service regarding follow-up visits. Nan Feyler agreed that the issue, particularly as it pertains to dental services, needs further examination. She said that Ambulatory Health Services is currently working to establish maximum fees.

Dr. Gold asked if patients would be asked to produce any form of documentation that might discourage an individual from seeking care. Dr. Schwarz indicated that they would not.

Jose Benitez cautioned that charging a fee and requiring additional paperwork would, as a natural by-product, discourage undocumented patients from seeking care. Nan Feyler said that is a fear the department hoped to counter through what it has learned in meetings with FQHCs that have already made a similar transition. It is a matter that will be closely monitored.

Dr. Gold inquired about regulations under Title 10 that require a different sliding scale for family planning services. Dr. Schwarz said that this information, provided by the Family Planning Council, is being researched by the Law Department.

Dr. Schwarz said that the motion would be forwarded to the Department of Records where it will be posted for a 30-day period of public comment.

Dr. Sharrar asked if the department would report back to the Board on implementation. Dr. Schwarz said a report would be provided to the Board in six months.

Dr. Sharrar moved that ‘Regulations Governing the Collection of Service Fees from Health Center Patients’ be accepted as proposed. Shannon Marquez seconded the motion. **Motion passed.**

Dr. Schwarz asked Jose Benitez, who did not support the regulation; if he would provide a list of his concerns that they can be addressed with information. Benitez said that he would share a list of his concerns in writing.

Dr. Gold, who did not support the regulation, indicated that she needs more information to understand the apparent inequities in fees for family planning services. Dr. Schwarz suggested that the Board invite testimony from the regional Title 10 agency regarding the fee schedule and/or get a copy of the federal regulations.

The meeting was adjourned at 6:30 PM.