

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

Thursday, July 14, 2011

A meeting of the Philadelphia Board of Health was held on Thursday, July 14, 2011, in the Municipal Services Building, 1401 J.F.K. Boulevard, Room 1450.

Board Members Present: Jose A. Benitez, MSW; Marla J. Gold, MD; Scott McNeal, DO; Susan Schewel, NP, PhD; Donald F. Schwarz, MD, MPH; Yolanda A. Slaughter, DDS, MPH.

Attendees: Lorraine Dean; Terry Johnson, Raymond Leung; Jeff Moran; Don Sapatkin; Elaine M. Strunk; Kevin Vaughan.

WELCOME AND INTRODUCTIONS

Board President Donald F. Schwarz, Health Commissioner, called this meeting of the Board to order at 5:45 PM. He said that this evening's agenda includes two items, and asked for additions or corrections to minutes of the meeting of May 26, 2011. A change was made to update a professional title in the minutes. The Commissioner entertained a motion to approve the minutes. It was moved and seconded. Motion passed.

TOBACCO POINT OF PURCHASE WARNINGS

Dr. Schwarz introduced Mr. Raymond Leung, JD, Public Policy Attorney for the Department of Public Health's Get Healthy Philly initiative to discuss proposed actions concerning tobacco warning signs at point of purchase. Mr. Leung said that a new proposed regulation would require all tobacco retailers in Philadelphia to display signage at the point of purchase of the products. The signage, developed by the department, may include information about tobacco products and the adverse effects of tobacco use, a graphic illustration depicting the effects of tobacco use, and information about how to get help for individuals interested in quitting smoking. Philadelphia has one of the highest rates of smoking among large cities in the nation, and data over the past decade indicate that warning labels have been effective in helping reduce tobacco use elsewhere, Leung said.

Mr. Leung also presented the Board with a timeline for review and possible adoption of the new regulation (Attachment A) that includes a proposed public informational hearing on the regulation to be conducted by the Board of Health at its next regularly scheduled public meeting. The regulation would be voted upon by the Board at its meeting in November (Attachment B). Dr. Schwarz reviewed the proposed timeline and required process for adoption of a regulation with Mr. Leung and the Board.

Dr. Gold asked if the graphic signage would be visible to small children. She also expressed interest in exploring the potential for local use of taxation. Dr. McNeal reiterated concern about the effect of graphic signage on small children.

Following questions about the potential impact of the resolution, the Board agreed to ask the department to prepare for a hearing at its next meeting.

The department will notify the business community, other stakeholders, and the public. Those who testify at the hearing should provide written testimony in advance of the hearing and limit remarks to three minutes, which will be followed by two minutes of questions and answers. Only one person may testify on behalf of a business or organization. Written testimony may be submitted in lieu of in-person testimony but must be submitted prior to the hearing.

FIREARM-RELATED MORTALITY

At a legislative committee hearing in Philadelphia this year, a representative pointed out that the Public Health Act in Pennsylvania gives the Health Commissioner the responsibility to take action against a nuisance that is detrimental to the public health. The Commissioner suggested to the legislative representatives that he might take action regarding the problem of injuries and fatalities caused by firearms.

Dr. Schwarz presented the Board with data pertaining to firearms. (Attachment C)

Dr. Gold asked about the current reporting system for firearm morbidity. Dr. Schwarz said the Board of Health established that violence related reporting requirements in the 1990's, but that there is no enforcement.

Dr. Schwarz said that legally the City of Philadelphia is preempted from passing legislation restricting or controlling firearms. Given that the Commissioner is permitted to take action against a nuisance that is deleterious to the public health, Dr. Schwarz asked the Board if the Commissioner should address the firearms issue by exploring options such as point of purchase warnings, or restrictions on ammunition.

It was the Board's consensus that this possibility should be further explored.

ANNOUNCEMENTS/NEW BUSINESS

Dr. Gold requested that an update on the City's condom promotion campaign be provided to the Board at a future meeting.

Mr. Benitez asked for an update on the introduction of sliding scale visit charges at the City's health centers.

Dr. Schwarz thanked the Board. He adjourned the meeting at 6:55 PM.