

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

Thursday, October 8, 2015

A meeting of the Philadelphia Board of Health was held on Thursday, October, 8, 2015, in the Municipal Services Building, 1401 J.F.K. Boulevard, 14th Floor, Room 1450.

Board Members Present: Jose A. Benitez, MSW; James W. Buehler, MD; Marla J. Gold, MD; Shannon P. Marquez, MEng, PhD, Scott McNeal, DO; Susan Schewel, NP, PhD; Robert G. Sharrar, MD, MSc; Yolanda A. Slaughter, DDS, MPH.

Attendees: Jane Baker; Cheryl Bettagole, MD; Ryan Coffman; Pallani Khatos; Sara Kinsman; Jeff Moran; Jean Ottis; Josh Roper

WELCOME AND INTRODUCTIONS

Health Commissioner and Board President James W. Buehler, MD, called the meeting to order at 5:30 PM. He welcomed the Board and guests.

Commissioner Buehler asked the Board to review the minutes of the meeting of July 9, 2015. It was moved that the minutes be approved as submitted. Motion seconded. **Motion passed.**

UPDATES

Dr. Buehler noted that the department had provided an array of services during the recent visit of Pope Francis to Philadelphia. These included food protection services, enhanced disease surveillance, and mosquito and rat control, as well as participation in the City's Emergency Operations Center and the Multi-agency Joint Communications Center. The department also coordinated the work of approximately 150 Medical Reserve Corps. volunteers who staffed many of the First Aid Stations that supported the large scale public gatherings that were a part of the Francis Festival. No substantial public health problems arose during the Papal visit.

Following the submission of the department's application for national public health accreditation, the Public Health Accreditation Board conducted a site visit to the department at the end of July. Positive news about the accreditation is expected before the next meeting of the Board.

The department has completed and submitted a transition report in preparation for the arrival of a new Mayor and administration in January.

REVIEW OF A BOARD RESOLUTION CONCERNING LONG-ACTING REVERSIBLE CONTRACEPTION (LARC)

Dr. Buehler called upon Dr. Sara Kinsman, director of the department's Division of Maternal Child and Family Health, to introduce a proposed **Resolution from the Board of Health Increasing Access to Long-acting Reversible Contraception (Attachment A)**. The resolution, was drafted as a result of presentations and discussion on the topic at the last Board meeting. Kinsman said that the resolution will be helpful at the state level in guiding those who make Medicaid policy decisions, and could lead to a statewide mechanism that would eliminate the need for individual hospital negotiations.

It was moved that the resolution be approved as submitted. Motion seconded. **Motion passed.**

PROPOSED REGULATION RELATING TO ENFORCEMENT OF THE CLEAN INDOOR AIR WORKER PROTECTION ACT

Dr. Buehler introduced and welcomed Dr. Cheryl Bettgolle, the new director of the department's Get Healthy Philly program.

Ryan Coffman and Josh Roper of Get Healthy Philly were introduced to present the Board with **Regulations Relating to the Clean Indoor Air Worker Protection Law (Attachment B)**

Coffman, program manager for Tobacco Policy and Control, said that the proposed a regulation for the Board of Health's consideration will assist the department in enforcement against businesses that allow smoking in outdoor seating areas. The Clean Indoor Air and Worker Protection Law, passed in Philadelphia in 2007, does not permit businesses to allow smoking in outdoor seating areas, such as sidewalk seating, patios, decks. However, certain types of businesses were exempted from the Clean Indoor Air Law including tobacco distribution centers, specialty tobacco retail establishments, grandfathered drinking establishments, and lodging establishments. Historically, the health department has not enforced against smoking in outdoor seating areas for establishments with an indoor exemption.

After re-examining the law, and following a review and approval from the Law Department, it has been determined that even businesses with exemptions for smoking indoors should not be permitted to allow smoking in outdoor areas

Enforcing against smoking in outdoor seating areas will increase awareness of outdoor smoking policies for both businesses and the public and allow for more consist enforcement activities, p

The introduction of the new regulation initiates a process that includes the opportunity for public p public comment.

In the Spring of 2016, enforcement would begin against businesses that allow smoking in outdoor seating areas

In the Fall, the health department plans to issue a letter to affected businesses to notify them about the new enforcement activities. A second letter will be sent to the businesses, in the Spring, just prior to beginning enforcement.

There will be a two-month phase in period in April and May during which tickets will not be issued. Afterwards, EHS sanitarians would begin issuing tickets of \$75 per observed violation beginning in June.

Dr. Marla Gold asked if interest in the new regulation had come about as the result of a complaint or some other issue. Coffman said that in a department review of hookah bars, it was observed that many of these establishments offered smoking in an outdoor setting. The regulation will affect approximately 70 bars, 40 hookah/cigar bars, 5 tobacco distribution businesses, 20 private clubs, and 10 e-cig/vape shops.

Dr. Gold asked if any other major cities have taken steps to ban hookah bars or slow the proliferation of these establishments. Coffman said that the department would investigate and report back to the Board. Dr. Buehler entertained a motion to approve the proposed regulation. It was moved. Motion seconded. **Motion passed.**

ANNOUNCEMENTS

Dr. Buehler announced that the Philadelphia Department of Public Health in collaboration with the Philadelphia of Physicians will launch a series of Public Health Grand Rounds presentations on Wednesday, October 21, at 5 PM, at the College of Physicians. People from the medical community, from academia, and across the wider community are invited to attend these presentations, the first of which will focus on hepatitis C.

Dr. Sharrar asked those planning to attend to register on The College of Physicians website. He said that a social reception will follow the presentation.

Dr. Buehler thanked the Board. He adjourned the meeting at 6:15 PM.