

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

Thursday, June 13, 2019

The Philadelphia Board of Health held a public meeting on Thursday, June 13, 2019 in the Municipal Services Building, 1401 J.F.K. Boulevard, 14th Floor, Room 1450.

**Board Members Present:** Tyra Bryant-Stephens, MD; Thomas Farley, MD, MPH; Marla J. Gold, MD; Jennifer Ibrahim, PhD, MPH; Amid Ismail, BDS, MPH, DrPH, MBA; John Rich, MD, MPH.

**Attendees:** Taja White, Dr. Caroline Johnson, Dr. Jeff Hom, Josh Roper, Jo Altman, Carlos Carmona, Vanessa Assibey-Mensah.

**WELCOME AND INTRODUCTIONS:**

Health Commissioner and Board President Thomas A. Farley, MD, MPH called the meeting to order at 5:37 PM. Dr. Farley asked for comments and questions about the minutes of the meeting of the Board of Health held on May 16, 2019. Hearing none, he entertained a motion to approve the minutes as submitted. It was moved and seconded. **Motion passed unanimously.**

**NUISANCE HEALTH ESTABLISHMENT REGULATION:**

Dr. Jeff Hom from the Health Commissioner's Office briefly discussed the Regulation Relating to Nuisance Health Establishments initially presented at the Board's May 16, 2019 meeting. He began by restating data about the high levels of opioid prescribing among a small set of prescribing outliers.

Dr. Hom explained that the Regulation would provide detail to flesh out the standard in the City's preexisting "nuisance health establishment" law, particularly around the identification of generally accepted standards of care. Dr. Hom underscored that this enforcement mechanism would be focused on prescribers who demonstrate a pattern of overprescribing, and that in individual cases and under certain circumstances it is appropriate for providers to stray from generally accepted standards of care.

Dr. Farley asked for questions and comments from the Board. Dr. Gold asked about the Department's relationship to other enforcement efforts, and Dr. Farley explained that other enforcement agencies have expressed support for the Department's plans, given the scope of the problem and the challenges inherent in enforcement.

Dr. Ibrahim asked about how the Department would identify a pattern sufficient to trigger enforcement. Dr. Farley noted that identifying a pattern of prescribing sufficient to find a "nuisance health establishment" would require the Department's clinical expertise and analysis.

Dr. Gold asked if the regulation under consideration would be the first regulation promulgated related to the City's "nuisance health establishment" law. Dr. Farley explained that it would be.

Dr. Rich asked about the option to establish a memorandum of understanding between the Department of Licenses and Inspection and the Department of Public Health concerning enforcement. Jo Altman explained that L&I would be responsible for enforcement following certification by the Health Commissioner of an establishment as a “nuisance health establishment,” and further explained that there has been discussion about developing such a memorandum of understanding to facilitate enforcement.

Dr. Farley noted that an early step in the enforcement process would be a conversation between the establishment and the Department of Public Health, which may itself be sufficient to improve prescribing patterns.

It was moved that the “Regulation Relating to Nuisance Health Establishments” be approved. Motion seconded. **Motion passed unanimously.**

### **IMMUNIZATION REQUIREMENTS FOR CHILDCARE FACILITIES:**

Dr. Farley noted that the Board would be asked to revisit the influenza vaccination regulation presented during the May 16, 2019 meeting, which was a consolidation of the Board’s newborn, childhood, and adolescent immunization regulations. Josh Roper explained that there was a discrepancy between the already promulgated immunization regulations and the Department’s internal consolidation on which the regulation presented during the May 16, 2019 meeting was based. Accordingly, the Board was being asked to consider a regulation that only amended the preexisting immunization regulations to include an influenza vaccination requirement for childcare attendees and to align the regulations with state requirements, instead of consolidating and restating them entirely.

It was moved that the “Amendment to Regulations Governing the Immunization and Treatment of Newborns, Children and Adolescents” be approved. Motion seconded. **Motion passed unanimously.**

Dr. Farley adjourned the meeting at 6:04 PM.