

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

Thursday, August 13, 2020

The Philadelphia Board of Health held a special public meeting on Thursday, August 13, 2020. The meeting was held virtually using the GoToWebinar platform in light of restrictions related to the ongoing COVID-19 pandemic, allowing access to the public via computer or other device and via a toll-free phone number.

Board Members Present

Dr. Thomas Farley, Dr. Tyra Bryant-Stephens, Dr. Marla Gold, Dr. Jennifer Ibrahim, Dr. Amid Ismail, Dr. Scott McNeal, Dr. John Rich

WELCOME AND INTRODUCTIONS

Health Commissioner and Board President Thomas Farley, MD, MPH called the meeting to order at 6:05 PM.

MINUTES

The Board unanimously approved the minutes from July 9, 2020. The Board later unanimously approved the minutes from June 11, 2020.

BACKGROUND

Dr. Farley provided an update on the COVID-19 coronavirus pandemic. The Health Department reports that case counts and percent positive tests have fallen to a level not seen since before the peak in April. It is unknown what will happen in the future. The Health Department is paying close attention to the reopening of schools and colleges. Dr. Farley talked about Philadelphia being chosen as a pilot site for COVID-19 vaccine planning by the federal government. He is optimistic that we will start to see vaccine distribution in early 2020.

REGULATION RELATING TO THE SALES OF FLAVORED TOBACCO PRODUCTS

Joshua Roper, PDPH, presented a regulation supplementing a City Council ordinance restricting the sale of flavored cigar or roll-your-own tobacco. This regulation is not associated with any previous Board actions, and is intended to provide additional regulatory framework for that Council activity.

The regulation provides two avenues for the Health Department to determine if a tobacco product is restricted, including rebuttable presumption of characterizing flavor and sensory evaluation. Rebuttable presumption means that a particular product is restricted based upon certain criteria. If rebutted, a sensory evaluation will take place. The regulation allows for the

Health Department to develop lists of non-exhaustive restricted products and non-restricted products. Vendors and manufacturers can submit photographic or online information about product in order for the Health Department to make a determination if the product should be restricted or not.

Dr. Farley clarified that this regulation and the law does not ban the sale of these products, but instead limits their sale into specialty tobacco outlets.

Dr. Ibrahim moved; Dr. McNeal seconded.

Motion for approval of regulation approved unanimously.

NINTH SUPPLEMENTAL EMERGENCY REGULATION GOVERNING THE CONTROL AND PREVENTION OF COVID-19 (AUTHORIZED CONSTRUCTION ACTIVITY)

Jo Rosenberger Altman from the Law Department presented on an emergency regulation governing the control and prevention of COVID-19 for consideration by the Board.

This regulation deals with the July 24, 2020 Department of Licenses & Inspections “Emergency Regulation Modifying Restrictions Regarding the Periods of Authorized Construction Works for Certain Types of Projects Under Certain Conditions,” which removes the limitation on the number of workers authorized to work at a construction site. The L&I regulation brings the City’s construction regulations into agreement with Commonwealth regulations.

Dr. Farley noted that there are still regulations that construction workers need to be masked and maintain social distancing.

Dr. McNeal moved; Dr. Ismail seconded.

Motion for approval of regulation approved unanimously.

TENTH SUPPLEMENTAL EMERGENCY REGULATION GOVERNING THE CONTROL AND PREVENTION OF COVID-19 (SECOND MANDATORY DATA REPORTING ORDER)

Joshua Roper, PDPH, presented on an emergency regulation governing the control and prevention of COVID-19 for consideration by the Board. The regulation adopts the Health Commissioner’s August 13, 2020 “Second Emergency Order Concerning Mandatory Reporting of Certain Data to Prevent the Spread of 2019 Novel Coronavirus (COVID-19),” which requires the reporting of requested information about workplace contact with a probable or confirmed COVID-19 positive case. The information that can be requested includes contact information for staff and details of potential exposure, and must be provided upon request.

There was a discussion about granting this authority to other private entities, and Ms. Altman and Mr. Roper felt that this regulation does not grant that authority.

Dr. Ibrahim moved; Dr. McNeal seconded.

Motion for approval of regulation approved unanimously.

ADJOURNMENT

Dr. Farley adjourned the meeting at 7:03 PM.