

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

Friday, May 14, 2021

The Philadelphia Board of Health held a special public meeting on Friday, May 14, 2021. 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. Cheryl Bettigole, Dr. Tyra Bryant-Stephens, Dr. Ana Diez-Roux, Dr. Marla Gold, Dr. Jennifer Ibrahim, Dr. Scott McNeal, Dr. John Rich

WELCOME AND INTRODUCTIONS

Acting Health Commissioner and Acting Board President Cheryl Bettigole, MD, MPH called the meeting to order at 4:01 PM.

MINUTES

The Board unanimously approved the minutes from April 7, 2021.

EMERGENCY REGULATION FOR THE CONTROL AND PREVENTION OF COVID-19 SUPPLEMENTING THE REGULATION GOVERNING THE IMMUNIZATION AND TREATMENT OF NEWBORNS, CHILDREN, AND ADOLESCENTS (VACCINE INFORMATION STATEMENTS)

Jo Rosenberger-Altman of the City's Law Department described that the Board had previously approved a regulation that authorizes minors 11 years of age or older to consent to receiving vaccines. This approval was given provided the vaccine recipient received a Vaccine Information Statement, or VIS. The COVID-19 vaccine is being administered under an Emergency Use Authorization, so it does not have a VIS. The CDC has indicated that the *COVID-19 Vaccine Fact Sheet for Recipients and Caregivers* documents provide information that is similar to a VIS. Previously, the Health Commissioner issued an emergency order stating that the *COVID-19 Vaccine Fact Sheet for Recipients and Caregivers* documents were an appropriate substitute for minors age 16 or older.

The Board regulation being reviewed today will allow the *Fact Sheet* to be given to minors age 11 or older upon vaccination, in a similar manner to those 16 and older. While the Pfizer vaccine is only allowed to be administered to minors 12 or older, today's regulation allows the *Fact Sheet* to be provided to anyone age 11 or older who is authorized to receive the vaccine. This brings this order into alignment with the Board's previous regulation.

No comments were received on this regulation.

Dr. Ismail moved; Dr. Ibrahim seconded.

Motion for approval of regulation approved unanimously.

JOINT EMERGENCY REGULATIONS CONCERNING RULES AND GUIDELINES FOR COVID-19 SAFETY AT POLLING SITES ON ELECTION DAY, MAY 18, 2021

Ms. Rosenberger-Altman first noted that the regulation in front of the Board is similar to a regulation that was passed prior to the November 2020 election. The only differences noted by Ms. Rosenberger-Altman include that if a poll worker is fully vaccinated is exposed to someone who tests positive with COVID, they will not need to quarantine unless they begin to show symptoms. The regulation clarifies language about poll worker self-screening for COVID symptoms. The regulation removes some density limits that were in place in November to be consistent with the current City guidance. Voters should be asked to wait outside where possible if they are not actively checking in or voting. Voters are now encouraged to only stay within the voting room only as long as they need to record their vote. The regulation finally does not require providing disposable gloves to voters, and voters should use hand sanitizer before or after voting.

No comments were received on this regulation.

Dr. McNeal moved; Dr. Bryant-Stephens seconded.

Motion for approval of regulation approved unanimously.

THIRD AMENDMENT TO THE CONSOLIDATED AND RESTATED SUPPLEMENTAL EMERGENCY REGULATION GOVERNING THE CONTROL AND PREVENTION OF COVID-19 (SPRING SAFER AT HOME ORDER)

Ms. Rosenberger-Altman reviewed the effective dates of the Board's regulation, stating that this amendment would expire at the end of the day May 31, 2021 unless further extended. It was noted that all of the changes in this regulation have already gone into effect.

The Order was then reviewed.

Effective April 23, 2021, service at bars within restaurants was permitted provided a plastic barrier was erected or bartenders wore face shields in addition to masks, bar parties were limited to 6 or fewer people, and bar parties were not seated within six feet of any other parties.

Effective May 1, 2021, in offices where remote work is impossible, the maximum number of people allowed may be higher than 2 people per 1,000 square feet so long as the actual density is the lowest possible to allow operations to continue. Effective on that date, camp settings were added to the Educational Settings section, and in-person instruction was permitted. Effective on that date, outdoor pool facilities were allowed to operate with a maximum of 20 people per 1,000 square feet; face masks were required except when individuals were in the pool; and any restaurant were subject to the previously listed restaurant requirements. Effective on that date, adult day cares were permitted to begin operating with KN-95 masks or double masking required.

Effective May 7, 2021, indoor gatherings and events were permitted to take place provided they comply with all applicable guidance at 25% maximum occupancy or fixed-seat capacity,

inclusive of attendees and staff. Additional limitations were added if food or drink is being served: for events with 75 or fewer individuals, all participants must be preregistered and contact information maintained by the facility, speakers must be masked whenever feasible and when not masked be at least 20 feet from all other individuals, participants must remain in their seats while eating and be masked when not eating, food must be individually portioned and served to participants while seated, no more than six people per table, and all tables must be at least six feet apart from all other tables; for events with more than 75 individuals, in addition to the previously listed limitations, no music, dancing, or live performances will be allowed, and no alcohol may be served. Effective on that date, outdoor gatherings and events will be allowed to operate up to 50% of the maximum occupancy or fixed-seat capacity, inclusive of attendees and staff, if no maximum occupancy is posted, the permitted density is 33 people per 1,000 square feet of occupiable space; public events that have a special event or demonstration permit and a health and safety plan approved by the Health Department are exempt from these limitations.

Further changes effective May 1, 2021 are as follows:

Unless a different density limit is specifically provided, indoor activities and businesses may allow a maximum of 33 people per 1,000 square feet of occupiable space.

Gyms and indoor exercise facilities are limited to a maximum density of 15 people per 1,000 square feet, inclusive of staff and attendees.

Indoor theaters and performance venues will now be allowed to seat six or fewer individuals in a group, with no requirement that they be from the same household. Outdoor theaters and performance venues with assigned seating may now allow food and drink onsite without the 250-person limit that is otherwise applicable, provided that eating and drinking occurs only while individuals are seated in their assigned seats in groups of 10 or fewer.

Indoor houses of worship and funeral homes may operate subject to density limits in Section 3(A)(1) or with a maximum of 33 persons per 1,000 square feet and smoking remains prohibited. Outdoor houses of worship may operate subject to the requirements provided in Section 3(B). Eating and drinking may take place subject to the requirements provided in Section 3 or as provided with respect to theaters and performance venues in Section 5(E), if applicable.

Indoor sporting and exercise activities now have a density limit of 25% of the maximum occupancy of the space, and outdoor spaces have a density limit of 50% of the maximum occupancy.

Ten people are now allowed to sit at a table in outdoor dining settings. Indoor dining can now seat up to 6 people at a table, and there is no requirement that they all be from the same household. Total indoor occupancy must be limited to 50% of stated fire code occupancy, except in cases where enhanced ventilation standards have been approved by the Health Department, allowing up to 75% of the stated fire code occupancy.

The generally applicable requirements were clarified to recommend that if no specific guidance applies, individuals must maintain at least six feet of space between individuals from different households.

No comments were received on this regulation.

Dr. Gold moved; Dr. Ibrahim seconded.

Motion for approval of regulation approved unanimously.

The Board had a discussion on future possible changes to the mask mandate.

ADJOURNMENT

Dr. Bettigole adjourned the meeting at 4:49 PM.