**PUBLIC HEALTH COUNCIL**

**MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH**

**Henry I. Bowditch Public Health Council Room, 2nd Floor**

**250 Washington Street, Boston MA**

**Docket: Wednesday, October 21, 2015 9:00 AM**

1. **ROUTINE ITEMS:**
2. Introductions
3. Updates from Commissioner Monica Bharel, MD
4. Record of the Public Health Council Meeting September 16, 2015 **(Vote)**

 **2. DETERMINATION OF NEED (DoN)**

a. West Suburban Eye, LLC has filed a DoN for relocation and renovation of a licensed Freestanding Ambulatory Surgery Center (“FASC”) . No. 3-4957 (**Vote)**

b. Southshore Hospital, Inc, has filed a DoN for new construction of a Critical Care Unit. No. 4-3C42 (**Vote)**

 **3. PRELIMINARY REGULATION**

1. Informational briefing on 105 CMR 144.000 – *Licensure of Pine Street Inn Nurses Clinic*
2. Informational briefing on 105 CMR 310.000 – *Transportation and Funerals of Persons Dead of Diseases Dangerous to Public Health*
3. Informational briefing on 105 CMR 370.000 – *Prophylactic Remedy for Use in the Eyes of Infants*
4. Informational briefing on 105 CMR 730.000 – *The Distribution of Biologic Products*
5. Informational briefing on 105 CMR 731.000 – *The Sale of Surplus Biologic Products*
6. Informational briefing on 105 CMR 921.000 – *Assuring Visitation at the Department of Public Health Hospitals for Patients Having a Relationship of Mutual Support*

**4. FINAL REGULATIONS**

a. Request for Approval to Promulgate Final Regulations on Proposed Amendments to 105 CMR 700.000: *Controlled Substances Act* related to use of the Prescription Monitoring Program **(Vote)**

b. Proposed Emergency Amendments to 105 CMR 164.000, *Licensure of Substance Abuse Treatment Programs* **(Vote)**

**5. EXECUTIVE SESSION**

The Public Health Council will meet in Executive Session as authorized by M.G.L. c. 30A, s. 21(a)(3) for the purpose of discussing strategy with respect to litigation, specifically Southcoast Hospital Group, Inc. v. The Massachusetts Department of Public Health, et al

*The Commissioner and the Public Health Council are defined by law as constituting the Department of Public Health. The Council has one regular meeting per month. These meetings are open to public attendance except when the Council meets in Executive Session. The Council’s meetings are not hearings, nor do members of the public have a right to speak or address the Council. The docket will indicate whether or not floor discussions are anticipated. For purposes of fairness since the regular meeting is not a hearing and is not advertised as such, presentations from the floor may require delaying a decision until a subsequent meeting.*