MINUTES OF THE PUBLIC HEALTH COUNCIL

Meeting of April 28, 2021

MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH

**PUBLIC HEALTH COUNCIL**

**MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH**

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

**250 Washington Street, Boston MA**

**Docket: \*\*\*REMOTE MEETING\*\*\* Wednesday, April 28, 2021 – 9AM**

***Note: The March Public Health Council meeting will be held remotely as a video conference due to the COVID-19 State of Emergency declared by Governor Charles D. Baker on March 10, 2020 and consistent with the Governor’s March 12, 2020 Order modifying the state’s Open Meeting Law and July 2, 2020 Order regarding gatherings.***

Members of the public may listen to the meeting proceedings by using the information below:

Join by Web: <https://statema.webex.com/statema/onstage/g.php?MTID=edfb810ee84d8776c38057519f0bfc018>

Dial in Telephone Number: 1-866-692-3580

Access code: 185 250 7270

1. **ROUTINE ITEMS** 
   1. **Introductions**
   2. **Updates from Commissioner Monica Bharel, MD, MPH.**
   3. **Record of the Public Health Council Meeting held March 10, 2020. (Vote)**
2. **DETERMINATIONS OF NEED**
   1. **Request by Campion Health & Wellness for Substantial Change in Service (Vote)**

1. **FINAL REGULATIONS**
   1. **Request for approval of proposed amendments to 105 CMR 140.000, *Licensure of Clinics.* (Vote)**

**4. PRESENTATION**

a. **New Results and Updates from the COVID-19 Community Impact Survey (CCIS)**

*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.*

Public Health Council

Attendance and Summary of Votes:

Presented below is a summary of the meeting, including timekeeping, attendance and votes cast.

Date of Meeting: April 28, 2021

Start Time: 9:07am Ending Time: 10:18am

| Board Member | Attended | First Order: Approval of March 10, 2021 Meeting Minutes (Vote) | Second Order: DoN Request by Campion Health & Wellness for Substantial Change in Service (Vote) | Third Order: FINAL REGULATIONS Request for approval of proposed amendments to 105 CMR 140.000, Licensure of Clinics. (Vote) |
| --- | --- | --- | --- | --- |
| Commissioner Monica Bharel | Yes | Yes | Yes | Yes |
| Edward Bernstein | Yes | Yes | Yes | Yes |
| Lissette Blondet | Absent | Absent | Absent | Absent |
| Kathleen Carey | Yes | Yes | Yes | Yes |
| Sec. Elizabeth Chen | Yes | Yes | Yes | Yes |
| Harold Cox | Yes | Yes | Yes | Yes |
| Alba Cruz-Davis | Yes | Yes | Yes | Yes |
| John Cunningham | Yes | Yes | Yes | Yes |
| Michele David | Yes | Absent | Absent | Absent |
| Claude Jacob | Yes | Yes | Yes | Yes |
| Michael Kneeland | Yes | No | Yes | Yes |
| Keith Hovan | Yes | Yes | Yes | Yes |
| Joanna Lambert | Yes | Yes | Yes | Yes |
| Acting Secretary Cheryl Poppe | Yes | Yes | Yes | Yes |
| Summary | 13 Members Present; 1 Absent | 12 Members Approved; 2 Absent | 12 Members Approved; 2 Absent | 12 Members Approved; 2 Absent |

**PROCEEDINGS**

A regular meeting of the Massachusetts Department of Public Health’s Public Health Council (M.G.L. c. 17, §§ 1, 3) was held on Wednesday, April 28, 2021 by the Massachusetts Department of Public Health, 250 Washington Street, Boston, Massachusetts 02108.

Members present were: Monica Bharel, MD, MPH; Edward Bernstein, MD; Kathleen Carey, PHD; Secretary Elizabeth Chen; Alba Cruz-Davis, PhD, MPH; John Cunningham, PhD; Claude Jacob; Michael Kneeland, MD; Michele David, MD; Dean Harold Cox; Keith Hovan; Joanna Lambert and Cheryl Lussier Poppe

Also in attendance was Elizabeth Scurria Morgan, Acting General Counsel at the Massachusetts Department of Public Health.

Commissioner Bharel called the meeting to order at 9:07AM and made opening remarks before reviewing the agenda.

**1. ROUTINE ITEMS**

b. Updates from Commissioner Monica Bharel, MD, MPH

**COVID-19**

Commissioner Bharel stated that she is committed our mission of health equity. DPH will continue to fight this pandemic and continue all of our many critical programs and services on behalf of our residents. This includes a deliberate emphasis on racial equity. She acknowledged publicly that racism is a public health crisis requiring public health interventions.

**COVID VACCINE**

Commissioner Bharel stated the CDC and FDA recommended the pause on the use of the Johnson & Johnson vaccine can be lifted and here in Massachusetts, and DPH has informed providers that they may resume using J&J. Providers should review the new guidance and the Janssen COVID-19 Vaccine Fact Sheets which have been revised to include information about the risk of a rare type of blood clot.

As of April 19, 2021, anyone 16 years and older are eligible for the COVID-19 vaccine and there are over two million people fully vaccinated in Massachusetts, cases and hospitalizations from COVID have decreased and Governor Baker announced changes in the mask policy for Massachusetts updating the policy to what it had been previously, requiring mask use outside when unable to socially distance

**CAMPAIGN AND NEW VIDEOS**

Commissioner Bharel stated the DPH public campaigns to encourage vaccination are continuing. DPH launched the newTrust the Facts. Get the Vax TV ads. The new TV ads are voiced by Massachusetts essential workers. The new TV ads are running in English, Spanish, and American Sign Language (ASL) and cite reasons for getting the vaccine and reminding people that the vaccine saves lives, and is the best way to help end the pandemic.

The campaign also features additional animated ads in 10 languages.

**VACCINE EQUITY INITIATIVE**

Commissioner Bharel stated that DPH is focused on the 20 communities hardest hit by COVID19. Resources are being directed to these cities and towns to assist them in increasing trust and confidence in the vaccine and also reducing barriers to access in varied and creative ways.DPH is bringing the vaccine to where people are most comfortable receiving it. DPH’s Mobile Vaccination Program has supported 57 community-based vaccination clinics in five cities and towns so far.

Through our community grants, we have included multilingual vaccine materials into food distribution boxes. Trained canvassers have been going door to door to share information, answer questions, and in some cases register individuals for vaccination appointments.

Information has been to reflect the work we are doing with Tribes, Native Americans, Alaskan Natives, Pacific Islanders, Native Hawaiians, and Indigenous Peoples. The goal is to increase access to vaccination sites and provide resources and culturally relevant outreach, education and mitigate barriers to accessing vaccines.

**NATIONAL MINORITY HEATLH MONTH AND ASTHO**

Commissioner Bharel announced April is National Minority Health Month, dedicated to bringing awareness of health disparities. COVID-19 has exacerbated existing racial inequities and highlighted the historic mistreatment of people of color in health systems. We know the intersecting scourges of COVID-19 and systemic inequities such as historic structural racism impacts our communities of color and low income communities disproportionately. Commissioner Bharel spoke about our equity work at the national ASTHO Equity Summit, and how Massachusetts has made equity a pillar of our COVID-19 response. A link will be sent to the council members to a blog post written for the Summit.

**Red Sox Week @ the Hynes**

“Red Sox Week at the Hynes” Outreach was conducted is in Spanish, Portuguese, and Chinese. Our DPH team supported this effort by working with our community partners to encourage vaccination at the Hynes. Signage in Spanish and bilingual staff were provided, and there was intensive outreach specifically to the Latinx community via Spanish language media. Over 9,300 individuals from our priority communities received first doses last week through this initiative.

**SEXUAL ASSAULT AWARENESS**

April is Sexual Assault Awareness and Prevention Month and the DPH Sexual Assault Nurse Examiner program, the SANE program, was recognized by Lieutenant Governor Polito for providing uninterrupted SANE coverage in 40 hospitals during the pandemic. Commissioner Bharel acknowledged Joan Sham, Director of the SANE program for all of her efforts.

**LABORATORY PROFESSIONALS WEEK**

Commissioner Bharel acknowledged Laboratory Professionals week. Laboratory professionals such as chemists, microbiologists, lab technicians, and supervisors were commended for their work at DPH.

Commissioner Bharel then asked if the Council members had any questions before proceeding.

No questions or comments from the council members.

**1. ROUTINE ITEMS**

c. March 10, 2021 Minutes (Vote)

The Commissioner asked if there was a motion to approve the March PHC minutes.

Mr. Hovan made the motion, which was seconded by Dr. Bernstein. All members present approved.

**2. DETERMINATIONS OF NEED**

**a. Request by Campion Health & Wellness for Substantial Change in Service (Vote)**

Commissioner Bharel invited the Determination of Need Program Director, Lara Szent-Gyorgyi to review the staff recommendation for Campion Health and Wellness’s request for substantial change in service. She is joined by Rebecca Rodman, Senior Deputy General Counsel. Upon conclusion of the presentation, the Commissioner opened to questions from the Council and indicated representatives of the Applicant were available to respond to questions as well.

Secretary Chen asked about the major differences between level two and level four beds.

Ms. Rodman stated that level four beds are considered non-skilled beds and level two beds require skilled nursing care.

Secretary Chen asked if the facility is only dedicated to retired priests regardless of federal funding.

Ms. Graham stated that the Jesuits take a vow of poverty and are eligible for Medicare and some residents are private pay.

Secretary Chen ask if there is state or federal regulation that allows the facility to exclude others.

Ms. Rodman stated that there is a statute that calls out specific members for these facilities of the clergy and is specific for these members if they follow regulations and requirements.

Dr. Carey asked what the means test for the Medicaid eligible residents.

Ms. Graham stated that the residents cannot have more than $2,000 dollars in any bank account and require a five year look back at any funds they may distributed.

Secretary Poppe asked if any of the residents are veterans.

Ms. Graham stated some are veterans and get pensions that covers the cost of care and some have benefits that cover some care.

Dr. Bernstein asked if they offer rehabilitation.

Ms. Graham stated there is a behavioral health service and provide rehabilitation therapy to the members.

Dr. Bernstein asked if this included mental health and SUDs.

Ms. Graham stated there is a psychiatrist that comes weekly and a medical doctor.

Commissioner Bharel asked if the rest home beds have rehabilitation available to them.

Ms. Graham stated yes but they are billed differently than the skilled nursing beds.

At the conclusion of questions from Council members, Commissioner Bharel asked if there was a motion to approve Campion Health and Wellness’s request for substantial change in services.

Dr. Bernstein made the motion, which was seconded by Dr. Kneeland. All present approved.

Commissioner Bharel stated request for substantial Campion Health and Wellness’s request in service is approved.

**3. FINAL REGULATIONS**

**a. Request for approval of proposed amendments to 105 CMR 140.000, Licensure of Clinics. (Vote)**

Commissioner Bharel invited Marita Callahan, Director of Policy and Health Communications for the Bureau of Health Care Safety and Quality, to review and request approval for proposed updates to the Department’s clinic licensure regulation. She is joined by Rebecca Rodman, Sherman Lohnes, Director for the Division of Health Care Facility Licensure and Certification within the Bureau, and Judy Bernice, Licensure Inspections Manager within the Bureau.

Upon conclusion, Commissioner Bharel asked if the Council member had any questions.

Dr. Cunningham asked if 60 days in an appropriate amount of time to perform a review.

Ms. Callahan stated that they would be able to perform a thorough review in 60 days.

Dr. Bernstein asked if there the clinical data regarding mental health and substance use reporting.

Ms. Callahan stated there are reporting requirements and often in contact with other bureaus to collect data.

Mr. Lohnes stated that incident report and consumer complaint which are all reviewed and addressed. Data reporting can be considered further.

Upon the conclusion of questions, Commissioner Bharel asked if there is a motion to approve the proposed updates to the clinic licensure regulation 105 CMR 140.

Secretary Chen made the motion, which was seconded by Mr. Hovan. All present members approved.

Commissioner Bharel stated the updates to the Department’s clinic licensure regulation, 105 CMR 140, are approved.

**4. PRESENTATIONS**

**a. New Results and Updates from the COVID-19 Community Impact Survey (CCIS)**

Commissioner Bharel invited Dr. Sanouri Ursprung to present data on employment, substance use, and youth and families findings from the Survey.

Secretary Chen leaves at 9:55am

Dr. David arrives at 10:08am

Upon conclusion, Commissioner Bharel asked if the Council member had any questions.

Mr. Hovan commended the amount of work done on this survey with very important data and asked if a slide be added to explain the acronyms used throughout the presentation.

Dr. Ursprung stated they will provide this information.

Mr. Jacob asked how the PHC members can help spread the information and how can it be shared to engage others.

Dr. Ursprung stated that they are working on elevating the populations to create multiple versions of the information for it to be used for population specific for communities will be coming soon for sharing.

Commissioner Bharel stated this information is available for viewing on the website and the official link will be shared.

Mr. Jacob stated it would be helpful to amplify the policy level implications that can be extracted to improve the quality life for residents.

Dr. Bernstein requested there be data on mental health emergency room visits.

Commissioner Bharel stated that DPH is working with EHS for data in coordination of this information.

Dr. Bernstein suggested to include immigration status in some capacity.

Dr. Ursprung stated that next month they will review race/ethnicity information.

Dr. Cruz Davis stated the impact of the information that can speak for future needs.

With no further questions, Commissioner Bharel reminded Council members the next meeting would be held on Wednesday, April 28, 2021.

Commissioner Bharel stated that Dr. Kneeland did not participate in vote for minutes the record will reflect that he did not participate in the vote. She then asked if there was a motion to adjourn.

Dr. Davis made the motion, which was seconded by Mr. Jacob. All members present approved. The meeting adjourned at 10:43am.