MINUTES OF THE PUBLIC HEALTH COUNCIL

Meeting of March 10, 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, March 10, 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. **1. ROUTINE ITEMS** a. Introductions
  1. b. Updates from Commissioner Monica Bharel, MD, MPH.
  2. c. Record of the Public Health Council Meeting held February 17, 2020. **(Vote)**
  3. **2. DETERMINATIONS OF NEED** a. Request by Steward Health Care System, LLC for Substantial Change in Service **(Vote)**
  4. **3. FINAL REGULATIONS** a. Request for approval of proposed amendments to 105 CMR 150.000, *Standards for Long-Term Care Facilities.* **(Vote)**

**4. PRESENTATIONS**

a. Housing Stability Update

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

c. Update on the Office of Problem Gambling Services: Engagement, Equity, and

Empowerment

*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: March 10, 2021

Start Time: 9:08am Ending Time: 11:18am

| Board Member | Attended | First Order: Approval of February 17, 2021 Meeting Minutes (Vote) | Second Order: DoN Request by Steward Health Care System, LLC for Substantial Change in Service **(Vote)** | Third Order: Final Regulations Request for approval of proposed amendments to 105 CMR 150.000, Standards for Long-Term Care Facilities. **(Vote)** |
| --- | --- | --- | --- | --- |
| Commissioner Monica Bharel | Yes | Yes | Yes | Yes |
| Edward Bernstein | Yes | Yes | Yes | Yes |
| Lissette Blondet | No | Absent | Absent | Absent |
| Kathleen Carey | Yes | Yes | Yes | Yes |
| Sec. Elizabeth Chen | Yes | Yes | Yes | Yes |
| Harold Cox | Yes | Abstained | 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 | Yes | Yes | Yes |
| Keith Hovan | Yes | Yes | Recused | Yes |
| Joanna Lambert | Yes | Abstained | Yes | Yes |
| Acting Secretary Cheryl Poppe | Yes | Yes | Yes | Yes |
| Summary | 13 Members Present; 1 Absent | 11 Members Approved; 1 Absent; 2 Abstained | 11 Members Approved; 2 Absent; 1 Recused | 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, March 10, 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; Joanna Lambert; Cheryl Lussier Poppe; and Michele David, MD.

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 9:08AM and made opening remarks before reviewing the agenda.

**1. ROUTINE ITEMS**

b. Updates from Commissioner Monica Bharel, MD, MPH

**COVID**

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.

**COVID VACCINE**

Commissioner Bharel stated that over two million doses of the vaccine have been administered in Massachusetts. Massachusetts now has a third vaccine – the Johnson & Johnson. All of the vaccines available are safe and effective. They all prevent severe illness, hospitalization and death.

Commissioner Bharel stated that the state’s vaccination plan in the Commonwealth is based on three core principles: saving lives, preserving our health care system and equity, while reaching our hardest hit communities. With this approach, we are balancing speed of vaccine administration with equity during a constrained vaccine supply.

As of Monday, March 8, 2021, Massachusetts ranked 1st for individuals with first doses per capita among states with 5M people or more and we rank 7th out of US states for doses administered per capita.

**CAMPAIGN AND NEW VIDEOS**

Commissioner Bharel stated the public awareness campaign, “Trust the Facts. Get the Vax” has been running in 10 languages. The campaign features physicians promoting safety and efficacy of the COVID-19 vaccine and urging residents to get vaccinated when it is their turn. DPH is working on the next wave of ads to feature members of the public. With the same goal in mind: to build trust with communities of color and others disproportionately impacted by COVID-19.

DPH has begun to reach out to trusted sources and community leaders to share the message with their own constituencies. Commissioner Bharel welcomed participation from members of the Council in these selfie videos. To record your own video please contact our Communications Director Alison Cohen. More information and resources on the campaign can be found at mass.gov/trustthefacts.

**EQUITY INITIATIVE**

Commissioner Bharel stated that DPH reviewed data from across MA to determine the 20 communities hardest hit by COVID19. Resources are being focused on in these cities and towns to assist them in increasing trust and confidence in the vaccine and also reducing barriers for accessing the vaccine for those who are eligible.

The goal of this initiative is to listen to and elevate the voice of community members and use a hyper-local approach to getting each community the resources that will best assist them.

This approach is in line with our using data to understand the needs of a community and targeting resources where they are most needed.

Since the last PHC meeting:

* Community Liaisons kicked off their work on February 22. These staff serve as a resource to each municipality, helping to leverage and coordinate resources, identify gaps, and map available resources to reduce barriers to vaccination.
* Finalized a community outreach and engagement contract to increase trust in the vaccine’s safety and efficacy, acknowledging that in many communities of color, mistrust and hesitancy can stem from a history of medical mistreatment
* Through this contract DPH will offer a menu of services to municipalities to support this work, including activities such as door-to-door canvassing; neighborhood walks to educate, post signs, and distribute PPE; and Multi language adaptations of Trust the Facts, Get the Vax campaign materials.
* The next steps will work to identify and announce additional resources for these communities, including community-level data reports with vaccine allocation and administration information. This will provide the municipalities with more information to make decisions to support their residents in the ways that best work for them to increase vaccinations.

Commissioner Bharel thanked the municipal leaders, health directors, key stakeholders, community-based organizations and faith based organizations for their hard work and dedication to health equity.

**OTHER SUCCESSES**

Commissioner Bharel stated that DPH continues all other important work across the department that has been ongoing since the start of the pandemic.

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. February 17, 2021 Minutes (Vote)

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

Mr. Hovan made the motion, which was seconded by Secretary Chen. Dean Cox and Ms. Lambert abstained. All members present approved.

Mr. Hovan recused at 9:20am.

**2. DETERMINATIONS OF NEED**

**a. Request by Steward Health Care System for Substantial Change in Service (Vote)**

Commissioner Bharel invited the Determination of Need Program Director, Lara Szent-Gyorgyi to review the staff recommendation for Steward Health Care System’s request for substantial change in service. She was joined by Rebecca Rodman, Senior Deputy General Counsel. She noted Keith Hovan recused himself from the proceedings and gave him time to leave the meeting during the determination of need review.

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.

Dr. Bernstein asked if they are planning on buprenorphine as oppose to detox for patients with substance use disorder.

Dr. Edgardo Trejo, Chairman of Steward’s Psychiatry Department, stated they will provide comprehensive treatment that would include buprenorphine for patients with SUDs and transfer patients to appropriate care with appropriate medication management.

Dr. Bernstein and Dr. Kneeland stated this is needed in order to expand level four beds.

Dr. Bernstein asked about transfer of care data.

Dr. Trejo said they report to data to the regulatory body.

Dr. Bernstein asked if the physicians could accept patients with SUDs.

Dr. Trejo stated they are working on accepting these patients and working on training providers for caring for these patients.

Ms. Lambert asked if there was a response for how the data from outside their system is incorporated and updated.

Dr. Trejo stated they are planning to improve data collection by utilizing their EMR. As an ACO there is already many communication health partners for seamless transfer of care and EMR transfer.

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

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

Commissioner Bharel stated Steward Health Care System’s request for substantial change in service is approved.

Mr, Hovan returns at 9:43am.

**3. FINAL REGULATIONS**

**a. Request for approval of proposed amendments to 105 CMR 150.000, Standards for Long-Term Care Facilities. (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 update to the Department’s long-term care facility regulation on standards for operation.

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

Dr. Kneeland asked if an infection disease expert was part of the process.

Ms. Callahan stated that their infection control staff reviewed the regulations.

Secretary Poppe asked if these regulations are in compliance with CMS requirements.

Ms. Callahan stated they align with CMS requirements and compliance.

Dr. Bernstein asked if there are more variants in the future, would these regulations protect these patients better than in the past.

Ms. Callahan stated they would be and this is one of many tools for infection control and prevention to improve the protocol for protecting patients.

Dr. Katherine Fillo, Director of Clinical Quality Improvement for the Bureau of Health Care Safety and Quality agreed and stated that there is also a minimum requirement for the number of hours for nursing staff; higher staffing will improve early detection for mitigation and prevention of spread. Infection control technical support will also continue onsite at the nursing homes.

Dr. Kneeland stated it is important to have patients and staff fully immunized.

Ms. Callahan stated there are continued efforts to vaccinate all nursing home residents and staff.

Dr. Fillo stated that nursing and rest homes were among the first groups prioritized for vaccines and proved onsite access for vaccination appointments.

Ms. Lambert asked if there was guidance for these facilities on increasing barriers to improve infection control.

Ms. Callahan stated there is a plan for releasing guidance that maximizing distance between nursing home beds are planned for the future.

Dr. Kneeland asked how surveillance testing will occur.

Dr. Fillo stated that current surveillance testing includes staff to be tested on a weekly basis which is reported to DPH. If any positive results occur, the testing will then expand to staff and residents.

Dr. Bernstein asked if there will be a follow up testing for variants.

Dr. Fillo stated that the facility must report to the DPH epidemiologist team any new cases or clusters and, if appropriate, specimens may be submitted to the State Public Health Laboratory for whole genome sequencing.

Upon the conclusion of questions, Commissioner Bharel asked if there is a motion to approve the proposed updates to the long-term care facility regulation 105 CMR 150.

Secretary Poppe made the motion, which was seconded by Dr. Carey. All present members approved.

Commissioner Bharel stated the updates to the Department’s long-term care facility regulation, 105 CMR 150, are approved.

**4. PRESENTATIONS**

**a. Housing Stability Update**

Commissioner Bharel invited Tom Brigham, our Housing Stability Coordinator within the Department’s Office of Health Equity, to review our efforts within DPH and with sister agencies to address homelessness. The Department prioritizes individuals with a history of homelessness or housing insecurity in the work we do. Tom is joined by Dr. Sabrina Selk, Director of the Office of Health Equity, who will give some opening remarks.

Dean Cox asked if the population is growing or stable.

Mr. Brigham stated that it depends on the data you are reviewing, for example chronic homelessness is one of the highest in Massachusetts.

Dean Cox asked what the impact of COVID-19 is anecdotally.

Mr. Brigham stated there has been an increase in housing options for COVID homeless individuals, such as hotels/motels with the plan to revisit the way shelters currently operate.

Dean Cox asked based on data and initiatives, where are the biggest gaps in service.

Mr. Brigham stated there is a disconnect since there are silos of work, rather than working in alignment and conjunction for streamlining efforts.

Dr. Selk stated that finding a certain type of housing can be really challenging based on their needs.

Commissioner Bharel stated that there is motivation to raise this up as a prevention by identifying populations that are unstably housed and prevent homelessness.

Dr. David asked if there is a plan for when the moratorium will expire and will there be an influx of homelessness as a result.

Mr. Brigham stated that DPH is working to provide resources and working with landlords to keep people in place.

Dr. Bernstein asked if there will be a system in place for people with SUDs in order to prevent further homelessness.

Mr. Brigham stated they are working with regional housing partners to address this issue.

Mr. Jacob asked if there is data on utilization of the regional housing sites as well as the vaccination rates from the shelter community.

Secretary Chen asked if there is an influx of newly homeless individuals over 50 years old and how does that factor impact the work.

Mr. Brigham stated that this group is a greater volume and will be reviewed.

**4. PRESENTATIONS**

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

Commissioner Bharel invited Dr. Sanouri Ursprung to present additional data on the mental health findings from the COVID-19 Community Impact Survey.

Dr. Bernstein asked if languages other than English a standard metric.

Dr. Ursprung stated that ethnicity and language spoken is captured and allows those individuals to participate in the survey.

Mr. Jacob asked if more engagement with local partners can be included in this work.

Dr. Ursprung stated that data is intentionally engaging community partners.

Dr. Carey asked if there has been an observation of disparities over time.

Dr. Ursprung stated that this doesn’t capture as many demographic groups and data reports will by population and included in the future and incorporated moving forward.

Ms. Cruz-Davis asked to expand on three time increase of caregivers with children with special needs.

Dr. Ursprung stated that they are working with youth and childcare data and will be in future reports specifically on caretakers for children.

**4. PRESENTATIONS**

**c. Update on the Office of Problem Gambling Services: Engagement, Equity, and**

**Empowerment**

Commissioner Bharel then invites Victor Ortiz, Director of the Department’s Office of Problem Gambling Services, will give an update on his Office’s work to support the Department’s efforts supporting health equity. He is joined by Rachael Cain, Assistant Director of Programs and Services within the Office.

Mr. Hovan thanked DPH for including teens and youth. He asked what is the number of people that are screened on the helpline.

Mr. Ortiz stated that this screening tool has been in operation for the last seven months and will be analyzed after one year of data collection.

Mr. Jacob commended the work of DPH on this issue.

Ms. Cruz-Davis also commended the work, especially authentic community engagement.

Secretary Poppe commended the work and support on training the SAVE team.

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. David had technical difficulties the record will reflect that she did not participate in the votes. She then asked if there was a motion to adjourn.

Mr. Jacob made the motion, which was seconded by Secretary Chen. All members present approved. The meeting adjourned at 11:18am.