

Paula Johnson, MD, MPH, Chair, called the meeting to order at 4:12 PM on January 10, 2008.

Acceptance and Approval of Minutes

Paula Johnson, MD, MPH, Chair, invited a motion to accept the November and December minutes. The Motion was made, seconded and approved.

Executive Directors' Report

Dr. Barbara Ferrer, Executive Director, reported that the Boston EMS union endorsed and ratified their contract with the Boston Public Health Commission and that the BPHC is very close to closing out all of their contracts. Dr. Ferrer applauded the Boston EMS Executive Board for their conduct in the negotiations. Dr. Ferrer stated that a fair agreement was reached and that the relationship between Boston EMS and the Boston Public Health Commission continues to be strong. She announced that as part of the new contract, a drug testing policy of EMS personnel will be implemented within forty-five days of the union's ratification of the contract.

Dr. Ferrer referenced the foreclosure situation and its impact on the poorest neighborhoods, including the VIP neighborhood. These neighborhoods are severely impacted by the foreclosure and sub-prime lending situation.

Limited Service Retail Clinics

Dr. Ferrer informed the Board about a letter addressed to the Board from Mayor Menino regarding his concerns about the Massachusetts Public Health Council's January 9, 2008 vote to allow limited service clinics to operate in Massachusetts. Dr. Ferrer discussed the Mayor's four major concerns about the establishment of these clinics:

- Quality of care for the individual patient and community;
- Impact on the healthcare system;
- Impact on the public health system; and,
- The mission of health care being completely disconnected from that of a profit driven corporation.

Fatema Fazendeiro, Assistant General Counsel, gave a brief explanation of the amendments to the state regulations which allows the licensure of these retail clinics. Ms. Fazendeiro stated that the regulations are not new, they have just been amended. Ms. Fazendeiro stated that a limited service clinic is a clinic that does very focused, pre-identified diagnostic treatment.

John Townsend, General Counsel, gave his comments on the regulations. Mr. Townsend said that Boards of Health do not regulate health clinics or hospitals. Mr. Townsend stated that there are several concerns regarding placement of the clinics in retail settings.

Board Member Amaro asked whether there has there been any assessment or research that describes what other cities have experienced concerning the retail clinics. She asked whether any data is available that addresses both the pros and cons of the retail clinics in an urban setting. Dr. Ferrer responded that CVS put together a polished presentation with data focusing on the Minneapolis area.

Board Member Amaro raised the issue of "access" to primary care physicians in Boston. She suggested that we look at the issue of the establishment of the retail clinics more broadly. She also inquired about what could be addressed through Board of Health regulations.

Board Member Ullian raised the issue of “continuity of care.” Her concern is that medical institutions have heavily invested in electronic medical records which would be potentially compromised by the retail clinic services.

Dr. Johnson said that we need to look at the uniqueness of Boston as a major urban area. With the implementation of health care reform, can we open up these establishments that do not provide continuity of care? We need to look at the populations we are serving and consider those populations’ morbid illnesses. Dr. Johnson questioned whether establishing these retail clinics is the right thing to do as an answer to our health care crisis.

Board Member Fitch asked whether there were any inspection requirements for the retail clinics. She commented on the need to educate the public users of the clinics about their rights and about the responsibilities of the retail clinics.

Board Member Wcislo raised the issue of whether these clinics are undermining the new health care system especially concerning the newly insured residents. She asked if the Board has any authority to impose additional requirements. Mr. Townsend responded that the Board does not have any such authority.

Dr. Ferrer added that the Boston Public Health Commission's Board has no authority to change the amended state regulations and that the Board’s authority to license the sale of tobacco products, may be a better approach to limiting the placement of clinics in inappropriate retail settings.

Board Member Amaro asked how the clinics differ from urgent care providers. Dr. Ferrer said that the clinics are limited in scope. Dr. Johnson stated that there is a need for expanded hours and access.

Board Member Wcislo asked whether clients will pay out of pocket for the services. Dr. Ferrer said clients will pay an estimate of \$59.00 - \$69.00 per visit.

Dr. Johnson asked how the Massachusetts League of Community Health Centers feels about the clinics. Dr. Ferrer responded that they are completely opposed to the placement of the clinics in a retail setting.

Dr. Norman commented that it would be interesting to look at the prescribing habits in the minute clinics, especially as it relates to anti-biotics. She also raised the issue of hospitals who have CVS stores in their lobbies and how that situation may factor into the equation.

Vote to Release Proposed Trans Fat Regulation for Public Comment

Dr. Johnson invited a motion to vote to release the Proposed Trans Fat Regulation for public comment. The Motion was made, seconded and approved.

Yeas 4 No's 0 Absent 3

Vote to Approve Permit Fees for Bio-Safety Labs

Dr. Johnson invited a motion to vote to approve the implementation of permit fees for bio-safety labs. The Motion was made, seconded and approved.

Yeas 4 No's 0 Absent 3

Strategic Planning Process – Nancy Norman

Dr. Nancy Norman, Medical Director, spoke regarding the Commission's strategic planning process. Dr. Norman reported that the Executive Team met with staff at all levels from all of the Bureaus and Departments across the Commission. Dr. Norman said that 15 meetings were held, including meeting with Boston EMS and with administration. She stated that they still needed to meet with the property management department.

Dr. Norman said that there were discussions about what is working well and how we can capitalize on the wealth of expertise that exists internally. Dr. Norman stated that some of the highlights for best practice responses were:

- Advocacy;
- Training;
- High quality service;
- Providing comprehensive prevention service and health education;
- Addressing the complex needs of the city's most vulnerable residents; and commitment to all populations of Boston.

Budget Process – John Townsend

John Townsend, General Counsel, Interim Director of Administration, spoke regarding the FY09 budget. Mr. Townsend stated that the Finance Department staff is working with the proposed budget and it would be ready for consideration to the Board at the next meeting. Mr. Townsend said that the Board was scheduled to vote to submit the budget to the Mayor on February 14, 2008 and that the final board vote will take place on April 10, 2008.

In addition to the FY09 operating budget, Mr. Townsend spoke on the Capital Budget process. After reviewing the current outgoing capital projects Mr. Townsend reviewed the capital budget requests for the FY09 – FY13 budget cycles.

Board Member Fitch asked whether the Board has a history of getting everything they ask for project by project. Mr. Townsend answered, no, some projects are on-going and we usually get a small portion of what is requested.

Dr. Johnson adjourned the meeting at 6:05 PM.