



**MINUTES FOR THE MEETING OF THE BOARD OF DIRECTORS  
Thursday, September 8, 2011**

The monthly meeting of the Board of Directors ("Board") of the Boston Public Health Commission ("Commission") was held on Thursday, September 8, 2011 in the Hayes Conference Room at the Commission's offices at 1010 Massachusetts Avenue, 2<sup>nd</sup> floor, Boston, MA 02118.

**Board Members Present:**

Paula Johnson, MD, MPH, Chair  
Ruth Ellen Fitch, JD  
Celia Wcislo  
Harold Cox  
Kathleen Walsh

**Board Members Absent:**

Jack Cradock  
Joseph Betancourt, MD, MPH

**Also Present Were:**

Barbara Ferrer, John Townsend, Nakisha Skinner, Maia BrodyField, Chuck Gagnon, James Hooley, Gerry Thomas, Lisa Conley, PJ McCann, Margaret Reid, Nikysha Harding, Roy Martin, Katinka Podmaniczky, Ann Scales, Brad Cohen, Catherine Fine

**Visitors:**

Kay Lazar, Boston Globe; Scott Mason, Massachusetts League of Community Health Centers

**Proceedings:**

***Chairwoman's Comments***

*Paula Johnson, MD, MPH*

- The meeting was called to order at 4:08 P.M. The minutes of the board meeting held July 14, 2011 were approved.

## ***Executive Director's Report***

Barbara Ferrer, PhD, MPH, Med

- The Commission has released two reports on substance abuse in Boston detailing a decrease in mortality rates associated with drug use. Dr. Ferrer noted that this decrease is directly related to the methods used by the Commission to introduce Narcan into the city. Chairwoman Johnson inquired about the age of the Narcan program. Dr. Ferrer responded that the Narcan program is one and one-half years old. Dr. Ferrer stated that going forward in addition to the Health of Boston reports, the Commission would also like to release more comprehensive reports throughout the year. Board Member Cox asked if the data from the substance abuse reports would be the source of the Community Meetings. Dr. Ferrer responded that it would not be. Board Member Cox stressed the importance of data being accessible to the general population and suggested producing a one-page document to summarize data found in the Commission's reports. Dr. Ferrer acknowledged the importance of making the data more accessible, and stated that although a one-page document would be difficult she would pass the idea along to Dr. Snehal Shah, Director of Research and Evaluation. Board Member Walsh asked if the Commission's reports are published in any journals. Dr. Ferrer acknowledged the importance of publishing reports, and stated that Dr. Shah is aggressive about this however the reports are not currently published in any journals.
- Dr. Ferrer updated the board on two violence prevention grants received by the Commission. One is a Department of Justice grant for an evidence based approach to addressing violence. The other is Communicable Disease Control's Striving to Reduce Youth Violence Everywhere ("STRYVE") Grant, which lasts five years and will focus on the Commission's Violence Intervention and Prevention Initiative. Dr. Ferrer also noted that the Defending Childhood grant will be received soon.
- Ann Scales, Director of Communications, showed the board two Commission commercials regarding sugar sweetened beverages. Chairwoman Johnson asked if there has been collaboration with shops in terms of product placement of sugar sweetened beverages. Ms. Scales stated that there has been collaboration with several corner stores.
- Dr. Johnson asked how the cuts in funding for the flu vaccine will affect the Commission's distribution. Dr. Ferrer acknowledged that the cuts will make holding free clinics more difficult and stated that the Commission is encouraging those with insurance to obtain vaccines through their own means, however many of the free clinics will still be in operation and no one will be turned away. The Commission has also purchased some of the vaccine, itself, and will use this supply if necessary. Board Member Cox asked how much money was saved through these cuts. Dr. Ferrer responded that millions of dollars were saved. Board Member Wcislo asked about universities and colleges using the vaccine. Dr. Ferrer responded that for the most part, these institutions have not relied on the Commission for their vaccine supply. Board Member Walsh asked if the supply was good this year. Dr. Ferrer stated that for now it is. Board Member Cox asked if the vaccine contains more than one strain. Dr. Ferrer stated that the vaccines usually contain the strains that are expected to be the strongest and most prevalent, usually including three to four strains.
- Dr. Johnson stated that the Commission should utilize their patient tracking system to stay ahead of the curve and see if an epidemic is coming. Dr. Ferrer agreed and stated that the policies regarding vaccine distribution may change if the Commission sees a problem coming early on. The Commission may also need to look into being more active in schools as youth are among the higher rates of those transferring infection.
- Dr. Ferrer acknowledged and thanked the Commission's responders to Hurricane Irene.

***Proposed Amendments to Tobacco Control Regulation and Clean Air Works Workplace Smoking Restrictions Regulation and Vote to Release for Public Comment***

Nakisha Skinner, General Counsel

- Atty. Skinner provided an overview of the proposed amendments to the Tobacco Control and Clean Air Works Workplace Smoking Restrictions (“Workplace Smoking”) Regulations. The Boston City Council has amended the City Ordinance to comply with the Commission’s proposed amendments in order to avoid confusion.
- Changes to the Workplace Smoking Regulation include the addition of novel nicotine products to the title, a definition of electronic cigarettes, and the addition of section four, in which e-cigarette use in the workplace is prohibited.
- Changes to the Tobacco Control Regulation include an increased penalty fine for stores, an extended fine period to twenty-four months, a definition for “nicotine delivery product”, and additional language mandating that cigars be sold in packages of at least five. Atty. Skinner noted that the cigar packaging doesn’t apply to premium cigars and is proposed to be effective sixty days after the amended regulation is passed. Board Member Fitch asked if cigars have different sizes. Ms. Nikysha Harding, Director of the Boston Tobacco Prevention and Control Program, stated that there are smaller sized cigars called cigarillos.
- Board Member Cox asked why the fine was increased. Ms. Harding stated that the existing fine is not considered an effective deterrent and that the new fine is reflective of the cost to enforce the proposed amendments to the regulations. Board Member Wcislo suggested that “physician” in the “nicotine delivery product” definition should be changed to “independent licensed provider”.
- Section five of the Proposed Amended Tobacco Control Regulation outlines the application for permits. Board Member Wcislo asked if stores would now need an additional permit because of the new regulations. Atty. Skinner informed her that only one permit was needed and that permits purchased before the implementation of the regulations will be extended to account for this. Board Member Wcislo asked about the difference in time between the implementation of cigar packaging and the permit process, which takes effect thirty days after the amended regulation is passed. Ms. Harding stated that while they feel sixty days is necessary for retailers to deplete their stock of cigar products which are against regulation, thirty days is sufficient to obtain a permit.
- Chairwoman Johnson expressed her approval of the preamble and the reasoning it includes. Atty. Skinner thanked Chairwoman Johnson and noted that Lisa Conley, Director of Intergovernmental Relations, and PJ McCann, Policy Analyst, Intergovernmental Relations, have assisted. Atty. Skinner also stated that other small changes were made to the proposed amended regulations to make them consistent with newer regulations.
- Atty. Skinner did an overview of the proposed timeline, stating that the regulations will be brought before the Board for another vote in November. Board Member Walsh asked if the board’s comments have been helpful. Dr. Ferrer stated that the board’s comments have helped shape the amendments and that this situation is appropriate for the full public process. Chairwoman Johnson noted that looking back in the minutes of previous meetings it can be found that questions posed by the board have been answered.

## **VOTE**

- The board voted to open the proposed amended regulations for public comment.

The votes were as follows: 6 in favor, 0 opposed, 2 absent.

### ***Update: Partnerships Advancing Community Together (“PACT”) Program***

Roy Martin, Program Manager, PACT, Child and Adolescent Health Division, CAFH Bureau

Catherine Fine, Director, Violence Prevention Division, CAFH Bureau

- PACT is a multi-agency program for youth who are most likely to become victims or perpetrators of violence. Agencies involved in PACT include City Hall, the Boston Police Department (“BPD”), the Commission, and Youth Options Unlimited, among others. Out of 236 clients, 124 are still actively engaged in PACT. Of the 124 active clients, 96% are interested in support, usually concerning employment, education, or legal issues related to education. Mr. Martin stated that the list of clients has expanded. Ms. Fine gave an overview of the financial aspect of PACT, discussing grants and plans to hire a new director.
- Board Member Wcislo noted that she felt the way PACT was “given” their clients by BPD was unusual and asked if Mr. Martin believes the right individuals were chosen, noting that the majority of Clients are African-American. Mr. Martin responded that there is no doubt in his mind the right individuals were chosen and agreed that it is unfortunate most of the clients are African-American. Board Member Fitch noted that the aspect of profiling by BPD also needs to be addressed, and education provided. Mr. Martin agreed with this.
- Dr. Ferrer stated that PACT is an expensive, small program, and would be considered successful if 50% of the clients succeed. The Commission is participating in this program because of its importance, but not because it is considered to be the solution. Board Member Walsh asked if there are things that PACT wishes they knew ten years ago about their clients, and if there is a way to provide feedback to Boston Public Schools or the Department of Children and Families, Health and Human Services. Mr. Martin stated when considering what he wishes he knew about these individuals ten years ago, he thinks of the fact that many of them have had difficulty transitioning into adulthood. Mr. Martin stated that it would be good to identify what basic skills need to be learned to make this transition a smooth one, such as appropriate behavior in the workplace. Mr. Martin also stressed the importance of keeping in mind the household and environment these clients have been raised in.
- Board Member Wcislo asked if PACT takes into account learning disabilities and their impact on these situations. Mr. Martin responded that they had not planned to consider disabilities, but quickly learned that this needed to be an important aspect of PACT.

## ***Adjournment***

There being no further business to come before the Board, the meeting was adjourned at 5:36 P.M.

## **Submitted By:**

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**Jamie L. Martin, Secretary**