

BOARD OF HEALTH MEETING
Summary of Meeting
May 18, 2021

I. **CALL TO ORDER:** The meeting was held by conference call (Dial in Phone Number (312) 626-6799, Access Code: 95268474901#, Password: 361224#) and was called to order Dr. Michael W. Meshad, Chairman, at 7:01 a.m. Roll was called and the following attended:

MEMBERS PRESENT: Doctors Michael W. Meshad, Michael C. Chang, Doctor Stacey W. Wing, Joseph Ewing Bornstein, Desiree A. Soter-Pearsall, and Commissioner Merceria L. Ludgood

MEMBERS ABSENT: C.M.A. (Max) Rogers IV

STAFF PRESENT: Bernard H. Eichold II, M.D., Dr.P.H., F.A.C.P., Health Officer; Laura Cepeda, M.D., M.B.A., F.A.C.M.S., F.A.A.D., Chief Medical Officer; Paul M. Betros, Jr., M.B.A, Director, Administrative Services; Kelly Warren, M.S.W., M.P.H., Director, Family Health Clinical Services; Stephanie Crawford, M.P.H., D.H.Sc., Director, Prevention & Wellness; Michael Murphy, Mobile County Health Department General Counsel, Ruth Guess, Transcriber

II. ***APPROVAL OF MINUTES – April 20, 2021** (Attachment A): The minutes for the meeting held on April 20, 2021 were briefly reviewed since the minutes had been distributed to the Board members prior to the meeting.

MOTION was made by Dr. Stacey Wing and seconded by Dr. Joseph Bornstein that the minutes of the meeting held on April 20, 2021 be approved as distributed. The motion passed unanimously.

III. **HEALTH OFFICER'S REPORT**

a. **Report from State Health Officer** (Attachment B): Dr. Eichold presented to the Board for their information, a summary report for the month of April 2021 from the State Health Officer sent monthly to county Boards of Health describing actions taken by the State Committee of Public Health. He informed the Board that the Legislative Session ended last night, and Senate Bill 240 regarding the Alabama Department of Public Health did not pass.

b. **Informational Items:**

– **Staff Changes:** Dr. Eichold informed the Board of staff changes, Dr. Chavers who everyone saw on the television regarding COVID, is a Ph.D. who had worked in the vaccine industry for Johnson and Johnson, has returned to the vaccine industry working for Moderna with world-wide epidemiology and vaccine deployment for Moderna. Dr. Rendi Murphree is taking over and consolidating all of our COVID efforts from epidemiology to vaccinations. Dr. Murphree is a Ph.D. and was a Disease Intervention Specialist from the CDC and has done world-wide deployment including Ebola. We thank Dr. Chavers for his service and this is a great opportunity for him.

IV. **CHIEF MEDICAL OFFICER**

a. **COVID-19 Hospital Update:** Dr. Cepeda informed the Board that there was a small bump of Easter and post-spring break in cases which we were concerned we might see a large bump. There was a doubling of cases from the 20s to the 40s over a matter of less than two weeks. That peaked at 45 on the 7th of May and has come down to there being 25 patients in the hospital yesterday which is a manageable number for all of the hospitals in Mobile County. The COVID cases in Mobile County now are predominately the UK variant which is highly transmissible but is controlled by the vaccine.

- b. **COVID-19 Vaccine Update:** There have been almost 220,000 of doses of vaccine administered in Mobile County with over 120,000 people fully vaccinated. Overall, the uptake has slowed down but in terms of the percentage of people who have been vaccinated, the over 75 population at 70% vaccinated. The 65 to 74 age group have 65% vaccination rates. Mobile County has a 37% vaccination rate in the over 16 population. The numbers look better for the high-risk age groups. Last week the Pfizer vaccine was approved in the 12 to 15 age group. All around Mobile County we will see that it is available. We are making it available in schools and everywhere we have vaccine efforts, and we are taking these efforts everywhere to the population trying to make it as easy as possible for them. We are taking our efforts to the homebound who have not had any access to the vaccine so far and are using the National Guard to get that to people. We are taking our outreach teams and strike teams to every corner to make sure that anybody who wants access to the vaccine can get it and we continue that effort. The effort is no longer the mass events. There is still a desire for vaccine. The CDC has changed their guidance on masking requirements for fully vaccinated people. ADPH has changed their recommendations to look like that as well. The Mobile County Health Department will follow along with that in terms of our process to reflect that.

V. **ADMINISTRATIVE SERVICES**

- a. ***General Fund Revenue & Expenditure Reports – April 2021** (Attachment C): Mr. Betros presented to the Board the General Fund Revenue & Expenditure Report for the month of April 2021. During the month there were revenues of \$1,084,341.00 and expenditures of \$1,093,701.00. It was an unfavorable month of \$9,359.00. Year to date there is a favorable balance of a little over \$1.8 million. April was a three pay-period month for the organization so there were more expenditures than normal with an increase for payroll. Terminix has been in the news and we used them for termite bonds until 2019. A refund was received of \$14,851.00 under miscellaneous income. The courts are involved and Terminix is refunding the increase that occurred. We had one year with an increase of about 300% over the normal amount for a year. We began using a different termite bond company. We may receive more refunds from Terminix. We continue to receive more ad valorem tax. That revenue is high for the month of April. Normal for the year is \$2.2 million and \$2.4 million has been received. Most is usually received in December, January and February and then decreases. Two City of Prichard required payments to Public Health which are in arrears were made in April in the amounts of \$18,879.00 and \$11,331.00 for 2017 and 2018. There were Miscellaneous Professional Services paid to Berry Dunn to help us in the selection of a new financial requisitioning system. They were used in the past for selecting our electronic medical record system. We continue with COVID funding and have spent a little over \$5,000,000.00 on COVID efforts. We have not received about \$283,000.00 of that but we are looking at additional resources to receive that.

MOTION was made by Dr. Stacey Wing and seconded by Dr. Joseph Bornstein that the General Fund Revenue & Expenditure Report for the month of April 2021 be approved as presented. The motion passed unanimously.

b. **Budget Planning FY 2021-2022**

Mr. Betros informed the Board that we will start the budget planning process of the fiscal year which runs from October through September. When the Board meets again in August, we hope to have the 2022 budget presented. The budget is complex with a lot of moving parts with different program years within the fiscal years for all the different funding sources and is a very complex process. We hope to have that ready for you in the month of August. We are anticipating including a 5% COLA into the budget as we are trying to keep up with other jurisdictions. Wages have risen across the country and we are seeing a push on hiring and wages now. We will try to keep up with that and include a 5% COLA but will have to see how it works out in the budget.

Dr. Eichold informed the Board that the Savannah College of Art and Design (SCAD) is in discussion of opening a campus and they have shown an interest in all of our downtown property with an insurance replacement value of over \$40,000,000.00. It is not known if that will move forward and wanted to inform the Board that they have had discussions with the City of Mobile and other partners in the community. They are

interested in the old Mobile General Hospital and Marine Hospital properties that are contiguous in downtown Mobile. The discussion is ongoing.

VI. FAMILY HEALTH CLINICAL SERVICES

- a. **FOPHCC Governing Council Minutes – April 2021** (Attachment D): Ms. Warren presented to the Board, for their information, a copy of the minutes for the FOPHCC Governing Council Meeting held in April 2021.
- b. **Primary Care Clinic Productivity Report – April 2021:** Ms. Warren stated informed the Board that Primary Care saw 5,708 unduplicated patients across 7,684 visits. We are experiencing a slow return of patients into the clinic and inquired if the Board members were seeing in their practice sites. Dr. Meshad and Dr. Wing reported above normal and normal visits.
- c. **Family Health COVID-19 Response:** Ms. Warren informed that Board that Family Health has been continuing to participate in the federal vaccination program for COVID-19. We are offering vaccination at our various clinical sites and continue to offer vaccine at our Saturday clinics. We continue to push that to our patients letting them know it is available and we can schedule appointments for them to come in to obtain their vaccine from us. She stated that vaccinations have fallen off and we are working hard calling patients and sending electronic medical records messages to patients letting them know about vaccine availability. We are having issues with appointments being made and people not showing up. We are vaccinating about 20 a day across our sites but does not know how much the National Guard is doing. There is also vaccination being done at the Newburn campus Monday through Friday.

VII. PREVENTION & WELLNESS

- a. **Alabama National Guard:** Dr. Crawford informed the Board that Prevention and Wellness is doing anywhere from 20 to 40 or 50 vaccinations per day. Some days are more than what others are, but we continue to see the fall off.

She informed the Board that the Alabama National Guard is working with us and joined us last Monday and we provided training for them of our practices as well as training into our agency to help us go out into the community and help us provide vaccinations to the community. We are working to get to the homebound patients and get them vaccinated. A schedule is being set up and it should begin the first of next week. We continue to utilize them and get out into the community where we can.

- b. **Influenza & Hepatitis A Update:** Dr. Crawford informed the Board that we continue to be below the threshold which is 3.29% for the season statewide for influenza. The past five weeks we have seen a small increase to 1.05% of influenza like illness. There have been 22 non-pediatric deaths reported for this season. Mobile County continues to lead with outpatient visits for influenza-like illnesses at 2.73%. We are seeing an uptick in daycares and in schools but hopefully with the school season ending soon that will drop off some. There is still concern about the daycares for influenza-like illnesses. All the numbers were low due to people wearing face coverings. It has worked to reduce transmission of respiratory viruses, COVID-19, influenza, and RSV. All of those will start to come back because of people not wearing face coverings. The case count for Hepatitis A continues to be very low. In Mobile we had 193 outbreak cases with an average age of 42. About 59% of those are males and 72% were hospitalized. Beginning June 7th, a nurse investigator for the Vaccine Preventable Disease program is scheduled to start looking further into a vaccine for Hepatitis A.
- c. **Bel Air Lease:** Dr. Crawford informed the Board that we are looking for a vaccine location. We moved out of the Cruise Terminal which was used for mass vaccinations. We are looking for a space to move into to make sure we are in a good, central location for anyone that is traveling back and forth and want to get the vaccine. We are trying to put a footprint in Bel Air Mall to provide vaccine but to also do testing and overall public

health services. We are in negotiations for the lease. The site is the old Rue 21 space which is located on the back side by Dillard's and is a huge space and is an opportunity for us to put a footprint in the mall area to provide preventative services.

VIII. EXECUTIVE SESSION

- a. Litigation Matters: Dr. Meshad moved the request the Board enter into Executive Session to discuss the legal ramifications and legal options for pending litigation in the matter of Mobile County Board of Health vs. Richard Sackler. Dr. Meshad had been informed that the Executive Session meets the standards and was certified by Michael Murphy, Mobile County Health Department, General Counsel by Attachment A hereto.

MOTION was made Dr. Joseph Bornstein and seconded by Dr. Desiree Pearsall to adjourn the meeting for a confidential report from Mr. Michael Murphy, Mobile County Health Department General Counsel. Roll was called and all Board members present were voted yea: Dr. Michael C. Chang, Dr. Stacey W. Wing, Dr. Joseph Ewing Bornstein, Dr. Desiree A. Soter-Pearsall, and Commissioner Merceria L. Ludgood. There were no nay votes. Dr. Cepeda, Mr. Betros, Ms. Warren and Dr. Crawford left the meeting room at 7:33am.

Executive Session began at 7:34am. Present for the Executive Session were Mr. Michael Murphy, Mobile County Health Department, General Counsel, Dr. Bernard Eichold, Dr. Michael Meshad, Dr. Michael C. Chang, Dr. Stacey W. Wing, Dr. Joseph Ewing Bornstein, Dr. Desiree A. Soter-Pearsall, and Commissioner Merceria L. Ludgood.

Upon Completion of Mr. Murphy's report, and a brief discussion, Dr. Meshad called for a motion to adjourn the Executive Session.

Motion was made by Dr. Wing and seconded by Dr. Bornstein to end the Executive Session at 7:40 am. The motion passed unanimously.

Dr. Meshad called for a motion to continue the regular open meeting.

Motion was made by Dr. Wing and seconded by Dr. Bornstein to resume regular open meeting. The motion passed unanimously.

IX. OTHER BUSINESS

- a. Dr. Meshad requested a motion to authorize the Chair, which is Dr. Meshad, to establish special committees as needed to deal with pertinent Mobile County Health Department issues which may arise between now and the August meeting due to the fact that we will not have another meeting until August. A Special Called Meeting may result, and any committee activity will be reported at the August meeting.
- b. Next Meeting August 17, 2020 – Budget Approval
Dr. Meshad stated that the governor's Emergency Order expires July 6th therefore the next meeting will be in person.

Motion was made by Dr. Pearsall and seconded by Dr. Bornstein to authorize Dr. Meshad to establish special committees as needed to deal with pertinent Mobile County Health Department issues which may arise between now and the August meeting and which may result in the need for a Special Called Meeting. The motion pass unanimously.

X. ADJOURNMENT:

MOTION was made by Dr Pearsall and seconded by Dr. Joseph Bornstein to adjourn the meeting. The meeting adjourned at 7:45 a.m.

Michael W. Meshad, M.D.
Chairman

Michael C. Chang, M.D., F.A.C.S.
Secretary

Approved: August 17, 2021

DATE: May 17, 2021

TO: Board of Health
Michael W. Meshad, M.D. Chairman

FROM: 
Michael Murphy, Legal Counsel

SUBJECT: **Attorney/Client Privileged Information/Work Product**
Justification for Request for Executive Session

I hereby certify that the Board of Health needs to enter into Executive Session to discuss the ongoing civil lawsuit entitled, Mobile County Board of Health vs Richard Sackler, et al; Case No. 02-CV-2019-902806) and its path forward. Said request is applicable as prescribed in the Code of Alabama, §36-25A-7(a)-3 “to discuss the legal ramifications of and legal options for pending litigation.”

Sincerely,

Michael T. Murphy
Legal Counsel
Mobile County Health Department