

BOARD OF HEALTH MEETING
Summary of Meeting
May 19, 2020

I. **CALL TO ORDER:** The meeting was held by conference call (Dial in Phone Number 1 (312) 626-6799, Access Code: 913 0635 0861#, Password: 045178) and was called to order by Dr. Joseph Ewing Bornstein, Chairman, at 7:00 a.m. Roll was called and the following attended:

MEMBERS PRESENT: Doctors Joseph Ewing Bornstein, Chairman, Desiree A. Soter-Pearsall, Stacey W. Wing and Commissioner Jerry Carl

MEMBERS ABSENT: Doctors C.M.A. (Max) Rogers IV, Michael W. Meshad, and Barbara Mitchell

STAFF PRESENT: Bernard H. Eichold II, M.D., Dr.P.H., F.A.C.P., Health 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; Laura Cepeda, M.D., M.B.A., F.A.C.M.S., F.A.A.D., Chief Medical Officer; and Valerie White, Transcriber

GUESTS PRESENT: Dr. Rendi Murphree, Director, Bureau of Disease Surveillance & Environmental Services

II. **GUESTS**

a. **Dr. Rendi Murphree, Director, Bureau of Disease Surveillance & Environmental Services**

COVID-19 Update: Dr. Murphree and Dr. Eichold presented the Board with COVID-19 update PowerPoint presentation.

Dr. Murphree exited the Zoom meeting at 7:30 a.m.

III. ***APPROVAL OF MINUTES – April 21, 2020** (Attachment A): The minutes for the meeting held on April 21, 2020 were briefly reviewed since the minutes had been distributed to the Board members prior to the meeting.

MOTION was made by Commissioner Carl and seconded by Dr. Wing that the minutes of the meeting held on April 21, 2020 be approved as distributed. The motion passed unanimously.

IV. **HEALTH OFFICER'S REPORT**

a. **Reports from State Health Officer – April 2020** (Attachment B): Dr. Eichold presented to the Board for their information, a summary report for the April 2020 from the State Health Officer sent monthly to county Boards of Health describing actions taken by the State Committee of Public Health.

b. **Informational Items:**

– **Culture** (Attachment C): Dr. Eichold brought the Board's attention to the January – March 2020 issue of the Health Department newsletter, Culture, for their information.

c. ***Resolution Unified Command Structure and Certain Designees of the Health Officer** (Attachment D): Dr. Eichold requested the Board's approval of a resolution designating Dr. Laura Cepeda, Chief Medical Officer, to execute and enter into contracts on behalf of the Health Officer as the Health Officer's designee.

MOTION was made by Commissioner Carl and seconded by Dr. Wing that the following Resolution be adopted:

WHEREAS, Coronavirus Disease 2019 (COVID-19) has been detected in Alabama; and

WHEREAS, in Mobile County, community transmission of COVID-19 poses significant risk of substantial harm to a large number of people; and

WHEREAS, at this time, Mobile County has over 1,637 confirmed cases of COVID-19, the most in the state of Alabama, and the number of cases is anticipated to rise significantly as more testing is performed and results are returned; and

WHEREAS, the State Board of Health has designated COVID-19 to be a disease of epidemic potential, a threat to the health and welfare of the public, or otherwise of public health importance; and

WHEREAS, on March 13, 2020, on recommendation of the State Health Officer, Kay Ivey, Governor of the State of Alabama, declared a state public health emergency exists in the State of Alabama; and

WHEREAS, on March 22, 2020, the County Health Officer entered an order expanding and clarifying the closures of "non-essential" businesses/activities and further regulating the conduct of "essential" businesses/activities; and

WHEREAS, on March 27, 2020, the State Health Officer entered an order (applicable statewide) describing the closures of "non-essential" businesses/activities and further regulating the conduct of "essential" businesses/activities; and

WHEREAS, on March 27, 2020, the Administrator of the Federal Emergency Management Agency issued a recommendation that state and local governments "integrate all emergency management and public health operations"; and

WHEREAS, it is the intent of the Board and Mobile County to integrate emergency management and public health operations to the maximum extent possible; and

WHEREAS, officials from the Mobile County Health Department and the Mobile County Emergency Management Agency have implemented the Unified Incident Command structure under the directive from the Administrator of FEMA, specifically addressing local public health agencies:

"Second, integrate all emergency management and public health operations. Identify and integrate your leading health official into your Emergency Operations Center and Unified Command Group at every level of government. You must form a unified Emergency Management - Public Health Team. Ensure that the entire state political leadership team understand the emergency management process. All requests to the Federal government must be formally communicated by the state's emergency manager to the FEMA Regional Administrator. This is the same process as natural disasters."

WHEREAS, the joint Unified Incident Commanders for Mobile County are Dr. Bernard H. Eichold II, Mobile County Health Officer, and Mr. Mike Evans, Director of Mobile County Emergency Management Agency; and

WHEREAS, the Health Officer has designated Dr. Laura Cepeda to act as the Health Officer's designee for the purpose of executing and entering into contracts on behalf of the Health Department; and

WHEREAS, the Health Officer requests the Mobile County Board of Health to confirm the appointment of Dr. Laura Cepeda as designee of the Health Officer for the purpose of executing and entering into contracts on behalf of the Health department and recognizing the right of the Health Officer to withdraw or rescind this designation without the need to seek approval from this Board; and

NOW THEREFORE, BE IT RESOLVED, that the Board hereby (1) approves and supports the Mobile County Health Department's Unified Incident Command structure; (2) confirms Dr. Laura Cepeda may act as the Health Officer's designees for the purpose of executing and entering into contracts on behalf of the Health Department until the Health Officer designates different, other, or no employees to fulfill that role.

- d. ***Resolution Authorize Settlement of Claims by Various Defendants in Litigation** (Attachment E): Dr. Eichold requested the Board's approval of a resolution for the Hand Arendall Firm to settle claims by various defendants in litigation of \$1,000,000 (one million) dollars or greater amount upon the approval of the Health Officer and the Chairman of the Mobile County Board of Health. There was a brief discussion.

MOTION was made by Commissioner Carl and seconded by Dr. Wing that the following Resolution be adopted:

WHEREAS, the Mobile County Board of Health has filed a lawsuit in the Circuit Court of Mobile County, Alabama styled Mobile County Board of Health ET AL v. Mitchell "CHIP" Fisher ET AL Case No. CV 2019-902 806 for recovery of damages and other claims associated with the sale, distribution, etc. of opioids by various parties named individually in the body and style of the lawsuit and;

WHEREAS, it is likely that a number of the individual defendants in the lawsuit may be willing to pay certain sums of money to be released from any further liability or exposure to financial damages by payment of that sum certain and whereas, in anticipation of settlement offers being forthcoming from various defendants and;

WHEREAS, the attorneys representing the Mobile County Health Department in the above referenced litigation seek permission to negotiate, accept and approve such settlement offers, it now seeks authority from the Mobile County Board of Health to accept any offer of \$1,000,000.00 (one million) dollars or greater amount without seeking further Mobile County Board of Health approval and;

THEREFORE, be resolved as follows:

The Hand Arendall Firm, specifically, Mr. George Walker, has authority upon the approval of the Health Officer of Mobile County, Dr. Bernard H. Eichold II, and the Chairman of the Mobile County Board of Health to compromise, settle or accept any offer of \$1,000,000.00 (one million) dollars or more from any defendant named in the litigation for a pro-tonto release of claims against any such defendant who has made an offer of at least \$1,000,000.00 (one million) dollars to settle. Further the Mobile County Board of Health agrees that any release may contain such language as necessary to further proceed against other defendants and release those who pay \$1,000,000.00 (one million) dollars without any admission of guilt or responsibility.

- e. **COVID-19**: Dr. Eichold informed the Board that the Mobile County Health Department is working with the Unified Command on data. Montgomery will stand down the Unified Command in the next few weeks. COVID-19 testing is up, and the number of positive cases are down for the current time period.
- f. **Dr. Laura Cepeda –Chief Medical Officer**: Dr. Eichold introduced Dr. Laura Cepeda, Chief Medical Office to the Board.

V. CHIEF MEDICAL OFFICER

- a. **COVID-19 Response – Hospitals**: Dr. Cepeda informed the Board that COVID-19 collaboration calls began at the end of March with Dr. Flotte and Dr. Iqbal. The planning calls started weekly, then evolved into biweekly calls. Various topics have been discussed including surge capacity, alternative care sites, treatment protocols, and procedures for beginning elective/non-elective procedures. The collaboration calls are very beneficial and hopefully will continue beyond the COVID-19 response.

- b. **COVID-19 Task Force:** Dr. Cepeda informed the Board that the COVID-19 Task Force is part of the Unified Command.
- c. **Medical Society of Mobile County, Town Hall Meeting-Tuesday, May 19, 2020:** Dr. Cepeda informed the Board the Medical Society will be hosting a Town Hall meeting by conference call tonight at 6:00 p.m. The meeting information will be sent out by email.

VI. ADMINISTRATIVE SERVICES

- a. ***General Fund Revenue & Expenditure Reports – April 2020** (Attachment F): Mr. Betros presented to the Board the General Fund Revenue & Expenditure Report for the month of April 2020. The month of April was favorable by \$23,722 with a favorable year to date of \$480,525. Mr. Betros asked the Board if there were any questions. There was a brief discussion.

MOTION was made by Dr. Wing and seconded by Dr. Pearsall that the General Fund Revenue & Expenditure Report for the month of April 2020 be approved as presented. The motion passed unanimously.

- b. **Property Located at 272 North Broad Street – Alabama Community College Systems:** Mr. Betros informed the Board that the Mobile County Health Department plans to close on the property located at 272 North Broad Street to Alabama Community College Systems for use by Bishop State Community College in the amount of \$255,000 this week.
- c. **Budget Planning FY 2020 – 2021:** Mr. Betros informed the Board that over the summer the FY 2020-2021 budgets will be prepared for the Board's approval at the August 2020 meeting. There was a brief discussion.

VII. FAMILY HEALTH CLINICAL SERVICES

- a. **FOPHCC Governing Council Minutes – April 2020** (Attachment G): Ms. Warren presented to the Board, for their information, a copy of the minutes for the FOPHCC Governing Council Meeting held in April 2020.
- b. **Primary Care Clinic Productivity Report – April 2020:** Ms. Warren stated that primary care clinic productivity numbers for April 2020 were 1,894 visits for 1,514 unduplicated patients.
- c. **Family Health COVID-19 Response:** Ms. Warren informed the Board that all Family Health sites opened on May 11, 2020 and all sites are currently testing for COVID-19.
- d. **Grant Awards:** Ms. Warren informed the Board that since the last meeting two additional grants awards have been received from Ryan White and an additional grant was received for expanded testing.
- e. **Women's Center Clinical Administrator:** Ms. Warren informed the Board that Ms. Charity Gardner was hired as the Clinical Administrator for the Women's Center.

VIII. PREVENTION & WELLNESS

- a. **Re-opening Restaurants:** Dr. Crawford informed the Board that we are applying the Alabama Department of Public Health directives for restaurants. The order was amended on May 8, 2020 and will expire on May 22, 2020. Requires 6 feet spacing, which is sometimes limited in the restaurant space. The restaurant permit is effective October 2020 – September 2021. The Mobile County Health Department will waive late fees, if necessary, on a case by case basis due to the pandemic and closures.

The Mobile County Health Department, Finance Teams are working on available funding streams for our agency.

IX. OTHER BUSINESS

- a. Dr. Eichold informed the Board that he is on the Governor's Corona Virus Task Force and the Alabama Department of Public Health's Re-Entry Task Force.

b. Next meeting August 18, 2020 – Budget Approval.

X. ADJOURNMENT:

MOTION was made by Dr. Pearsall and seconded by Dr. Wing to adjourn the meeting. The meeting adjourned at 8:00 a.m.