

**MINUTES OF THE PUBLIC HEALTH COUNCIL**

**Meeting of April 13, 2016**

**MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH**

**PUBLIC HEALTH COUNCIL  
MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH  
Henry I. Bowditch Public Health Council Room, 2<sup>nd</sup> Floor  
250 Washington Street, Boston MA**

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**Docket: Wednesday, April 13, 2016 9:00 AM**

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**1. ROUTINE ITEMS:**

- a. Introductions
- b. Updates from Commissioner Monica Bharel, MD
  - i. Nursing Home Rapid Response Update
- c. Record of the Public Health Council Meeting March 9, 2016 **(Vote)**

**2. PRELIMINARY REGULATIONS**

- a. Informational briefing on proposed regulatory amendments to 105 CMR 170: *Emergency Medical Services System*
- b. Informational briefing on proposed rescission of 105 CMR 380: *Approval of Bacteriological and Serological Laboratories*
- c. Informational briefing on proposed regulatory amendments to 105 CMR 123: *Tanning Facilities*

**3. FINAL PROMULGATION**

- a. Request for Final Promulgation to rescind to 105 CMR 144: Licensure of Pine Street Inn Nurses Clinics **(Vote)**
- b. Request for Final Promulgation to rescind 105 CMR 230: *Healthy Start Program (Vote)*
- c. Request for Final Promulgation to rescind 105 CMR 310: *Transportation and Funerals of Persons Dead of Diseases Dangerous to Public Health (Vote)*
- d. Request for Final Promulgation to rescind 105 CMR 330: *Vaccination of Cats and Dogs against Rabies (Vote)*
- e. Request for Final Promulgation to rescind 105 CMR 340: *Reporting and Control of Sexually Transmitted Diseases (STD) (Vote)*
- f. Request for Final Promulgation to rescind 105 CMR 345: The Establishment of State Certified Clinics for the Diagnosis, Treatment and Control of Sexually Transmitted Disease **(Vote)**
- g. Request for Final Promulgation to rescind 105 CMR 350: *Determining Active Tuberculosis (Vote)*
- h. Request for Final Promulgation to rescind 105 CMR 370: *Prophylactic Remedy for Use in the Eyes of Infants (Vote)*

- i. Request for Final Promulgation to rescind 105 CMR 680: *Phosphates in Household Cleansing Products* **(Vote)**
- j. Request for Final Promulgation to rescind 105 CMR 730: *The Distribution of Biologic Products* **(Vote)**
- k. Request for Final Promulgation to rescind 105 CMR 731: *The Sale of Surplus Biologic Products* **(Vote)**
- l. Request for Final Promulgation to rescind 105 CMR 921: *Assuring Visitation at the Department of Public Health Hospitals for Patients Having a Relationship of Mutual Support* **(Vote)**

*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**

Presented below is a summary of the meeting, including time-keeping, attendance and votes cast.

**Date of Meeting:** Wednesday, April 13, 2016

**Beginning Time:** 9:14AM

**Ending Time:** 10:28AM

**Attendance and Summary of Votes:**

<b>Board Member</b>	<b>Attended</b>	<b>Item 1c</b>	<b>Item 3a</b>	<b>Item 3b</b>	<b>Item 3c</b>	<b>Item 3d</b>	<b>Item 3e</b>	<b>Item 3f</b>	<b>Item 3g</b>	<b>Item 3h</b>	<b>Item 3i</b>	<b>Item 3j</b>	<b>Item 3k</b>	<b>Item 3l</b>
Monica Bharel	Yes	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved
Edward Bernstein	Yes	Abstained	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved
Derek Brindisi	Yes	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved
Harold Cox	Yes	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved
John Cunningham	Yes	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved
Michele David	Yes	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved
Meg Doherty	Yes; Arrived at 9:31AM	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved
Michael Kneeland	Yes	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved
Paul Lanzikos	Yes	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved

<b>Board Member</b>	<b>Attended</b>	<b>Item 1c</b>	<b>Item 3a</b>	<b>Item 3b</b>	<b>Item 3c</b>	<b>Item 3d</b>	<b>Item 3e</b>	<b>Item 3f</b>	<b>Item 3g</b>	<b>Item 3h</b>	<b>Item 3i</b>	<b>Item 3j</b>	<b>Item 3k</b>	<b>Item 3l</b>
Denis Leary	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Lucilia Prates-Ramos	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Jose Rafael Rivera	Yes	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved
Meredith Rosenthal	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Alan Woodward	Yes	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved	Approved
Michael Wong	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent
<b>Summary</b>	<b>11 Attended, 4 Absent</b>	<b>10 Approved, 1 Abstained, 4 Absent</b>	<b>11 Approved, 4 Absent</b>	<b>11 Approved, 4 Absent</b>	<b>11 Approved, 4 Absent</b>	<b>11 Approved, 4 Absent</b>	<b>11 Approved, 4 Absent</b>	<b>11 Approved, 4 Absent</b>	<b>11 Approved, 4 Absent</b>	<b>11 Approved, 4 Absent</b>	<b>11 Approved, 4 Absent</b>	<b>11 Approved, 4 Absent</b>	<b>11 Approved, 4 Absent</b>	<b>11 Approved, 4 Absent</b>

## **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, April 13, 2016 at the Massachusetts Department of Public Health, 250 Washington Street, Henry I. Bowditch Public Health Council Room, 2<sup>nd</sup> Floor, Boston, Massachusetts 02108.

Members present were: Monica Bharel, MD, MPH; Edward Bernstein, MD; Derek Brindisi; Harold Cox; John Cunningham, PhD; Michele David, MD; Meg Doherty; Michael Kneeland, MD; Paul Lanzikos; Jose Rafael Rivera; Alan Woodward, MD.

Absent member(s) were: Denis Leary; Lucilia Prates-Ramos; Meredith Rosenthal, PhD; Michael Wong, MD.

Also in attendance were Margret Cooke, General Counsel at the Massachusetts Department of Public Health and Jennifer Barrelle, Interim Deputy Chief of Staff for Policy and Regulatory Affairs at the Massachusetts Department of Public Health.

Commissioner Bharel called the meeting to order at 9:14AM and made opening remarks before reviewing the agenda.

## **ROUTINE ITEMS**

### **Updates from Commissioner Monica Bharel, M.D., MPH**

To open the meeting, Commissioner Bharel gave several updates to Council members.

The Commissioner summarized the recently signed Substance Abuse, Treatment, Education and Prevention law, also known as STEP. She noted the law:

- Includes a seven day limit for first time Schedule II and III opioid prescriptions, with some exceptions such as pain management for end stage cancer patients and palliative care;
- Allows patients to request partial fill of a prescription for a Schedule II opioid, with the remaining quantity being voided;
- Expands Good Samaritan Law immunity to those who try to render emergency aid by administering naloxone to a person reasonably believed to be experiencing an overdose;
- Requires patients presenting at an acute care hospital or satellite emergency facility and suspected of experiencing an overdose or who was administered naloxone prior to arriving at the facility to receive a "Substance Abuse Evaluation" in the emergency room within 24 hours and prior to discharge; and
- Requires public schools to have a substance abuse policy and implement Screening, Brief Intervention, Referral to Treatment (SBIRT) universally.

Dr. Woodward asked if DPH has prepared a synopsis of the new opioid law.

Commissioner Bharel said the Department would be happy to provide that and noted that Massachusetts Medical Society also has a synopsis available online.

Mr. Rivera asked if those administering SBIRT in schools will have substance abuse training, as that is a deeper level than training in just the screening itself.

Commissioner Bharel indicated that the training does delve into how to discuss these issues with students. She noted that often school nurses are doing this assessment and while many students screen out, some won't – and the training will help staff communicate with students and connect them to resources.

The Commissioner indicated that, as part of the Department's goal to promote wellness and health equity through innovation, inclusiveness, collaboration, and everyday excellence, she had the opportunity to present at the annual Ounce of Prevention conference and also recently speak at the CDC related to the Department's work on programs to promote health equity in Massachusetts.

Commissioner Bharel then gave a progress update on the Department's nursing home response plan. She noted that the nursing home data and complaints web pages have been redesigned for accessibility and streamlining. Regarding the transfer of ownership process, the Commissioner indicated DPH has worked to ensure the application process provides a complete picture of the owner and vulnerabilities. She added that the application materials have been revised to best capture this information, including for real property owners, and are now in effect. Regarding state fines, Commissioner Bharel indicated the Department's objective is to initiate state fines and that, effective April 11, 2016, nursing homes violating Department regulations may be fined \$50 for each deficiency and for each day the deficiency remains uncorrected. She added that the Department has made progress around hiring and training long term care inspection and program staff, and indicated that there are currently 77 long term care inspectors, seven additional program staff, and 10 vacant positions. Lastly, the Commissioner gave an update on the Supportive Planning and Operations Team – or SPOT – initiative. She reminded members that Massachusetts nursing homes are at or above the national average, so the Department's goal is to look at those facilities that are struggling and use the SPOT teams to assist them in implementing strategic, process-based improvements" at facilities struggling the most. To date, she indicated DPH is working with the Centers for Medicare and Medicaid on approval to use Civil Monetary Penalty funds for this team, with a goal to deploy the SPOT team July 1, 2016.

The Commissioner then asked members if they had any questions or comments on the presentation.

Mr. Lanzikos thanked the Department for their work on this issue. He suggested the website could be improved with information on and links to the state's Long-Term Care Ombudsman Program. Mr. Lanzikos further noted that the presentation indicated there are 48,200 beds in operation in Massachusetts and indicated he's heard previously that at any time there are 4,000 to 6,000 beds vacant. He went on to say that staffing can be an issue in these places. He encouraged the Department and other state agencies to look at ways to convert excess capacity at underperforming nursing homes to fill a community need, such as substance abuse treatment, and consolidate workforce into other long-term care facilities. He also noted he is aware the Determination of Need regulation is being reviewed, and indicated he would like to see review of capital projects in nursing homes come to the Council for review. He added that he recently saw an ad in a North Shore publication for a new 90-bed facility, being made up of beds from a previously closed facility and asked what the Department's policy was on use of these beds out of service. He said that this does not allow public oversight of this investment and could impact the facilities that exist in that region so we should look to see if this is how we want these funds to be spent.

Dr. Woodward applauded the Department for its efforts, and indicated the improvements to the website are helpful. He suggested the Department seek to notify residents and their families of this website, as well as the CMS website, so they are aware of these resources.

Mr. Lanzikos added there could be an opportunity for joint-training efforts with the Department of Elder Affairs.

Dr. Woodward went on to say that the fee amount does seem low, and may not be enough to motivate some facilities. He also noted that the staffing numbers given seem to suggest a pretty good ratio, about 1:5. He asked how this was operationalized and whether staff is assigned several facilities to review.

Commissioner Bharel responded that phase one sought to update the website, and now that the site has been updated there is a need for education and outreach. Regarding the fine, she indicated that this is set in statute. Regarding inspections, the Commissioner responded that the Department has been understaffed for some time and is looking forward to operationalize new staff and continue to improve once operationalized. She added that the ratio is not as straight forward, as some inspectors do life safety, some look at complaints, and there are two that enter a facility when investigating.

Dr. Bernstein thanked the Department for their work, and noted one important constituency and stakeholder group to include in this discussion is facility employees. He indicated that as an emergency room physician he sees many patients that are injured working in long term care facilities, and is an issue to monitor. He concluded by saying staffing in facilities should be monitored to ensure adequate nutrition and exercise.

Ms. Doherty asked about the 77 staff positions, and indicated in the past surveyors examined both long term care facilities and home health agencies. She added that with the number of home care agencies she hopes this staff is dedicated to long term care facility surveys as opposed to both long term care and home health care.

Commissioner Bharel noted that the goal right now is to become fully staffed, and has been a need for some time. She indicated that this will continue to be assessed and the Department looks to Council members for feedback and suggestions.

Mr. Brindisi asked once a complaint is made how the loop is closed with the complainant.

Commissioner Bharel responded that for many complaints a name is not given for follow up, as complaints may be made anonymously. Additionally, she responded that follow up depends on the sensitivity of the information in the complaint and investigation.

Mr. Lanzikos added that under state and federal law facilities must provide information about the local Ombudsman program and indicated that the local ombudsman visits each facility at least weekly. He asked that the ombudsman be used as a resource and a contact.

Dr. David left the meeting briefly at 9:49AM.

## **1. ROUTINE ITEMS**



### **c. Minutes**

Commissioner Bharel asked if any members had any changes to be included in the March 9, 2016 meeting minutes.

Dr. Woodward made a motion to approve, and Mr. Rivera seconded the motion. All approved, except Dr. Bernstein who abstained as he was not present at the meeting.

## **2. PRELIMINARY REGULATIONS**

### **a. Informational briefing on proposed regulatory amendments to 105 CMR 170: *Emergency Medical Services System***

Commissioner Bharel invited Lauren Nelson, Director of Policy and Quality Improvement for the Bureau of Health Care Safety and Quality, Michael Sinacola, Interim Deputy Director for the Bureau of Health Care Safety and Quality, and Sondra Korman, Deputy General Counsel, to the table for an informational presentation on proposed changes to 105 CMR 170.000: *Emergency Medical Services System*. Upon conclusion of the presentation, the Commissioner asked if any members had questions for Ms. Nelson, Mr. Sinacola, or Ms. Korman.

Mr. Cox asked if there was a way for the regulation to be written in a way that would allow the Department to adapt to operational changes, such as having a certification card, without specifying in regulation so these minute changes may be operationalized without being brought before the Council.

The Commissioner indicated that where possible the Department is working to update regulations in a way to allow for operational flexibility.

Mr. Lanzikos echoed Mr. Cox's comments and asked if there was a way to indicate certain organizations or other specifics in the regulation may be updated in Department guidance. He asked regarding the training attendance records if there was a provision to allow the Department to see the records. He concluded by asking if this regulation addressed situations when a medical orders for life sustaining treatment (MOLST) order is in place, and whether there was a requirement to ask.

Dr. David returned to the meeting at 10:04AM.

Mr. Brindisi briefly left the meeting at 10:04AM and returned at 10:06AM.

Ms. Korman indicated a further revision could be made to reference successor organizations or Department guidelines to build in flexibility, and noted that the revised regulation would allow the Department to inspect the attendance records. She responded that there is a provision to allow DPH to review and inspect the attendance records. Regarding MOLST, she indicated while there is not a specific provision in the regulation, there is a MOLST protocol in Department EMS protocols that guides the EMS service. She added that there may be a space on the trip record to indicate whether a MOLST is in place, but would have to confirm.

Dr. Woodward noted there were previously some issues with training validity and asked how the regulation provided for assessing validity.

Mr. Sinacola responded that the case cited resulted in no finding of wrongdoing, and added that the regulation requires the ambulance service providers to oversee this and through the annual ambulance inspection and certification.

Dr. Woodward asked about eliminating references to different service levels in the regulation and how those individuals would be differentiated based on different levels of training.

Mr. Sinacola responded that the levels are clearly defined in statute.

Ms. Korman added that the proposed amendment eliminating the training levels referenced in the presentation is just with regard to the definition of “authorization to practice”. She confirmed that the regulation does contain definitions for different certification levels and provides distinctions.

Dr. Bernstein asked how the Department can build in language that allows it to keep pace with changes in technology and respond to issues, such as the opioid crisis.

Ms. Korman responded that there is a standard of practice defined in regulations that says the National Registry EMT (NREMT) scope of practice and state protocols are in place, and added that the state protocols exceed the NREMT scope and protocols in some instances.

Ms. Doherty asked if there was a requirement for the training level to be indicated on personnel’s name badges.

Mr. Sinacola responded he is not aware of a requirement to that effect at this time, and indicated this would be reviewed.

Ms. Doherty indicated she would like to know an individual’s training level in the event of an emergency, and suggested it may be helpful to require that.

Seeing no other questions, Commissioner Bharel thanked Ms. Nelson, Mr. Sinacola, and Ms. Korman for their presentation.

**b. Informational briefing on proposed rescission of 105 CMR 380: *Approval of Bacteriological and Serological Laboratories***

Commissioner Bharel invited Alison Mehlman, Senior Deputy General Counsel, to the table for a presentation on the proposed rescission of 105 CMR 380.000. Upon conclusion of the presentation, the Commissioner asked if Council members had any questions for Ms. Mehlman.

Seeing no questions, Commissioner Bharel thanked Ms. Mehlman for her presentation and noted she would remain at the table for the next two presentations.

**c. Informational briefing on proposed regulatory amendments to 105 CMR 123: *Tanning Facilities***

Commissioner Bharel invited Jack Priest, Director of the Radiation Control Program in the Bureau of Environmental Health, and Jana Ferguson, Deputy Director for the Bureau of Environmental Health, to join Ms. Mehlman at the table for a presentation on proposed amendments to 105 CMR 123.000:

*Tanning Facilities.* Upon conclusion of the presentation, the Commissioner asked if Council members had any questions for Mr. Priest, Ms. Ferguson, and Ms. Mehlman.

Dr. David left the meeting at 10:15AM.

Mr. Rivera asked if this regulation includes spray tanning.

Mr. Priest indicated it only includes indoor tanning using ultraviolet radiation, and would not include spray tanning.

Dr. Cunningham expressed support for the proposed amendments and asked if we are allowed to say the regulation will match proposed amendments to federal regulations, as those amendments may not be adopted.

Mr. Priest responded that that proposed amendments to the regulation align with the law signed by the Governor.

Dr. Cunningham indicated the presentation noted a change in temperature for sinks in tanning facilities, and that those regulations are under review. He asked if there was a way to refer specifically to the requirement that wouldn't require further amendment if the plumbing code change isn't adopted.

Ms. Ferguson responded that the proposed amendments to the housing code reference existing temperature requirements in the plumbing code, so this would align with the state standard.

Mr. Brindisi commented that the Prevention Research Center at the UMass Medical School received a grant to conduct research on tanning facilities in Massachusetts, and indicated it may be helpful to take a look at their findings as a way to inform the regulation and oversight of these facilities.

Mr. Lanzikos asked for an estimate of the number of facilities in Massachusetts.

Ms. Ferguson responded that local boards of health license the facilities themselves, and because of that the Department does not have a count.

Mr. Priest indicated he would work to get an estimate of the number of facilities in Massachusetts.

Mr. Lanzikos asked if the regulation speaks to whether individuals listed on the sexual offenders registry can be an operator of a tanning facility.

Mr. Priest responded that the current regulation does not speak to that specifically, but there could be a local law on that issue.

Seeing no further questions, Commissioner Bharel thanked Mr. Priest, Ms. Ferguson, and Ms. Mehlman for their presentation.

#### **FINAL PROMULGATION**

Commissioner Bharel indicated the next agenda item was final approval of 12 regulations to be rescinded, and invited Ms. Mehlman to remain at the table.

Dr. Cunningham attempted to make a motion to rescind all 12 regulations indicated on the docket and in the memo to Council members.

Ms. Cooke responded that each regulation would need to be voted on separately.

The Commissioner noted that staff gave an initial presentation on each regulation to Council members previously and that no comments were received on any of the 12 regulations during the public comment period. She indicated the Council members would be asked to vote to rescind each regulation.

Commissioner Bharel asked if Ms. Mehlman needed to review each regulation.

Ms. Mehlman responded that, unless Council members would like another briefing on the regulations, the memo addressing each regulation provides a summary and an additional briefing is not required.

Dr. Woodward indicated one person could provide the motion and second for each regulation to make tracking easier.

Ms. Mehlman then read the citation and title for each regulation, and the Commissioner requested a motion thereafter for each.

**a. Request for Final Promulgation to rescind to 105 CMR 144: Licensure of Pine Street Inn Nurses Clinics (Vote)**

Dr. Cunningham made a motion, Dr. Woodward seconded the motion. All members voted in favor.

**b. Request for Final Promulgation to rescind 105 CMR 230: *Healthy Start Program* (Vote)**

Dr. Cunningham made a motion, Dr. Woodward seconded the motion. All members voted in favor.

**c. Request for Final Promulgation to rescind 105 CMR 310: *Transportation and Funerals of Persons Dead of Diseases Dangerous to Public Health* (Vote)**

Dr. Cunningham made a motion, Dr. Woodward seconded the motion. All members voted in favor.

**d. Request for Final Promulgation to rescind 105 CMR 330: *Vaccination of Cats and Dogs against Rabies* (Vote)**

Dr. Cunningham made a motion, Dr. Woodward seconded the motion. All members voted in favor.

**e. Request for Final Promulgation to rescind 105 CMR 340: *Reporting and Control of Sexually Transmitted Diseases (STD)* (Vote)**

Dr. Cunningham made a motion, Dr. Woodward seconded the motion. All members voted in favor.

**f. Request for Final Promulgation to rescind 105 CMR 345: *The Establishment of State Certified Clinics for the Diagnosis, Treatment and Control of Sexually Transmitted Disease* (Vote)**

Dr. Cunningham made a motion, Dr. Woodward seconded the motion. All members voted in favor.

**g. Request for Final Promulgation to rescind 105 CMR 350: *Determining Active Tuberculosis* (Vote)**

Dr. Cunningham made a motion, Dr. Woodward seconded the motion. All members voted in favor.

**h. Request for Final Promulgation to rescind 105 CMR 370: *Prophylactic Remedy for Use in the Eyes of Infants* (Vote)**

Dr. Cunningham made a motion, Dr. Woodward seconded the motion. All members voted in favor.

**i. Request for Final Promulgation to rescind 105 CMR 680: *Phosphates in Household Cleansing Products* (Vote)**

Dr. Cunningham made a motion, Dr. Woodward seconded the motion. All members voted in favor.

**j. Request for Final Promulgation to rescind 105 CMR 730: *The Distribution of Biologic Products* (Vote)**

Dr. Cunningham made a motion, Dr. Woodward seconded the motion. All members voted in favor.

**k. Request for Final Promulgation to rescind 105 CMR 731: *The Sale of Surplus Biologic Products* (Vote)**

Dr. Cunningham made a motion, Dr. Woodward seconded the motion. All members voted in favor.

**l. Request for Final Promulgation to rescind 105 CMR 921: *Assuring Visitation at the Department of Public Health Hospitals for Patients Having a Relationship of Mutual Support* (Vote)**

Dr. Cunningham made a motion, Dr. Woodward seconded the motion. All members voted in favor.

Dr. Woodward noted that there is an issue preventing ambulances from transporting dead bodies. He asked if the rescission of 105 CMR 310.000 would address this issue.

Commissioner Bharel responded the Department would look into it and get back to Dr. Woodward.

Dr. Brindisi brought up sex offender registration information (SORI) checks relative to Mr. Lanziko's comment on the tanning regulations, and indicated that while in Orlando there was a sting operation, and two of the individuals apprehended worked for Disney World despite being such a large organization. He concluded by saying it is something to consider.

Commissioner Bharel responded that the Department will look into it.

Commissioner Bharel indicated that the next meeting will be held May 11<sup>th</sup>, and requested a motion to adjourn.

Dr. Bernstein made a motion to adjourn, and Mr. Rivera seconded the motion. All approved.

The meeting adjourned at 10:28AM.

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LIST OF DOCUMENTS PRESENTED TO THE PHC FOR THIS MEETING:

- Minutes of the Public Health Council Meeting March 9, 2016
- Copy of regulation and presentation discussing proposed regulatory amendments to 105 CMR 170.000: *Emergency Medical Services System*
- Copy of regulation and presentation discussing proposed rescission of 105 CMR 380.000: *Approval of Bacteriological and Serological Laboratories*
- Copy of regulation and presentation discussing proposed regulatory amendments to 105 CMR 123.000: *Tanning Facilities*

Commissioner Monica Bharel, Chair