



Health & Human Services and Public Safety Committee Minutes

Tuesday, May 28, 2019, 5:30pm, Room 209, City Hall

Committee Attendance:

Belinda Ray, Chair (District 1), Brian Batson (District 3)

City Staff: Kristen Dow, Director of Health and Human Services; Jen Thompson, Corporation Council; Adam Harr, Executive Assistant in Social Services.

Meeting called to order at 5:30 PM.

AGENDA ITEM 1 – Announcements

- Next Monday the Council will be having a public hearing on the two proposed locations for the Homeless Services Center.

AGENDA ITEM 2 – Approval of Minutes

- Councilor Batson moved to approve the minutes; Councilor Ray seconded and the minutes passed unanimously as amended:
 - o Page three hours: vote was 2 to 1
 - o Agenda item 4 under legality and negative: language updated to "Federal government has asserted that these sites violate federal law."

AGENDA ITEM 3– Overdose Prevention Sites

Jen Thompson of Corporation Council

- Safehouse
 - o Statute prohibits locations for the purpose of using.
 - Statute was not written for this situation.
 - Argument that the SIS is not for the purpose of drug use but as a medical service.
 - Religious liberty argument.
 - o Federal government asked for a declaratory judgment (legal interpretation)
 - Can move more quickly
 - In Federal district court

- If lost, then the court of appeals
 - Then Supreme Court.
- If the City did something similar to Philadelphia, encouraging a private entity, does that support but not active role jeopardize funding in the same way a municipality/grantee operating one would?
 - Mostly limited to when a municipality itself is operating a facility and receiving federal funds.
- o Only SIS known to be operating overtly.
- Philadelphia
 - o Taskforce
 - o Made recommendations and expressions of support for private entities to engage in SIS endeavors but did not take legislative action.
 - o Possibly offering a location
 - o Education and community outreach to SIS' component to a solution to opioid crisis.
- Defense to claim safe injection sites operated by municipalities violate the controlled substances act
 - o Statute that provides immunity to officials in enforcement
 - Historically given to police officers who may possess substances while enforcing drug laws
 - Some have suggested this defense could extend to SIS but this has never been tested.
 - Advice is that legal arguments and defense be done in executive session.
- Mayor in South Carolina was arrested and tried to use this as a defense.
 - o Was not acting for the city at the time.
- Where does this recommendation fit in to the powers of government in Philadelphia
 - o Likely similar to a council resolution.
- Implementation
 - o 18 recommendations
 - Would only succeed if the entities identified worked together in the ways laid out.
 - o City agencies would participate to the extent authorities allow.
- Governor's Focus on Opioid Epidemic/OPS
 - o Will Gordon Smith share any specific action like Philadelphia did?
- Naloxone
 - o In 2014 PA Physician General allowed any PA citizen obtain naloxone without a prescription.
 - Passed in Maine and in rule making.
 - Public health rolling out soon.
 - Can be obtained at some pharmacies.
- Drug Good Samaritan bill just signed into law by Governor Mills.
- Metro Regional Coalition (GPCoG)

- o Opioid misuse prevention
 - 3 pilot programs in three municipalities to outreach and destigmatize treatment.
 - Falmouth
 - Gorham
 - Third could be Portland
 - Would staff think this is something the City should do
 - Not enough known about the program
 - What services are already being provided the City?
 - Zoe Miller and Liz Blackwell-Moore presenting to change language use around substance use to:
 - elected officials
 - School board members
 - Community
 - We have the capacity with existing staff.
 - The committee is interested in the funding opportunity and for Public Health/NEP to explore it.
- Executive Session
 - o Wait for all members of the committee to be present.
 - o A determination in the Safehouse case could influence the process
 - Especially if there was a favorable judgement.
- The closest similar program that operates overtly is the SPOT program funded through healthcare for the homeless in Boston with varied and third-party funding dreams.

AGENDA ITEM 4 – Needle Exchange Program

- Gordan Smith cannot attend the June 11th meeting but he may be able to attend on the 25th.
 - o Committee questions can be forwarded along
 - o If he cannot attend, he may be able to attend a designee.
- Questions
 - o individual councilors should come with ideas for questions for Gordon smith.

AGENDA ITEM 5– Positive Healthcare Committee Discussion

- Positive Healthcare Transition Meeting
- Survey on the transition
 - o Worked with Dawn Stiles and UMaine to create questions and administer questions.
 - o Survey coming from the university gave the appearance that HIPPA rights may have been compromised.
 - It was determined that no one's HIPPA rights were violated.
- GPH has a board meeting conflicting with this meeting.
 - o Doctor Renee Leblanc has been asked to attend the June 11th meeting.

- What data was collected?
 - o There were responses.
 - Locked away.
 - Kristen has not gone through the data as she has not been directed to do so.
 - Locked in City Hall.
 - USM still has an agreement in place.
 - Everything was put on hold when complaints came in.
 - No request to reinstitute process yet.

Stash Bayley was part of the transitional team and is a part of the patient advocacy committee was invited to speak.

- Overview
 - o Transition Team
 - Members of India street
 - At-large member of the community
 - o P Patient advisory
 - Watchdog function
 - o City had committed to a post-assessment
 - Pharmacological insecurities
 - Stigmatization
 - o HIVAC
 - Membership
 - CDC
 - Corrections
 - Education
 - Senate Majority leader and other legislators.
 - Is the group in the know with what has occurred post closure?
 - Have the issues been addressed?
 - Survey responses
 - Low 30s (low for respondents compared to other surveys given to the HIV positive community)
 - Survey was meant to highlight things that could be worked on.
 - Goals
 - Repaired relationship with the City
 - o Elizabeth Jackson of GPH willing to put information together.
 - o The HIV positive community has a voice.
 - HIVAC or Community Members
 - Build a coalition to respond to outbreaks and trends.
 - Become more present in the State and D.C.
- PAC
 - o Is there still an active list?

- No; some have left and some have passed
 - Interested people will be contacted to regroup the PAC.
- Committee Goals
 - Survey: are the lessons the city can take away of how to engage a community.
 - Announcement then backfilling community engagement rather than front end engagement.
 - How many surveys were sent out?
 - India Street had great records of who accessed the program even of not for over 18 months.
 - How many people were engaged with India street in the last year to track those most likely to have been affected by the transition.
 - Would the City send a survey again on City letterhead?
 - PAC has a recommendation
 - Probably ill advised to send another survey.
 - Current results could indicate where there may be issues to address.
 - Post closure assessment.
 - Councilor Batson is interested in hearing the current concerns and the overall assessment of the current situation; encourage compliance and outreach.
 - Chair Ray is mindful of the promise to follow up and finish the assessment.
 - The Councilors were in agreement not to try and obtain more survey results.
 - Agenda Item on the next meeting with public comment.
 - HHS&PS did not have an HIV subcommittee outside of the PAC.
 - Kristen will check with staff to confirm.
 - What mechanisms are there monitoring HIV in the City?
 - Staff at the clinic.
 - Can explore a more community focused option.
 - Working closely with Frannie Peabody
 - Administering PrEP at the clinic.
 - STD Clinic update at a future meeting.
- Best asset for advocacy and the greatest survey to the community is engaging the community and bringing them to the table.
 - Being intentional for those living with HIV and people who have lost loved ones.

AGENDA ITEM 5 – Committee Work plan and Future Meeting Dates.

- Gordon Smith
 - Hopefully attending on the 25th.
 - Questions prepared on the 11th.
- Positive Healthcare
 - Asking Dr. Renee Fay-Leblanc and Elizabeth Jackson
 - Public Comment
 - Understanding the surveys are being looked at to move forward.

- Seeking comments on what the committee wants to get done.
- Wants to be clear on what the public is asked to comment on.
 - Surveys?
 - Current situation?
 - How to take action with the survey results (if any).
 - Is deciding to take or not take action an action that requires public comment?
 - Public comment is required for when making recommendations to the full council
 - Focus on moving forward without re-litigating the past.
 - Broader
 - Committee to sit down with advocacy groups in a different setting.
- July Meetings
 - OPS/Opioid Misuse
 - Sober Houses.

AGENDA ITEM 5 – Next Steps

- Next meeting June 11, 2019
 - OPS
 - Questions for Gordon Smith
 - Positive Healthcare Assessment
 - GPH
 - Next Steps

Meeting adjourned at approximately 6:40 PM.