

Allegheny County Council

*County of Allegheny
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Committee Meeting Minutes

Thursday, April 20, 2006

4:00 PM

Conference Room I

Committee on Health & Human Services

Mike Finnerty, Chair; Joan Cleary, Susan Caldwell, Brenda Frazier, William Robinson, and Jan Rea - Members

I. Call to Order

Summary: *The meeting was called to order at 4:00 PM*

Invited Guests:

Jim Flynn, County Manager or Designee

Dr. Bruce Dixon, Director, Health Department or Designee

Jack Cambest, Council's Legal Advisor or Designee

Mike Wojcik, County Solicitor or Designee

Henry Miller, Health Department Solicitor

Renee Cox, Executive Director of Prevention Point Pittsburgh

Summary: *Invited guests present: Derek Uber for Mr. Flynn; Dr. Dixon; John Rushford for Mr. Cambest; and Ms. Cox*

Recognized attendees: Alice Bell from Prevention Point Pittsburgh

Council staff present: John Mascio, Jared Barker, and Stephanie Buka

II. Roll Call

Summary: *Non Committee Council Members present: Mr. Gastgeb*

Roll Call: Present: Joan Cleary, Brenda Frazier, William Robinson, and Michael Finnerty
Absent: Susan Caldwell, and Jan Rea

III. Agenda Items

Ordinance

2485-06

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, suspending all needle exchange programs instituted by the Allegheny County Board of Health and/or Health Department until such time as the effectiveness, legality, and utility of such programs are demonstrated.

Sponsors: Vince Gastgeb

Summary: *The Chair thanked Dr. Dixon for providing the committee with a document which contained the Health Department's procedures regarding the Needle Exchange Program.*

Mr. Gastgeb said that one of his concerns was the legality of the program. He said that he wants to make sure that the county is within their legal authority to implement this. He said that Council should examine this closely.

Dr. Dixon addressed the use of the county's building for this program. He said that the Health Department will draft legislation requesting use of the building and it would be submitted to Council within a few weeks. He also said that they are prepared to formalize the program with formal regulations which will be submitted to the Health Board at the next meeting. He said that the Health Board's meetings are advertised and

open to the public and they accept public testimony at all the meetings.

Mr. Gastgeb said that his purpose was not to stop the program but to make sure that those who run the program are within the legal guidelines of the government. He said that he is prepared to hold the bill in committee until formal regulations are formulated. He asked Dr. Dixon if these regulations would come before Council. Dr. Dixon said that they would. The Chair agreed with Mr. Gastgeb that this was the right way to proceed.

Dr. Dixon said that they will seek approval from the Health Board at the May meeting and that they would conduct a Public Hearing on this and submit their findings to Council. Mr. Gastgeb told Mr. Dixon that he realized that Mr. Dixon has done his due diligence but he just wanted to make sure that the program is on the right legal track.

Mr. Gastgeb said that he does not really understand the merits of the Needle Exchange Program but would rely on the findings of the Health Department to formulate an opinion.

Dr. Dixon said that there is a difference of opinion on the merits of the program, even within the Health Department. He said that they try to look at it in a balanced position, weighing the positives and negatives. He said that he would rather error on the side of liberality rather than on the side of conservatism. He said that they should allow the program to exist and then measure the progress or benefits of it.

Ms Cleary asked Dr. Dixon if he knew the number of HIV cases caused by infected needles. Dr. Dixon said that he really did not know that but he said that he did not want to stop the program to see if it is working. Ms. Cleary spoke in favor of the program.

Mr. Gastgeb said that maybe they could have more committee meetings to discuss these statistics. Mr. Gastgeb asked Dr. Dixon if he felt that it is a bad policy to give out needles to drug addicts for them to use for injecting drugs. Dr. Dixon said that is not the purpose of the program. He said that one of the goals of the program was to bring people in for treatment.

Ms. Cox said that walking into a Needle Exchange Program could be the first step towards rehabilitation. She said that they have succeeded in getting people into rehab but she believes that the primary purpose of the program is to prevent infection.

Dr. Dixon said that he was going to start submitting to Council minutes of the Board of Health meetings.

Ms. Frazier asked Dr. Dixon if the county should open more treatment centers. Dr. Dixon said that this question could be answered better by Health and Human Services Director Marc Cherna since his department deals with drug and alcohol centers.

Mr. Gastgeb asked what role the county should play in this whole process. He asked how the county recognized Prevention Point Pittsburgh since they are not contracted by the county or funded by the county. Mr. Robinson said that he understood that the program started because there was not enough treatment centers and this was an alternative to address a possible HIV epidemic. He said that he would hate to see the

program pulled and then have an HIV epidemic in Allegheny County. He said that the need to isolate the program and measure the progress and results.

Mr. Gastgeb said that he is willing to keep the bill in committee until some kind of policy is submitted by the Health Department.

The Chair said that he will await the legislation regarding the use of the building.

The Chair asked Dr. Dixon for a time-line relative to the request for land use and the formulation of regulations for the program.

Dr. Dixon said that he will submit an ordinance to allow Prevention Point Pittsburgh to use the facility at 3333 Forbes Avenue for a finite period of time. He said that he will submit this to Council so that it can be included on the May 2 Council Agenda for introduction.

Dr. Dixon also said that Prevention Point Pittsburgh will give a verbal progress report to the Board of Health at their meeting on May 3, and at this same meeting they will circulate a draft Regulation to formalize Needle Exchange in Allegheny County and set the provisions under which one should operate.

He said that he will ask the Board to allow them to begin public comment on the draft and by thier rules this requires a thirty day period, one day of which will be for oral presentations. He said that any resident of the County may submit written comments by letter, e-mail or in person during that time and the hearings and comment period will be advertised in at least two newspapers and on their web site. He also said that they mail or e-mail every municipal manager the details of any newly proposed regulation.

He said that assuming they start this process as soon after May 3 as possible – it may take 3-4 days to get it advertised- they will have all comments back by the first week of June and assuming that there are no comments that they cannot expeditiously resolve, they will present a final regulation to the Board of Health at their July 5, 2006 meeting.

Action: Held in Committee

IV. Adjournment

Summary: The meeting adjourned at 4:50 PM