

**Draft Minutes
MSSNY
Committee on Infectious Diseases Meeting
October 15, 2020**

James Braun, DO Co-Vice-Chair

Present

Joshua Cohen, MD Commissioner
Janine Fogarty, MD Asst. Commissioner
William Valenti, MD Chair
Krane Myrie, MD Co-Vice Chair
Philip Kaplan, MD
Monica Sweeney, MD
Joan Cincotta, Alliance

Absent

Mary Ruth Buchness, MD
Ryan Schlobach, MD

Staff

Patricia Clancy, Sr. Vice-President
Managing Director,
Public Health Education and Governmental
Affairs
Maureen Ramirez, Administrative Asst.

Invited Guests

Bonnie Litvack, MD President
Art Fougner, MD Past-President
Joseph Sellers, MD President-Elect

Excused

1 **1) Welcome**

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3 **2) Adoption of April 29, 2020 minutes – approved with corrections**

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5 **3) MSSNY Resolution on Influenza Vaccination for School Aged Children – Dr. William Valenti**
6 MSSNY’s Committee on Emergency Preparedness and Disaster/Terrorism Response Planning
7 looked at the issue of making flu immunization a requirement for school aged children. New
8 York City has a regulation in place for school aged children and day care be immunized for the
9 flu. The state has discussed it publicly that they are considering this regulation. The Emergency
10 Preparedness Committee drafted a resolution and forwarded it to the Infectious Disease
11 Committee and the Heart, Lung, Cancer Committee for their support. The Heart Lung Cancer
12 Committee had already agreed to support this requirement at its May 6, 2020 committee
13 meeting. The resolution was approved MSSNY Council. The New York State Council on County
14 Health Officials and the American Academy of Pediatrics has taken a similar position. Pat
15 Clancy will be meeting internally with the Academy of Pediatrics and the county health officials
16 to see what the next steps are. Because Council has approved this, it is now considered
17 MSSNY Policy. It will now become part of MSSNY’s legislative program and will be a priority.

18 **b) Public purchase of flu vaccine – Dr. Phil Kaplan** Australia has been very successful
19 in mandatory vaccination policy by removing the cost associated with the vaccines and
20 distributing them to school aged children – in school. School based administration has removed
21 the barrier for people to try and find a place to go and get immunized. Some on the committee
22 feel there is going to be “push back” no matter what happens.

23
24 **4) DOH Testing Requirement for COVID-19 and Flu Immunization (Three days to**
25 **report; including false negatives) Pat Clancy, Sr. VP –** positive and negative tests
26 have to be reported by the physician to the DOH within three hours. The provider must also gain
27 all personal information from the patient as well. MSSNY has instituted a survey about the
28 testing requirement. Over 60% of the responses indicate that reporting both the positive and

29 negative tests within three hours is problematic. Dr Litvak, Pat Clancy and Moe Auster met with
30 the governor's office and the department of health trying to get some resolution and easing of
31 these requirements. This policy is currently in effect and has been in effect since September 21,
32 2020. There are the normal Public Health penalties for "failure to comply". Dr Valenti suggested
33 that Pat send the survey link to the committee again now that they are well advised on the
34 requirement. Pat Clancy indicated that they will be meeting with the governor's office and the
35 department of health again to discuss this reporting requirement. There is a question how this
36 affects a physician who sends a patient out for testing as opposed to performing the test in
37 office. This can definitely be burdensome. Even if the testing is sent out, the physician is
38 responsible for gathering the data: name, address, employer, location, phone numbers etc. and
39 is required to report that within three hours of the result to the state. Dr. Sweeney commented
40 that it should be the labs responsibility as it is with HIV testing. The lab is required to report an
41 infection. A physician should only be required to report the things that they perform. Dr. Valenti
42 advised that the letter of the regulation states "done by or ordered by the physician". The
43 question whether physicians are required to notify the state before they notify the patient or their
44 family depending on the age? Shouldn't the patient be notified first? A concern is that it will
45 encourage physicians not to do testing at all during a time when there should be more testing,
46 not less. There is a systemwide laboratory mandatory reporting in place. It doesn't make sense
47 that physicians are required to report to the health department a result that has already been
48 reported by a system that's working.

49
50 **5) Vaccination of Children by Pharmacists – New HHS rule –** Back in August the
51 Health and Human Services imposed an amendment to the requirement that is was important
52 for children to be immunized and ordered any state that did not allow pharmacists to immunize
53 children to do so. Pharmacists in New York State are currently not allowed to provide
54 immunizations to children under the age of 18. The only exceptions is the flu vaccine.
55 Immunizations in New York State have been traditionally tied to the well child visits. There are
56 insurance provisions that allow for the continuity of care moving through to adulthood. MSSNY
57 actually went back to the New York State legislature and said "how does this play out from your
58 perspective?" They are still looking at this. This requirement is being reviewed by SED. DOH
59 has also indicated that this requirement is being looked at. The question was asked if the
60 pharmacists would be required to report to the registry. Also asked was whether the
61 pharmacists were part of vaccines for children. Those questions have yet to be answered. A
62 twenty-hour study requirement which will certainly not include practicing even on models will not
63 be enough, because giving vaccinations to children can be difficult even if they are cooperative.

64
65 **6) Medical Matters – Influenza 2020 (informational item) –** Dr. Valenti will be giving a
66 presentation on Influenza 20/21 and a vaccine update on Wednesday October 21st. There is a
67 link to register for the program in the media fire link from the meeting

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69 **7) 2021 Committee Dates –** February 11th, April 29th and October 14th.

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71 **8) Adjourned**