

**Metropolitan Board of Health of Nashville and Davidson County  
April 9, 2020, Meeting Minutes**

Chair Alex Jahangir called the meeting to order at 4:01 p.m. The meeting was held electronically. A recording of the meeting was posted at <https://www.nashville.gov/Government/Boards-and-Committees/Committee-information/ID/76/Health-Board-of.aspx>.

**Present**

A. Alex Jahangir, MD, Chair  
Tené H. Franklin, MS, Vice-Chair  
Thomas W. Campbell, MD, Member  
Carol Etherington, MSN, RN, Member  
David Frederick, MS, Member  
Margreete Johnston, MD, MPH, Member  
Michael C. Caldwell, MD, MPH, Director of Health  
Jim Diamond, MBA, Director, Finance and Administration Bureau  
Derrick Smith, JD, Metropolitan Department of Law

**Motion to Approve Conducting Meeting by Electronic Means**

Chair Jahangir requested a motion to conduct the meeting electronically (Attachment I).

Chair Jahangir also announced that each vote would be taken by roll call.

**Vice-Chair Franklin made a motion to approve conducting of the meeting by electronic means. Ms. Etherington seconded the motion, which passed unanimously.**

**Report of Director**

Dr. Caldwell referred to his update provided in the Board packet (Attachment II), noting that in spite of the tornado and COVID response, the Department's work continues unimpeded.

Dr. Caldwell also highlighted:

- As public schools in Davidson County are closed due to COVID-19, School Nurses had been redeployed to tasks such as the hotline
- The Dental program continues to offer emergency services
- The WIC program has shifted to providing services by telephone, and has seen an increase in demand for services
- The establishment of the COVID hotline, staffed by 10-15 nurses, from 7 a.m.-7 p.m.; the assessment centers at three sites from 9 am-3pm, which are staffed by personnel from Vanderbilt, St. Thomas/Ascension, HCA, Meharry and Nashville General; and a test results line for those who have been tested at the assessment centers
- The epidemiological investigations being done by epidemiology staff, which would soon be augmented
- Safer at Home Order
- Hub Nashville response
- Work with nursing home and assisted living facilities to ensure strict guidance to CDC guidelines and partnership with the Tennessee Department of Health and the provision of Personal Protection Equipment (PPE)

**Approval of Salary Above Midpoint for Interim Deputy Director**

Jim Diamond requested that the Board approve salary above the midpoint for Dr. Stephanie Bailey, who is serving as the Interim Deputy Director for a period not to exceed six months.

Chair Jahangir and Dr. Caldwell expressed thanks to Dr. Bailey for stepping in as Interim Deputy Director and her help in helping Dr. Caldwell lead the Department.

**Vice-Chair Franklin made a motion to approve the salary above midpoint for Stephanie Bailey, MD as Interim Deputy Director. Ms. Etherington seconded the motion, which passed unanimously.**

#### **Consideration of Policy for Entering Private Property During a Public Health Emergency**

Dr. Jahangir proposed a policy for entering private property during a public health emergency (Attachment III).

**Mr. Frederick made a motion to approve the Policy for Entering Private Property During a Public Health Emergency. Ms. Etherington seconded the motion, which passed unanimously.**

#### **Evaluate Expiration of Declaration of Public Health Emergency**

Chair Jahangir proposed evaluating the expiration of the declaration of public health emergency (Attachment IV), noting that the Board could expire the declaration earlier than a set date, or Dr. Caldwell rescinding orders, if warranted.

**Mr. Frederick made a motion to set an expiration date of the declaration of public health emergency no later than May 31, 2020. Dr. Campbell seconded the motion, which passed unanimously.**

#### **Report of Chair and Discussion**

Chair Jahangir has been working full time as the Chair of the COVID-19 Task Force that Mayor Cooper established to ensure a successful response to the crisis. Dr. Jahangir invited Board members to visit the three community assessment centers that have been opened. He reported brief details about both the assessment centers and the shelter at the Fairgrounds that had been set up for unhoused individuals.

He noted that MPH D's role as a core partner with Office of Emergency Management in regard to tornado recovery continues and is primarily represented by Environmental Health bureau staff.

As he is devoting a great deal of effort to the COVID Task Force, Chair Jahangir asked that Vice-Chair Franklin help take the lead on behalf of the Board in the responsibility of oversight of the Department's functions outside of COVID. He wants to ensure that everyone understands that the Board of Health is doing their responsibility by statute to supervise and provide oversight for the Department. Vice-Chair Franklin accepted and thanked Dr. Jahangir for the opportunity to assist in that capacity and thanked Chair Jahangir for his efforts in regard to the Task Force, and expressed appreciation for the leadership that he and Dr. Caldwell are providing in leading the effort.

Chair Jahangir invited comment or questions on any business that had been conducted, and asked if anyone had new essential business. Vice Chair Franklin noted there had been local conversations around our data with regard to understanding the impact on race and if there's a disparity in certain populations, if we could have an understanding of what mechanism has the Department taken to assure that data on race and ethnicity is being collected, what is being done with the data moving forward, and when will the data be at hand, to understand the strategy to continue mitigation based on findings. Chair Jahangir said he had asked Dr. Caldwell to provide the information by early the next week. He iterated that equally important was ensuring that everyone in the community has access to care and testing, and that the assessment centers had been placed in areas where need to access was greater. He highlighted that the President's and Governor's orders were to provide care for free for uninsured COVID patients. Dr. Caldwell reiterated that federal law mandated that every COVID patient receive treatment and provided brief comment on data being collected.

Vice Chair Franklin asked if law enforcement who are coming into contact with citizens were wearing any type of facial covering on a regular basis, and if that was not currently known, if it could be learned. Chair Jahangir was not personally aware of Metro Nashville Police Department (MNPd), policy, but said he would inquire. Dr. Caldwell invited Dr. Wright to comment; he offered that MNPd was not requiring officers to wear masks currently, but was offering masks to officers. Dr. Caldwell invited Dr. Bailey to comment; she said that in order to arm the Police force and avoid the scenario that had happened in New York, the Department shares information about the location of positive cases with MNPd, and that additionally, MNPd is partnering with the Department in regard to enforcement of isolation cases if necessary. Vice-Chair Franklin thanked Drs. Caldwell, Wright and Bailey. There was no further discussion.

### **CIVIL SERVICE BOARD**

#### **Authorizing the Director of Health to Approve COVID-related Administrative Leave**

Jim Diamond requested the Board grant Dr. Caldwell the authority to approve administrative leave related to the COVID-19 response.

**Ms. Etherington made a motion to grant Dr. Caldwell the authority to approve administrative leave related to COVID-19 response. Mr. Frederick seconded the motion, which passed unanimously.**

#### **Personnel Changes**

Mr. Diamond presented the March 2020 Personnel Changes, which were unremarkable.

#### **Next Regular Meeting**

The next regular meeting of the Board of Health is scheduled to be held at 4:00 p.m. on Thursday, May 14, 2020 in the Board Room (third floor) at 2500 Charlotte Avenue, Nashville, TN, 37209, if social distance restrictions are not in place.

#### **Adjournment**

The meeting adjourned at 5:00 p.m.

A. Alex Jahangir, MD, MMHC, FACS  
Chair

MOTION TO APPROVE CONDUCTING MEETING BY ELECTRONIC MEANS

A motion that the items on the meeting agenda constitute essential business of this Board, meeting electronically is necessary to protect the health, safety, and welfare of Tennesseans in light of the COVID-19 outbreak, and any Board rule that conflicts with Governor's Executive Order 16 permitting electronic meetings be suspended.

## Director's Update to the Board of Health April, 2020

### Protecting Health – Preventing the Spread of Infectious Disease

#### COVID-19

##### Correctional Healthcare

- No visitors or volunteers in the buildings
- Implemented Coronavirus protocols, intake screening forms, PUI forms, infectious disease screening forms
- Officers and medical staff cleaning high use surfaces every 3-4 hours with CDC approved cleaners
- Checking incoming staffs' temperatures
- Will test suspected cases
- All non-essential, non-public safety employees work from home
- Video visitation only (except attorneys)
- First jail case reported earlier this week; direct contacts being isolated.

##### Community Health

- All WIC services are being provided by phone. Demand for services has increased, and WIC has been able to seamlessly issue benefits through TNWIC. All outreach staff members are working from home, and clinic staff members are socially distant, but in the building making calls.
- All school-based oral health staff members have been reassigned to COVID activities. These include contact investigation, support to the unstably housed, NBS database management, COVID call center and case management. Clinical dental staff members are providing emergency dental care only here at Lentz, and the remaining staff members are working to perform contact tracing.
- School Health nurses are working in the call center, results line, contract tracing, and MNPS meals program for students.

##### Behavioral Health

The Behavioral Health unit is providing information on mental health and substance use resources to Brian Todd in response to a request from Mayor Cooper's office. BHW is working with Matt Peters to include information on mental health and resources on the MPHD Facebook page.

##### HOTLINE

The MPHD Coronavirus Hotline opened on Wednesday, March 25 to answer questions from Davidson County residents regarding COVID-19. This area has mainly been staffed by school health nurses, clinical services staff, and other MPHD staff members. During our first week, through March 31, the hotline received 1,399 calls. On March 30 the first two assessment centers, at Meharry and Nissan Stadium, opened for assessment and testing as needed on those individuals that qualify. On that first day of assessment the hotline received 429 calls and referred 104 to the assessment centers (a referral rate of 21%); the third day, in which three assessment centers were open (Meharry, Nissan and Old K-mart) showed similar results: 603 calls, 147 referred (24% referral rate); on April 4 we fielded 415 calls, 96 referred (23% referral rate). The current criteria for testing include that the patient must be exhibiting

symptoms of a cough OR shortness of breath OR fever. From there, priority is given to those that are 60 years of age and older OR if the patient has serious medical conditions. Recently, we have added behavioral health information for those callers that are needing to speak with someone as well as information about the Nashville Fairgrounds for those with unstable housing. Since the start of the hotline, we have utilized Voiance, our interpreter line, which we use to conference in any language that the caller may need to use. We also have a list of pre-recorded options that give more information about the virus, how the virus is transmitted, ways that an individual can protect themselves including the CDC information about face masks, the Safer at Home order, Order 3 business information, and the final option to speak with an MPHD staff member.

Most of the questions we receive are asking for the following information and we are providing the following answer:

1. -Those who live outside of Davidson County: refer to Tennessee Coronavirus Public Information line- 1-877-857-2945.

- a. Testing centers listed by county:

<https://www.tn.gov/health/cedep/ncov/remote-assessment-sites.html>

2. Results line at Sonny West in the Howard Office building- 615-862-7007
3. Business complaints/Order 3 or Safe at Home infractions- sent to The Hub and answered by MPHD staff
4. Asking for repeat testing after testing positive or clearance to return to work: *Our official response on these inquiries will be: The Metro Public Health Dept does not provide testing for clearance of employees to return to work.*

## **Environmental Health**

The Environmental Health operation is devoted almost entirely to compliance with Order 3, Safer at Home. Inspectors are teaming up with Metro Nashville Police Department officers to visit violators and alleged violators. We had visited 62 places of business as of Sunday night. We told six of them they had to shut down; everyone else complied voluntarily. We have worked with essential businesses to maintain social distancing. HubNashville has set up a direct complaint line for citizens to report perceived violations. As of Monday nearly 900 reports had been filed by that route. We are working through them. Many are either not actually violations, have already been dealt with, or are duplicates. Many others are not specific to purported violations of the Safer at Home order, but broader requests for assistance. It is not possible at this time to say how many of those are actual violations.

## **BUDGET**

During his State of Metro address last week, Mayor Cooper indicated that significant revenue shortfalls expected in Quarter 4 will have a significant impact on the upcoming budget process. Even though he announced that he was proposing a substantial property tax increase, he stated that next year's budget will be extremely challenging. Two weeks ago, a Metro-wide hiring freeze was implemented, but public health and safety positions are supposed to be exempt from this freeze. The Mayor and Finance Department have also asked all Metro Departments look for immediate cost reduction opportunities, including postponing any non-essential spending for the remainder of the fiscal year.

Mayor Cooper is required to submit his proposed Fiscal Year 2021 budget to the Metro Council by the end of this month. The Council can approve the Mayor's budget or pass an alternate budget of their own. Fiscal Year 2021 begins July 1.

## **TB**

We are following a teacher who works in one of the Nashville charter schools. Her medical findings strongly suggest TB disease. Therapy started on March 31. The MPHD TBE Program was notified that same day. The teacher was discharged home on April 3. She is in isolation at home. The teacher has worked in the school since July 2017. Based on the information we currently have, her infectious period started in September of last year.

The next step is to perform a contact investigation/tracing. We will visit the school to determine the probability of transmission, and to educate the principal. We will follow up with video/phone conferences to educate the staff. Afterwards we will set up video/phone conferences for the principal, teachers, and parents.

For those parents whose children need a TB assessment and evaluation, we will contact them individually, perform a TB Risk Assessment, and schedule them to come to the TB clinic.

**CLINICAL SERVICES** We have remained open and fully staffed at all preventive health locations as well as sexual health. We have made accommodations to the waiting areas, such as removing chairs or asking only those individuals and their parent to present to their appointment. We have made accommodations for employees who are at higher risk to work on other COVID-19 projects throughout the department, such as the hotline or contact tracing. The Breast and Cervical screening program has transitioned to telephone certifications for presumptive eligibility to ensure that these individuals do not experience a gap in coverage. We are building new referral networks based on outside clinical partners that have limited services or elective procedures throughout town, such as our April tubal scheduled date being postponed due to tubals being considered an elective procedure, or finding providers to refer colposcopies to when certain referral providers have closed. Clinical services recognizes that family planning, immunizations and sexual health remain priorities throughout this time and we are working to serve our clients in new and innovative ways.

Presumptive eligibility registration for TennCare continues.

## **OTHER**

The Healthy Nashville Leadership Council is finalizing guidance for the Community Health Improvement Plan workgroups on how work will be accomplished.

The Tobacco Team has been working to provide tobacco cessation information related to COVID-19 for MPHD social media.

Occupational Health is maintaining pre-employment and fit-for-duty testing in an effort to maintain a sufficient workforce.

The Health Department is considered an essential agency. We are working from home as possible but continue to do our work.



**Metro Public Health Dept**  
 Nashville / Davidson County  
 Protecting, Improving, and Sustaining Health

## Board of Health Policy for Entry on Private Property During a Public Health Emergency

<b>Policy Name:</b>	Entry on Private Property During a Public Health Emergency		
<b>Category:</b>	Privacy		
<b>Effective Date</b>	09 April 2020	<b>Last Reissue/Revision Date:</b> 09 April 2020	
<b>Responsible Program or Bureau:</b>	Board of Health	<b>Review-By Date:</b> As needed	
<b>Contact:</b>	Board of Health	<b>Phone Number:</b> 615-340-5622	

### I. Policy Summary

Actions taken by Chief Medical Director or at his direction pursuant to the Metropolitan Board of Health Declaration of Public Health Emergency issued on March 15, 2020, should appropriately balance the public health interest against the rights of Nashvillians. The authority to enter private property can only be used in a manner related to the public health emergency. This policy appropriately balances medical necessity to enter private property with sensitivity to the privacy interests of our citizens.

### II. Policy

A health department employee seeking to enter personal or real property of an individual or business not otherwise open to the public must first obtain the owner's consent for entry. If the owner grants consent, the employee may enter the property. If the owner does not consent to

entry, then the employee must consult with the Metropolitan Department of Law in order to seek legal permission to enter the property.

### **III. Applicability**

This policy is applicable to the Chief Medical Director and all Metropolitan Department of Health employees related to actions taken pursuant to the Metropolitan Board of Health Declaration of Public Health Emergency issued on March 15, 2020.

**METROPOLITAN BOARD OF HEALTH OF NASHVILLE AND DAVIDSON COUNTY  
DECLARATION OF PUBLIC HEALTH EMERGENCY**

**WHEREAS**, Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that appears to occur through respiratory transmission and presents with similar symptoms to those of influenza; and

**WHEREAS**, as of March 9, 2020, COVID-19 has spread throughout China and to 104 other countries and territories, including 423 cases within the United States; and

**WHEREAS**, the Centers for Disease Control and Prevention has recommended that all states and territories implement aggressive measures to slow and contain transmission of COVID-19 in the United States; and

**WHEREAS**, on January 30, 2020, the World Health Organization declared a public health emergency of international concern related to COVID-19; and

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services declared that a public health emergency exists nationwide as a result of confirmed cases of COVID-19 in the United States; and

**WHEREAS**, as of March 9, 2020 a Davidson County resident has tested presumptively positive for COVID-19; and

**WHEREAS**, implementation of basic precautions of infection control and prevention, including staying at home when ill and practicing respiratory and hand hygiene are necessary to slow or prevent the spread of COVID-19; and

**WHEREAS**, COVID-19 is a communicable disease with significant morbidity and mortality, and presents a severe danger to public health; and

**WHEREAS**, COVID-19 is a threat to public health in Metropolitan Nashville and Davidson County; and

**WHEREAS**, pursuant to Metropolitan Charter, Article 10., Chapter 1, Section 10.103 the Metropolitan Board of Health, through its Chief Medical Director, exercises all the administrative functions of the metropolitan government pertaining to the physical and mental health of the people, and the investigation and control of communicable diseases; and

**WHEREAS**, pursuant to Metro Code of Laws, Section 2.36.020(C) the Metropolitan Department of Health may take such action as may become necessary to assure the maintenance of public health, the prevention of disease, or the safety of the Metropolitan Government and its residents; and the Chief Medical Director, subject to the directions of the Metropolitan Board of Health, may establish procedures to be followed during an emergency declared by the Board to insure the continuation of essential public health services and enforcement; and

**WHEREAS**, pursuant to Tennessee Code Ann. § 68-2-609 county health directors are granted the power to order the:

- 1) quarantine of any place or person, if the county health officer finds that quarantine is necessary to protect the public health from an epidemic;
- 2) closure of any public establishment, facility or building if the county health officer finds unsanitary conditions of such a nature and extent to significantly threaten the public health; or
- 3) closure of any public establishment, facility or building, if the public health officer is otherwise authorized by law to take that action; and

**WHEREAS**, pursuant to Tennessee Code Ann. § 68-5-104 it is the duty of local health authorities on receipt of a report of a case, or suspected case, of disease declared to be communicable or contagious, to confirm or establish the diagnosis, to determine the source or cause of the disease and to take such steps as may be necessary to isolate or quarantine the case or premise upon which the case, cause or source may be found; and

**WHEREAS**, on March 12, 2020 the Governor signed and caused the Great Seal of the State of Tennessee to be affixed to Executive Order No. 14 declaring that a state of emergency exists to facilitate the response to COVID-19.

**NOW, THEREFORE**, the Metropolitan Board of Health, by virtue of Tennessee Statutes and the Metropolitan Charter, and after consultation with Governor Bill Lee, Mayor John Cooper and public health officials within the Tennessee Department of Health and the Metropolitan Department of Health, does hereby declare that a public health emergency exists in Metropolitan Nashville & Davidson County, Tennessee. In order to respond to this emergency, the following shall commence:

**Section 1.** In order to protect public health, the Metropolitan Board of Health finds it is necessary for the Metropolitan Department of Health to request assistance from the Governor and the Tennessee Department of Health to address this public health emergency.

**Section 2.** In order to protect public health, the Metropolitan Board of Health finds it is necessary to advise people in Nashville and Davidson County, Tennessee who have traveled to an area for which the Centers for Disease Control and Prevention has issued Warning Level 3 or Alert Level 2 Travel Health Notice, or have been in close contact with a person who has traveled to such an area, and who develop symptoms of fever, cough, shortness of breath, or difficulty breathing within 14 days of such travel or close contact, that they should immediately contact their health care provider and self-isolate until advised otherwise.

**Section 3.** In order to protect public health, the Metropolitan Board of Health finds it is necessary to remind physicians, surgeons, practitioners of medicine, health care providers, hospitals, and labs

that they are required to immediately report all suspected cases of COVID-19 as required by law to ensure a prompt public health response to prevent disease among close contacts.

**Section 4.** In order to protect public health, the Metropolitan Board of Health hereby directs the Chief Medical Director to act as necessary to maintain and protect the public health, prevent the spread of the disease, and provide for the safety of the Metropolitan Government and its residents pursuant to the authority of Tennessee law, statutes, rules or regulations and the Metropolitan Charter and Code of Laws. Such actions may include calling for: 1) the testing, screening, inspection and examination of individuals, animals and places by qualified personnel; 2) the implementation of sanitation and disinfection measures at public and private establishments and on any mode of transportation; 3) the quarantine or isolation of animals, persons or places; 4) the imposition of restrictions on social mixing; 4) the closure of public and private places of education, gathering or meeting; 5) the imposition of limitations on hours of commerce; 6) the restructuring of the local healthcare delivery systems, both public and private; 7) the establishment of public health assessment centers; 8) that the director or those in his employ be permitted to enter any public or private establishment, place, vehicle, watercraft or other device that may be used as a means for transportation for the purposes of inspection; and 9) the impositions of limitations on travel.

**Section 5.** In order to protect the public health, the Metropolitan Board of Health further instructs the Chief Medical Director to contact those having charge of any building or facility licensed to serve food or beverages and to direct those whose primary business is alcohol service to close and those whose primary business is food service to limit occupancy to no more than half of otherwise permitted numbers. The Board further instructs the Chief Medical Director to contact those having charge of a building or facility with an authorized capacity of 100 persons or greater and direct those buildings and facilities to close. This section shall remain in effect until the Chief Medical Director determines that such direction is no longer required, or this declaration is withdrawn.

Issued this 15th day of March 2020, the Metropolitan Board of Health for Nashville and Davidson County, Tennessee.

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Alex Jahangir, M.D., M.M.H.C.  
Chairman Metropolitan Board of Health