



Needham Board of Health



AGENDA

Wednesday, July 29, 2015

5:00 p.m. – 7:00 p.m.

**Charles River Room – Public Services Administration Building
500 Dedham Avenue, Needham MA 02492**

- **5:00 to 5:05 - Review of Minutes**
- **5:05 to 5:15 - Director and Staff Reports**
- **5:15 to 5:25 - MetroWest Adolescent Health Survey**
 - Overview Memorandum
 - BOH Letter of Support to MetroWest Health Foundation
- **5:25 to 5:30 - Project INTERFACE**
 - Five year renewal for free mental health support and referral services
 - \$30,000 funding commitment from the Kyle W. Shapiro Foundation and \$30,000 commitment from the Beth Israel Deaconess Hospital Needham
- **5:30 to 6:00 - Animal Permit Variances**
 - 50 Richardson Drive – four chickens currently permitted; request variance for additional four chickens
 - 674 Webster Street – no current permits; request variance for total of seven chickens and two miniature horses

Board of Health Public Hearing

- Proposed Bodyworks Regulations
- Updates and revisions to Existing Tobacco and Nicotine Regulation (Article #1)
- **Brief Items of Interest**
 - Heavy Metal Testing for Water
 - Public Health Articles of Interest
- **Next Meeting Scheduled for September 11, 2015**
- **Adjournment**

NEEDHAM BOARD OF HEALTH

June 12, 2015

MINUTES

PRESENT: Stephen Epstein, M.D. Chair, Edward V. Cosgrove, Ph.D. Vice-Chair, Jane Fogg, M.D.

STAFF: Timothy McDonald, Tara Gurge, Maryanne Dinell, Alison Paquette, Carol Read, Anne Clark

Guests: Phil Droney, Needham Police Chief; Kate Fitzpatrick, Town Manager; and Christopher Coleman, Assistant Town Manager

CONVENE: 7:00 a.m. - Public Services Administration Building (PSAB), 500 Dedham Avenue, Needham MA 02492

DISCUSSION:

I. Call To Order - 7:10 a.m. - Dr. Epstein

II. Approve Minutes:

Upon motion duly made and seconded, the minutes of the BOH meeting of May 8, 2015 were approved as submitted. The motion carried. Unanimous vote.

III. Environmental Health Agent Report - Ms. Gurge Gurge

The Environment Health Report included an update on the Animal Permit Plan Reviews, including a new permit that is needed for 2 mini horses and 7 chickens at 674 Webster St., Needham, MA. Mr. McDonald, Ms. Gurge, and Ms. Landry, animal control officer, have visited the property. The property owner has requested certified letters of support from her neighbors, as instructed. Two neighbors have written in support, so far. The horses are fenced in around the property. She has approximately 0.80 acres and is seeking a variance as she needs to have 1 acre lot per Needham regulation. She has 4 chickens and would like to have 7 chickens on site. The chickens are kept separately from the horses. Dr. Cosgrove indicated that he would like to wait for more neighbors to weigh in on the issue.

The Farmer's Market is going well. More vendors are expected to start selling at the market this weekend. The street fair last weekend for the Needham Business Association also went well.

The Final Inspection for the Trip Advisor world headquarters is scheduled for June 29. New Garden

restaurant inspections are likely to occur in July. As they are opening up in a new location, this is a good time to start fresh with inspections, training and re-training staff on regulations regarding serving alcohol to minors and over serving customers. French Press Bakery is to open week of June 15.

The majority of the pool permits have been issued for the season. Pre-operation water sample testing is pending at Rosemary Lake Pool. The Board agreed that an additional sample should be tested as well. Therefore, two tests for bacteria should be performed before opening day. The Board would like Ms. Gurge to look into testing for mercury and heavy metals as well.

IV. Bodyworks Regulations

Ms. Fitzpatrick spoke to the Board of Health regarding the draft bodyworks regulation. Ms. Fitzpatrick clarified that the CORIs would be performed by Christopher Coleman, Assistant Town Manager, and only accessible to authorized viewers. The initial plan would be for Mr. Coleman, Ms. Fitzpatrick, Mr. McDonald, and Chief Droney to be those authorized viewers.

The Town would keep the records, not the Public Health Department. The Police Department and the Town would like to control the hours of operation, to ease enforcement. The Board asked for a list of operating hours for similar type establishments, massage or spas, in the area to use as a basis for establishing hours of operation. Finally, the Town Manager Ms. Fitzpatrick and the Board of Health agreed that inspection would be a joint operation, between State inspectors, staff from the Public Health Department, and Needham Police officers.

Next steps in the development of the Bodyworks regulation will be to apply the above mentioned edits, have Town Counsel Dave Tobin review the revised draft, review local spa/massage hours of operation, have a public hearing, and ensure that the bodyworks practitioners are informed and invited to this meeting.

IV. Director's Report - Timothy McDonald

Mr. McDonald indicated that Needham was awarded a MA Department of Public Health (MDPH) mini-grant to fund the purchase of a replacement Sharps Disposal Kiosk at the

Town's Recycling and Transfer Station.

Mr. McDonald has also submitted a proposal to receive funding to develop plans and opening criteria for warming and cooling centers in the NC-7 area.

The technical support grant for the online concussion training documentation was funded by the MetroWest Health Foundation. The Public Health Department should receive the funding on July 1st. Mr. McDonald will work with Director of the Town's IT Department to start creating the IT solution.

Mr. McDonald is working with the Council on Aging to develop a speakers series for the fall focusing on wellness and healthy aging for the adult population.

The Council on Aging did not get the grant funding for social worker for the Center at the Heights. Mr. McDonald and Ms. Gutner are going to find out more about how they could have strengthened their application.

Mr. McDonald attended three-day Public Health Housing Inspector Training, and is completing the field experience portion of the training before being certified. He will be available to conduct Housing Inspections as a third or fourth option after Ms. Gurge, Mr. Flynn, and Ms. Carmichael.

V. Staff Reports

- **Traveling Meals Coordinator Report - Maryanne Dinell**

Ms. Dinell presented an update on meal deliveries. She is working on hiring part-time seasonal workers for Traveling Meals.

- **Substance Abuse Prevention Coordinator - Carol Read**

The 2015 Needham Parent Survey is complete. It was a success as 839 people responded. Needham Public Health Department staff members are looking at the data now and a consultant will issue a report shortly.

Coalition members have created a sub-group focused on creating Healthy Communities, instead of just focusing on substance abuse. Parents are engaged in creating and maintaining healthy behaviors in all areas of life. They have an email group. Weekly or bi-weekly Tips are sent out to the group encouraging them to

engage their children in dialogue while they are young.

Ms. Read attended the Spring Symposium at BID Needham. ER screening could be a way to learn about youth interactions at the ER. Referrals are needed. Ms. Read is going to meet with the ER Head to share information and learn more about how the Public Health Department can help the ER.

The 2015 Needham Parent Survey is a companion to the 2014 MetroWest Adolescent Health Survey. The adolescent health survey data is very interesting and the interns and Mr. McDonald are working on creating summary data to present to the Board of Health soon.

The Community Forum was well received. Approximately 85 people attended the forum. There were excellent speakers and participation.

- **Public Health Coordinator Report- Anne Clark**

Ms. Clark researched local regulations developed in surrounding areas, such as Brookline, Northampton and Salem, for the latest development in Medical Marijuana Dispensaries. Salem's dispensary is now open. Ms. Clark spoke with the Health Director and Environmental agent in Salem: Both indicated that the city follows State regulations. No additional regulations have been passed. No food items are sold, as that would require food permitting. Brookline and Northampton will open by the fall, November time frame. Brookline is concerned about traffic flow in the Town. They are going to have ongoing community dialogue to ensure that safety, security and community needs are met. They will allow for home delivery from the cultivation site in Franklin, but not from Brookline, due to traffic congestion.

- **Public Health Nurses Report -Alison Paquette**

Ms. Paquette presented a brief report on communicable diseases and animal bites as well as an update on assistance programs, with a focus upon utility shut-offs and the town's Gift of Warmth account.

There was a bat that tested positive for rabies. A cat was exposed to the bat. The cat is going to spend three months in quarantine at the veterinarian's and three months in quarantine at its home. The bat did

not bite anyone. Dr. Fogg suggested that this might be an article of interest for the Health Matters column in the Needham Times. The article could cover items such as what to do when you or your pet is exposed to rabies? Where to go to get vaccinated? How to dispose of a dead animal? Animal Control Officer Danielle Landry might weigh in on this as well.

Summer camps are getting certified and inspected prior to opening up. Concussion awareness and training is being discussed.

VI. Brief Items of Interest

Needham Jr. Football and Cheer have been doing IMPACT testing for the past couple of years in the fall. The parents have been conducting the training with their own lap tops, to date. The WIFI hasn't worked very well and they would like to use the schools computers to do the testing this year. The superintendent is supportive of this. Custodial fees may need to be charged. This is a work in progress.

A new laboratory-grade vaccine refrigerator and a vaccine freezer were purchased with funds transferred from Salary Savings at Town Meeting. Currently in the Health Department office suite, there is only one electrical outlet tied to emergency back-up generators; Mr. McDonald will work with the Town's Public Facilities Department to have a second electrical outlet wired to back-up power for the new freezer.

July 1st, the funding starts for the IT infrastructure for Heads-up training database. We may need the Board's help to ensure that this work moves along smoothly. The program needs to be accessible to Needham public so they can log in, take the training, document the training, and keep the record in a local database. The Town's IT infrastructure may need to be modified to allow access to non-Town employees.

Sports leagues need to know about the status of the regulation and that the Public Health Department has secured funding for the database to be created. The Town may need to be pushed along in the process. A follow-up story with the Needham Times may help move the process forward.

Language restricting electronic delivery systems need to be added to the Tobacco Regulations to ensure that E-cigarettes are covered in the regulations, suggested Dr. Cosgrove.

MetroWest Adolescent Health Survey will be discussed at the next meeting.

Mr. McDonald would like the Board to consider allowing sanitation grades to be posted and electronic inspections, as opposed to paper, in the future. This will be discussed further at the next meeting.

The Board agreed the next Board of Health meeting will be on July 29, 2015. Bodyworks public hearing will follow the Board of Health meeting on the evening of July 29, 2015. No meeting is planned for the month of August 2015.

Adjournment

Upon motion duly made and seconded, that the June 12, 2015 BOH meeting adjourn at 9:17 a.m. The motion carried. Unanimous vote.



NEEDHAM PUBLIC HEALTH



Director's Report

To: Needham Board of Health
From: Timothy Muir McDonald, Public Health Director
Date: July 20, 2015
Re: Monthly Report for June 2015

The month of June focused mostly upon planning contract renewals and working to secure funding commitments for valuable mental health services. Some highlights from the month include:

INTERFACE Referral Service

In 2009, following incidents of youth suicide, the Town of Needham contracted with an innovative mental health program called MSPP (now William James College) INTERFACE Referral Service, which had just started in Newton. An initiative of the Massachusetts School of Professional Psychology, INTERFACE is a community service that provides personalized counseling referrals matched for location, specialty, and insurance or fee requirements. INTERFACE's ability to research and maintain up-to-date information about providers helps to break down the "silos" which exist within communities, and which can often hinder access to mental health and wellness services.

In 2009 at the request of the Needham Public Health Department and the Needham Coalition for Suicide Prevention, Beth Israel Deaconess-Needham Hospital and the Kyle W. Shapiro Foundation partnered to support the costs of providing five-years of INTERFACE referral service to address the mental health and substance abuse service needs in the community.

That commitment expired this month. In early June, I secured a five year, \$30,000 funding commitment from the Beth Israel Deaconess-Needham Hospital to support half of the costs of the INTERFACE service. And in late June, working with Tom Denton, the head of the Guidance Department at Needham High School, secured a similar five year, \$30,000 funding commitment from the Kyle W. Shapiro Foundation.

In order to proactively promote INTERFACE service and to make certain the community makes use of this valuable resource, I have chosen to leverage previous donations made to support Suicide Prevention and other mental health efforts. This will include a \$2,570 commitment from the Needham Community Council, as well as nearly \$1,800 in previously raised funds from the Needham Board of Health and the Traveling Meals Program. This funding will be put to work promoting INTERFACE in print advertising and through a program where a Health Department Staff person visits places of worship, primary care physicians, and other locations and provides a stack of referral cards and a brief overview of the service available. The process of publicizing INTERFACE has already begun, with Donna Carmichael appearing in a short news video on the Needham Channel ([available here](#)).

Community Forum on Opioids

On Thursday June 11th, the Needham Public Health Department held a public forum about identifying community solutions to the opioid epidemic; the event was sponsored by the Community Anti-Drug

Coalitions of America (CADCA). The event was well-attended (approximately 90 people) by local residents and regional partners, and featured presenters including:

- Dr. John Kelly from MGH's Addiction Recovery Management Service spoke about the science of addiction and the biases inherent in word choices about addicts and addiction;
- Dr. Alex Walley, a Needham resident, who is the Medical Director of the Narcotic Addiction Clinic at the Boston Public Health Commission spoke about state policy efforts and overdoes reversal medications;
- Jennifer Rowe, an Assistant District Attorney in Norfolk County, spoke about coalition building and regional efforts to support community coalitions; and
- Rebecca Reilly, a young woman in recovery, spoke about her addiction to heroin and its effects on her life and how she stopped using and committed to her recovery.

The forum was taped by the Needham Channel and aired on cable. The nearly two-hour broadcast is also available on the Needham Channel's Youtube channel. A far shorter recap of the forum is [available here](#); additionally Marc Mandel, the Executive Director of the Needham Channel, has committed to creating a series of short videos with a series of highlights from the presentations and the panel discussions. Those videos will likely be available by early September.

MetroWest Health Foundation

At our July meeting, I will present you with a draft letter to be sent to the Board of the MetroWest Health Foundation expressing this Board's appreciation of, and support for, the biennial MetroWest Adolescent Health Survey.

Later in August, I will send you a detailed memorandum outlining the data from the 2014 survey of Needham Middle and High School students. That data and its implications about the underlying health and well-being of Needham youths will be a primary topic at the Board of Health's September meeting.

Also, in late June Jamie Brenner Gutner from the Needham Council on Aging went to the Foundation's office to discuss the COA's grant application, which was submitted during the spring funding period. That grant application, upon which the Public Health Department assisted, proposed hiring an evening social worker that would be trained in specific substance abuse, domestic violence, and mental health assessments. That grant proposal was not funded, but Jamie and I had a valuable discussion about the applications' strengths and weaknesses, and will seriously consider revising and re-submitting during the fall 2015 funding cycle.

Speakers Series

The Public Health Department continues to work with the Council on Aging and the Beth Israel Deaconess Hospital-Needham to plan and schedule a Wellness/Healthy Aging Speakers Series. Topics will likely include Nutrition and Exercise as We Age, Safe and Well at Home, and The Healthy Brain. The tentative plan is for sessions to be offered on Wednesday evenings in the fall as part of the Center's new after-hours programming.

Training: Managing Effectively in Today's Public Health Environment

I am part of a new class offered by the New England Public Health Training Center and the Boston University School of Public Health on managing a public health department. The course includes 15 sessions conducted by webinar and in-person; the course content itself has been valuable but my interactions and discussions with other public health leaders has been even more useful.

Local-State Advisory Committee

In June, I was appointed to serve as the regional representative for 27 communities around Boston on the Massachusetts Department of Public Health's Local-State Advisory Committee. The group of 15 local public health representatives meets monthly with DPH staff, primarily from the Office of Preparedness and Emergency Management, the Bureau of Environmental Health, the Office of Local Health, and other bureaus and programs to discuss local public health priorities and to make sure that state programs are responding to the needs of local departments.

Sincerely,

A handwritten signature in dark ink, reading "Timothy Muir McDonald". The signature is written in a cursive style with a large, stylized 'T' at the beginning.

Timothy Muir McDonald
Director of Public Health, Town of Needham

Needham Public Health Department
June 2015
Health Agents - Tara Gurge and Brian Flynn

Activities

<i>Activity</i>	<i>Notes</i>
Animal Permit Plan Reviews (New)	2 – Animal Permit Plan Reviews conducted for: - #674 Webster St. – Plan review still in process. Will need variances. Initial site visit conducted with Animal Control to assess property to keep 2 miniature horses and 7 chickens. → Discuss at BOH meeting at hearing. - #50 Richardson Dr. - Permit application approved to keep 4 chickens on site. Wants to add 4 more chickens, for a total of 8, and needs a variance to allow additional chickens on site. → Discuss at BOH meeting at hearing.
Animal Permit Renewals	11 – Animal permit renewals issued.
Bodywork Research/Draft Regulations	On-going - Conducted research on current Bodywork regulations that are being enforced by other surrounding City/Town Health Departments. Draft regulations in process of being developed.
Demo review/approval	8 – Demolition sign-offs (houses): • #35 Ellicott St. • #338 Warren St. • #154 Dedham Ave. • #921 South St. • #63 Brookline St. • #184 Valley Rd. • #1159 Great Plain Ave. • #89 Damon Rd.
Food – Bakers Best Grease	Continued to monitor Baker's Best grease handling activities by reviewing copies of grease trap cleaning and grease barrel pick-up receipts. (Served every 3 weeks.)
Food Service Update	1 – Food service update: - Fuji Steakhouse – Change of Owner. - WCVB Cafeteria /Five and Dine Café – Change of owner (new food service company.)
Food – Complaint	1 – Food Complaint received. - Cowlicks Deli – Report of bare-hand contact with ready-to-eat food items. Spoke to owner about complaint. He will remind his staff of this requirement.
Food – Needham Exchange Club 4 th of July Celebration	Sent out temporary food event permit application, along with permitting requirements, to Needham Exchange Club food coordinator for upcoming July 4th event. Permit application received for review. (Brian and I to conduct pre-operation inspections of event venue on July 2nd and inspections the morning of Sat., July 4th.)
Farmers Market Permits	2 –New Farmers Market permits issued to the following food vendors: - Corn & Comp. – To sell flavored popcorn. - Boston Bon Bon – To sell cookies and French macarons.
Farmers Market inspections	Rachel (intern) conducted inspections on June 7th, 14th, 21st, and 28th to ensure food safety protocols, and food sampling protocols, are being followed by permitted vendors. Cooking demonstrations were also spot checked.
Food – NBA Street Fair	Inspections conducted of all food vendors by Brian F. on Saturday, June 6th.
Food – Temp. Event Permits	6 - Temporary Food Event Permits issued to: - B. Good – For St. Joseph's School End of Year Party. - Sam's Hot Dogs – For Newman School Picnic.

	- Sweet Tomatoes - For Newman School Picnic. - B. Good – For PGLA Geared Up for Kids event at Cutler Park. - PGLA Foundation – For Geared Up for Kids event at Cutler Park. - BID Hospital – For Chestnut St. ‘YMCA Day’ event.
Food – Plan Review	1 – Food Permit Plan Review conducted for: - #1180 Great Plain Ave. (Old Daystar Home) – Received a plan review food permit application from a caterer who is interested in using this kitchen space. He’d also like to use this space as a commissary for his mobile food truck. (Still in plan review process.)
Food – Pre-operation Inspections	6 – Pre-operation inspections conducted at: - Trip Advisor (x2) (final pre-operation inspections conducted.) - French Press (x2) (final pre-operation inspections conducted.) - Rosemary Lake Pool Snack Bar (x1) – For Ice Cream retail food permit. (final pre-operation inspection conducted.) - WCVB Cafeteria /Five and Dine Café (x1)(final pre-operation inspection conducted.)
Food – Annual Permits	3 – Annual food service permits issued to: - Trip Advisor Kitchen - French Press Bakery - WCVB/Five and Dine Café
Food –Seasonal Retail Food Permit	1 – Seasonal Retail food permit issued to: - Rosemary Pool Snack Bar
Health Matters Article (submitted by Rachel – intern)	1 – Health Matters article submitted to the Needham Times, Hometown Weekly, and the Needham Patch, entitled: ‘Pesticides in Produce: Are Organics Worth the Splurge?’
Housing - Complaints	0 – Housing Complaints received.
Nuisance – Complaints	3 – Nuisance Complaints received: - Town House of Pizza/Café Fresh Bagels – Report of overflowing dumpster on site. Spoke to owner of Café Fresh Bagels. They added an additional dumpster service day to their existing service schedule. They will ensure covers remain closed and have also added a lock. - #302 Warren St. – Report of lots of junk (i.e. sinks, mattresses) in back yard and side yard by driveway. Site visit conducted. Observed kids bikes and covered containers by side of house along driveway. No sinks or mattresses observed. No public health issues observed from sidewalk. - High Rock School – Report of tarps being present on site covering garden plots, that are holding standing water that could breed mosquitoes. Site visit conducted. Tarps were removed.
Pool pre-operation inspections (initial/follow-ups)	3 – Pre-operation inspections conducted for: - Rosemary Lake Pool
Pool Permit issued	1 – Pool Permit issued: - Rosemary Lake Pool – Issued seasonal permit.

Septic – Addition to a Home on a Septic	1 – Addition Plan Review conducted for: - #145 Brookside Rd. – Plan review conducted. Approval Memo sent to Building Dept.
Septic Deed Restriction	1 – Septic Deed Restriction submitted for: - #145 Brookside Rd. – Deed Restriction submitted to Norfolk Cty. Registry of Deeds.
Septic Plan Reviews	2 – Septic Plan Reviews conducted for: - #23 Cheney St. – Septic as-built plan review conducted. Additional comments sent. - #38 Brookside Rd. – Proposed septic system upgrade plan reviewed. Additional comments sent.
Tobacco - Regulations/Letter to the Editor for Needham Times	Worked with Rachel on researching the latest Sample Tobacco Regulations provided by MA Dept. of Public Health Tobacco Control Director, D.J. Wilson. Worked on Letter to the Editor for the Needham Times on congratulating our Needham vendors on recent Tobacco Compliance Checks with no sales!
Well – Plan Reviews/ Approval to Drill	2 – Well permit plan reviews/Approval to Drill letters issued for: - #73 Mackintosh Avenue – Approval to drill letter issued for 1 closed-loop geothermal well. - #49 Valley Rd. - Approval to drill letter issued for 3 closed-loop geothermal wells.

Yearly

Category	Jul	Au	S	O	N	D	J	F	M	A	Ma	Ju	Yly Tot	FY' 14	FY' 13	Notes/Follow-Up
Biotech	0	1	0	0	0	2	0	0	0	0	0	0	2	1	1	Biotech permits
Bottling	0	0	1	0	0	0	0	0	0	0	0	0	1	3	2	Bottling Permit insp.
Demo	16	16	5	10	8	4	7	4	7	9	6	8	100	117	85	Demo reviews
Domestic Animal	1	0	0	0	0	1	0	0	0	0	2	11	15	14	12	Animal permits
Food Service	12	14	20	18	24	22	12	10	26	23	13	26	220	198	191	Routine insp.
Food Service	1	4	2	1	2	3	1	1	1	0	4	6	26	43	39	Pre-oper. Insp.
Retail	4	8	6	10	4	6	6	1	10	12	1	3	71	69	71	Routine insp.
Resid. kitchen	0	0	1	1	0	1	3	1	0	1	0		8	11	11	Routine insp.
Mobile	1	1	2	0	0	1	0	0	2	0	3	0	10	13	10	Routine insp.
Food Service	2	3	5	10	3	4	8	6	2	2	3	4	52	36	48	Re-insp.

Food Service/ Retail	1	2	3	1	1	153	1	1	1	0	2	4	170	166	157	Annual permits
Food Service	8/2	3/0	19/18	9/0	3/0	5/2	4/1	2/0	6/1	5/0	26/4	6/16	96/44	90/52	74/69	Temp. food permits/ Temp. food insp.
Food Service	0/0	2/0	0/0	3/0	0/0	0/0	0/0	0/0	1/0	2/0	8/16	2/29	18/45	12/18	11/8	Farmers Market permits/ Market insp.
Food Service	0/0	3/3	3/3	2/2	2/2	1/1	2/2	2/3	0/1	0/2	1/1	1/1	17/21	15/16	13/23	New Compl./ Follow-ups
Food Service	4	5	1	2	2	4	3	3	4	3	3	1	35	28	51	Plan Reviews
Food Service	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	Admin. Hearings
Grease/ Septage Haulers	0	0	0	0	0	21	4	0	0	0	0	0	25	26		Grease/ Septage Hauler permits
Housing (Chap II Housing)	0/0	0/0	7/0	0/4	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	7/4	7/0	7/0	Annual routine insp./ Follow-up insp.
Housing	0	0	1/0	0/0	1/2	1/1	3/3	2/2	0/1	0/1	0/0	0/0	8/10	3/5	6/8	New Compl./ Follow-ups
Hotel	0/0	0/0	0/0	0/0	2/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	2/0	12/0	6/0	Annual insp./Follow-ups
Nuisance	11/13	5/5	5/5	1/1	3/3	3/3	0/0	3/3	4/4	3/4	2/3	3/3	43/47	42/44	42/45	New Compl./ Follow-ups
Pools	0/0	0/0	0/0	0/0	3/0	1/0	0/0	1/0	0/0	0/0	4/5	1/2	10/7	10/2	10/5	Pool insp./follow-ups
Pools	0	0	0	0	0	4	0	0	0	0	5	1	10	9	11	Pool permits
Pools	0	0	0	0	1	1	1	1	1	1	1	0	7	1		Pool plan reviews
Pools	0	0	0	0	0	4	0	0	0	0	2	0	6	6	4	Pool variances
Septic	1	2	0	1	1	1	0	0	1	0	1	1	9	8	8	Septic Abandon Forms
Septic	1	1	1	1	0	0	1	0	0	1	3	1	10	1	4	Addition to a home on a septic plan rev/approval
Septic	4	5	0	0	0	0	0	0	5	0	0	0	14	23	33	Install. Insp.
Septic	0	2	0	0	0	0	0	0	0	0	0	0	2	0	1	COC for repairs
Septic	0	0	1	0	0	0	0	0	0	0	0	0	0	6	9	COC for complete septic system
Septic	5	6	7	5	5	4	3	5	4	4	6	7	61	63	67	Info. requests.

Septic	0	0	0	0	0	0	1	0	0	1	1	0	3	2	6	Soil/Perc Test.
Septic	1	2	0	0	0	0	0	0	1	0	0	0	4	5	8	Const. permits
Septic	1	0	0	0	0	7	1	0	0	1	0	0	10	9	12/22	Installer permits
Septic	1	0	0	0	1	2	1	0	0	1	0	0	6	5	6	Installer Tests
Septic	0	1	0	0	0	0	0	0	0	0	1	1	3	4	5	Deed Restrict.
Septic	1	1	1	0	0	0	2	1	0	0	0	2	8	14		Plan reviews
Sharps insp.	0	0	1	0	0	8	0	0	1	0	0	0	10	8	7	Disposal of Sharps insp.
Sharps permits	0	0	1	0	0	8	0	0	1	0	0	0	10	8	7	Disposal of Sharps permits
Subdivision	2/0	1/0	1/0	0/0	2/0	0/1	0/0	0/0	0/0	0/0	0/0	1/0	7/1	6/2	9/2	Plan review-Insp. of lots /Bond Releases
Special Permit memos	3	0	2	1	0	1	0	0	3	1	0	1	12			Special Permits
Tobacco	0	0	1	0	0	12	0	0	0	0	0	0	12	12	12	Tobacco permits
Tobacco	0/0	2/1	3/0	3/0	3/0	1/0	1/1	0/0	4/0	3/0	1/0	0/0	21/2	20/21	22/7	Routine insp./ Follow-up insp.
Tobacco	0	0	12	0	0	0	0	12	0	0	12	0	36	33	32	Compliance checks
Tobacco	0/0	0/0	0/0	0/0	1/1	0/0	1/1	0/0	0/0	1/1	0/0	0/0	3/3	2/2	4/3	New compl./ Compl. follow-ups
Trash Haulers/ Medical Waste Haulers	3/0	0/0	1/0	0/0	0/0	0/2	1/0	0/0	16/0	8/0	0/0	0/0	29/2	24/2		Trash Hauler permits/ Medical Waste Hauler permits
Well	4/0	0/0	0/0	1/1	2/0	2/0	1/0	0/0	0/0	1/0	1/0	2/0	14/1	5/8	6/3	Permission to drill letters/ Well permits

Meetings, Events, and Trainings

<i>Title</i>	<i>Type</i>	<i>Description/Highlights/Votes/Etc.</i>	<i>Attendance</i>
Staff Lunch Meeting	Meeting	Met with staff to discuss on-going staff projects, etc.	8
Meet with Tim	Meeting	Met with Tim for annual evaluation to discuss goals and accomplishments, etc.	2
BOH Meeting	Meeting	Meeting with BOH to review monthly activities.	10
Food Commissary Proposal	Meeting	Met with food manager looking at #1180 Great Plain Ave. (Old Daystar Home). Reviewed Food Permit plan review items. (In food plan review process.)	2

FY 15 Critical Violations Chart (By Date)

Restaurant	Insp. Date	Critical Violation	Description
Sheraton Needham Hotel	7/15/14	- Food contact surfaces cleaning and sanitizing.	- Dish machine hot water wash rinse temp. not reaching the minimum requirement. Machine serviced.
Fuji Steakhouse	8/25/14	Separation/Segregation/Protection.	- Discontinue to use 3-Bay sink and Hand Washing sink for Food Prep.
Masala Art	9/8/14	- Evidence of pests in establishment.	- Increased pest service schedule to once every other week. Required maintenance to seal up cracks or areas around pipes in foundation. Required to start faxing weekly cleaning logs. Will continue to monitor.
Fresco	9/15/14	- Food contact surfaces cleaning and sanitizing.	- Dish machine hot water final rinse temp. not reaching the minimum requirement. Machine serviced. Hot Water temp. increased.
Farmhouse Restaurant	10/6/14	- Evidence of pests in Establishment.	- Increased pest service schedule to once every other week. Required maintenance to seal up cracks or areas around pipes in foundation. Required to start faxing weekly cleaning logs. Will continue to monitor.
Lizzy's Ice Cream	10/20/14	- Food contact surfaces cleaning and sanitizing.	- Sanitizer bottle for final rinse low temp. dish machine was empty. More sanitizer purchased.
Gari Restaurant	10/30/14	- Conformance with Approved Procedures/HACCP Plans	- Need to ensure that Sushi Rice pH log book is kept up to date.
7-Eleven (Chestnut St.)	11/6/14	- Hand washing – Operation and Maintenance	- Insufficient hot water observed at hand wash sink. Hot water repaired.
Mandarin Cuisine	11/21/14	- Hand washing – Operation and Maintenance	- Discontinue usage of hand wash sink for food prep.

Hess	11/24/14	- Hand washing – Operation and Maintenance	- Provide towels for dispensers in both men's and women's restrooms (At Once).
Stone Hearth Pizza	12/11/14	- Cold Holding – Operation and maintenance of cold-holding unit	- Ensure that pizza prep refrigeration unit maintains a min. temp. of 41 deg F or below (At once). Unit repaired.
Briarwood Nursing Home	12/22/14	- Food contact surfaces cleaning and sanitizing.	- Hot water not reaching the minimum requirement. Boiler serviced. Hot Water temp. increased to proper temperatures.
Mandarin Cuisine	5/11/15	- Cold Holding – Operation and maintenance of cold-holing unit	- Ensure that prep refrigeration unit maintains a min. temp. of 41 deg F or below (At once). Unit repaired.
Blue on Highland	5/11/15	- Food contact surfaces cleaning and sanitizing.	- Dish machine hot water final rinse temp. not reaching the minimum requirement. Machine serviced.
Acapulco's	5/19/15	- Evidence of pests in establishment. Rodent proof rear door. - Hot Holding – Maintaining hot food under minimum required hot holding temperatures. - Hand washing – Operation and Maintenance. - Water, Plumbing and Waste	- Increased pest service schedule to once a week. Required maintenance to seal up cracks or areas around pipes in foundation. Pest reports will be faxed on a weekly basis. Will continue to monitor. New door sweep installed. - Need to hot-hold nacho cheese sauce at a minimum of 140 deg F. Done. - Provide towels for hand wash sink dispensers. Done. (In process of getting new dispensers.) - Repair leak under dish machine. Leak repaired.

June, 2015
Maryanne Dinell- Traveling Meals Program Coordinator

Maryanne Dinell- Traveling Meals Program Coordinator

<i>Description</i>	<i>Reason</i>	<i>Notes/Follow-Up (ongoing, completed, etc.)</i>
Month of May – 49		
33 Springwell Clients and 16 private pay	849 meals delivered	597 meals delivered Springwell Clients 252 meal Private Pay - Total # meals 849 @ 5.25 per meal =cost of \$4457.25
0 Clients off Program		
3 additional clients		2 Springwell client- returning to Program 1 private pay-first time

[illegible]

<i>Category</i>		<i>Jul</i>	<i>Au</i>	<i>Sep</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Jan</i>	<i>Feb</i>	<i>Ma r</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>FY '14 Total</i>	<i>FY '15</i>	
Donations		25.					100	0						2510.	125.	

Meetings, Events, and Trainings

<i>BI</i>	<i>Type</i>	<i>Description/Highlights/Votes/Etc.</i>	<i>Attendance</i>
Board of Health Meeting		Monthly meeting	All staff and Board Members
Staff meeting		Monthly meeting	All staff

Donations, Grants, and Other Funding [List any donations received, grants funded, etc. over the past month.]

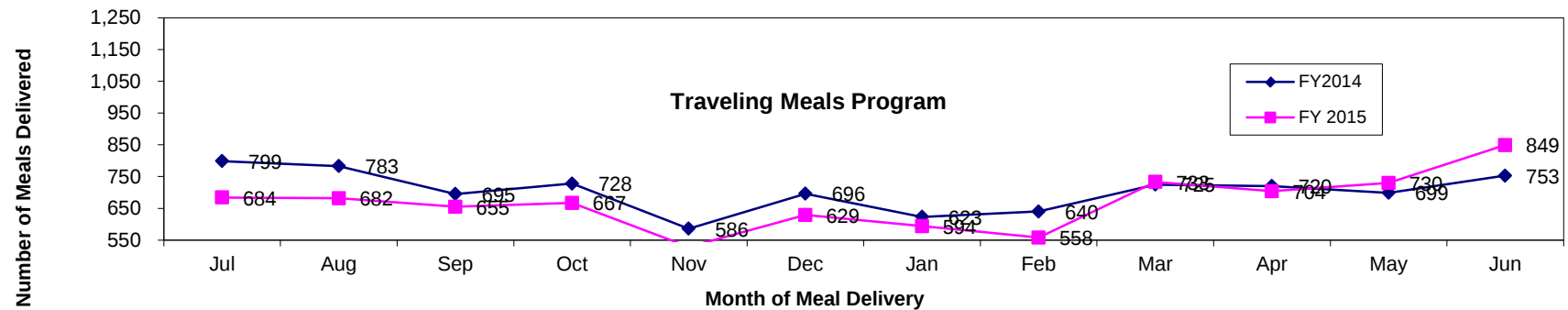
<i>Description</i>	<i>Type (D,G,O)</i>	<i>Amount Given</i>	<i>Source</i>	<i>Notes</i>

Traveling Meals Program

June, 2015

Projected-12 Mo.	
\$	42,073.50
#	8,014

Month	# Meals FY2014	# Meals FY2015	FY15 Cost	% Change # Meals
<u>Jul</u>	799	684	\$3,591.00	-14%
<u>Aug</u>	783	682	\$3,580.50	-13%
<u>Sep</u>	695	655	\$3,438.75	-6%
<u>Oct</u>	728	667	\$3,501.75	-8%
<u>Nov</u>	586	529	\$2,777.25	-10%
<u>Dec</u>	696	629	\$3,302.25	-10%
<u>Jan</u>	623	594	\$3,118.50	-5%
<u>Feb</u>	640	558	\$2,929.50	-13%
<u>Mar</u>	725	733	\$3,848.25	1%
<u>Apr</u>	720	704	\$3,696.00	-2%
<u>May</u>	699	730	\$3,832.50	4%
<u>Jun</u>	753	849	\$4,457.25	13%
Totals:	8,447	8,014	42,073.50	



Needham Public Health Department

June 2015

Substance Abuse Prevention & Education
Needham Coalition for Youth Substance Abuse Prevention ~ NCYSAP
Carol Read, Program Director*
Karen Mullen, Project Coordinator/Capacity Building

Section 1: Activities

Activity	Notes
NPHD Monthly Report- May	Compile information, prepare and write NCYSAP April monthly report.
Freedom from Chemical Dependency- FCD Educational Services, global non-profit education prevention services provider.	Coordinate with Tim McDonald scope of prevention services to review current school health curriculum by content and grade level, youth substance use data 2006-2014 MWAHS, NCYSAP Parent Survey reports (3 administrations) and community prevention initiatives. FCD team will provide review and report preparation for recommendations for health curriculum and 3-5 year plan for implementation.
<i>Needham Community Forum, Identifying Community Solutions to the Opioid Epidemic*</i> June 11 th – Event coordination *Highlighting CARA <i>Comprehensive Addiction and Recovery Act (CARA) Senate (S.524) and House (H.R. 953)</i> . Preventing prescription drug abuse and opioid addiction among youth through multiple comprehensive community strategies	Coordinate all event details and write event program including speaker and panel biography's, evening agenda and resource table offerings. Food coordination: Dawn Stiller
Community Crisis Intervention Team Initiative- Stakeholder collaboration to support residents Outreach to communities	Email and call communities: Norwood, Taunton, Stoughton, Weymouth, Walpole, Arlington, Gloucester and Riverside Community Care to create a comprehensive overview of resident support programs for domestic violence, substance abuse and mental health.
2015 Parent Survey- Closure, report preparation planning with Scott Formica, SSRE	Close out 2015 survey, review and discussion of respondents and coordinate and structure of community presentation meeting Thursday, September 10 th PSAB. Coordinate and confirm presentation taping by The Needham Channel
NCYSAP June meeting-agenda coordination	NCYSAP meeting public notice write June agenda and prepare 30 meeting packets for NCYSAP and Parent Liaison meetings.
NCYSAP Parent Liaison Team- Final June meeting preparation NPL 1 st Tuesday of each month 9:00am-10:00am.	School parent initiative to enhance awareness of community prevention initiatives. Goal to connect all age school parents to enhance awareness of Needham community prevention mission and the biological, psychological and social emotional impact of substance use on youth. Capacity building for substance education, mental health and wellness in the town of Needham. KM
SALSA- <i>Students Advocating Life Without</i>	Students Advocating Life Without Substance Abuse

Activity	Notes
Substance –Final June	(SALSA) Peer leadership mentoring- 8 th grade Health class. SALSA peer leaders present healthy and socially positive substance-free behaviors, role model Refusal Skills: handling high risk situations confidently and the Social Norms approach in communicating youth substance use data. Logistics regarding permission protocols, van transportation, student recruitment and volunteer hour tracking final June health class presentations. KM

Section 2: Summary Statistics

Monthly

Description	Type	Reason	Notes/Follow-Up (ongoing, completed, etc.)
CON- MH-SA	AIP- F 48yrs	MH-SA	Review of case-Homeless , in recovery: resources, options for peer support groups, financial and referral to Riverside ES
CON- MH- SA	AP- F 50yrs.	MH- SA	Follow- up -Outreach to YMCA for no- cost family membership (50 year, 80 yrs. and 17 yrs.)
CON- SA	AP- M-19yrs	SA-Marijuana- College - legal	Review of symptoms, resource for evaluation / treatment plan.- Dr. Kelly ARMS MGH
CON- SA	AIP- M- 17yrs	SA- Marijuana Academic HS	Review of recent MJ use identified – impact of MJ and clinical options- Marijuana101 ARMS MGH- ASAP Boston
CON- SA MJ	A1P- M- 19 yrs.	MJ chronic- MH Anger- family conflict	Review of family conflict and symptoms, resource for evaluation / treatment plan.- Dr. Kelly ARMS MGH

Yearly

Category	Type	J u l	Au	S	O	N	D	Ja	F	Mar	Ap	May	Jun	Yearly Total	FY '15	Notes/Follow- Up (ongoing, completed, etc.)
CON	AP-SA-Y				2				1		1	1		5		Referral complete- future support resources available
CON	AP-SA-A					2			1					3		Referral complete- future support resources available
CON	AP-MH A	1	1	1	2	1	1	2			2	1	1	13		Referral complete- future support resources
CON	AP-MH Y				1					1				2		Referral complete- future support resources
CON	AIP- SA-Y												2	2		Referral complete- future support resources available
CON	AIP- SA-A					1				1	1	1	1	5		Referral complete- future support resources available
CON	AIP- MH-Y					1							2	2		Referral complete- future support resources available
CON	AIP- MH-A								1	2	2	1	1	7		Referral complete- future support resources available

Category	Type	J u l	Au	S	O	N	D	Ja	F	Mar	Ap	May	Jun	Yearly Total	FY '15	Notes/Follow- Up (ongoing, completed, etc.)
CON	YIP-SA A															Referral complete- future support resources available
CON	AIP- Health- A							2	1						3	Referral complete- future support resources available
CON	YIP- lgl															Referral complete-
CON	YIP- MH										1			1		Referral complete-

Section 3: Meetings, Events, and Trainings

Title	Type	Description/Highlights/Votes/Etc.	Attendance
Board of Health	MTG	Meeting-Overview of staff work: community Public Health programs and prevention initiatives. Dr. Jane Fogg, Chair, Dr. Stephen Epstein and, Ed Cosgrove, PhD-NPHD Staff. Review and discussion of residents report of underage serving alcohol, Kate Fitzpatrick, Chief Droney. Review regulations: body works and concussion implementation. Town meeting zoning approval for RMD zoning. Potential BOH regulations.	8
BID Needham INTERFACE	MTG	Meeting- BID Needham Memorandum of Understanding Signature coordination for INTERFACE referral service funding, John Fogarty, CEO. Kathy Davidson, CNO, COO and Jane East.	3
Town of Concord	MTG	Meeting- Community prevention overview (SPF), starting a substance abuse prevention coalition, program and structure resource sharing and funding opportunity guidance. Kate Hodges, Assistant Town manager, Jennifer Clark, Youth Services and Tim McDonald.	5
Riverside Emergency Services	MTG	Meeting- Emergency Services- Community Liaison review. Chia-Hsuan Wu, Assistant Director ES and Tracy Zitoli, LICSW- Community Liaison. Introduction to Riverside ES programs, expanded capacity to circumvent ED visits, commercial insurance and MassHealth allowable coverage, Protocols for In- home evaluation – office evaluations for acute mental health issues. Overview of community liaison services: CCIT meetings, coalition meetings and to provide guidance to town stakeholders on chronic mental health and substance abuse cases to streamline resources and facilitate best practice care plans. Tim McDonald	4
Needham Public Schools- SWAC	MTG	Meeting- Final quarterly School Wellness Advisory Committee (SWAC) Discussion on applying the April presentation of: <i>The Six Dimensions of Wellness in Needham</i> Occupational, Physical, Social, Intellectual, Spiritual, Emotional to Needham youth and families through schools. Outcome discussion concluded that health and wellness initiatives must include “community level” strategies and all stakeholders.	28
Riverside	MTG	Meeting- Quarterly review. Newton Needham Home Based	8

<i>Title</i>	<i>Type</i>	<i>Description/Highlights/Votes/Etc.</i>	<i>Attendance</i>
Community Care		Services – Discussion Needham contract, revisions and review of service hours provided based on current contract value. Review of resident services provided, collaboration protocol review, service response time and referral communication policy. Anne Priestly, Nanci Ginty, Lauren Park, Latoya, Emily Levine, Tim McDonald and Donna Carmichael.	
NPHD Capacity	MTG	Meeting- Conference Call. Discussion NPHD – RCC Newton Needham Home based Services Mental Health services contract review and revisions. Tim McDonald- Donna Carmichael	3
NCSP- Youth Education	MTG	Meeting- Beth Pinals, PsyD., Review of youth and young adult initiatives of the NCYSAP and the NPHD related to support and referral for substance abuse prevention and mental health promotion. Discussion of 2014 MWAHS data and collaboration opportunities for NCSP –OYP and NPHD	2
The Needham Channel	MTG	Meeting- Review DRAFT of program taping: Needham Community Forum: <i>Identifying Community Solutions to the Opioid Epidemic. Edit program, amend structure and add local and state support resources for assessment, treatment and peer support.</i>	2
NPHD Staff	MTG	Meeting- NPHD staff lunch meeting PSAB. Tim McDonald, Director. Departmental communication review and updates.	8
SALSA Peer Leaders Pollard Health	EVT	Event- Students Advocating Life Without Substance Abuse (SALSA) Peer leadership and mentoring Pollard 8 th grade Health class. High School students present healthy and socially positive substance-free behaviors, role model Refusal Skills: handling high risk situations confidently and the Social Norms approach in communicating youth substance use data. 2 health class presentations: Thursday, June 11 th KM	1-(20) 1-(18-20)
Needham Times	MTG	Meeting- Conference Call- Jonathan Dame, Gatehouse Media, The Needham Times. Overview of the BSAS- SAPC grant award, community prevention initiatives and June 11 th CADCA Opioid community forum. Tim McDonald	3
SAPC Planning	MTG	Meeting- Conference Call Scott Formica, SSRE. Strategic planning for SAPC grant implementation: Needham requirements for financial and programmatic reporting, allowable expenses for cohort, SPF cohort assessment report and timeline for year 1. Review and discussion of 2014 MWAHS data trend analysis and guidance for dissemination of data for community presentation on September 10 th – including taping by The Needham Channel. Tim McDonald	3
NPHD Strategic planning	MTG	Meeting- Jessica Goldberg, MPH. Strategic planning for SAPC grant initiation, cohort collaboration and Needham coalition sustainability. Discussion on 2014 MWAHS data: interpretation of all drug use trends and communication strategy for public release.	3
NPHD Regulations	MTG	Meeting- Needham Alcohol licensee regulation planning meeting. Review and discussion of past research work including local and state alcohol regulations and Needham	3

Title	Type	Description/Highlights/Votes/Etc.	Attendance
		specific goals for BOH oversight in collaboration with BOS. Potential additions including: mandatory biennial manager in person training, annual employee review and confirmation of NPHD training DVD and binder, delivery record inspection, signage, quarterly compliance checks. Tim McDonald -Karen Mullen, Project Coordinator, Capacity Building	
MetroWest Health Foundation	MTG	Meeting- EDC presentation of 10 year survey initiative structures, 2014 MWAHS data collection and trend overview. Discussion of how communities use the MWAHS data to enhance health and wellness of youth. Networking	75
Norwood Police Department	MTG	Meeting- Conference Call Chief Bill Brooks. Review of NPD structures to support residents with acute and chronic substance abuse, overdose, mental health conditions and domestic violence incidents. Scope of Norwood programs, funding sources and stakeholder collaboration commitments.	(1)
CADCA Community Forum 2015	EVT	Event- CADCA sponsored community forum: Identifying Community Solutions to the Opioid Epidemic . Keynote speaker Dr. John Kelly, MGH ARMS. Panel discussion: Dr. Alex Walley, Jennifer Rowe, ADA Norfolk County, Rebecca Reilly, Young adult in recovery, Natalia Martinez, Duncan, Communications Manager, video from the Congressional Addictions Forum Washington D.C featuring General Arthur Dean, CADCA, Congressional advocates and CARA bill. Resource tables: Learn to Cope, Narcan rescue kits, Wicked Sober, MOAR- Mass Organization for Addiction Recovery	90
NPHD Capacity	MTG	Meeting- Monica DeWinter, MPH. Review and discussion of NPHD programs and opportunities for future collaboration. Tim McDonald	3
Taunton CCIT	MTG	Meeting – Conference Call Kathy Lalor, MA, Coordinator of state of MA CCIT program trainings and City of Taunton	2
NCYSAP Capacity Parent Liaison	MTG	Meeting- Final June -School parent liaisons to the NCYSAP. Discuss current offering in grades k-12 of substance use education –curriculum. Review of 2014 MWAHS youth substance use data, strategies to enhance parent and community awareness around substance use facts, research, prevention education, mental health and wellness. NEEDHAM PARENTS CARE initiative. needhamparentscare@needhamma.gov	12
			7
			7
			8
NPHD Planning	MTG	Meeting- Tim McDonald, Review of current prevention initiatives, and SAPC grant initiation. Capacity discussion	2
NCYSAP Meeting	MTG	Meeting- June coalition. Prevention planning discussion: BSAS- SAPC grant award overview, CADCA community forum, June 11 th overview, Town Meeting Final RMD Zoning By- Law Amendment Article 22. 2014 MWAHS and 2015 Parent Survey 836 final- data presentation September. Parent Liaison group initiative update, SALSA peer leadership – Final update, request for support for short term tasks.	19

<i>Title</i>	<i>Type</i>	<i>Description/Highlights/Votes/Etc.</i>	<i>Attendance</i>
		Substance use and mental health educational information and support resources.	
Norfolk District Attorney Monthly Prevention	MTG	Meeting- June year end- Prevention Norfolk County leaders, law enforcement, treatment and prevention targeting under the influence driving, opiate abuse and overdose prevention Information sharing Norfolk DA: Narcan saves by town, pharmacy program, prescription drug misuse PMP trainings, physician education and pharmacist collaboration. Task Force Jennifer Rowe, Ryan Walker, Dave Morgan, DA Michael Morrissey. Prevention networking and program sharing-	24

***2 vacation days**

Needham Public Health Department – Nurses Report

Donna Carmichael RN & Alison Paquette RN

COMMUNICABLE DISEASES and Animal Bites NEEDHAM HEALTH DEPARTMENT FISCAL YEAR 2015

DISEASES:	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	Apr	MAY	JUN	T15	T14	T13
BABESIOSIS		1										2	3	1	2
CAMPYLOBACTER	1	1	1	3		1	1	1		1		2	12	13	14
CHICKENPOX	1					2			2		1		6	6	13
CRYPTOSPORIDIUM													0	0	4
E-Coli													0	0	0
EHRlichiosis/ HGA					1		1						2	2	3
Enterovirus				2									2	1	0
GIARDIASIS			1						3			1	5	2	4
HEPATITIS B				1	1	2			2	2			8	6	5
HEPATITIS C					2	1		3	2	2	1	2	13	13	6
Influenza					1	9	32	19	8	5	3		77	54	90
Legionellosis		1										1	2	0	0
Listeriosis													0	1	0
LYME	13	5	9	2	6	5	2	1	5	4	2	3	57	80	53
MEASLES													0	0	0
MENINGITIS													0	0	0
Meningitis(Aseptic)													0	0	0
Mumps													0	2	1
Noro Virus													0	0	3
PERTUSSIS					1								1	0	0
SALMONELLA				1									1	3	7
SHIGELLOSIS							1		1				2	1	1
STREP Group B								1			1		2	1	4
STREP (GAS)								1	1				2	0	2
STREP PNEUMONIAE							1						1	1	2
TUBERCULOSIS							1						1	0	0
Vibrio			1										1	2	0
West Nile virus													0	1	
TOTAL DISEASES	15	8	12	9	12	20	39	26	24	14	8	11	197	190	214
Revoked Diseases Investigated									2		3	2	7	NA	NA
Contact Investigation															
Animal/Human Bites															
DOG	1	1	1	1	3	2	1						10	15	11
CAT			1								1		1		0
BAT	2	3									1		5	9	9
SKUNK													0		1
RACCOON													0	1	0
Fox													0		1
TOTAL BITES	3	4	2	1	3	2	1	0	0	0	2		18	25	22

Immunizations	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	FY15	FY14	FY13
B12	2	2	2	1	2	2	1	1	2	3	2	2	22	26	32
Flu (Seasonal)	0	0	0	523	178	12	9	1	0	0	0	0	723	1137	1300
IPV	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Meningococ cal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MMR	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1
Pneumo	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Zoster	2	0	0	0	0	0	0	0	0	0	0	0	2	25	0
Td	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Tdap	1	1	0	0	0	0	0	0	0	0	0	0	2	4	6
varicella	0	0	0	0	0	0	0	0	0	0	0	0	0	2	5
Consult	40	35	65	28	22	13	28	32	47	32	27	21	390	301	296
Fire/Police	6	2	5	6	2	2	4	2	4	4	3	9	49	36	33
Schools	1	2	22	11	5	1	1	6	3	4	2	1	59	40	40
Town Agencies	15	24	12	4	5	6	4	10	15	12	10	8	125	84	74
Community Agencies	18	7	26	7	10	4	19	14	25	12	12	3	157	141	184

ASSISTANCE PROGRAMS													FY15	FY14	FY 13
Food Pantry	1	1	5	3	1	8	2	2	4	1	4	3	35	42	25
Food Stamps	0	0	2	0	1	0	0	0	0	0	1	0	4	10	4
Friends	0	1	0	0	0	0	0	0	0	0	0	0	1-FYD \$25.00	4-YTD \$400.00	11 -YTD \$2100.00
Gift of Warmth	0	2	2	4	0	1	2	1	2	2	5	1	22 -YTD \$6133.00	38 -YTD \$11,480.17	44 -YTD \$12350.00
Good Neighbor	0	0	0	0	0	0	3	3	0	0	0	0	6-\$1650. \$275/fam	12 \$250/fam	7
Park & Rec	1	1	0	0	0	0	0	0	0	0	0	1	3	5	6
RTS	0	0	0	0	0	0	0	0	0	0	0	0	1	15	17
Salvation Army	0	0	0	0	0	0	0	0	0	0	0	0	0	YTD- 4 \$293.00	8 – YTD \$800.00
Self Help	0	0	3	0	4	5	6	6	7	6	6	8	51	50	48
Water Abatement	0	0	0	0	1	0	0	0	1	0	0	0	2	4	1

Gift of Warmth - Donation
Carter Memorial Church - \$1500.00

Gift Card Donation - 5
Gift Card given - 2

WELLNESS Programs

													FY15	FY14	FY13
Office Visits	38	35	27	13	17	11	11	11	39	34	18	33	287	528	539
Safte Visits	7	1	2	0	3	5	1	3	7	3	1	0	33	17	30
Clinics	6	8	1	1	5	0	1	0	1	4	6	1	34	17	48
Housing Visit	6	2	1	1	1	1	2	0	10	2	0	1	27	11	25
Housing Call	22	26	8	26	8	4	10	8	30	28	4	12	186	57	160
Camps-summer	2	0	0	0	0	0	0	0	9	11	25	16	63	29	16
Tanning Insp	1	0	0	0	0	1	0	Tan&Glam Closed	0	0	0	0	2	5	3
Articles	0	0	2	1	0	0	1	0	0	2	2	0	8	3	8
Presentations	0	0	0	1	0	0	0	0	0	1	0	0	2	4	12
Cable	0	0	0	2	0	0	0	2	0	0	0	0	4	6	6

EMPLOYEE WELLNESS	July	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	FY15	FY14	FY13
BP/WELLNESS - DPW/RTS	17	12	12	13	11	13	10	0	10	11	11	17	137	147	169
BP/WELLNESS -TOWN HALL	0	0	0	0	2	2	0	0	0	0	0	0	4	53	103
FLU VACCINE	0	0	0	22	26	2	2	0	0	0	0	0	52	52	80
CPR/AED INSTRUCTION	0	0	0	0	0	11	0	0	0	0	0	18	29	23	25
SMOKING Education	1	0	0	2	0	1	0	1	0	1	1	1	8	9	7
HEALTH ED LYME DISEASE	20	15	10	0	0	0	0	0	0	12	25	20	102	94	96
HEALTH ED WEST NILE	20	15	10	0	0	0	0	0	0	0	25	20	90	29	96
HEALTH ED EEE	20	15	10	0	0	0	0	0	0	0	0	0	45	29	96
HEALTH ED FLU	0	0	25	55	44	25	50	22	0	0	0	0	221	132	424
FIRST AIDE	2	1	2	4	0	2	3	2	3	2	3	5	29	66	52
GENERAL HEALTH EDUCATION	15	12	14	15	22	26	27	21	18	15	25	20	230	157	117
Police weights	0	0	0	0	9	10	0	0	0	0	11	4	34	31	22
TOTAL EMPLOYEE CONTACTS	95	70	83	111	114	92	92	46	31	41	101	105	981	825	1178

EMERGENCY PLANNING

NC7 Meeting

Region 4B Monthly Meeting in Canton

Emergency Supply Pick up in Dedham – Canopy, Bite Lab

Emergency Response Site visit with Tim – Eliot School – Freon Leak

Meetings, Events, and Trainings

<i>Title</i>	<i>Description/Highlights/Notes/Etc.</i>
BOH Meeting	Monthly Updates
MAPHN Meeting	PH Nurses meeting in Hingham – Melanoma
DVAC Meeting	Planned and facilitated DVAC Meeting
Sanofi Pasteur Rep Meeting	Meeting with Representative regarding next year's flu vaccine
MERS COCA Call	Clinician outreach & Communication Activity (COCA) call on MERS
TB Webinar	MDPH regarding TB Education Materials
CPR Class	Taught 2 CPR Classes with Lt John Kraemer 18 employees certified



NEEDHAM PUBLIC HEALTH



To: Needham Board of Health
From: Emily Pasco-Anderson, Intern
Date: July 9, 2015
Re: Monthly Report

June, being my first full month at work as an intern for the Needham Public Health Department, has exposed me to an array of different facets of the public health field. I have composed a brief memo of a few of my work experiences throughout the month.

Fine Particle Emissions

I was assigned to a long-term research project looking at a study done by Doug Brugge, *Highway proximity associated with cardiovascular disease risk: the influence of individual-level confounders and exposure misclassification*. This published work will hopefully be used as supporting evidence to restrict development companies from building low-income housing near major roadways, as micro and fine particle emissions have been shown to have adverse health effects. I have reviewed his work, as well as the concerns that the Needham Public Health Department has involving this issue, and will continue to find more information through other studies done across the country.

MetroWest Adolescent Health Survey

Rachel and I both reviewed the 2014 MWAHS surveys from Pollard Middle School as well as Needham High School, compared the data to previous years, and compiled and presented trends found to be most notable in a short memo written to the board of health. Some of the information we discussed included e-cigarette smoking rates, perceived risks, mental health/body image, driving under the influence, and drug use.

First Responders Outreach Program

I have had the privilege to work with Carol on building the basis for an outreach program that will target Needham residents who are frequently aided by first responders for domestic violence, mental health, or drug overdose issues. This program will provide those individuals with information and resources that may have not otherwise been easily accessible. My responsibility for this project has been to review similar programs in other towns and identify which co-ops or partnerships are being used so that Needham can create similar practices.

Other Opportunities

- I was able to shadow Rachel and Tara on two inspections (one at the Rosemary Pool, and another at the TripAdvisor building)
- Formatted a pamphlet for the Opioid forum
- Currently editing an article on Rabies for Donna
- Currently researching tanning regulations for Donna

Needham Health Department
Rachel Massar, Public Health Intern
June Monthly Report

Section 1: Summary

During the month of June, I worked on projects including the Needham Farmers Market, the MetroWest Adolescent Health Survey data, a Health Matters article, researching online permitting and inspection, researching restaurant grading, and editing the BOH Tobacco Regulation.

Section 2: Activities

<i>Activity</i>	<i>Notes</i>
Needham Farmers Market	Conducted weekly inspections of Needham Farmers Market food vendors on 6/7, 6/14, 6/21, 6/28. There are currently 13 permitted food vendors. Created and distributed food safety handout to vendors.
MetroWest Adolescent Health Survey	Worked with Emily on reviewing and summarizing key data from the survey results in a memo to the BOH.
Health Matters article	Wrote a Health Matters article titled "Pesticides in Produce: Are Organics Worth the Splurge?" for Needham Times.
Online Permitting and Inspections	Researched and reviewed online permitting and inspection software used by other municipalities.
Restaurant Grading	Researched restaurant grading systems in other towns and cities.
BOH Tobacco Regulation	Worked with Tara to research the latest Sample Tobacco Regulations provided by Tobacco Control Director, D.J. Wilson. Edited BOH Tobacco regulations to strengthen regulatory language surrounding sampling and wrote memo.

From: [Tara Gurge](#)
To: [Timothy McDonald](#)
Subject: Animal variances
Date: Wednesday, July 22, 2015 4:26:26 PM

Tim -

Update on Animal Variances to be presented at July BOH meeting to review with BOH –

- # 50 Richardson Dr. – We issued this owner, Mrs. Vicki Krupp, a permit to keep 4 chickens on her property. She would like to request a variance to keep an additional 4 more, for a total of 8. (Also - Danielle checked out her coop and she verified that her current coop can accommodate more than that, so there is plenty of room.) She's in process of mailing out certified mail letters to all her abutters on this proposal. She will have all the green certified mail cards back by the July meeting.
Variance request – To keep an additional unit of chickens (4 chickens) on her property.
- # 674 Webster St. – We received a request from owner, Katy Dirks, to keep 2 miniature horses and 7 chickens on site. She is requesting a number of variances to accommodate this proposal. See below:

Variance Requests:

- o Needs a variance for a 30 foot setback from the side lot lines (both sides). NOTE: Owner reports that she is in the process of moving the section of fence to increase the distance from her neighbor that had the odor complaint to the mini horses. This is to be completed shortly when she returns back from vacation on the July 26th. (Will need to conduct a follow-up inspection to verify the setback distance for this variance request, once the fence is relocated);
- o Needs a variance not having minimum property size requirement of at least an acre per large animal. (She has .8 acres);
- o Needs a variance to keep an additional 3 chickens on her property, for a total of 7 (Since one unit is equal to 4 chickens);
- o Needs a variance to keep 2 mini horses, since our current regulations allow a unit which is one horse;

Background- An initial site visit was conducted with Tim and Danielle. Animals were present. The existing barn and paddock currently can accommodate these animals. Danielle was satisfied with the set up. Her existing paddock and animal enclosure for her 2 horses is right on the neighbors' property line. And in reference to her chickens, she is planning on housing them in her existing barn, which is also right on the other neighbors' property line. She assured me that all her neighboring abutters are well aware of her plans for keeping these animals, and she states that they have no problem with this proposal. We have already received 2 letters from her abutting neighbors in support of her request. I also told her that as part of our variance review process, she will need to send out, via certified mail, these variance requests to each abutter to give them a chance to contact us if they have any concerns with this proposal. She will have all the green certified mail cards back by the July meeting.

And I also checked with the Building/Zoning Building Dept. regarding this proposal. I explained our variance process in notifying the neighbors, etc., and David Roche thought that was a good way to have her abutters have their say one way or another.

Due to recent complaint from her neighbor re: odors from the horses, the owner has done the following: (SEE FOLLOW UP EMAIL BELOW) --

From: Dirks, David [mailto:davidd@mcm.com]
Sent: Tuesday, July 07, 2015 5:36 PM
To: Tara Gurge

Cc: Katy Dirks (katydirks@verizon.net)
Subject: Follow-up Requests

Hi Tara,

Katy and I wanted to respond to your email of June 26th regarding the questions you received from Ed Glennon. We have also since been in touch with Ed again, and believe his concerns have been addressed. Here are the answers to your specific questions:

- Are you cleaning and maintaining the horse corral on a frequent and routine basis? How often do you rake the corral/remove soiled bedding, etc.?

We clean the paddock at a minimum three times per day (morning, midday, and evening), removing all manure and putting it into airtight containers. The wood shavings in the shelter are replaced weekly (they spend relatively little time in the shelter).

Can you relocate your animals further away from this neighbors' property line to increase the distance between the animals and his property line? (NOTE: The BOH may require this at your hearing, in order to meet the Animal Permit regulation setback requirements, which are 30 feet from the property line, and 50 feet from an abutter's dwelling.)

We have reorganized the paddock to block off the area that abuts the Glennon's property and installed a fence to prevent the minis from accessing this rear portion of the paddock.

Currently, the distance from the end of the paddock to the Glennon's property line is still less than 30 feet so a variance is still being requested, but the paddock is no longer abutting any of their property.

Can you provide receipts of your recent manure pick-ups for our review?

We have not been requesting weekly receipts from the company, but we have maintained a contract with Recycle Unlimited Inc./Sam White in Medfield and manure is delivered there every week. We are attaching a letter/invoice which we requested from them to show that we have continuously delivered manure since May 1st. The contact at Sam White said that you are welcome to call him to verify that we deliver manure there weekly (we check in at the desk at each visit, but only pay monthly – the fee is \$20 a month, or \$10 per two week period).

-

Why are these odors present?

The odors are not noticeable on most days, but on very hot and humid days, there is an odor despite the regular removal of manure. We have since began treating the area with Lyme to mitigate the smells as well as using sprinklers to remove any urine odors which were previously untreated. We have also blocked off the paddock as described above. Finally, we are having the first floor (below the neighbor's ground level) of the barn finished so that they can be kept there at night and for feedings – thereby requiring the paddock only for exercise during the day.

- Have you agreed to board the horses at another location over the summer due to these odor concerns?

Yes. The minis were delivered to a farm in Sherborn today July 7, 2015. They will be boarded there during the hot summer months (until early September). We intend to repeat this arrangement every summer.

Finally, just for your information, we are attaching below the text of an email we sent to the

Glennons on June 28th to reassure them of the improvements we have made.

Please let us know if there is anything else you need.

- Dave and Katy

Thanks,

Tara

TARA E. GURGE, R.S., C.E.H.T., M.S.
ENVIRONMENTAL HEALTH AGENT
Needham Health Department
1471 Highland Avenue
Needham, MA 02492
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NEEDHAM PUBLIC HEALTH



Memorandum

To: All Bodywork Establishments/Therapists
From: Timothy Muir McDonald, Director of Public Health
Tara Gurge, Environmental Health Agent
Date: July 20, 2015
Re: Draft Bodywork Regulation Review at Board of Health Public Hearing

The Town of Needham currently has no regulations governing the cleanliness and proper operation of both Bodyworks establishments and Bodyworks practitioners. To insure minimum standards for operation and to maintain appropriate levels of cleanliness and hygiene as well as staff and customer health and safety, the Board of Health requested that its Public Health Department staff review current Massage/Bodywork regulations at the state-level and at many cities and towns, as well as the history of regulations of massage parlors and massage therapists in the Commonwealth.

In 2006, the Commonwealth of Massachusetts adopted two new sections into the General Laws of the Commonwealth, creating a new state Massage Therapy Board and providing it with powers and duties to administer and enforce the licensure and practice of massage therapy. This revision preempted cities and towns from licensing and regulating massage parlors and massage therapists. This was clarified in a memo from Charles Walker, Jr., General Counsel, with Division of Professional Licensure, dated January 30, 2008. Subsequently, cities and towns were provided a list of practices that they may regulate at the local level, here referred to as Bodywork. (See enclosed document.)

The Commonwealth of Massachusetts currently licenses and regulates establishments and individual therapists that offer strictly massage. The Commonwealth does not regulate “bodywork”, thus in 2008 a loophole was created which allowed “Body Work Services” to operate in Massachusetts without governmental oversight. Due to potential sanitary and public health and safety concerns, the Needham Board of Health is considering the enactment of a set of Bodywork Regulations to ensure that these service establishments and individual therapists are reviewed, inspected, and properly overseen at the local level.

According to our research to date, certain professionals are exempt from regulation beyond what they are already regulated for, such as: Any physician, athletic trainer, barber, cosmetologist, chiropractor, osteopath, nurse, physical therapist, occupational therapist, massage therapist or acupuncturist operating within the scope of his/her Commonwealth of Massachusetts license or registration and not representing him/herself as a bodywork therapist is exempt from further regulation. For example, if your facility practices massage and another form of bodywork, the Board will be regulating the bodywork operations only, not massage as that is overseen by the State.

The Needham Board of Health shall conduct a Public Hearing to review the proposed Draft Bodywork Regulations. The Public Hearing will take place on **Wednesday, July 29th, at 6:00 p.m. in the Town's Public Service Administration Building, Charles River room, 500 Dedham Avenue, Needham.** We

encourage you to attend the Public Hearing to hear the proposed regulation, and to express any questions, comments, or concerns that you may have.

Please share this memo with your fellow therapists, and spread the word about the July 29th Hearing. We welcome everyone's comments and feedback and look forward to working with you throughout this new regulation development process. If you have any questions on this proposal, please call the Health Department at (781) 455-7500, Extension 511. And if you would like to register your questions, comments, or concerns in writing, please send them to either:

Postal Mail: Needham Public Health Department
 1471 Highland Avenue
 Needham, MA 02492

Email: healthdepartment@needhamma.gov

In order for your questions, comments, or concerns to receive consideration by the Board of Health at the hearing, they must be received by no later than 12:00 noon on Wednesday July 29, 2015.

Enclosures – Division of Professional Licensure Memo
 Draft Bodywork Regulations



DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

DANIEL O'CONNELL
SECRETARY OF HOUSING
AND ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Professional Licensure
239 Causeway Street • Boston • Massachusetts • 02114

DANIEL C. CRANE
DIRECTOR, OFFICE OF
CONSUMER AFFAIRS & BUSINESS
REGULATION

GEORGE K. WEBER
DIRECTOR, DIVISION OF
PROFESSIONAL LICENSURE

January 30, 2008

**RE: Preemption of local boards of health from licensing and regulating
massage therapists under M.G.L. c. 140, § 51**

Dear Municipal Health Authority:

It has come to the attention of the Division of Professional Licensure ("DPL") and the Board of Registration of Massage Therapy ("the Board") that there is some confusion among several of the local boards of health regarding the applicability of the recently enacted massage therapy statutes to the cities' and towns' abilities to license and regulate massage therapists. As the General Counsel of the DPL, I am writing this letter to clarify and reiterate the DPL's and the Board's position that local boards may no longer grant licenses and/or regulate the massage therapy field pursuant to M.G.L. c. 140, § 51. Under new legislation enacted in 2006, local boards of health are now **preempted** from licensing and regulating massage therapists.

On June 27, 2006, the State Legislature enacted Chapter 135 of the Acts of 2006, "An Act Relative to the Licensure of Massage Therapists." This legislation amended M.G.L. c. 13 to add two new sections, sections 98 and 99. M.G.L. c. 13, § 98 creates the new state Massage Therapy Board. M.G.L. c. 13, § 99 provides the Board with the following exclusive powers and duties:

*"...to administer and enforce sections 227 to 236, inclusive, of chapter 112; (ii) to **adopt rules and regulations governing the licensure of massage therapists, the practice of massage therapy and the operation of massage schools to promote the public health, welfare and safety of citizens of the commonwealth**; (iii) to establish standards of professional and ethical conduct; (iv) to establish standards for continuing education reflecting acceptable national standards; and (v) to investigate complaints, conduct inspections, review billing and treatment records and set and administer penalties as defined in sections 61 to 65E, inclusive, and sections 232 to 236, inclusive, of chapter 112 for fraudulent, deceptive or professionally incompetent and unsafe practices and for violations of rules and regulations promulgated by the board."*

Prior to the enactment of Chapter 135 of the Acts of 2006, the boards of health were given express authority to regulate and license the massage therapists and the massage therapy establishments located in their respective cities and towns under M.G.L. c. 140, § 51. Specifically, M.G.L. c. 140, § 51 stated that "No person shall practice massage...or advertise or hold himself out as being engaged in the business of massage...without receiving a license therefore from the board of health of the town where said occupation is to be carried on..." Chapter 135 of the Acts of 2006, however, amended M.G.L. c. 140, § 51 by striking out the above referenced language and replacing it with express language that "**No person shall practice massage therapy unless licensed in accordance with sections 227 to 236, inclusive, of chapter 112.**" The statute further states that "**Local boards of health may regulate other fields not licensed as massage therapy under said sections 227 to 236, inclusive, of said chapter 112.**"



Given the unambiguous language of Chapter 135 of the Acts of 2006, it is clear that the state Legislature intended to create a uniform system of licensure and regulation of massage therapists throughout the Commonwealth to replace the existing system of regulation that differs from town to town. Consequently, by the clear terms of Chapter 135 of the Acts of 2006, the state has expressly preempted the field of licensure and regulation of massage therapists. Cities and towns are no longer authorized through their local boards of health or otherwise, to issue massage therapy licenses and/or regulate the field.

Please do not hesitate to contact my office in the event that you have any questions or comments, or wish to further discuss this matter. I am also more than happy to speak to your town counsel or city solicitor regarding any aspect of this correspondence.

Very truly yours,

A handwritten signature in blue ink, appearing to read "C. Walker, Jr.", with a stylized flourish extending to the right.

Charles E. Walker, Jr.
General Counsel



Board of Health

Timothy McDonald, MPA
Director of Public Health

1471 Highland Avenue
Needham, MA 02492
www.needhamma.gov/health

Phone: 781-455-7500 ext 511
Fax: 781-455-0892
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ARTICLE XYZ

REGULATIONS GOVERNING THE PRACTICE OF BODYWORK

SECTION 1.0 PURPOSE

The purpose of these regulations is to protect the public health and safety of the community, including the patrons, employees, and owners of commercial businesses offering legitimate services such as Bodywork Therapy, Reflexology, Spa Services, and others. The scope of these Regulations is broad and includes provisions designed to ensure legitimate operations and to guard against the risk of prostitution, human trafficking and disease transmission.

It is the Board of Health's intent that only an individual who meets and maintains a minimum standard of competence and conduct within their scope of professional practice may provide services to the public. These Regulations designate the requirements for obtaining a permit to operate a bodywork establishment and permit to practice bodywork, as well as grounds for suspension, revocation or denial of such a permit.

SECTION 2.0 AUTHORITY

These regulations are adopted by the Needham Board of Health, pursuant to its authority under Massachusetts General Laws, Chapter 111, Section 31.

SECTION 3.0 DEFINITIONS

Agent: shall mean a person employed by the Town of Needham who is authorized by the Board of Health to perform functions subject to these regulations.

Applicant: shall mean an individual or entity seeking licensure who has submitted an official application as provided by the Needham Public Health Department, two forms of identification, a complete CORI/SORI record request form, and has paid the application fee.

Application: shall mean the application form provided by the Needham Public Health Department which has been signed under penalty of perjury, that the foregoing information contained in the application is true and correct, said declaration being duly dated, signed, and notarized within the Town.

Bodywork: shall refer to practices including, but not limited to: Accupressure, Asian Bodywork, AMMA Therapy®, Body-Mind Centering, Chi Nei Tsang, Feldenkrais Method, Five Element Shiatsu, Integrative Eclectic Shiatsu, Japanese Shiatsu, Jin Shin Do®, Korean Bodywork, Bodymind Acupressure™, Polarity, Macrobiotic Shiatsu, Reflexology, Reiki, Rolph Structural Integration, Shiatsu Amma Therapy, Traditional Thai Massage or Bodywork, Trager Approach, Tui na, Qi Gong, Zen Shiatsu, Ayurvedic medicine or other practices as they become known.

Criminal Offender Record Information (CORI): shall mean a record of criminal offenses committed as an adult or juvenile, as compiled by the Criminal History Systems Board.

DEPARTMENT: unless otherwise specified, shall mean the Needham Public Health Department acting in its role as the agent for the Needham Board of Health.

Establishment: shall mean any location, or portion thereof, in the Town of Needham which advertises and/or provides bodywork therapy services on the premises. Any health care facility licensed by the Commonwealth of Massachusetts or the office of any health care professional licensed by the Commonwealth of Massachusetts is not an establishment for the purposes of these regulations. In addition, bodywork establishments shall not be located in a private residence, condo, apartment, or other residentially zoned space.

Licensee: shall mean a person holding a license to practice any form of bodywork therapy or to operate a bodywork establishment in the Town of Needham. Where applicable, this shall include partnerships and/or corporations.

Patron: shall mean a person with whom the bodywork therapist has an agreement to provide bodywork therapy services or a visitor or any other person on premises at the establishment who is not an employee.

Sanitization: shall mean effective bactericidal/germicidal treatment by a process that provides enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial/germ count, including bacterial, viral, and fungal pathogens, to a safe level on massage table surfaces, instruments, and/or the general facility.

Sex Offender Registry Information (SORI): shall mean a record of convictions for specified sexual offenses committed as an adult or juvenile, as compiled by the Sex Offender Registry Board.

Therapist: shall mean a bodywork practitioner licensed by the Needham Public Health Department.

SECTION 4.0 BODYWORK ESTABLISHMENT & INDIVIDUAL BODYWORK THERAPIST LICENSES

Any person or entity desiring to open or conduct a commercial business practicing Bodywork Therapy shall obtain a Bodywork Establishment License from the Needham Public Health Department. Any person desiring to be a bodywork therapist at a Bodywork Establishment shall obtain an Individual Bodywork Therapist License. The application for these licenses shall include the items specified herein:

(a) The applicant shall submit a completed application form provided by the Needham Public Health Department.

(b) The applicant shall submit a non-refundable application fee according to the Health Department fee schedule.

(c) The applicant shall provide supporting documentation that he/she is eighteen (18) years of age or older by presenting two forms of positive identification. One form must include a photograph, such as a valid state driver's license with photo, a state identification card with photo, and/or a valid passport. The second form of ID may be a certified long-form birth certificate, certified baptismal record, certified record of marriage, certified copy of Social Security Card, or other government-issued photo ID.

(d) The applicant shall submit to the Needham Public Health Department a form authorizing the Town of Needham or a contracted third party to conduct a Criminal Offender Record Information (CORI) inquiry and a Sex Offender Registry Information (SORI) inquiry, and to report the results of those inquiries to the Needham Public Health Department. All responses to these record checks shall be kept confidential. By signing the application or renewal form, the applicant gives authorization to the Town of Needham or its contracted third party to run a CORI/SORI background check, which will consist of the information pertaining to all convictions, non-convictions, and pending criminal case information. CORI and SORI checks may be conducted in all states in which the applicant has resided within the last ten (10) years.

(f) The applicant shall disclose the circumstances surrounding any of the following convictions or license revocations:

1. Disclosure of any conviction for any sexual-related offense, including prostitution or sexual misconduct.
2. Disclosure of any conviction of any misdemeanor or felony occurring within the past ten (10) years.
3. Disclosure of open criminal charges that are pending judicial action.
4. Revocation, suspension, or denial of a license to practice massage issued by any state or municipality.
5. Loss or restriction of any licensure or certification by any municipality or other jurisdiction for any reason.

(g) The Needham Police and the Needham Public Health Departments shall determine whether an applicant's conduct, criminal or otherwise, shall disqualify that person from obtaining license. Any convictions or license revocations as outlined in Section 14.0, Sub-Section 6, a through d will result in an automatic denial of the application.

(h) The applicant shall submit written declaration, under penalty of perjury, that the foregoing information contained in the application is true and correct, and said declaration shall be duly dated, signed, and notarized in the Town. False statements shall constitute grounds for revocation of an issued license or denial of a pending license application or license renewal.

(i) The Needham Public Health Department, prior to the issuance of any license, shall evaluate each individual application by the information provided. The Board of Health or Public Health Department may place special conditions on any license issued.

- (j) False statements in said application shall be grounds for denial, suspension, or revocation of a license.
- (k) Applicants for a Bodyworks Establishment License shall provide proof of professional liability insurance with a minimum coverage level of \$1,000,000, as well as workers compensation insurance.
- (l) Applicants for a Bodyworks Establishment License shall provide the name or names of individuals that are currently certified in basic cardiopulmonary resuscitation (CPR) and a copy of their valid certification form. One individual trained in CPR must be on-site at all times during operating hours.
- (m) The holder of the Bodywork Establishment License shall be ultimately responsible for the physical facility, instruments, advertising, postings, employees, and all compliance with these regulations.
- (n) The holder of a Bodywork Establishment License shall also obtain an Individual Bodywork Therapist License, if the individual will conduct bodywork. An establishment license does not permit the person to practice without a therapist license.
- (o) All applicants for an Individual Bodywork Therapist License shall allow one front faced digital photograph to be taken by the Needham Public Health Department at the time of license application submittal. This photograph will be attached to the license, if granted.
- (p) All applicants for an Individual Bodywork Therapist License shall obtain a physician's letter dated no earlier than six months prior to the submittal of the application, stating that the applicant has had a physical examination and to the best of the physician's knowledge is up-to-date with adult immunizations and free from communicable diseases and/or conditions that may be transmitted due to close physical contact and detrimental to the public's health.
- (q) All Individual Bodywork Therapist License applicants must identify the name(s) of the licensed establishment(s) where he or she will practice bodywork therapy. In addition, a license holder shall notify the Needham Public Health Department if the individual changes employment venue within the town.
- (r) It is a violation of these regulations for any person who is not licensed in the manner described herein to operate a Bodywork Establishment or to operate as an Individual Bodywork Therapist.

SECTION 5.0

LICENSE RENEWAL

- (a) This license shall expire on June 30th annually.
- (b) The applicant shall provide his/her completed renewal application, including new physician's letter and CORI form authorization and all required documentation, in person to the Needham Public Health Department.
- (c) The fee for each license renewal shall be in accordance with the most recent Health Department fee schedule.

SECTION 6.0

CONDITIONS OF BODYWORK LICENSE

- (a) No bodywork therapist shall perform services if either the practitioner, or a patron, has a communicable disease or exhibits any skin fungus, skin infection, skin inflammation, or skin eruption.

(b) No licensed therapist shall use the therapist-client relationship to solicit for or engage in sexual activity with any client, whether consensual or otherwise, whether within or outside the massage establishment, or to make arrangements to engage in sexual activity with any client.

(c) Bodywork therapists must wash his/her hands with soap and water immediately before and after administering services to any person.

(d) Therapists must maintain a sufficient level of personal cleanliness and be clothed in clean and appropriate attire which at no time will expose any portion of the areola of the female breast or any portion of the pubic hair, cleft of the buttocks, or genitals.

(e) Clients must be clothed in appropriate attire or draped with clean towels, at no time shall the client's areola of the female breast or any portion of the pubic hair, cleft of the buttocks, or genitals be exposed.

(f) Therapists may not perform services they are not specifically licensed to perform, such as; diagnose disease, perform joint/spinal manipulation, perform acupuncture, or other. In addition practitioners shall not operate equipment they are not trained or licensed to operate, such as; x-ray, fluoroscope, diathermy, or other similar equipment.

(g) Therapists may not use, or allow patrons to use, alcoholic beverages, illegal drugs, illicit drugs, marijuana, whether for medical or recreational usage, or controlled substances on the licensed premises.

(h) The individual license to conduct bodywork ~~or and the~~ bodywork establishment license ~~is are~~ non-transferable. Any changes in the business location or other applicable information of the licensee must be reported to the Needham Public Health Department within fourteen (14) days of the change.

(j) For those therapists who conduct business at more than one location, the original license shall be ~~posted-retained on file~~ at the first address indicated on the license. At the additional business address, the practitioner shall retain on file ~~post~~ a copy of the license to which an original Needham Public Health Department stamp has been placed.

(k) Bodywork establishment licenses therapists ~~must be prominently displayed their licenses~~ in the waiting room of the ~~licensed~~ establishment; licenses for individual bodywork practitioners shall be retained on file in all locations at which the individual practices bodywork. ~~where employed.~~

(l) The use of aliases by practitioners and apprentices is prohibited.

(m) Therapists may not administer a massage, unless the individual is properly licensed by the Massachusetts Board of Registration of Massage Therapy AND the premise at which the massage occurs is similarly licensed by the Commonwealth for the conduct of massage.

~~(n) Therapists may not administer treatment to a person younger than 18 years of age.~~

(o) All therapists shall have a valid form of identification on them at all times within the establishment.

(p) All bodywork practitioner licensees shall notify the Needham Public Health Department of a change of name and/or home address within fourteen (14) days.

(q) All licensees shall notify the Needham Public Health Department of any criminal complaint brought against them or licensed practitioners operating within their establishment within seven (7) days. Failure to do so may result in revocation of licensure.

SECTION 7.0 FACILITY and EQUIPMENT

(a) The operator shall provide that all public areas, rooms used for therapy, and employee areas are clean and sanitary. The establishment must be well-lighted, adequately ventilated, properly heated, and free from defects that would create a public health or employee safety hazard in accordance with all local, state, and federal regulations.

(b) Every room used for the treatment of patrons shall be equipped with a door and have at least 70 square feet of floor space. All treatment room doors shall not be capable of being locked.

(c) No room or section ~~to~~of an Establishment shall be used as a bedroom, for sleeping purposes, or as a domicile.

(d) Every waiting room area must be lit with a combination of natural and artificial lights. Blackout curtains, other light prohibitive shades, or window sprays are prohibited.

(e) Standard or portable massage tables shall be covered with a durable washable material, which is capable of being cleaned and sanitized, and is cleaned and sanitized after each patron use.

(f) A sink with running hot and cold water (minimum hot water temperature should be 110 degrees Fahrenheit) must be located in an easily accessible area within the permitted establishment.

(g) Sanitizing chemicals/equipment should be on site and labeled with ingredients it contains, in case of a spill. All furniture and equipment in each room shall be kept clean and sanitary at all times.

(h) Restrooms must be made available to customers/employees and shall be located in an easily accessible area within or near the permitted establishment.

(i) Non-disposable instruments shall be sanitized after use on each person in a manner sufficient to maintain cleanliness

(j) The facility shall have adequate equipment for disinfecting and sanitizing non-disposable instruments and materials used in administering bodywork.

(k) No un-sanitized part of an instrument (i.e. Hot Stones) shall be applied directly to the skin of a patron.

(l) Robes, towels, cloths, or other linens, which come into direct contact with the bodies of patrons, shall, after use and before re-use, be laundered in such a manner as to ensure effective sanitization.

(m) No common use of robes, towels, cloths, sheets, or other linens is permitted. All used robes, towels, cloths, or other linens shall be kept in covered containers, closed cabinets, or closed bags and shall be held separately from clean robe, towel, cloth or linen storage areas. Such separate storage areas shall be plainly marked as "CLEAN" OR "SOILED".

(n) All oils, creams, lotions, talc, or other preparations used in administering bodywork shall be kept in factory labeled containers in a clean and closed condition. All such containers shall be stored in appropriate cabinets or shelving.

(o) All non-disposable instruments and devices designed or used for direct application to the skin shall be kept in a clean location.

(p) Ensure non-latex gloves are available on site. If latex-containing products are to be used, a sign shall be conspicuously posted stating all clients shall be advised that latex containing products are in use.

(q) Conducting bodywork therapy shall be limited between the hours of 7:00 a.m. and 9:00 p.m.

(r) Patrons shall be granted access to inspect all oils, creams, lotions, talc, or other preparations treatment substances before use on the individual.

(s) The facility shall have a conspicuously placed sign in the lobby which reads “Report any inappropriate or unsanitary conditions to the Needham Public Health Department at (781) 455-7500 or to the Needham Police Department at (781) 444-1212. In the event of an emergency, please immediately call 9-1-1.”

(t) No items of sexual nature may be stored or displayed within the establishment or on the grounds.

(u) Smoking of any kind is prohibited within a bodywork establishment or on the grounds, thereof.

(v) One individual trained in basic cardiopulmonary resuscitation (CPR) must be on-site at all times during operating hours.

(w) A Department of State – “Know Your Rights” pamphlet and other educational material as deemed necessary by the Public Health Department shall be displayed prominently in employee areas, in English and also in all languages spoken by on-site personnel.

(x) No bodywork facility shall install a shower or other home good that would allow the employees of such establishment with the ability to live at the facility.

SECTION 8.0 ADVERTISING

Bodywork therapists and owners of such establishments shall be mindful of professional ethics when placing advertisements. Advertising in periodicals, newspapers, or on-line in a sexual or provocative manner (i.e. pictures or language) to promote business may be construed as a violation of the proper standards of bodywork and will result in the revocation of the license. Please see Article 5 of the Town of Needham’s Bylaws for the article regulating Signs for further information.

SECTION 9.0 DEPARTMENT OF STATE – KNOW YOUR RIGHTS PAMPHLET

Any place of employment that is thought to be a common location of human trafficking, as reported by the National Human Trafficking Resource Center, shall conspicuously post a Department of State – Know Your Rights Pamphlet in a commonly visited employee information posting area. The pamphlet must be available in both English and the primary language of all employees.

As of the date these regulations are enacted, common human trafficking employment locations shall include hotels, nail salons, restaurants, bars, strip clubs, farm labor camps, construction companies, large factories, and bodywork establishments defined herein.

The Needham Public Health Department has the right to include more business locations that are common locations for human trafficking as they become known to the Needham Public Health Department, Needham Police Department, or the National Human Trafficking Resource Center.

This pamphlet is available free of charge at the following web address:

<http://travel.state.gov/content/visas/english/general/rights-protections-temporary-workers.html>

SECTION 10.0 INSPECTIONS

- (a) The purpose of inspections is to verify the compliance of these regulations.
- (b) Denial of access to any part of an establishment, by the licensee, by a bodywork therapist, or an employee may result in immediate revocation/suspension of the license.
- (c) Applicants will be subject to a minimum of two inspections by the Needham Public Health Department, Needham Police Department, or their authorized agents over the course of the fiscal year. One inspection may be announced to the facility prior to the visit and one or more inspections may be unannounced, where an agent visits without prior notification to the facility.
- (d) Re-inspection shall take place when an establishment does not pass an inspection. The applicant shall submit an application for re-inspection, which shall include:
 - 1. A correction plan to be submitted to the Needham Public Health Department within five (5) business days of the initial inspection.
 - 2. If more than one re-inspection is required, re-inspection fees of \$50 by check or money order made payable to the Town of Needham.
 - 3. A re-inspection application must be submitted to the Needham Public Health Department in writing.

SECTION 11.0 DISCIPLINARY ACTIONS, ORDERS AND HEARINGS

A. Actions - Upon a finding by an agent that a licensee has violated any provisions of these regulations, the Needham Public Health Department and/or the Board of Health may impose any of the following actions separately or in any combination which is deemed appropriate to the offense:

- 1. Suspension of a licensee's right to practice or maintain an establishment for a fixed period of time, or denial of a license application or license renewal.
- 2. Administrative revocation for failing to renew licensure in a timely manner. Licenses that have been administratively revoked may be reinstated upon the licensee's achievement of all the renewal requirements of these regulations. The license will expire if there is no renewal and the therapist will be considered to not have a license until the renewal requirements are achieved and a license is renewed or (re)issued.

3. Revocation for cause which terminates the license. The Needham Public Health Department and/or the Board of Health may allow reinstatement of a revoked license upon conditions and after a period of time deemed appropriate. Any person whose license has been revoked may not apply for licensure for at least one (1) year unless otherwise stated in the revocation order.

B. Orders

1. All orders shall be in writing.
2. Orders shall be served on the licensee or licensee's agent as follows:
 - by sending a copy of the order by certified mail, return receipt requested at the last known address or the address appearing on the license, or
 - personally, by any person authorized to serve civil process, or
 - by posting a copy in a conspicuous place on or about the establishment.

C. Hearings

1. The person to whom any order or notice has been issued pursuant to violations of any provision of these regulations may request a hearing before the Board of Health. Such a request must be in writing and shall be filed with the Needham Public Health Department within five (5) working days of receipt of the order or notice.

Upon receipt of such request, the Board of Health or its agent shall inform the petitioner thereof in writing of the time and place of said hearing, which shall be commenced within a reasonable time.

2. At the hearing, the petitioner shall be given an opportunity to be heard, to challenge the inspection findings, and/or to show why the order should be modified or rescinded, or why the license should not be suspended or revoked. Any oral testimony given at a hearing shall be recorded electronically and shall be part of the licensee's file.

3. After the hearing, the Board of Health shall make a final decision based upon the complete hearing record and shall inform the petitioner in writing of the decision. If the Board of Health sustains or modifies an order, it shall be carried out within the time period allotted in the original order or in the modification.

4. Every notice, order, decision or other record prepared by the Board of Health in connection with the hearing shall be entered as a matter of public record in the Needham Public Health Department.

SECTION 12.0 PROHIBITIONS

(a) No person licensed by Needham Public Health Department to perform bodywork shall use the therapist-client relationship to solicit for, or engage in, sexual activity with any client, whether consensual or otherwise, whether within or outside the massage establishment, or to make arrangements to engage in sexual activity with any client.

(b) At no time shall a practitioner of bodywork therapy conduct any business, or list as a business, his/her home address. Additionally, at no time may clients be seen at the practitioner's residence or run a bodywork business as a door-to-door enterprise.

(c) At no time shall a practitioner of bodywork therapy run a business from a residence, condominium, hotel, motel, mobile home, or other residential setting.

SECTION 13.0 CRIMINAL ACTS

(a) At no time shall an individual offer, or agree to engage in sexual conduct, with another person for a fee per Massachusetts General Laws (M.G.L.) Chapter 272, section 53A.

(b) At no time shall a customer of an establishment request to receive, or agree to engage in, sexual conduct with another regardless of age per M.G.L. Chapter 272, section 53A.

(c) At no time shall an individual derive support or income from a prostitute's earnings per M.G.L. 272, section 7.

(d) At no time shall an individual induce a minor to become a prostitute or knowingly assist in inducing a person under the age of 18 to become a prostitute per M.G.L. Chapter 272, section 4A.

(e) At no time shall an individual knowingly permit prostitution on the premises per M.G.L. Chapter 272, section 6.

(f) At no time shall an individual intentionally expose his/her genitals or breasts to one or more persons per M.G.L. Chapter 272, section 53.

(g) At no time shall an individual annoy or accost in a sexual way per M.G.L. Chapter 272, section 53.

(h) At no time shall an individual engage in natural or unnatural sexual intercourse with a victim, by compelling the victim to submit by force and against her or his will, or by threat of bodily injury per M.G.L. Chapter 265, section 22(a) or 22(b).

(i) At no time shall an individual commit an "indecent" assault & battery which the victim did not consent to, regardless of age, per M.G.L. Chapter 265, section 13(b) or 13(h).

(j) At no time shall an individual secretly video or photograph naked or partially naked people, and at no time shall an individual disseminate secretly obtained videos or photographs of nude or partially nude individuals, per M.G.L. Chapter 272 section 105.

(k) At no time shall an individual provide or obtain another individual, or subject, recruit, entice, harbor, or transport, an individual by any means, in order to force him or her into servitude per M.G.L. Chapter 265, section 51.

(l) At no time shall an individual provide or obtain another individual, or subject, recruit, entice, harbor, or transport, an individual by any means, in order to force him or her into sexual servitude per M.G.L. Chapter 265, section 51.

SECTION 14.0 GENERAL ENFORCEMENT

These regulations may be enforced by the Needham Public Health Department and the Police Department and other departments or agencies supporting the Town of Needham, except that only the Public Health Department and/or Board of Health may grant, deny, revoke, suspend or modify permits or variances of these regulations.

The grounds on which the Public Health Department may deny renewal, revoke, suspended, or modify any permit or certification issued pursuant to these regulations include, but are not limited to:

- (a)** Refusal to permit an agent of the Public Health Department or other government official to inspect the facility;
- (b)** Interference with an agent of the Public Health Department or other government official in the performance of their duty;
- (c)** A criminal conviction of the license holder relating to the operation of the establishment;
- (d)** Failure of the license holder to submit the appropriate documentation;
- (e)** Failure to pay the required license fees or assessed fines or penalties;
- (f)** The establishment's owner, operator, or employee's failure to comply with these regulations;
- (g)** Committing a Prohibited or Criminal Act as outlined in this document.
- (h)** Keeping or submitting any misleading or false records or documents related to the operation of the establishment or practicing bodywork;

Otherwise operating a bodywork facility or practicing bodywork so as to cause a threat to the public health or safety shall cause suspension, modification, or revocation of license. Such action by the Public Health Department may include ordering other appropriate relief, including but not limited to, ordering corrections to the physical facility.

These regulations may be enforced through appropriate criminal or civil process, including but not limited to that specified at M.G.L .c. 40, section 21D, in any court of competent jurisdiction.

All criminal acts or violations of M.G.L. will be enforced by the Needham Police Department. In addition, the Needham Police Department or Public Health Department may issue fines per this ordinance on top of penalties assessed by the appropriate criminal court.

SECTION 15.0 FINES FOR VIOLATIONS OF ORDERS AND SUSPENSIONS

Any person or entity violating any term or condition of these regulations, or any Needham Public Health Department suspension or order enforcing these regulations, shall be subject to a fine for each violation of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) for each day that such violation continues.

SECTION 16.0 EXEMPTIONS

Pursuant to these regulations a professional practitioner license shall not be required of the following individuals while engaged in the regular performance of the duties of their respective professions:

- (a)** Physicians, chiropractors, osteopaths, occupational therapists or physical therapists who are licensed to practice their respective professions in the Commonwealth of Massachusetts.
- (b)** Athletic trainers duly licensed under the laws of the Commonwealth of Massachusetts.
- (c)** Nurses who are registered or licensed under the laws of the Commonwealth of Massachusetts.
- (d)** Barbers and beauticians who are duly registered under the laws of the Commonwealth of Massachusetts, provided that this exemption shall apply solely to the massage of the neck, face, scalp, and hair of the customer or client for cosmetic or beautifying purposes.
- (e)** Acupuncturists duly licensed under the laws of the Commonwealth of Massachusetts.
- (f)** Persons licensed to practice massage by any city or town in the Commonwealth of Massachusetts may, at the request of a physician, attend patients in the Town of Needham without taking out an additional license.
- (g)** Naturopathic Physicians who are duly licensed by a state or province.

SECTION 17.0 SEVERABILITY

If any chapter, section, paragraph, sentence, clause, phrase, or word of these regulations shall be declared invalid for any reason whatsoever, that decision shall not affect any other portion of these regulations, which shall remain in full force and effect; and to this end the provisions of these regulations are hereby declared severable.

SECTION 18.0 TRANSITIONAL RULES

Existing bodywork establishments, as well as, individuals who conduct bodywork shall submit applications for licensure to the Needham Public Health Department within sixty (60) days of passage of these regulations

SECTION 19.0 EFFECTIVE DATE

These regulations shall take effect as of October 1, 2015.

From: Bonnie Matross-Antoniou [mailto:bonnielmt@gmail.com]
Sent: Monday, July 27, 2015 10:25 AM
To: Health Department
Subject: Public Hearing re: Massage Therapists

To Whom It May Concern,

I am in receipt of the letter notifying me/us of the hearing set for this Wednesday, July 29th, with regard to the standardization of massage therapy practices in Needham, MA. I am unable to make the hearing, but I posted the information on our bulletin in our break room for my staff to see.

I read through proposed regulations, and it all sounds positive (it's regrettable that we may have a few additional fees for city licenses/permits, but I understand and respect the paperwork process involved). I like that it protects both client AND therapist.

My three thoughts/suggestions:

- 1) Please omit the word "parlor" from the language. That word carries connotations that this very hearing is trying to address and omit from the town of Needham. Professional massage therapists work in "practices", "studios", "spas", or "offices".
- 2) Section 6.0 part N seems unreasonable. We often work with student athletes and children dealing with injury or illness, etc. Our policy is that if the child is under 18, their parents must sign their intake form, and we always offer the parents the option to be in the therapy room with their child. We typically try to book children under 18 with a same-gender therapist, as well, though that is not a standing rule.
- 3) All of our therapists are licensed through the state of MA (many of whom hold the National Certification as well), but we do not display our licenses in the waiting area. There are 13 of us and it would simply be too cluttered to do so. Our individual massage license numbers are listed on our website, and my establishment permit license is up in the break room (I can certainly move that to the front if needed). I suspect this may be the case for many of the practices in our area.

Thank you for your time and effort to bring a higher degree of professionalism to our industry.

Best,

Bonnie Matross-Antoniou, LCMT
Owner
B In Touch Massage Therapy
1253 Highland Avenue
Needham, MA 02492
(617) 938-3824
www.BIntouchMassage.com

"How beautiful a day can be when kindness touches it." ~ George Elliston



NEEDHAM PUBLIC HEALTH



Memorandum

To: Timothy McDonald, Public Health Director
From: Tara Gurge, Environmental Health Agent
Rachel Massar, Public Health Intern
Date: July 6, 2015
Re: Updates to Needham Board of Health Tobacco Regulation

Here is a summary of the proposed Tobacco Regulation Updates for the upcoming July BOH meeting. Please see below:

The Needham Board of Health Tobacco Regulation has been very successful in dramatically lowering smoking rates as was recently highlighted by the EDC study results.¹ In order to continue this success, the Needham Board of Health must remain aggressive in regulating tobacco products as new trends such as e-cigarettes, also known as "vaping," become more popular. The Needham Health Department recently received an inquiry about the possibility of opening a vape shop in Needham that would offer in-store e-juice sampling. This inquiry revealed a need to strengthen regulatory language specifically concerning e-cigarette sampling.

After consulting with D.J. Wilson, Tobacco Control Director of the Massachusetts Municipal Association, we reviewed the most recent Sample Regulation Restricting the Sale of Tobacco Products released in June, 2015. The sample regulations include definitions and language which strengthen restrictions on tobacco and nicotine delivery product sampling, discounts, and require proper disposal of hazardous e-juice cartridges. These additions will proactively strengthen the Needham Board of Health Tobacco Regulation to account for the growing popularity of e-cigarettes, and ensure that the Town of Needham remains a leader in tobacco control and prevention. Attached is the Needham Board of Health Smoking Regulation with red-line edits that include new definitions, and additions to Sections 1.6, 1.8, and 1.9.

Sincerely,

Tara E. Gurge, R.S., C.E.H.T., M.S.
Environmental Health Agent

Rachel Massar
Public Health Intern

1. Schneider S, Buka SL, Dash K, Winickoff JP, O'Donnel L. Community reductions in youth smoking after raising the minimum tobacco sale age to 21. *Tob Control*. 2015.



Board of Health

Timothy McDonald, MPA
Director of Public Health

1471 Highland Avenue
Needham, MA 02492
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Fax: 781-455-0892
healthdepartment@needhamma.gov

ARTICLE 1 REGULATION AFFECTING SMOKING AND THE SALE AND DISTRIBUTION OF TOBACCO AND NICOTINE DELIVERY PRODUCTS IN NEEDHAM

SECTION 1.1 AUTHORITY

This regulation is promulgated under the authority granted to the Needham Board of Health under Massachusetts General Laws Chapter 111, Section 31 "boards of health may make reasonable health regulations."

SECTION 1.2 RATIONALE/PURPOSE

Whereas conclusive evidence exists that tobacco smoke causes cancer, respiratory and cardiac diseases, negative birth outcomes, irritations to the eyes, nose, and throat; and whereas the harmful effects of tobacco smoke are not confined to smokers but also cause severe discomfort and illness to nonsmokers; and whereas environmental tobacco smoke [hereinafter ETS], which includes both exhaled smoke and the side stream smoke from burning tobacco products, causes the death of 53,000 Americans each year (McGinnis JM, Forge W, "Actual Causes of Death in the United States", JAMA 1993 270:2207-2212); and whereas the Ninth Report on Carcinogens of the Public Health Service's National Toxicology Program classified secondhand smoke as a known human carcinogen (U.S. DHHS, 2000) and the International Agency for Research on Cancer (IARC) of the World Health Organization also classified secondhand smoke as a known human carcinogen (IARC-WHO, 2002); now, therefore, the Board of Health of the town of Needham recognizes the right of those who wish to breathe smokefree air and establishes this regulation to protect and improve the public health and welfare by prohibiting smoking in public places and workplaces.

Whereas more than eighty percent of all smokers begin smoking before the age of eighteen years (Centers for Disease Control and Prevention, "Youth Surveillance - United States 2000," 50 MMWR 1 (Nov. 2000)); and whereas nationally in 2000, sixty nine percent of middle school age children who smoke at least once a month were not asked to show proof of age when purchasing cigarettes (Id.); and whereas the U.S. Department of Health and Human Services has concluded that nicotine is as addictive as cocaine or heroin; and whereas despite state laws prohibiting the sale of tobacco products to minors, access by minors to tobacco products is a major problem.

Whereas many non-cigarette tobacco products, such as cigars and cigarillos, can be sold in a single “dose;” enjoy a relatively low tax as compared to cigarettes; are available in fruit, candy and alcohol flavors; and are popular among youth (CDC, 2009); and according to the CDC’s youth risk behavior surveillance system (2010), the percentage of high school students in Massachusetts who reported the use of cigars within the past 30 days went from 11.8% in 2003 to 14.9% in 2009; and in Massachusetts, youth use of all other tobacco products, including cigars, rose from 13.3% in 2003 to 17.6% in 2009, and was higher than the rate of current cigarette use (16%) for the first time in history (Data Brief, Trends in Youth Tobacco Use in Massachusetts, 1993-2009, Commonwealth of Massachusetts); research shows that increased cigar prices significantly decreased the probability of male adolescent cigar use and a 10% increase in cigar prices would reduce use by 3.4% (Effects of Public Policy on Adolescents’ Cigar Use: Evidence from the National Youth Tobacco Survey, Ringel, Wasserman & Andreyeva, 2005); and nicotine levels in cigars are generally much higher than nicotine levels in cigarettes (Cigar Smoking and Cancer, National Institute of Health, NCI, 2010).

Whereas, tobacco and Nicotine Delivery Products is currently sold in health care facilities such as pharmacies and drug stores and the sale of tobacco products and Nicotine Delivery Products is incompatible with the mission of health care facilities because it is detrimental to the public health and undermines efforts to educate patients on the safe and effective use of medication.

Whereas, educational institutions in the Town of Needham may also sell tobacco products and Nicotine Delivery Products to the younger population, which is particularly at risk for becoming smokers and the sale of tobacco products and Nicotine Delivery Products is also incompatible with the mission of educational institutions which educate the younger population about social, environmental and health risks and harms.

Whereas, there are certain tobacco products such as blunts that are frequently marketed and sold to the youth and are also known to be used as drug paraphernalia.

Now, therefore it is the intention of the town of Needham Board of Health to curtail the access to tobacco products and Nicotine Delivery Products by Needham youth.

SECTION 1.3 DEFINITIONS (As used in this regulation):

Adjacent: Contiguous or adjoining.

Blunt Wrap: A product comprised wholly or in part of tobacco that is manufactured as a wrap or a hollow tube designed to be filled by the consumer with loose tobacco or other fillers and then combusted and inhaled.

Board: the Board of Health of the Town of Needham.

Business agent: an individual who has been designated by the owner or operator of any establishment to be the manager or otherwise in charge of said establishment.

Cigar: Any roll of tobacco that is wrapped in leaf tobacco or in any substance containing tobacco with or without a tip or mouthpiece not otherwise defined as a cigarette under Massachusetts General Law, Chapter 64C, Section 1, Paragraph 1.

Characterizing flavor: A distinguishable taste or aroma, other than the taste or aroma of tobacco, menthol, mint or wintergreen, imparted or detectable either prior to or during consumption of a tobacco product or component part thereof, including, but not limited to, tastes or aroma relating to any fruit.

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chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, herb or spice; provided, however that no tobacco product shall be determined to have a characterizing flavor solely because of the provision of ingredient information or the use of additives or flavorings that do not contribute to the distinguishable taste or aroma of the product.

Component part: An element of a tobacco product, including, but not limited to, the tobacco, filter and paper, but not including any constituent.

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Constituent: Any ingredient, substance, chemical, or compound, other than tobacco, water or reconstituted tobacco sheet, that is added by the manufacturer to a tobacco product during the processing, manufacturing or packaging of the tobacco product. Such term shall include a smoke constituent.

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Coupon: Any card, paper, note, form, statement, ticket, or other issue distributed for commercial or promotional purposes to be later surrendered by the bearer so as to receive an article, service or accommodation without charge or at a discount price.

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Distinguishable: Perceivable by either the sense of smell or taste.

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E-Cigarette: Any electronic nicotine delivery product composed of a mouthpiece, heating element, battery and/or electronic circuits that provides a vapor of liquid nicotine to the user, or relies on vaporization of solid nicotine or any liquid. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes or under any other product name.

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Employee: any individual who performs services for an employer in return for wages or profit and any person who volunteers his or her services for an employer.

Employer: any individual, firm, partnership, association, corporation, trust, or other business entity or organization of any kind, including the Town of Needham or any agency thereof, which utilizes the services of one (1) or more individual employees.

Educational Institution: any public or private college, normal school, professional school, scientific or technical institution, university or other institution furnishing a program of higher education.

Enclosed area: a space bounded by walls (with or without windows) continuous from the floor to the ceiling and enclosed by doors, including, but not limited to, offices, rooms and halls.

Entity: any single individual, group of individuals, corporation, partnership, institution, employer, association, firm or any other legal entity whether public or private.

Flavored tobacco product: Any tobacco product or component part thereof that contains a constituent that has or produces a characterizing flavor. A public statement, claim or indicia made or disseminated by the manufacturer of a tobacco product, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such tobacco product, that such tobacco product has or produces a characterizing flavor shall constitute presumptive evidence that the tobacco product is a flavored tobacco product.

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Health Care Facility: any office or institution providing care or treatment of diseases, whether physical, mental or emotional, or other medical, physiological or psychological conditions including, but not limited to, rehabilitation hospitals or other clinics, weight control clinics, nursing homes, homes for the aging or chronically ill, laboratories, offices of any surgeon, chiropractor, physical therapist, physician, dentist, pharmacies, drug stores, any entity subject to licensing by the Massachusetts Department of

Public Health under M.G.L. c. 112 and all specialists within these professions.

Indoor Sports Arena: any sports pavilion, gymnasium, health spa, boxing arena, swimming pool, roller and ice rink, bowling alley and other similar recreational facility where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events.

Liquid Nicotine Container: A bottle or other vessel which contains nicotine in liquid or gel form, whether or not combined with another substance or substances, for use in a tobacco product, as defined herein. The term does not include a container containing nicotine in a cartridge that is sold, marketed, or intended for use in a tobacco product, as defined herein, if the cartridge is prefilled and sealed by the manufacturer and not intended to be open by the consumer or retailer.

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Listed or non-discounted price: The higher of the price listed for a tobacco product on its package or the price listed on any related shelving, posting, advertising or display at the place where the tobacco product is sold or offered for sale plus all applicable taxes if such taxes are not included in the state price, and before the application of any discounts or coupons.

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Minimum Legal Sales Age (MLSA): The age an individual must be before that individual can be sold a tobacco product in the municipality.

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Minor: an individual who is under the age of eighteen.

Municipal Building: any building or enclosed facility owned, operated, rented, leased or occupied by the Town of Needham, including school buildings and school grounds.

Municipal Vehicle: any vehicle owned, rented, leased or operated by the Town of Needham, including without limitation, cars, trucks and buses.

Nicotine Delivery Product: Any manufactured article or product made wholly or in part of a tobacco substitute or containing nicotine that is expected or intended for human consumption, but not including a product approved by the United States Food and Drug Administration for sale as a tobacco use cessation or harm reduction product or for other medical purposes and which is being marketed and sold solely for that approved purpose. Nicotine delivery products include, but are not limited to, e-cigarettes.

Non-Residential Roll-Your-Own (RYO) Machine: A mechanical device made available for use (including to an individual who produces cigars, cigarettes, smokeless tobacco, pipe tobacco, or roll-your-own tobacco solely for the individual's own personal consumption or use) that is capable of making cigarettes, cigars or other tobacco products. RYO machines located in private homes used for solely personal consumption are not Non-Residential RYO machines.

Non-smoking Area: any area that is designated and posted by the proprietor or person in charge as a place where smoking by patrons, employees, visitors or others is prohibited and where smoke and smoking by-products are not permitted.

Permit Holder: any person engaged in the sale or distribution of tobacco products directly to consumers who applies for and receives a Tobacco Sales and Nicotine Delivery Product Sales Permit or any person who is required to apply for a Tobacco Sales and Nicotine Delivery Sales Permit pursuant to these regulations, or his or her business agent.

Person: an individual, firm, partnership, association, corporation, trust, company, other business entity, or

organization of any kind including, but not limited to an owner, operator, manager, proprietor or person in charge of any building, establishment, business, restaurant, or retail store, or the business agents or designees of any of the foregoing.

Private Club: any not-for-profit establishment created and organized pursuant to M.G.L. Chapter 180 as a charitable corporation with a defined membership. A private club is not a place of public accommodation but rather is distinctly private. Criteria used to determine whether a club is distinctly private include, but are not limited to, those factors identified in 204 CMR 10.02. If the private club holds an alcoholic beverage license, said license shall be a “club license” or a “war veterans club license” as defined in M.G.L. Ch. 138, §12 and by the Massachusetts Alcohol Beverage Control Commission. Said license is subject to the terms set forth by the local licensing authority.

Public Place: any building or facility owned, leased, rented, operated or occupied by the Town of Needham, including school buildings and grounds; any area open to the general public, including but not limited to restaurants, bar areas of restaurants, bars, auditoriums, licensed child care locations and other child care facilities, schools and school property, public and private educational facilities, clinics, hospitals, health care facilities, nursing homes, long-term care facilities, public libraries, municipal buildings, museums, theaters, retail stores, laundromats, hair cutting establishments, salons, massage and body art establishments, retail food establishment, fast food or take-out food facilities, indoor sports arenas, public transit facilities, enclosed shopping malls, common areas in privately owned buildings, common areas in public access buildings, any clubs, rooms or halls when open to the public or when used for public meetings, all areas available to and customarily used by the public in all businesses and non-profit entities patronized by the public, including but not limited to, attorneys’ offices and other offices, banks, hotels and motels, stairwells, hallways, entranceways, waiting areas, lobbies, public rest rooms, and elevators accessible to the public.

Public Transportation: buses, taxis, and other means of transportation available to the general public while such means of transportation is operating within the boundaries of the town including indoor platforms by which such means of transportation may be accessed.

Restaurant: any coffee shop, cafeteria, workplace cafeteria, sandwich stand, private and public school cafeteria, and other eating establishment that gives or offers food for sale to the public, guests, or employees for on-premises consumption. This includes all food service establishments licensed by the Board of Health, including catering facilities, but does not include private clubs or fraternal organizations when either are closed to the public.

Retail Food Establishment: any establishment commonly known as a supermarket, grocery store, bakery, or convenience store in which the primary activity is the sale of food items to the public for off-premises consumption. This includes any “take-out” food service establishment and all other food service establishments not included in the definition of a restaurant.

Retail Store: any retail service establishment whose primary purpose is to sell or offer for sale to consumers any goods, wares, merchandise, articles, other things or services. “Retail store” shall include retail food stores but shall not include restaurants as defined herein.

Retail Tobacco Store: An establishment which is not required to possess a retail food permit whose primary purpose is to sell or offer for sale to consumers, but not for resale, tobacco products and tobacco paraphernalia, in which the sale of other products is merely incidental, and in which the entry of persons under the age of 18 is prohibited at all times, and maintains a valid permit for the retail sale of tobacco products as required to be issued by the Needham Board of Health.

Schools: Public or private elementary or secondary schools.

Self Service Display: any display from which customers may select a tobacco product without assistance from an employee or store personnel, excluding vending machines.

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Smoke Constituent: Any chemical or chemical compound in mainstream or sidestream tobacco smoke that either transfers from any component of the tobacco product to the smoke or that is formed by the combustion or heating of tobacco, additives or other component of the tobacco product.

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Smoking: the inhaling, exhaling, burning, holding or carrying of any lighted cigar, cigarette, pipe, or other lighted tobacco product in any form or other tobacco products or non-tobacco products designed to be combusted and inhaled.

Smoking bar: An establishment that is engaged in the retail sale of tobacco products for consumption by customers on the premises and is required by Mass. General Law Ch. 270, §22 to maintain a valid permit to operate a smoking bar issued by the Massachusetts Department of Revenue. "Smoking bar" shall include, but not be limited to, those establishments that are commonly known as "cigar bars" and "hookah bars".

Tobacco product: any product in any form containing tobacco, including, but not limited to, cigarettes, chewing tobacco, snuff, dip, cigars, pipe tobacco, blunt wraps and bidis.

Tobacco Vending Machine: any automated or mechanical self-service device or machine which, upon insertion of money, tokens, swipe cards, slugs or any other form of payment, dispenses cigarettes or any other tobacco product.

Town: the Town of Needham, Massachusetts.

Workplace: Any enclosed area of a structure or portion thereof at which one (1) or more employees perform services for their employer (including the personal residence of the employer during those hours when used as a place of employment). It also includes motor vehicles, employee lounges, restrooms, conference rooms, hallways, stairways and entrance ways, as well as exterior, unenclosed spaces at stairs, ramps, landings, patios, porches, decks, adjacent yards, loading docks and other areas within twenty (20) feet of the entrance doors or other areas where smoke would migrate into the enclosed area of a structure.

SECTION 1.4 PROHIBITION ON SMOKING IN PUBLIC PLACES AND WORKPLACES

No person shall smoke or use an e-cigarette nor shall any person having control of the premises upon which smoking is prohibited by this regulation or by M.G.L. c. 270, §22, or the business agent or designee of such person, permit a person to smoke or use an e-cigarette in any of the following places as defined herein: restaurants, health care facilities, municipal buildings, municipal vehicles, public places, public transportation, retail stores, any establishment that is required to possess a valid Tobacco Sales and Nicotine Delivery Products Permit from the Needham Board of Health (including, but not limited to, smoke shops, tobacconists, retail tobacco stores) and workplaces except as otherwise provided in Section 1.4.2 of this regulation. Additionally, no person shall smoke in any place in which a sign conforming to the requirements of Section 1.4.1 of this regulation is posted. No person shall remove a sign posted under the authority Section 1.4.1 of this regulation.

1.4.1 Posting Notice of Prohibitions: Every person having control of premises upon which smoking is prohibited by and under the authority of this regulation shall conspicuously display upon the premises "No Smoking" signs provided by the Massachusetts Department of Public Health and available from the Needham Board of Health or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it) and comparable in size to the sign provided by the Massachusetts Department of Public Health and available from the Needham Board of Health.

1.4.2 Exclusions: Notwithstanding any other provision of these regulations, smoking may be permitted in the following places and/or under the following circumstances consistent with all applicable state laws:

(a) Private residences except those portions used as a public place, food service establishment, child care, adult care, or health care office during the hours when operating as such;

(b) Hotel, motel, inn and bed and breakfast rooms rented to guests are smoke free (100%) at all times. A room so designated shall have signs posted indicating that no smoking is allowed.

(c) Private clubs if all employees are members. When a private club is open to the general public, that portion of said establishment open to the general public must be smokefree, separately enclosed and shall have self-closing doors. Premises occupied by a membership association, if the premises is owned, or under a written lease for a term of not less than 90 consecutive days, by an association during the time of the permitted activity if the premises are not located in a public building. Smoking may be permitted in a distinct part of the premises of a membership association, provided that this part (a) is physically separated from any area open to the public or occupied by a non-member who is not a guest. The separation shall be sufficient to prevent any migration of smoke into the public areas. Any doors separating the areas shall be self-closing; (b) is occupied solely by those persons specified in 105 CMR 661.100(b). The membership association shall adopt and effectively implement a policy that ensures only such persons are permitted to enter the part of the premises where smoking is permitted; and (c) there are no signs inviting or encouraging the public or non-members who are not guests to enter. No smoking shall be permitted in an enclosed indoor space of a membership association during the time the space is:

- a. open to the public. A membership association shall be regarded as open to the public when it has signs or advertising inviting or encouraging non-members to the premises or takes other action that may reasonably be regarded as inviting or allowing non-members to enter the premises.; or
- b. occupied by a non-member who is not an invited guest of a member or an employee of the association. A non-member shall be regarded as a guest if entering the premises (a) accompanied by a member, provided the member remains on the premises while the guest is present, and (b) signing a guest register that clearly specifies the name and address of the guest and the inviting member;
- c. rented from the association for a fee or other agreement that compensates the association for the use of such space; OR
- d. occupied by a contract employee, temporary employee or independent contractor.

(i) Smoking may be permitted in an enclosed indoor space of a membership association at all times, if the space is restricted by the association to admittance only of its members, the invited guest of a member, and the employees of the membership association. A person shall not be regarded as a member if entering the premises under terms of a membership that differ in duration, cost or privileges from the terms of a full membership in the association. A person who is a contract employee, temporary employee, or independent contractor shall be considered an employee of a membership association under this subsection,. A person who is a member of an affiliated chapter or branch of a membership association that is fraternal in

nature operating under the lodge system, and is visiting the affiliated association, shall be an invited guest for the purpose of this association.

Nothing shall prohibit an establishment from being completely smokefree.

SECTION 1.5 SMOKING BARS

Smoking bars are prohibited in the Town of Needham.

SECTION 1.6 RETAIL SALE OF TOBACCO PRODUCTS

1.6.1 As of April 1, 2005, no person shall sell tobacco products or Nicotine Delivery Products or permit tobacco products or Nicotine Delivery Products to be sold to any person under the age of twenty-one (21) or not being the recipient's parent or legal guardian, give tobacco products or Nicotine Delivery Products to any person under the age of twenty-one (21).

1.6.2 In conformance with and in addition to Massachusetts General Law, Chapter 270, Section 7, a copy of Massachusetts General Laws, Chapter 270, Section 6, shall be posted conspicuously by the owner or other person in charge thereof in the shop or other place used to sell tobacco products at retail. The notice shall be provided by the Massachusetts Department of Public Health and made available from the Needham Board of Health. The notice shall be at least 48 square inches and shall be posted conspicuously by the permit holder in the retail establishment or other place in such a manner so that it may be readily seen by a person standing at or approaching the cash register. The notice shall directly face the purchaser and shall not be obstructed from view or placed at a height of less than four (4) feet or greater than nine (9) feet from the floor. +

1.6.3 In addition to the notice required under Section 1.6.2, notices provided by the Needham Health Department shall also be posted by the owner or other person in charge thereof in the shop or other place used to sell tobacco products at retail:

(a) As of April 1, 2005, such notice shall state that the sale of tobacco products to persons under age 21 is illegal;

(b) The owner or other person in charge of a shop or other place used to sell tobacco products at retail shall conspicuously post signage that discloses current referral information about smoking cessation;

(c) The owner or other person in charge of a shop or other place used to sell nicotine delivery products at retail shall conspicuously post a sign stating "The sale of nicotine delivery products to minors under 21 years of age is prohibited."; and

(d) The owner or other person in charge of a shop or other place used to sell e-cigarettes at retail shall conspicuously post a sign stating, "The use of e-cigarettes at indoor establishments may be prohibited by local law." The notices shall be no smaller than 8.5" by 11" and shall be posted conspicuously in the retail establishment or other place in such a manner so that they may be readily seen by a person standing at, or approaching the cash register. These notices shall directly face the purchaser and shall not be obstructed from view or placed at a height of less than 4 or greater than 9 feet from the floor.

1.6.4 Each person selling or distributing tobacco products or Nicotine Delivery Products shall verify the age of the purchaser by means of government-issued photographic identification containing the bearer's date of birth that the purchaser is twenty-one (21) years or older. Verification is required for any person under the age of 27.

1.6.5 All retail sales of tobacco or Nicotine Delivery Products must be face-to-face between the seller and the buyer.

1.6.6 No person or entity selling tobacco products or Nicotine Delivery Products shall allow anyone under twenty one (21) years of age to sell cigarettes, other tobacco products or Nicotine Delivery Products.

1.6.7 No health care facility, as per our regulations, located in the Town of Needham shall sell or cause to be sold tobacco products and Nicotine Delivery Products. Additionally, no retail establishment that operates or has a health care facility within it, such as a pharmacy or drug store, shall sell or cause to be sold tobacco products and Nicotine Delivery Products.

1.6.8 No educational institution located in the Town of Needham shall sell or cause to be sold tobacco products and Nicotine Delivery Products. This includes all educational institutions as well as any retail establishments that operate on the property of an educational institution.

1.6.9 No person or entity shall sell or distribute blunt wraps in the Town of Needham.

1.6.10 No person shall sell or distribute any flavored tobacco product, except in retail tobacco stores.

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SECTION 1.7 TOBACCO AND NICOTINE DELIVERY PRODUCTS SALES PERMIT

1.7.1 No person shall sell or otherwise distribute tobacco or Nicotine Delivery Products at retail within Needham without first obtaining a Tobacco and Nicotine Delivery Products Sales Permit issued annually by the Needham Board of Health.

1.7.2 As part of the Tobacco and Nicotine Delivery Products Sales Permit application process, the applicant will be provided with the Needham Board of Health regulation. Each applicant is required to sign a statement declaring that the applicant has read said regulation and that the applicant is responsible for instructing any and all employees who will be responsible for tobacco or Nicotine Delivery Product sales regarding both state laws regarding the sale of tobacco and this regulation.

1.7.3 As a condition for obtaining and/or renewing a Tobacco and Nicotine Delivery Products Sales Permit, the Needham Board of Health may require tobacco or Nicotine Delivery Products retailers and any employee involved in the act of sale of tobacco products or Nicotine Delivery Products to participate in training programs provided by or approved by the Board regarding compliance with the laws and regulations prohibiting the sale of tobacco products or Nicotine Delivery Products to minors and to individuals under the age of 21.

1.7.4 Each applicant selling tobacco products is required to provide proof of a current tobacco sales license issued by the Massachusetts Department of Revenue before a Tobacco Sales and Nicotine Delivery Products Permit can be issued.

1.7.5 The fee for a Tobacco Sales and Nicotine Delivery Products Permit shall be determined by the Needham Board of Health annually. All such permits shall be renewed annually by December 31st.

1.7.6 A separate permit is required for each retail establishment selling tobacco or Nicotine Delivery Products.

1.7.7 Each Tobacco and Nicotine Delivery Products Sales Permit shall be displayed at the retail establishment in a conspicuous place.

1.7.8 No Tobacco and Nicotine Delivery Products Sales Permit holder shall allow any employee to sell cigarettes or other tobacco products until such employee reads this regulation and state laws regarding the sale of tobacco and signs a statement, a copy of which will be placed on file in the office of the employer, that he/she has read the regulation and applicable state laws.

1.7.9 A Tobacco and Nicotine Delivery Products Sales Permit is non-transferable, except a new permit will be issued to a retailer who changes location.

1.7.10. Issuance of a Tobacco and Nicotine Delivery Products Sales Permit shall be conditioned on an applicant's consent to unannounced, periodic inspections of his/her retail establishment to ensure compliance with this regulation.

1.7.11 A Tobacco and Nicotine Delivery Products Sales Permit will not be renewed if the permit holder has failed to pay all fines issued and the time period to appeal the fines has expired.

1.7.12 Maximum Number of Tobacco and Nicotine Delivery Product Sales Permits: At any given time, there shall be no more than twelve (12) Tobacco and Nicotine Delivery Product Sales Permits issued in Needham. No permit renewal will be denied based on the requirements of this subsection except any permit holder who has failed to renew their permit within 30 days of expiration will be treated as a first-time permit applicant. Applicants who purchase a business that holds a current Tobacco and Nicotine Delivery Product Sales Permit at the time of the sale of said business may apply, within sixty (60) days of such sale, for the permit held by the Seller if the Buyer intends to sell tobacco products and/or nicotine delivery products. New applicants for permits who are applying at a time when the maximum number of permits have been issued will be placed on a waiting list and will be eligible to apply for a permit on a "first-come, first-serve" basis as issued permits are either not renewed or are returned to the Board of Health.

SECTION 1.8 FREE DISTRIBUTION AND COUPON REDEMPTION

1.8.1 No person shall distribute, or cause to be distributed, any free samples of tobacco products or Nicotine Delivery Products. No means, instruments or devices that allow for the redemption of all tobacco products or nicotine delivery products for free or cigarettes at a price below the minimum retail price determined by the Massachusetts Department of Revenue shall be accepted by any permit holder.

1.8.2 No person shall accept or redeem, offer to accept or redeem, or cause or hire any person to accept or redeem or offer to accept or redeem any coupon that provides any tobacco product, as defined herein, without charge or for less than the listed or non-discounted price; or

1.8.3 Sell a tobacco product, as defined herein, to consumers through any multi-pack discounts (e.g., “buy-two-get-one-free”) or otherwise provide or distribute to consumers any tobacco product, as defined herein, without charge or for less than the listed or non-discounted price in exchange for the purchase of any other tobacco product.

1.8.4 Sections 2 and 3 shall not apply to products, such as cigarettes, for which there is a state law prohibiting them from being sold as loss leaders and for which a minimum retail price is required by state law.

SECTION 1.9 CIGARETTE PACKAGING AND CIGAR SALES

1.9.1 The sale or distribution of tobacco products, as defined herein, in any form other than an original factory-wrapped package is prohibited, including the repackaging or dispensing of any tobacco product, as defined herein, for retail sale. No person may sell or cause to be sold or distribute or cause to be distributed, any cigarette package that contains fewer than twenty (20) cigarettes, including single cigarettes.

1.9.2 No Person shall sell or distribute or cause to be sold or distributed a single cigar.

1.9.23-No retailer, retail establishment, or other individual or entity shall sell or distribute or cause to be sold or distributed any original factory-wrapped package of two or more cigars, unless such package is priced for retail sale at \$5.00 or more. a cigar unless the cigar is contained in an original package of at least four (4) cigars.

1.9.4-This Section shall not apply to (a) the sale or distribution of any single cigar having a retail price of two dollars and fifty cents (\$2.50) or more; (b) a person or entity engaged in the business of selling or distributing cigars for commercial purposes to another person or entity engaged in the business of selling or distributing cigars for commercial purposes with the intent to sell or distribute outside the boundaries of the Town of Needham.

1.9.5 The Needham Board of Health may adjust from time to time the amounts specified in this Section to reflect changes in the applicable Consumer Price Index by amendment of this regulation.

1.9.6 A retailer of Liquid Nicotine Containers must comply with the provisions of 310 CMR 30.000, and must provide the Needham Board of Health with a written plan for disposal of said product, including disposal plans for any breakage, spillage or expiration of the product.

SECTION 1.10 SELF SERVICE DISPLAYS

All self-service displays of tobacco products and/or Nicotine Delivery Products are prohibited. All humidors including, but not limited to, walk-in humidors must be locked.

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SECTION 1.11 TOBACCO VENDING MACHINES AND ROLL-YOUR-OWN MACHINES

1.11.1 All tobacco vending and/or Nicotine Delivery Product machines are prohibited.

1.11.2 All Non-Residential Roll-Your-Own machines are prohibited.

SECTION 1.12 VIOLATIONS

1.12.1 It shall be the responsibility of the permit holder and/or his or her business agent to ensure compliance with all sections of this regulation pertaining to his or her distribution of tobacco or Nicotine Delivery Products. Any permit holder, proprietor(s) or other persons(s) in charge of a place covered by this regulation or his or her business agent or designee who fails to comply with this regulation shall be subject to the following:

(a) In the case of a first violation, a fine of one hundred dollars (\$100.00), and the Tobacco Sales and Nicotine Delivery Products Permit shall be suspended for seven (7) consecutive business days.

(b) In the case of a second violation within 24 months of the date of the first violation, a fine of two hundred dollars (\$200) and the Tobacco Sales and Nicotine Delivery Products Permit shall be suspended for 12 months.

(c) In the case of three or more violations within a 24-month period, a fine of three hundred dollars (\$300) and the Tobacco Sales and Nicotine Delivery Products Permit shall be suspended for 12 months.

A permit holder whose permit has been suspended for 12 months may not apply for a new permit prior to the expiration of the 12-month suspension period.

1.12.2 Refusal to cooperate with inspections pursuant to this regulation shall result in the suspension of the Tobacco Sales and Nicotine Delivery Products Permit for thirty (30) consecutive business days.

1.12.3 In addition to the monetary fines set above, any permit holder who engages in the sale or distribution of tobacco products or Nicotine Delivery Products directly to a consumer while his or her permit is suspended shall be subject to the suspension of all board of health issued permits for thirty (30) consecutive business days.

1.12.4 The Needham Board of Health shall provide notice of the intent to suspend, revoke, or deny the issuance or renewal of a Tobacco Sales and Nicotine Delivery Products Permit, which notice shall contain the reasons therefore and establish a time and date for a hearing which date shall be no earlier than seven (7) days after the date of said notice. The permit holder or its business agent shall have an opportunity to be heard at such hearing and shall be notified of the Board of Health's decision and the reasons therefore in writing. The Needham Board of Health after a hearing, may suspend, revoke, or deny the issuance or renewal of the Tobacco Sales and Nicotine Delivery Products Permit. All tobacco products and Nicotine Delivery Products shall be removed from the retail establishment upon suspension of the Tobacco Sales and Nicotine Delivery Products Permit. Failure to remove all tobacco products and Nicotine Delivery Products shall constitute a separate violation of this regulation.

1.12.5 Any permit holder who does not pay the assessed fine within twenty-one days from fine issuance may be subject to criminal proceedings.

SECTION 1.13 NON-CRIMINAL DISPOSITION

Whoever violates any provision of this regulation may be penalized by the non-criminal method of disposition as provided in General Laws, Chapter 40, Section 21 D and Town of Needham General By Laws or by filing a criminal complaint at the appropriate venue.

Each day any violation exists shall be deemed to be a separate offense.

SECTION 1.14 ENFORCEMENT

Enforcement of this regulation shall be by the Needham Board of Health, Health Director, Environmental Health Agent, Public Health Nurse, other Health Agent, or the Needham Police.

Any person who desires to register a complaint pursuant to the regulation may do so by contacting the Board of Health of Needham or its designated agent(s) and the Board shall investigate.

SECTION 1.15 OTHER APPLICABLE LAWS

These regulations shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable health, safety or fire codes, regulations or statutes.

SECTION 1.16 SEVERABILITY

If any provision of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

SECTION 1.17 EFFECTIVE DATE

This regulation shall take effect upon publication of a summary of the regulation in a newspaper published in the Town of Needham. As required by M.G.L., Chapter 111, Section 31, an attested copy has been filed with DEP on 9/13/91. Public meetings regarding this regulation were conducted on May 1, May 14, June 18, and July 23, 1991. This regulation was voted by a majority of this Board on July 23, 1991.

1.4.1 Amended: 9/19/95, Publication Date: 10/12/95

1.6 Amended: 9/16/97, 7/13/01, Publication Date: 12/24/97, 8/2/01

1.4 Amended: 11/15/02, Publication Date: 12/21/02

1.2; 1.6-1.7 Amended: 2/26/03, Publication Date: 3/06/03

1.3, 1.4.2, 1.6.3, 1.6.4 Amended 2/15/06 Publication Date: 2/23/06

1.7.3 Amended: 5/16/06, 7/14/09, 7/11/13, 9/12/13, Publication Date: 6/8/06, 10/1/09, 7/26/13

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Guest column: Needham's new food truck regulations don't go far enough



By Doug Fox

Posted Jun. 26, 2015 at 11:07 AM

NEEDHAM

I'm sure many of you were excited to read last week's story about Needham approving one-week permits for food trucks in Needham. But the reality is this is a half step that doesn't go far enough to meet the needs of Needham's citizens. Although the regulations corrected the insanely expensive \$1,000 registration fee for food trucks in Needham, they are still stuck far away in the office park.

Needham residents want food trucks. They are the fastest growing sector of the restaurant industry. Needham's downtown would benefit from the increased interest and food traffic generated by food trucks.

Owners of existing restaurants in Needham are worried that food trucks will cut into their business. This happens in every market. It's an emotional topic, but if we step outside of the emotion - they

really don't compete. Bricks and mortar businesses have benefits like seating, bathrooms and heating/cooling.

Data presented by the National League of Cities demonstrates that food trucks do not compete with bricks and mortar restaurants. Food trucks add to and actually improve an area's food business. In fact food trucks have been very successful at driving increased foot traffic and interest in downtown areas - helping fuel urban revitalization.

So what would food trucks bring to this town?

We all know there is a foot traffic problem in Needham. That's why there are so many vacant storefronts, and so consignment shops. How many nail salons and banks can Needham have? None of these are things that draw people to Needham.

Now restaurants have been a big draw. People come from all over for places like Blue, Sweet Basil, Fuji, Masala Art, Center Cafe. These are big wins, but they're also a pricey meal. You can only have so many of those restaurants.

So if you aren't eating at home, and you want some takeout, we have eight pizza/sub shops. These are great (I love Needham House of Pizza) but there are pizza/sub shops in every town. No one is going to travel to Needham to have pizza or subs.

So what are the other options - McDonald's, Bagels, Panera, maybe Dragon Chef. It's super thin. So what do Needham residents do? We leave town to go to places Five Guys, Chipotle, Qdoba, Shake Shack, Blue Ribbon, Johnny's Diner, Casey's. There are a lot better options outside of our town.

I'm sure you're dying to get fast, casual restaurants like this in town. We all are, but the reality is there is more foot traffic in surrounding towns like Wellesley, Dedham, Natick, Waltham and Newton. Tough to compete with.

Additionally, as I said above, our affordable restaurants aren't really the ones to draw people in from out of town. But you know what, if we had a food truck setup with different trucks every day, I guarantee people would come into town to check those out. Look at the long lines at the ones in Boston, or the attendance at the food truck festivals.

from moving into town would they? Just because they pay property taxes and food trucks don't? What would benefit the town and its citizens more? A taco truck, a BBQ truck and a middle-eastern truck, or another pizza place?

In closing, I know this is a politically sensitive topic, and one that is too hot for the selectmen to want to touch. I understand that.

The selectmen wouldn't stop another pizza place

The data supports this. If we have reasonable policies for food trucks (supportive not prohibitive), and they're in the heart of the downtown, they will thrive and lift up our downtown, with very little cannibalization of other businesses. And other businesses follow.

Page 2 of 2 - This will create interest, vibrancy and excitement. There's not enough of that in our town. We need it, people would love it. And then those residents would see and shop our other shops. It's a win.

Community gathers to address opioid problem

By Jonathan Dame
jdame@wickedlocal.com

The family history was there, but she still never thought it would happen to her.

Growing up in Wayland, Rebecca Reilly went to a good school and had everything she wanted. But when

she was still in her youth she tried marijuana. Then alcohol. Then opioids.

"They are readily available on the street," Reilly said about opioids. "When I grew up in Wayland, they were readily available on the street, so I'm sure they are in Needham too."

Reilly, 21, eventually got addicted to heroin and skipped out on the chance to go to college. But two years ago, she entered recovery, and today works for a substance abuse treatment foundation.

Reilly shared her story at a June 11 community forum in Needham on solutions to the opioid epidemic that there were half a dozen

sweeping the state and resulting in a significant uptick in overdose deaths.

The Norfolk County District Attorney's Office tracked 43 overdose deaths between mid-February and mid-May in the county. Although none were in Needham, state data shows

opioid overdose deaths here between 2000 and 2012. Recent survey data has revealed that 45 Needham high school students had tried heroin in their lifetimes, said Carol Reed, drug abuse and treatment specialist for the town Public Health Department.

SEE OPIOIDS, A4

A4

OPIOIDS

From Page A1

Health Department.

The problem is clear, but what's the solution? Experts shared their thoughts before a full and engaged

audience that appeared ready to extend the conversation beyond the allotted time.

Why do some people develop addictions while others are able to use substances in moderation? Why is it so tough to quit?

NEEDHAM TIMES

Thursday, June 18, 2015

John Kelly, director of the Addiction Recovery Management Service at MGH and an associate professor at Harvard Medical School, explained that addiction was a disease of the brain that hijacks reward circuits and impulse controls.

We know that up to half of the risk of addiction is conferred by genetics, Kelly said. That means people with family histories of the disease are likely more vulnerable to develop it, although it's not a guarantee.

Drug use affects the production of dopamine and other pleasure chemicals in the brain, Kelly said. Over-stimulation eventually leads your brain to adapt to be less receptive to dopamine and the like, so that drug users feel the need to use more and more

of their product to achieve the desired effect, he said.

What's more, this adjustment in your brain makes it more difficult for you to find pleasure in behaviors that would typically be enjoyable and release small amounts of dopamine, like going to the movies or enjoying dinner with friends, Kelly said.

He likened it to plugging your ears because of a loud noise nearby – and then keeping them plugged indefinitely.

As a result, people with addiction disorder take around 16 to 18 years on average from the start of the addiction to enter recovery and achieve a relapse-risk rate of below 15 percent, the average rate in the population, Kelly said.

Adults on average spend four to five years living

with the addictions before seeking help, then another eight years and four to five treatment episodes before achieving one year of abstinence. The relapse risk then falls to below 15 percent after another four to five years.

The problem can be approached from multiple angles: Why does it take so long for people to seek help? Can treatments be improved to shorten those eight years needed for sustained abstinence?

Kelly suggested that a big reason people with addiction don't seek help sooner is the stigma associated with the disease. Some of his own research and advocacy has focused on how language – like referring to positive drug tests as "dirty" urine – affects how society and even medical professionals treat

people with addiction. "We have effective treatments for addiction," Kelly said. "But one of the challenges is getting people to use them."

Reilly said she felt the stigma when struggling with her own addiction: she didn't want to be seen as a bad person. She said she also feared getting in legal trouble.

One member of the audience asked Kelly and another expert on the panel what treatment of their own child had addiction disorder.

After the experts gave their answers, Reilly's father stood up to say specific treatment options weren't as important as educating yourself and realizing there is hope.

Food truck rules change

By Jonathan Dame
jdame@wickedlocal.com

Selectmen have unanimously approved new regulations allowing food truck vendors to apply for one-week permits to operate in the business park.

Although there are no limits on how many short-term permits can be obtained, they are subject to availability with deference to seasonal permit-holders.

The permits are \$25 – significantly cheaper than the \$1,000 needed for a seasonal permit.

Selectmen Chairman Moe Handel said the change was primarily meant as a convenience to companies in the business park that might want to hold special events with food trucks.

One-week permit-holders will be subject to the same regulations as seasonal permit-holders, including health and fire inspections. They can also only operate in public right-of-way areas in the business park.

Captain Marden's Cod Squad is the only

SEE TRUCKS, A4

TRUCKS

From Page A1

returning seasonal food truck this year, with Blue Ribbon BBQ and a hot dog vendor declining to return after operating under the newly effective regulations last summer.

Although both of the

vendors declining to return objected to some aspects of the town's regulations, Handel said a significant reworking of the rules was not on his board's agenda at this time.

"We're always open to reviewing things that we've done, but we think the food truck policy makes sense for Needham," Handel said.

DVAC collecting used cell phones

By JOSH PERRY
Hometown Weekly Staff

The Needham Domestic Violence Action Committee is collecting old, unwanted, and broken cell phones. The phones will be recycled and refurbished before being donated to victims of domestic violence to be used in emergency situations.

Residents can donate cell phones at the Needham Police Department, 99 School St., and at the Needham Public Health Department on the second floor of Town Hall, 1471 Highland Ave.

For more information, call 781-455-7500, ext. 511.

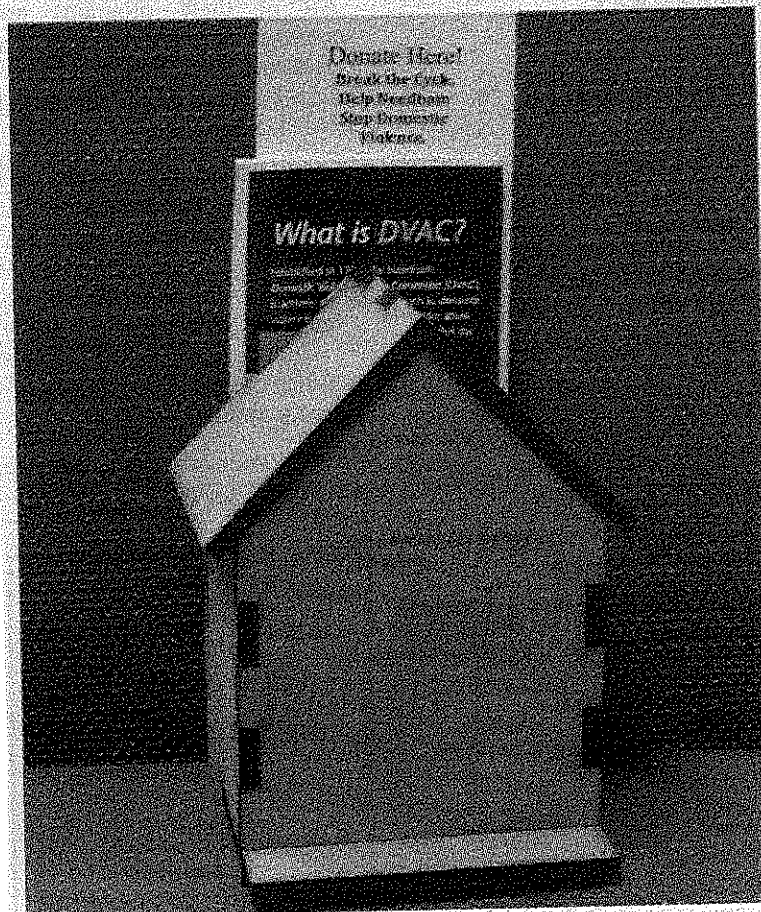


PHOTO COURTESY OF THE NEEDHAM DVAC

DVAC is collecting old phones to be refurbished and donated to victims of domestic violence.

GOT NEWS ?

weekly
6/25/15
Share it



with your
Community

Needham Patch Online - 6/17/15

Needham Gets Grant to Combat Underage Drinking, Drug Use

Grant is worth \$300,000 over the next three years.

Needham has been awarded a state grant to combat underage drinking and drug use. The nearby towns of Dedham, Norwood and Westwood will also benefit from the grant.

The grant will be worth \$300,000 over the next three years, WickedLocal.com reports. There will be a possibility to renew the grant for four additional years at a cost of \$400,000.

Of the four towns, Needham was the leading applicant, therefore they will be in charge of hiring prevention specialists to strengthen the fight against substance abuse.

"Needham has a reputation as a state leader in the field of substance abuse education and prevention, and it's a well-founded reputation in my opinion," Needham Public Health Director Timothy McDonald said.

Boston Globe Online - 6/17/15

Smoking among Needham high schoolers plunged after legal age rose to 21

Smoking rates among Needham students dropped by nearly half in the first five years after the measure took effect in 2005, the analysis found, a much greater reduction than in neighboring towns that kept the minimum age at 18 years old.

CONTINUE READING BELOW ▼

Teen smoking has continued to decrease in Needham, researchers said.

“Needham is an example for other communities considering policy changes to reduce youth smoking,” said a statement from Shari Kessel Schneider, a researcher at the Waltham nonprofit the Education Development Center and co-author of the study with specialists from Brown University and Harvard Medical School.

Needham was the only community in the country to raise its tobacco sales age before 2012. Since then, a growing number of cities and towns have followed suit.

From 2006 to 2010, smoking rates among high schoolers in Needham dropped from 13 percent to 7 percent, a significantly greater decline than in 16 neighboring communities where teen smoking rates dipped from 15 percent to 12 percent, the study found.

Smoking rates dropped even further between 2010 and 2012, falling to 5.5 percent in Needham and 8.5 percent in the neighboring communities.

But the researchers did not find the trend in those years to be statistically significant, “suggesting that raising the minimum purchase age may contribute to a greater decline in smoking in the years immediately following its adoption.”

Professor Stephen Buka, chairman of Brown’s epidemiology department and a co-author on the study, said the results of the research suggest that if every town in the country raised the minimum age for buying tobacco to 21 years old, 3 million fewer youth would die early from a smoking related disease.

“These findings suggest one of the best possible strategies to reduce smoking-related diseases, the leading cause of preventable death in the United States,” he said in a statement.

The study, published online last week in the journal Tobacco Control, analyzed data from the MetroWest Adolescent Health Survey, a biennial census survey of more than 16,000 high school students.

Health Matters: Summer Water Safety Tips

weekly
blinks

By the Needham Public Health Department

With the opening of town pools and the start of summer trips to Cape Cod and the beach, it's important to remind ourselves of the importance of water safety.

Child and Adult Drowning

Drowning is a leading cause of death among children. Most child drownings involve a brief lapse in supervision — for example, taking one's eyes off of a child to text or talk on a cell phone. The general public assumes that they will hear a drowning person splashing or calling for help, and that they will see a drowning person waving their arms and splashing.

In reality, drowning is swift and silent. There is often no struggle or splashing, no cry for help. Many

child drownings occur in the presence of other children or adults.

Young children can drown in just a few inches of water. Children under 1 year old most commonly drown in buckets, toilets, wading pools and bathtubs. Children ages 1-4 years most often drown in backyard swimming pools, and adolescents most commonly drown in natural bodies of water.

Alcohol is involved in 25-50 percent of adolescent and adult deaths associated with water recreation. Alcohol influences balance, coordination and judgment, and its effects are heightened by sun exposure and heat. Many adolescent and adults who drown did not know how to swim.

Massachusetts Statistics

In 2011, there were 40



PHOTO COURTESY OF PATRICIA CAREY

Be safe when swimming this summer.

unintentional drowning deaths among Massachusetts residents and an additional 148 nonfatal near-drowning cases among Massachusetts residents that required treatment at a Massachusetts acute care hospital. Drowning was the leading cause of unintentional injury death among Massachusetts children 0-14 years in 2011 (N=9).

Water Safety Tips

Observe the following tips to be safe this summer.

Do not swim alone, even if you are a very good swimmer.

Do not swim during a storm or when there is lightning.

Do not dive or jump into water that

is not at least 12 feet deep.

Teach your child how to swim.

Even if your child knows how to swim, always watch children closely when they are in or near water. This means ponds, lakes, rivers, oceans, and pools. It also means spas, toilets, and bathtubs.

Teach your child to never run, push, or jump on others in or around water.

Do not let your child swim in an area with strong moving currents in the water.

If you have a pool, there should be a 4-foot fence around it.

Be ready for an emergency by learning CPR. Always keep a telephone and emergency numbers with you.

To learn more about water safety, please contact the Injury Prevention and Control Program at the Mass Department of Health (www.mass.gov/dph/injury) or Needham Department of Public Health at www.needhamma.gov/dph.

Thursday, June 11, 2015

COMING UP *times* Thursday, June 11

COMMUNITY FORUM ON OPIOID EPIDEMIC

The Needham Coalition for Youth Substance Abuse Prevention and the Needham Public Health Department invite the public to a community forum, "Identifying Community Solutions to the Opioid Epidemic" on Thursday, June 11, from 6:30 to 8:30 p.m. at the Needham Town Hall. This forum is being hosted in collaboration with the Community Anti-Drug Coalitions of America, the nation's leading substance abuse prevention organization. This event will include a light dinner and beverages. This event is free, but registration is required. Visit bit.ly/NeedhamCommunityForum to register.

NCYSAP hosting forum on opioid epidemic tonight

By JOSH PERRY

Hometown Weekly Staff

The Needham Coalition for Youth Substance Abuse Prevention and the Needham Health Department are joining forces to present a free community forum on Thursday, June 11 from 6:30-8:30 p.m. at

Needham Town Hall. The forum is entitled, "Identifying Community Solutions to the Opioid Epidemic."

Dr. John Kelly, Director of the Addiction Recovery Management Service (ARMS) at Massachusetts General Hospital, will present his thoughts on the problem and there will

also be a panel discussion with experts in the field, a person in recovery, and prevention leaders.

According to a press release from NCYSAP, "Prescription drug abuse, especially the abuse of opioid pain medication, is at epidemic proportions in our country."

Statistics released by NCYSAP indicate that one in five young adults has abused prescription drugs nationally and in the state

EPIDEMIC
continued on page 10

EPIDEMIC

continued from front page

last year there were 1,000 deaths related to opioid addiction.

The announcement continued, "Our communities are facing a challenging public health problem; during this forum, experts and community stakeholders will outline how prescription drug abuse

and the opioid epidemic affects our communities and what can be done to enhance the safety and health of residents."

The night will begin at 6:30 p.m. with refreshments.

The event is free. To register, visit www.surveymonkey.com/r/SW26W52. For more information, visit www.needhamma.gov.

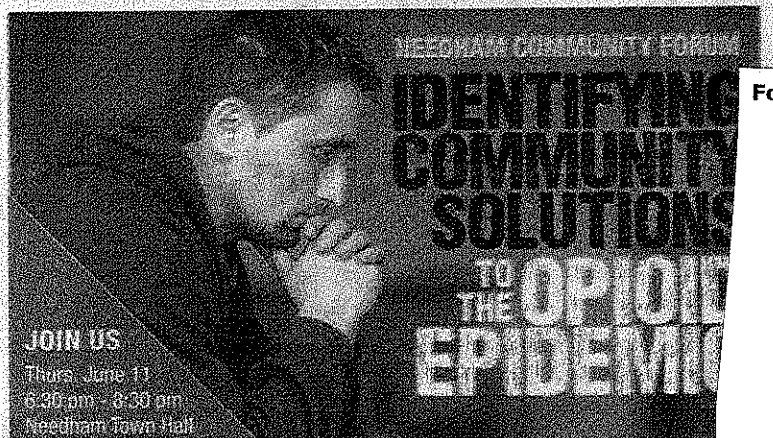
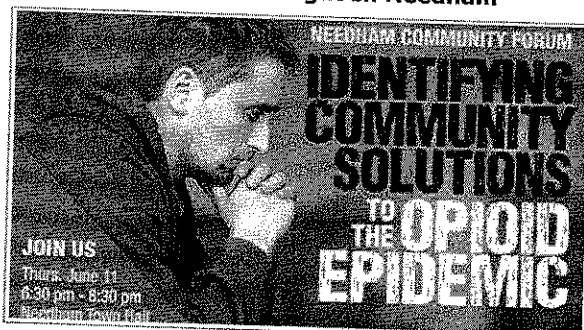


PHOTO COURTESY OF NCYSAP

Learn more about the opioid epidemic on June 11.

Forum On Opioid Epidemic Tonight In Needham



Learn more about the opioid epidemic on June 11. (Photo courtesy of NCYSAP)
By JOSH PERRY (@Josh_Perry10) • Thu, Jun 11, 2015

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— Hometown Weekly Staff

Needham Times editorial: Keep teens safe during prom and graduation season

NEEDHAM

Dangers of prom and graduation season.

Prom, graduation and other year-end activities are a happy, emotional and fun, fun, fun time of year for high school seniors, as they wind down their school careers, celebrate with friends and get ready for the next stage of their lives. It's also one of the most dangerous times of their lives, primarily because many of those celebrations involve alcohol or drugs, sometimes in combination with driving.

Throughout the country, tragedies happen every year. Thumbs down to anyone, young or older, who provides alcohol to underage drinkers. We remind parents of the Social Host Law in Massachusetts, which makes it illegal to furnish alcohol to anyone under the age of 21. Violating the law can result in a fine of \$2000 or one year of imprisonment. Worse, however, is that violating the law can end or permanently alter the lives of the young people celebrating the beginning of their futures.

Thumbs up, on the other hand, to the adults who create safe opportunities for graduating seniors to celebrate. In Needham, the All Night Party that takes place after graduation is a perfect example. We hope for the same stellar turnout there as always, and we urge the community to support it, through volunteer hours and financially - as of the writing of this editorial, party organizers were still seeking financial contributions, and a PTC newsletter indicated that donations were far below this time last year.

Despite this opportunity, some teens may end up at events where alcohol is served and drugs are consumed. We urge every parent to tell their teens that if they need a ride home, they will get one, no questions asked. The most important thing right now, is to keep these young people safe.

Wicked
1000 6/18/15

Weekly 6/25/15

Grant awarded for towns to fight underage drinking

BY JOSH PERRY
Hometown Weekly Staff

The Needham Health Department was the

lead applicant for a state grant that will allow the town, along with Norwood, Dedham, and Westwood, to hire a prevention specialist to

form substance abuse prevention coalitions in each community to combat underage drinking and drug use.

The initial Substance Abuse Prevention Collaborative (SAPC) grant from the Massachusetts Department of Health's Bureau of Substance Abuse Services (BSAS) is for \$300,000

UNDERAGE DRINKING
continued on page 12

UNDERAGE DRINKING continued from front page

over three years. There are add-ons that could extend the grant for an additional four years for \$700,000 total.

Dr. Stephen Epstein, Chair of the Needham Board of Health, said in an announcement of the grant, "This is a substantial commitment of new funding to support Needham's substance abuse prevention and education efforts. And it is recognition of Needham's history as a statewide leader in substance abuse prevention and education efforts."

The four communities signed an agreement prior to applying for the grant that resources would be shared to best implement the strategies and programs established by the specialist. Each town will be required to establish support from community organizations within its borders.

Tim McDonald, Director of the Needham Public Health Department, added, "What makes this program truly unique is the regional nature of the award. It is targeted to improve evidence-based prevention efforts and activities both within communities and as part of regional clusters."

He continued, "All four communities gathered the support of committed community partners and that broad-based support impressed the reviewers and was one of the real strengths of the grant application."

In an email, McDonald also praised local and state officials for helping to support the grant application. He noted the assistance of State Representative Denise Garlick as being of particular help with the Mass. DPH.

For more information, visit www.needhamma.gov/health or www.townhall.westwood.ma.us.

Needham wins state drug grant



COMMENT



By Jonathan Dame
jdame@wickedlocal.com

Posted Jun. 4, 2015 at 9:00 AM

NEEDHAM

The town has won a state grant to fight underage drinking and other drug use in conjunction with neighbors Dedham, Norwood and Westwood.

The grant is worth \$300,000 over three years with the possibility of renewal for another four years and an extra \$400,000.

Needham was the lead applicant among the four towns and will oversee the hiring of a prevention specialist to form and strengthen substance abuse coalitions in each community.

Since 2009, the Needham Coalition for Youth Substance Abuse Prevention has been recommending policy changes, sponsoring events and programs, and engaging the community in conversations about substance abuse.

Needham Public Health Director Timothy McDonald said these efforts had established the town as a leader in the field and would be put to use advising Dedham, Norwood and Westwood as they undertake similar strategies around substance abuse, particularly in youth.

"Needham has a reputation as a state leader in the field of substance abuse education and prevention, and it's a well-founded reputation in my opinion," McDonald said.

Data shows that communities with substance abuse coalitions have been able to reduce youth substance abuse rates by lowering access to drugs and alcohol and changing how the community approaches the issue, said Carol Read, Needham's substance abuse prevention and education coordinator.

"This is an issue that needs to be addressed by all the stakeholders in a community," Read said. "When we see communities that have open dialogues and collaborate on initiatives, the environment starts to change and as time goes on the access to substances drops."

Needham's youth substance abuse rates declined steadily between 2006 and 2012, according to survey data provided by the Health Department. Read said the declines were in line with other communities in the area.

In 2012, 35 percent of Needham high school students reported current alcohol use, while 19 percent reported current marijuana use – down from 45 percent and 25 percent, respectively, in 2006.

That data, along with statistics showing a clear link between substance abuse and mental health issues, prove there is still more work to be done, McDonald said.

The Baker administration announced the grant last month along with 25 others given out through the same state program, affecting 127 communities combined. Gov. Charlie Baker has also convened a working group to combat opioid abuse statewide following an uptick in overdose deaths in recent years.

There were six unintentional opioid-related deaths in Needham between 2000 and 2012, according to state data.

Read said Needham already had an ongoing mentoring relationship with Norwood and Dedham, which have been working to form substance abuse coalitions. The grant will dedicate a full-time staff person to continue those efforts and include Westwood.

"Dedham and Norwood and Westwood will be guided by our framework ... to start collations and to get their stakeholders at the table," Read said.

CADCA Co-Hosts Community Forums to Find Solutions to Opioid Abuse Epidemic



As part of our ongoing efforts to help find local solutions to our nation's opioid abuse epidemic, CADCA is partnering with coalitions across the country to host community forums on this topic. The next one is on June 11 in the Boston area. Coalitions, their partners, parents and all interested citizens are invited to attend these community forums.

Prescription drug abuse, especially the abuse of opioid pain medication, is at epidemic proportions in our country. Nationally, one in five young adults has abused a prescription drug and the Centers for Disease Control and Prevention (CDC) reported that the number of deaths related to heroin overdose nearly tripled from 2010 to 2013.

Join experts at the “Needham Community Forum: Identifying Community Solutions to the Opioid Epidemic” held on Thursday, June 11th from 6:30-8:30 p.m. at the Needham Town Hall. During this forum, experts and community stakeholders will outline how prescription drug abuse and the opioid epidemic affects our communities and what can be done to enhance the safety and health of residents. Experts representing the entire continuum of service providers—from substance abuse prevention to recovery and support—will share their knowledge and experiences. The event will feature a presentation by Dr. John Kelly, Director of the Addiction Recovery Management Service (ARMS) at the Massachusetts General Hospital, as well as a panel discussion amongst a person in recovery, prevention leaders, and treatment professionals.



[Click here to RSVP to this free event.](#)



The first community forum was held in Lexington, Ky. on May 5 in partnership with Drug Free Lex and Bluegrass Regional Prevention Center. The discussion featured Van Ingram, Executive Director for the Kentucky Office of Drug Control Policy, CADCA's Mary Elizabeth Elliott and other local and state experts.

Other community forums will be held later this summer in Orlando, Fla. in partnership with CADCA member, Orange County Drug-Free Coalition, and in Cincinnati, Ohio with PreventionFIRST!, also a member of CADCA. Details will be available soon.

HEALTH NOTES

Community forum on Opioid Epidemic

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Prescription drug abuse, especially the abuse of opioid pain medication, is at epidemic proportions in our country. Nationally, one in five young adults has abused a prescription drug. Massachusetts has been significantly affected by this problem. A state report released in April showed 1,008 people died drug-related deaths in Massachusetts in 2014; 600 deaths were confirmed as opioid-related, with an additional 408 expected to be linked to the powerful drugs.

During this forum, experts and community stakeholders will outline

how prescription drug abuse and the opioid epidemic affects our communities and what can be done to enhance the safety and health of residents. Experts representing the entire continuum of service providers—from substance abuse prevention to recovery and support—will share their knowledge and experiences. The event will feature a presentation by Dr. John Kelly, director of the Addiction Recovery Management Service at the Massachusetts General Hospital, as well as a panel discussion with a person in recovery, prevention leaders, and treatment professionals.

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2 times 6/4/15

Norfolk County continuing to combat mosquitos ^{weekly} 6/4/15

By JOSH PERRY
Hometown Weekly Staff

The Massachusetts Mosquito Control Board has announced that it will continue late evening aerosol (ULV) applications in the Norfolk County Mosquito Control District. The applications began at the end of May and will continue through September 30 from sunset to midnight, Monday through Thursday.

Residents can check to see when

and where these applications may be taking place by visiting www.norfolkcountymosquito.org or by calling 617-582-6216 after 3:30 p.m.

According to a press release, "The purpose of the adulticide application is to control nuisance and/or virus carrying adult mosquitoes." It continued that DUET will be applied with ultra-low volume (ULV) sprayers at a rate of one half ounce per acre.

Thumbs down

Dangers of prom and graduation season. Prom, graduation and other year-end activities are a happy, emotional and fun, fun, fun time of year for high school seniors, as they wind down their school careers, celebrate with friends and get ready for the next stage of their lives. It's also one of the most dangerous times of their lives, primarily because many of those celebrations involve alcohol or drugs, sometimes in combination with driving.

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times 6/4/15

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Town wins state drug grant

Joins other towns to fight substance abuse

lines
6/24/15

By Jonathan Dame
jdame@wickedlocal.com

The town has won a state grant to fight underage drinking and other drug use in conjunction with neighbors Dedham, Norwood and Westwood.

The grant is worth \$300,000 over three years with the possibility of renewal for another four years and an extra \$400,000.

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the hiring of a prevention specialist to form and strengthen substance abuse coalitions in each community.

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SEE GRANT, B3

GRANT

From Page A1

Needham's substance abuse prevention and education coordinator.

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Read said Needham already had an ongoing mentoring relationship with Norwood and Dedham, which have been working to form substance abuse coalitions. The grant will dedicate a full-time staff person to continue those efforts and include Westwood.

"Dedham and Norwood and Westwood will be

guided by our framework ... to start collations and to get their stakeholders at the table," Read said.

The staffer will also coordinate programs and events across the four towns. The communities have committed to sharing resources and best practices with each other, while each bringing their own community stakeholders to the table.

"The key is ... a health department can't implement changes and advocate for policy change alone,"

Read said. "You need all the members in the community to become versed and understand and then become advocates for those policy changes and new programs."

There is a community forum on identifying solutions to the opioid epidemic on June 11 at Town Hall from 6:30 p.m. to 8:30 p.m. The event will feature prevention and treatment specialists as well as one young adult in recovery from drug use.

California governor signs strict vaccine bill into law



RICH PEDRONCELLI/ASSOCIATED PRESS

Opponents of a measure requiring nearly all California school children to be vaccinated gathered on the steps of the Capitol after lawmakers approved the bill.

By Julia Horowitz | ASSOCIATED PRESS JUNE 30, 2015

SACRAMENTO, Calif. (AP) — Gov. Jerry Brown wasted no time Tuesday in signing a contentious California bill to impose one of the strictest school vaccination laws in the country following an outbreak of measles at Disneyland late last year.

Brown, a Democrat, issued a signing statement just one day after lawmakers sent him the bill to strike California's personal belief exemption for immunizations, a move that requires nearly all public schoolchildren to be vaccinated. The bill takes effect next year.

CONTINUE READING BELOW ▼

"The science is clear that vaccines dramatically protect children against a number of infectious and dangerous diseases," Brown wrote. "While it's true that no medical intervention is without risk, the evidence shows that immunization powerfully benefits and protects the community."

California joins Mississippi and West Virginia as the only states with such strict requirements.

Democratic Sens. Richard Pan of Sacramento and Ben Allen of Santa Monica introduced the measure after the outbreak at the theme park in December infected over 100 people in the U.S. and Mexico.

The bill likely would be successful in increasing immunization rates and stopping the spread of disease, pediatric doctors said Monday after the state Senate sent the legislation to the governor.

Bill supporters, including doctors, hospital representatives and health advocates, celebrated at an elementary school Tuesday. Lawmakers held babies, declaring the public would be better protected as a result of the bill.

"The science is clear," Pan said. "Californians have spoken. The governor and the Legislature have spoken. No more preventable contagions. No more outbreaks. No more hospitalizations. No more deaths. And no more fear."

Opponents of the requirement have vowed to pursue legal options to block the mandate.

Kimberly McCauley, a Sacramento resident with a 23-month-old daughter, was among a small group of parents holding vigil at the Capitol when they learned of Brown's signing Tuesday morning.

McCauley's eyes filled with tears.

"She will go to school. And then, when she is denied at kindergarten, I will sue," she said.

Allen said he is confident the new law would withstand a legal challenge.

“Similar laws have passed muster over and over again in other states,” he said.

Medical exemptions would still be granted to children with serious health issues. Children whose parents refuse vaccination can try to obtain a medical exemption or be homeschooled. The measure applies to public and private schools, as well as day care facilities.

The bill has seen heated opposition from parents who have come by the thousands to protest at the Capitol in recent weeks. The topic has drawn such acidic debate that the authors received threats and were placed under extra security.

A recall effort was even launched against at least two lawmakers who supported the proposal.

Opponents assert that the state is eliminating informed consent and trampling on parental rights. Similar legislation was dropped in Oregon earlier this year because opposition was so fierce.

Despite fervent pushback, the bill passed with bipartisan support.

Brown on Tuesday credited both supporters and opponents with “expressing their positions with eloquence and sincerity.”

He said after considerable debate, the Legislature explicitly provided an exception that makes it easier to obtain medical exemptions. SB277 was amended to allow doctors to use a family’s medical history as an evaluating factor.

The authors also agreed to establish a grandfather clause, allowing students who currently claim a personal belief exemption to maintain it until their next vaccine checkpoint. Checkpoints occur in kindergarten and seventh grade.

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San Francisco moves to put warnings on ads for soda, sugary drinks



JEFF CHIU/ASSOCIATED PRESS/FILE

San Francisco supervisors voted unanimously to approve health warnings on ads for sodas and sugary beverages.

By Janie Har | ASSOCIATED PRESS JUNE 10, 2015

SAN FRANCISCO (AP) — Soda and some other sugary drinks contribute to health problems, San Francisco supervisors said as they voted unanimously to approve health warnings on ads for such beverages.

The soda industry said it might sue to block the ordinance, while supporters said they will seek to expand the requirement beyond the city.

CONTINUE READING BELOW ▼

It's believed San Francisco would be the first place in the country to require such warnings if the Board of Supervisors gives a second approval next week and the mayor allows it to go into effect.

Efforts for a statewide warning failed this year, as did a city ballot measure last year to impose a tax on sugary drinks.

“Another attempt at the sugar-sweetened beverage tax is being considered,” said John Maa, a general surgeon and member of the board of the American Heart Association in San Francisco, which lobbied for the ordinance approved Tuesday.

The ordinance defines sugar-sweetened beverages as drinks with more than 25 calories from sweeteners per 12 ounces. Advertising for such sodas as Coca-Cola Zero and other no-calorie drinks would not require a warning, but ads for regular Coca-Cola would.

The ordinance also requires warnings for other products such as sports and energy drinks, vitamin waters and iced teas that exceed the 25-calorie limit. Milk and 100 percent natural fruit and vegetable juices are exempt.

The label would read: “WARNING: Drinking beverages with added sugar(s) contributes to obesity, diabetes, and tooth decay. This is a message from the City and County of San Francisco.”

The ordinance would require the warning on print advertising within city limits — billboards, walls, taxis and buses. It would not apply to ads appearing in newspapers, circulars, broadcast outlets or the Internet.

Soda cans and bottles would not have to carry the warning.

Supervisors quickly approved the proposal with an 11-0 vote, as well as two other measures aimed at curbing sugary drink consumption.

One proposal would ban soda ads on city-owned property, much like San Francisco does with tobacco and alcohol. Another would prohibit city funds from being used to buy soda.

“These are not harmless products that taste good,” said Supervisor Scott Wiener, who authored the soda warning proposal. “These are products that are making people sick, and we need to take action.”

A 12-ounce can of regular Coke contains 140 calories, all from sugar. The can contains 39 grams of added sugar, which is about 9 teaspoons. One teaspoon of sugar has about 16 calories.

Liquid sugar is the new tobacco as far as some public health advocates are concerned. Berkeley approved a soda tax last year, the first in the country to do so, but San Francisco rejected one. Davis, a college town near Sacramento, is requiring restaurants to serve milk and water as the default drink with children’s meals.

About 32 percent of children and teens in San Francisco are overweight or obese, according to a 2012 study by the California Center for Public Health Advocacy and the UCLA Center for Health Policy Research. That figure is lower than Los Angeles, San Jose and Sacramento.

Opponents have said it’s not fair to single out billboard advertising or sugary drinks.

Roger Salazar, a spokesman for CalBev, which represents the state beverage industry, said the organization might sue.

“Aside from being bad public policy, there are some free-speech issues,” Salazar said. “We’re going to explore all of our options.”

Mayor Ed Lee hasn’t taken a position but said through a spokeswoman that he is open to educating people through warning labels on advertisements.

Supervisor Eric Mar, who sponsored all three measures with Wiener and Supervisor Malia Cohen, said the ordinance should pave the way for a soda tax on the November 2016 ballot.

More than half of voters approved last year's measure but it required a two-thirds majority because it was a special tax. This time, it could be pitched as a general tax and require only a simple majority, he said.

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Flavored tobacco could see massive tax hike in Mass.

State Senate includes measure in yearly budget proposal

By **Joshua Miller** | GLOBE STAFF JUNE 30, 2015

The Massachusetts Senate is pressing to increase the tax on flavored cigars, flavored smoking tobacco, and flavored “blunt wraps” — sometimes used to smoke marijuana — from 40 percent to 210 percent in an attempt to reduce youth use of products that come in such flavors as white grape and vanilla.

If the tax hike were to become law, Massachusetts would have the highest flavored-cigar tax in the country, according to advocates and opponents of the push.

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The tax would be imposed on cigar distributors. So, for instance, a retailer buying a \$1 flavored cigar would pay a \$2.10 tax, significantly but opaquely raising the price for consumers.

Unflavored and tobacco-flavored cigars would remain taxed at 40 percent. The sales tax would continue to be applied as well.

The lead sponsor of the effort said boosting the tax would help reduce youth smoking by making the price prohibitive. Senator Jason M. Lewis, Democrat of Winchester, said he sees it as “just closing a tax loophole” since smokeless tobacco, a category that includes chewing tobacco, is already taxed at 210 percent, and cigarettes are highly taxed as well.

Antismoking advocates applaud the tax hike effort.

But large convenience store associations are crying foul. They say retailers have extremely high levels of compliance with restricting sales to minors, and they argue the tax would squeeze mom-and-pop stores.

The measure was included in the yearly state budget proposal from the Senate, but not the one from the House.

The two chambers are hashing out differences between their spending plans for the new fiscal year, which begins Wednesday, so the new tax could be included, but is not certain to be.

House Speaker Robert A. DeLeo recently said it was the House's opinion that there be "no new taxes, whether large or small."

Still, DeLeo said, "we'll have to wait and see" the final product of budget negotiations.

Asked about Governor Charlie Baker's stance on the measure, spokeswoman Elizabeth Guyton said in a statement that the governor has proposed a budget to set the state "on a fiscally responsible path without tax increases and is opposed to raising taxes."

Massachusetts has long worked to diminish youth tobacco use, with apparent success, according to statistics provided by Scott Zoback, a spokesman for the state Department of Public Health.

In 1995, 35.7 percent of high school students had smoked a cigarette in the last 30 days. That number had dropped to 10.7 percent by 2013, Zoback said. The same year, 10.8 percent of Massachusetts high school students had used cigars, cigarillos, or little cigars in the past 30 days, a drop from two years earlier.

Lewis, a leader of the Legislature's public health committee, said it's good news that youth cigarette smoking is down. The bad news, he argued, is that tobacco companies have responded by introducing a range of new products, including flavored cigars at prices that kids can afford.

The cheapest pack of cigarettes in the state is about \$7, he said, while a flavored cigar can be bought individually for less than a dollar.

Cigars used to be seen as less youth-friendly, Lewis said. “What’s changed is the tobacco companies have seen a market opportunity and introduced a whole new line of flavored products.”

Altria, which owns a company that makes cigars and pipe tobacco, says on its website that “there is a long history of adult consumer interest in flavor varieties in other [non-cigarette] tobacco products.”

Tom Briant, executive director of the National Association of Tobacco Outlets, a retail tobacco trade group that represents 40,000 tobacco stores and convenience stores across the country, said, “What a tax increase of this magnitude will do is cause significant reductions in legal sales to adults by law-abiding retailers.”

And he scoffed at the idea it would reduce youth use, arguing that the vast majority of minors get tobacco from social sources, such as older friends or parents.

Steve Ryan, executive director of the New England Convenience Store Association, which represents hundreds of store locations throughout Massachusetts, said, “The concern that we have is that the sales that now occur in the legal channels will go to the Internet, to stores out of state, or to the black market.”

But Kevin O’Flaherty, who oversees advocacy in the Northeast for the Campaign for Tobacco-Free Kids, a Washington-based nonprofit that works to reduce tobacco use, and backs the Senate effort, said that as taxes on others tobacco products have risen, cigars have been untouched.

“They’ve created an artificial market condition that makes flavored cigars more appealing to kids,” he said. “Kids are the most price-sensitive, so they’re drawn to cheaper products.”

He affirmed that if it were to become law, Massachusetts would indeed have the highest tax in the country on flavored cigars, but framed it as a matter of parity.

The Massachusetts smokeless tobacco tax, he said, has had that distinction for several years. And “we’ve been trying to close this loophole for some time.”

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Smoking among Needham high schoolers plunged after legal age rose to 21



GETTY IMAGES

Needham implemented tougher restrictions in 2005.

By [Matt Rocheleau](#) | GLOBE STAFF JUNE 17, 2015

Smoking rates among high-school students in Needham have plummeted since the town implemented its first-in-the-nation restrictions limiting tobacco sales to people over 21, according to a survey published this month.

Smoking rates among Needham students dropped by nearly half in the first five years after the measure took effect in 2005, the analysis found, a much greater reduction than in neighboring towns that kept the minimum age at 18 years old.

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Teen smoking has continued to decrease in Needham, researchers said.

“Needham is an example for other communities considering policy changes to reduce youth smoking,” said a statement from Shari Kessel Schneider, a researcher at the Waltham nonprofit the Education Development Center and co-author of the study with specialists from Brown University and Harvard Medical School.

Needham was the only community in the country to raise its tobacco sales age before 2012. Since then, a growing number of cities and towns have followed suit.

From 2006 to 2010, smoking rates among high schoolers in Needham dropped from 13 percent to 7 percent, a significantly greater decline than in 16 neighboring communities where teen smoking rates dipped from 15 percent to 12 percent, the study found.

Smoking rates dropped even further between 2010 and 2012, falling to 5.5 percent in Needham and 8.5 percent in the neighboring communities.

But the researchers did not find the trend in those years to be statistically significant, “suggesting that raising the minimum purchase age may contribute to a greater decline in smoking in the years immediately following its adoption.”

Professor Stephen Buka, chairman of Brown’s epidemiology department and a co-author on the study, said the results of the research suggest that if every town in the country raised the minimum age for buying tobacco to 21 years old, 3 million fewer youth would die early from a smoking related disease.

“These findings suggest one of the best possible strategies to reduce smoking-related diseases, the leading cause of preventable death in the United States,” he said in a statement.

The study, published online last week in the journal Tobacco Control, analyzed data from the MetroWest Adolescent Health Survey, a biennial census survey of more than 16,000 high school students.

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