

NEW YORK STATE DEPARTMENT OF HEALTH  
WADSWORTH CENTER  
ALBANY, NY

COUNCIL ON HUMAN BLOOD AND TRANSFUSION ON SERVICES

Wednesday, June 1, 2022  
(by Webex Video Call)

MINUTES

Members Present: Rachel Elder, M.D.  
Timothy Hilbert, M.D.  
David Huskie, R.N.  
Phillip McCarthy, M.D.  
Beverly Rauch, Commissioner's Designee

DOH Staff Present: Andrea Garavelli  
Matthew Kohn, Ph.D.  
Jason Riegert, J.D.

Members of the Public: Barrett, Keosha  
Brinser, Roger  
Cherny, Nelli  
Espinoza, Ruth  
Horan, Gina  
Jacobson, Jessica  
Knowles, James  
Locher, Maria  
Magalhaes, Marcela  
O'Rourke, Mark  
Pratt, Heather  
Quinley, Eva  
Renshaw, Aaron  
Schmidt, Amy  
Speir, Bill  
Tripp, Stephanie  
Turner, Patrick  
Ustin, Mark  
Vandervort, Margaret  
Vandervort, Todd

**Meeting Called to Order**

In the absence of an appointed chair, Dr. Kohn called the meeting to order at approximately 2:20 p.m. and welcomed the participants. Council members introduced themselves, DOH staff introduced themselves and Dr. Kohn identified the additional registered observers.

**Approval of Minutes of May 21, 2021 meeting**

Dr. Kohn requested discussion of the minutes of the May 21, 2021, Council meeting, and as there was none, requested a motion to approve the minutes as presented. Ms. Rauch motioned to approve the minutes as presented, Dr. Elder seconded the motion. The motion was approved unanimously.

**Discussion and Repeal of 10 NYCRR Subpart 58-2.14**

Ms. Rauch described recently approved legislation that established a new registration process for source plasma donation centers, beginning in June of 2022. The new law requires that source plasma donation centers follow federal requirements for eligibility testing of donors and collection of plasma. Effective June 19, 2022, the requirements set forth in section 58-2.14 of Title 10 NYCRR will no longer be applicable to source plasma donation centers, and 58-2.14 will become obsolete. Dr. Kohn invited questions from members, and a brief discussion ensued.

Dr. Kohn asked for a motion to repeal 10 NYCRR Part 58-2.14. Mr. Huskie motioned for approval and Dr. Elder seconded. The motion was approved unanimously.

**Discussion of Proposed Resolution to Allow Remote Participation by Videoconference**

Mr. Riegert, Senior Attorney in the Division of Legal Affairs, described recent amendments to New York State's Open Meeting Law. Under the amendments, videoconferencing will only be allowed to occur if there is an in-person quorum in the location(s) where the meeting is held. Mr. Riegert explained that under the Open Meeting Law, the Council may conduct its meetings at multiple physical locations provided all locations are open to the public. However, if the Council approves a resolution, members may attend meetings by videoconference under extraordinary circumstances, but members attending virtually will not count towards quorum. A discussion of what constitutes an acceptable public meeting space, and examples of extraordinary circumstances as defined in the law, as well as Executive Order 11 allowing videoconferencing due to the COVID-19 pandemic, followed.

Ms. Rauch motioned that under extraordinary circumstances, the Council permit its members to participate remotely by videoconference from a location not otherwise open to the public. Ms. Rauch also motioned that extraordinary circumstances include, but not be limited to, temporary or permanent disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such a meeting. Dr. Elder seconded, and the motion was approved unanimously.

**Public Comment**

Dr. Kohn invited public comments or questions. Dr. Elder inquired about tissue banking regulations, and Dr. Kohn, as Director of the Tissue Resources Program, responded.

**Adjournment**

Dr. Elder motioned to adjourn the meeting, which was seconded by Dr. McCarthy, and following a unanimous vote, the meeting was adjourned.