

NEW YORK STATE DEPARTMENT OF HEALTH  
WADSWORTH CENTER  
ALBANY, NY

COUNCIL ON HUMAN BLOOD AND TRANSFUSION SERVICES

Wednesday, March 31, 2021  
(by Webex Video Call)

MINUTES

Members Present: Joseph Chiofalo, D.O.  
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.  
Derek Symula, Ph.D.

Members of the Public: Campion, Shannon  
Cherny, Nelli  
Driscoll, Christine  
Espinoza, Ruth  
Frei, Cristin  
Jett, Betsy  
Locher, Maria  
O'Rourke, Mark  
Pratt, Heather  
Sachais, Bruce  
Schmidt, Amy  
Sexton, Jamie  
Spier, Bill  
Ustin, Mark  
Vandervort, Margaret  
Vandervort, Todd  
White, Karla

**Meeting Called to Order**

Dr. Chiofalo called the meeting to order at 11:02 a.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 February 5, 2021 meeting**

Dr. Chiofalo requested discussion of the minutes of the February 5, 2021, Council meeting, and as there was none, requested a motion to approve the minutes as presented. Dr.

Elder motioned to approve them as presented, Dr. Hilbert seconded the motion. The motion was approved unanimously.

**Proposed Changes to Regulations**

Dr. Symula provided a recap of the timeline pertaining to changes to sections 58-2.14 and 58-2.15, and addition of 58-2.28, and the rulemaking process. He stated that in response to public comments on changes to the regulation first proposed in September, the Department revised the emergency regulation and proposed further revisions to the permanent regulation in February. The public comment period for the latter revisions closes April 12, after the current emergency regulation expires, and so the Department is requesting the Council re-approve the emergency regulation as presented at the February 5, 2021 meeting. The re-approved emergency regulation will expire in another 60 days, and so the Council will need to convene again in May.

Dr. Chiofalo invited questions and discussion from the members, and as there were no questions and no discussion, he asked for a motion to re-approve the emergency regulation package previously approved in February. Dr. Elder motioned for approval and Mr. Huskie seconded. The motion was approved unanimously.

**Public Comment**

Dr. Chiofalo invited public comments or questions. Betsy Jett, representing the New York Blood Center (NYBC), stated that the NYBC has formally submitted comments on the proposed permanent regulation, and described the NYBC's concerns about the use of "in writing" in regard to the informed consent process, and whether an electronic format would suffice. Dr. Symula responded that the Department would address those formally after the public comment period closes.

**Subsequent Meeting**

Dr. Chiofalo reiterated the need for another meeting in May.

**Adjournment**

Dr. Elder made a motion to adjourn the meeting, which was seconded by Mr. Huskie, and following a unanimous vote, the meeting was adjourned.