

**Joint Meeting of the Ethics Subcommittee of the Advisory Committee to the Director,
Centers for Disease Control and Prevention (CDC), and
CDC's Public Health Ethics Committee**

**October 15, 2009
Teleconference
Summary Proceedings**

Introductory Remarks and Overview of Meeting Goals

**Robert Hood, Ethics Subcommittee Chair, Florida Department of Health
Drue Barrett, Designated Federal Officer, Ethics Subcommittee**

Because of a lack of a quorum, Dr. Hood was not able to officially call the meeting to order. The meeting participants are listed in Attachment 1. Because there was not a quorum, it was decided that the meeting would be used to continue pre-decisional work on the ventilator guidance document. Dr. Barrett suggested that they review the changes made to the document titled "Ethical Considerations for Decision Making Regarding Allocation of Mechanical Ventilators during a Severe Influenza Pandemic" (ventilator document) since the September 24th Ethics Subcommittee meeting.

Dr. Barrett explained that although they originally thought that the document would be vetted through the Advisory Committee to the Director (ACD) during its meeting scheduled for October 29, 2009, she had since learned that the October ACD meeting has been cancelled and that the ACD would most likely not meet again until February 2010. This would, therefore, allow more time to continue to discuss and finalize the ventilator document. They could then schedule a subsequent call in November or December to have a final vote of approval on the document. The document would then be sent to the ACD for review when they meet in February 2010.

Dr. Hood reviewed the changes made to the document since the September 24th call. These changes included the following:

- Language was added to the introduction section to clarify the scope of the document and to indicate that this is meant to be a "points to consider" document (page 3)
- Language was added regarding the new Institute of Medicine (IOM) report on crisis standards of care (pages 7 and 17)
- A section was added on fair chances versus maximization of best outcomes (page 14)
- A discussion of the cons of the multi-principle approach was added (page 15)
- Language was added to stress the importance of having regional coordination of ventilator supplies so that everyone in a particular priority group will have equal access to a ventilator (page 16)
- Language was added pertaining to the issue of reciprocity for essential workers (pages 17-18)

- ❑ Language was added to stress the importance of community engagement (page 18)

The overall consensus from those on the call was that the workgroup had done a good job of addressing the issues raised during the September 24th conference call and that they were satisfied with the changes.

Discussion Points

Prior to this teleconference, Dr. Daniels submitted comments on the revised draft. One issue he raised pertained to the question of the authority of public health officials to requisition private supplies of ventilators. Ruth Gaare Bernheim and Leslie Wolf agreed to prepare language about this issue. Dr. Barrett will also solicit input from CDC staff on this matter.

During the call, Pamela Sankar raised a question about defining the term “severe” and the need to add additional language to clarify trigger points. Dr. Sankar agreed to prepare language to address this point.

Dr. Daniels also raised some questions about the organization of the document. The members on the call did not feel strongly that changes in the organization of the document were needed but Dr. Barrett will discuss these comments with the drafting workgroup.

Dr. Hood called for public comments. No public comments were offered.

Certification

I hereby certify that to the best of my knowledge, the foregoing minutes of the October 15, 2009 Ethics Subcommittee meeting are accurate and complete.

Date

Robert Hood, PhD
Chair, Ethics Subcommittee, Advisory
Committee to the Director

Attachment 1: List of Attendees

Ethics Subcommittee, Advisory Committee to the Director

Ruth Gaare Bernheim, JD, MPH University of Virginia
Ronald Bayer, PhD, Columbia University
Vivian Berryhill, ACD Member, National Coalition of Pastors' Spouses
Robert Hood, PhD, Chair, Florida Department of Health
Pamela Sankar, PhD, University of Pennsylvania
Leslie Wolf, JD, MPH, Georgia State University

Centers for Disease Control and Prevention

Drue Barrett, Designated Federal Officer, Ethics Subcommittee
Karen Gavin
Alexandra Levitt
Leonard Ortmann
Lauretta Pinckney

Members of the Public

Michele Sullivan, Reporter American College of Emergency Physicians News