

## EASTERN HEALTH BOARD

*Minutes of Proceedings of Monthly Meeting of Eastern Health Board held in the Boardroom. St. Brendan's Hospital. Grangegorman. on Thursday. 4th August. 1977 at 6 00p.m.*

*Present:*

<p>Cllr. Mrs. J. Barlow            Dr. J. D. Behan            Cllr. Michael Brady            Olr. O. Browne            Cllr. Michael Carroll            Mr. J. ConnoWy            Mr. Hugh Corrigan            Cllr. Oliver Cooney            Cllr. H. P. Dockrell            Prof. J. S. Doyle            Cllr. J. Duming            Cllr. Austin Groome            Mr. K. Harrington            Cllr. Patrick Hickey</p>	<p>Ms. Noreen Kearney            Dr. D. G. Kelly            Cllr. D. Kinsella            Deputy Mrs. Eileen Lemass            Dr. Patrick McCarthy            Sr. Columba McNamara            Dr. Aidan Meade            Mr. B. Mulledy            Deputy Ciaran Murphy            Deputy Dr. J. O'Connell            Dr. Brendan Powell            Dr. B. Sheehan            Cllr. J. Sweeney            Dr. John Walker</p>
--	---

Councillor P. Hickey, Chairman, presided.

*Apology for Absence:*

**Dr. Maire Walsh**

*Officers in Attendance:*

<p>Mr. E. O Caoimh            Mr. J. J. Nolan            Mr. T. Keys*            Mr. F. Donohue            Prof. B. O'Donnell            Mr. R. N. Lamb            Mr. F. McCullough</p>	<p><i>Chief Executive Officer</i>  <i>DI Chief Executive Officer</i>  <b>Programme Manager</b>  <i>Programme Manager</i>  <i>Dublin Medical Officer</i>  <b>Personnel Officer</b>  <i>General Administrator</i></p>	<p>Prof. Ivor Browne            Mr. P. J. Swords            Mr. J. Doyle            Mr. J. Clarke            Mr. F. Williams            Mr. A. J. Duggan            Mr. K. Quinn            Mr. M. Cummins            Miss A. Connolly</p>
--	---	--

89/77

### CONGRATULATIONS

The Chairman informed the meeting that Councillor H. P. Dockrell had been elected Chairman of the St. James' Board and the members warmly applauded the announcement.

## 90/77 INTRODUCTION

The Chairman introduced Ms. Noreen Kearney to the members as she had been unable to attend the first meeting of the Board. He welcomed her to the Board on behalf of the members.

## 91/77

**CONFIRMATION OF MINUTES OF ANNUAL MEETING** The minutes of the annual meeting held on the 7th July, 1977 having been circulated were confirmed on the proposal by Councillor J. Sweeney and seconded by Professor J. S. Doyle.

**92/77 CONFIRMATION OF MINUTES OF MONTHLY MEETING** The minutes of the monthly meeting held on the 7th July, 1977 having been circulated were confirmed on the proposal by Mr. K. Harrington and seconded by Councillor Mrs. Barlow.

## 93/77

**PROCEEDINGS OF VISITING COMMITTEES** The meeting decided to consider the report of the No. 2 Visiting Committee meeting held at St. Brendan's Hospital on 22nd June, 1977 and the No. 3 Visiting Committee meeting held at St. Ita's Hospital on 20th July, 1977. The members noted that the reports of the two Committees were at variance in as far as the reference to the transfer of patients contained in the St. Brendan's report was at variance with the contents of Report for St. Ita's. Mr. Keyes, Programme Manager, outlined to the members the situation and suggested to them that the best method of dealing with the situation fully would be for a joint visit by each of the two Committees to the respective Hospitals in the immediate future. The members fully accepted and agreed that the secretary would arrange such a meeting.

## 94/77

**PROCEEDINGS OF LOCAL HEALTH COMMITTEES** The minutes of the following Local Health Committees having been circulated were dealt with as follows:

- (a) Dublin City Local Health Committee Meeting held on 27th April, 1977—Noted, subject to the motion in Paragraph 1 being followed up.
- (b) Kildare Local Health Committee Meeting held on 26th May, 1977—Noted, following Councillor Brady being advised that the post of Registrar was being actively pursued by the Hospitals Department.
- (c) Wicklow Local Health Committee Meeting held on 20th May,—Noted.

95/77

**REPORT OF HOSPITALS COMMITTEE. RE  
GENERAL HOSPITAL DEVELOPMENT**

At the July meeting. Report 24/77 from the Deputy Chief Executive Officer was deferred so that the members could consider fully the various proposals suggested in that report. At the outset Mr. J. J. Nolan, Deputy Chief Executive Officer referred to his brief resume contained in the current minutes and then went on 'to deal with the different recommendations individually. The members approved of the recommendations in the report and were pleased to learn that St. James's Hospital had agreed to set up a Visiting Committee similar to the Board's own Committees. He also informed them that he was endeavouring to have two nominees from the Board to fill two places on the Board of Our Lady's Hospital, Crumlin, but had been informed that Dublin Corporation had two members and he hoped to arrange for two Board members to take over these places at a later date. When dealing with the Board's representation on outside Hospital Boards he informed the members that the Minister had invited the Chairman and some other members to visit the Regional Hospital at Wilton, Cork as he proposed to build the New Hospital at Beaumont on similar lines at a very early date. Because of the short notice the Chairman, Mr. Nolan, Prof. Doyle, Dr. B. Sheehan and Dr. Behan made the visit. They were very impressed by the facilities at Wilton. Dr. Sheehan suggested that Wilton Hospital was planned in 1968 and that the plan should be examined in the light of 1980 requirements particularly in view of the change in medical practice in the intervening period. He felt that it was essential that first class Post-Graduate facilities should be available to General Practitioners. Mr. Nolan drew the members attention to the fact that the Board had sought five representatives on the Beaumont Hospital Board and that the Minister when discussing this matter with him asked that he recommend the Board to agree to two representatives on the Pre-Commissioning Committee. The Minister proposed to reduce the Department of Health's representatives on this Committee as well so as to allow him to appoint some local area representatives on the Committee. The Minister assured the Chairman that the Board's agreement to the two representatives on the Pre-Commissioning Committee would in no way affect the Board's quota on the Management Hospital Board when it was completed. In the circumstances the members agreed to have two representatives on the Committee and unanimously appointed Mr. Nolan and Professor Stephen Doyle.

Accordingly the following motion was proposed by Councillor D. Browne and seconded by Dr. Powell and unanimously adopted.

'That the Board adopts Report 24/1977—that it approves of one officer and one Board member on the Pre-Commissioning Committee, that these persons be Mr. J. J. Nolan and Professor J. S. Doyle and that the Minister be requested to include a General Practitioner as a local representative on this Pre-Commissioning Committee.'

A general discussion took place on the relative proportions of representations on the North and South side Hospital Board's and the members accepted Mr. Nolan's views on how this representation would work eventually.

Mr. Nolan drew the Board's attention to the fact that there were now three Board vacancies on the St. James's Hospital Board and the members unanimously agreed that Professor B. O'Donnell and Mr. K. Harrington should fill two of the vacancies. For the third vacancy the following four persons were nominated:

Councillor Mrs. J. Barlow; Sr.  
Columba McNamara; Dr. P.  
McCarthy; Dr. B. Sheehan.

A vote was taken and Dr. B. Sheehan was declared elected. The voting was as follows:—

FOR Dr. B. SHEEHAN: Councillor H. P. Dockrell; Mr. K. Harrington; Sr. Columba McNamara; Deputy Ciaran Murphy; Councillor J. Sweeney; Professor J. S. Doyle; Dr. D. G. Kelly; Dr. Aidan Meade; Dr. B. Sheehan; Dr. J. Walker.

FOR Dr. P. MCCARTHY: Councillor M. Brady; Councillor M. Carroll; Councillor O. Cooney; Dr. P. McCarthy; Dr. Brendan Powell; Councillor D. Browne; Councillor J. Connolly; Councillor J. Durning; Deputy Dr. J. O'Connell.

FOR Councillor Mrs. J. BARLOW: Councillor Mrs. J. Barlow; Councillor D. Kinsella; Deputy Mrs. E. Lemass; Ms. Noreen Kearney; Mr. Hugh Corrigan.

FOR Sr. COLUMBA McNAMARA: Councillor Austin Groome; Mr. B. Mulledy; Councillor P. Hickey.

Dr. John O'Connell queried the holding down by Dr. John Cullen of a place on the St. James's Board. It was explained that it was not necessary to be on the Eastern Health Board to be a member of St. James's and that Dr. Cullen would

remain a member until 1979 unless he resigned before that date. The Board did have power, however, to request the Minister to accept the nomination of another person in place of Dr. Cullen if it so desired. The members decided to take no action.

96/77

#### SUSPENSION OF STANDING ORDERS

Mr. K. Harrington informed the Chairman that he wished to refer to a matter of grave importance. The members unanimously agreed to the suspension of standing orders on a proposal by Councillor J. Sweeney and seconded by Councillor A. Groome.

Mr. Harrington referred to a recent report wherein a car had been stolen and in that car was a bottle of Paraquat. He considered it disgraceful that any person should be sold Paraquat in such a fashion. The members deplored the situation and unanimously agreed to the suggestion that proceedings should be instituted by the Gardai against the person who sold the Paraquat.

The following members contributed to the debate:—  
Chairman, Councillor P. Hickey; Dr. P. McCarthy; Professor J. S. Doyle; Dr. E. Powell, Councillor D. Browne; Councillor J. Durning; Dr. B. Sheehan; Dr. Behan; Councillor Mrs. J. Bartow; Councillor J. Connolly; Deputy J. O'Connell; Councillor H. P. Dockrell; Dr. Kelly; Dr. Walker.

97/77

#### LOCAL HEALTH COMMITTEES

The following Report 22/1977 and 26/1977 from the Deputy Chief Executive Officer were submitted:

*"Report No. 22/1977.*

#### *LOCAL (Health) COMMITTEES*

In Report 17/1977 which was before the Board at its June, 1977 meeting, I outlined the situation as regards the election of members to each of the five Local Health Committees. Since then elections have taken place for certain vacancies and the following have been declared elected to the Committees as set out:—

Dublin City— Dentist—Mr. J. Walsh (outgoing).  
 Dun Laoghaire— Dentist—Mr. J. M. Deasy.  
 Psy. Nurse—Mr. P. Dennieffe.

Further—Dublin Corporation have recommended the re-appointment of Mr. R. Gleeson and Sr. Claude McDonald as representatives of voluntary organisations in their area.

Dun Laoghaire Borough Council have recommended the re-appointment of Mr. F. Jones and Sr. Darling as Voluntary Organisation representatives for its area.

I am awaiting recommendations from Dublin County Council and Wicklow for this section of representation on their Committees.

I indicated in my June report that vacancies have to be filled in the following areas and categories:— Dublin City— 3 medical vacancies.

Dublin County— 3 medical vacancies.

Kildare— 1 medical vacancy and 1 pharmacist vacancy.

Wicklow— 2 medical vacancies and 1 public health nurse vacancy.

It is a matter for the Board to decide when and how these vacancies should be filled. One way is to invite applications by public advertisement for each of the vacancies in the areas and the Board select a candidate for each vacancy.

Alternatively the Bodies representing the different disciplines could be invited to nominate candidates who are willing to join a particular committee and who qualify under the regulations. It is a matter for the Board to decide on which method is most acceptable.

As mentioned in my report in June I advised the members that the Board will also be required to appoint a medical officer of the status of County Medical Officer for each area, an R.M.S., serving each of the five areas or a Senior Psychiatrist, a Superintendent Assistance Officer or his equivalent for each area. The Management Team have considered the filling of these vacancies and recommended the following:—

	<i>Dublin City</i>	<i>Dublin Co. Council</i>	<i>Dun Laoghaire</i>	<i>Kildare</i>	<i>Wicklow</i>
Medical Officer	Dr. A. Corboy*	Dr.K. Quinn	Dr. B. O'Donnell	Dr.V. Barry	Dr.C. Warde
R.M.S./ Senior Psychiatrist in a Mental Hospital	Dr. B. McCaffrey*	Dr. McGuinness	Dr. D. McCarthy*	Dr. Blake*	Dr. Rahill*
Supt. Assistance Officer	E. McManus*	Mr. Golding	Mr. Kennedy	Mr. McDonald*	Mr. R. Power*

In the case of Voluntary Organisations the following have been recommended by their respective Councils:—

Dublin City— Mr. R. Gleeson\*  
Sr. C. McDonald\*

Dun Laoghaire— Mr. F. Jones\*  
Sr. Darling\*

Kildare— Mr. N. E. Birmingham\*  
Sr. M. Carmel\*

and their appointments should be approved. As soon as Dublin County and **Wicklow** make recommendations I shall arrange to have them **placed before** the Board for approval.

\*Denotes out-going member.

J.J.NOLAN. *D/Chief Executive Officer.*"

30th June. 1977.

"Report No. 26/1977.

#### LOCAL (Health) COMMITTEES

At the July meeting the members decided to defer consideration of Report 22/1977 to its August meeting. In the meantime, the Minister for Health, has advised that all vacancies on Local **Health** Committees which were not filled at the Local **Health** Committees elections should be treated as casual vacancies and filled by appointment by the Health Board but subject to the limitations which

governed the appointment of the person whose cessor of membership caused the vacancy. As these posts were filled by nominations from the different organisations representing the particular professions, I have asked these bodies to nominate candidates for the current vacancies. I have fixed the 15th Day of August as the latest date for receiving nominations and all eligible nominations received will be placed before the Board at its September meeting for appointment to the relevant Local Committees.

In the meantime Dublin County Council has nominated the following persons to fill the vacancies for representatives of Voluntary Organisations:—

- C. O'Toole, Tallaght Welfare Society.
- J. Byrne, 113 Arthur Griffith Park, Lucan, Co. Dublin.

Wicklow County Council have nominated for the same category:—

- Mrs. J. Hynes, 7 Lauderdale Terrace, Bray, Co. Wicklow.

The second person will be nominated around Mid-August.

I recommend that the Board approve the appointment of all persons named in Report 22/1977 and Report 26/1977 above.

**J. J. NOLAN, D/Chief  
Executive Officer."**

*26th July. 1977.*

On a proposal by Mr. H. Corrigan, seconded by Councillor J. Sweeney, it was unanimously resolved as follows:—

'That Reports 22/1977 and 26/1977 be adopted and the persons mentioned therein are hereby appointed to the appropriate Local Health Committees.'

98/77

**GENERAL PRACTITIONER SERVICE—PARTNERSHIP**

The following Report 25/1977 from the Deputy Chief Executive Officer was submitted:—

## "GENERAL PRACTITIONER SERVICE

*Application by Doctor M. P. Johnson, 50 Rathdown Park, Dublin 6, to take on an Assistant with a view to Partnership.*

**Doctor** M. P. Johnson, 50 Rathdown Park, Dublin 6, is participating in the Board's general practitioner service. He has a large list of eligible persons and his centres of practice **are at (1) 133 Walkinstown Road, Dublin 12 and (2) Curlew Road Health Centre. In his letter** of the 21st May, 1977, he has expressed his wish to take on an Assistant with a view to partnership. He has a large list of eligible persons and the average **number** of eligible persons per doctor in the area is **reasonably high**.

In accordance with paragraph 21/22 of the circular letter 8/75 dated 9th April, 1975 issued by the Department of Health, the Irish Medical Association and the Medical Union were asked for their observations on Doctor Johnson's request. In letters dated 17th June, 1977 and 20th June, 1977, **the Irish Medical Association** and the Medical Union respectively stated that they had no objection to Doctor Johnson's proposal.

I **recommend** that, subject to the approval of the Board, applications be invited in the usual manner and that an Assistant with a view to partnership for Doctor Johnson be selected in accordance with the procedure laid down in **paragraphs 21/22** of the Department's circular letter 8/75 dated 9th April, 1975. The relevant extract from this letter is as follows:—

"21: The creation of a position as partner, or as an **additional member of a** group practice, or as an Assistant with a view to partnership for the purpose of the general medical service, will be subject to the approval of the Health Board. In considering any such proposal the Board shall have regard to the total practice of the applicant. Before giving approval the Board must be satisfied:—

- (a) that the creation of the position is preferable to the creation of an additional position which could be filled by open competition in the normal way; and

(b) that the creation of the position will not result in the admission of a particular person into the general medical service while other equally well or better qualified persons are not given a reasonable chance to compete. Where the Chief Executive Officer proposes to seek the approval of the Board to the creation of a position as partner, or as an additional member of a group practice, or as an assistant with a view to partnership he shall, before doing so, consult the medical organisations.

22. Where a Health Board agreed to the creation of a partnership or an addition to a group practice or to the recruitment of an Assistant with a view to partnership the position will be advertised in the normal way but the doctor or doctors involved or a nominee of the doctor or doctors involved in the proposed taking in of a partner, or additional member or assistant will be entitled to sit on the Selection Board. The Selection Board shall pay due regard to any objection of this representative to the giving of the post to a particular individual or individuals. If the Board considers it desirable it may not recommend any candidate for appointment."

**E. OCAOIMH.**

*Chief Executive Officer.  
28th June. 1977.*

On a proposal by Dr. J. Walker, seconded by Dr. P. McCarthy the following motion was unanimously adopted as follows:—

'That the Board approves of the partnership proposal as set out in Report 25/1977.'

99/77

**ST. JAMES'S HOSPITAL NEW LABORATORY UNIT**

The address of the Minister for Health at the cutting of the sod by him for the above unit having been circulated was noted.

100/77

## NOTICES OF MOTIONS

(a) (i) The following motion was proposed by Councillor J. Connolly and seconded by Deputy Mrs. E. Lemass.

"That a decision be now made to give full recognition with grant requested to the Walkinstown Association for Handicapped."

Councillor Connolly explained his reasons for putting down the motion which were supported by the seconder.

Mr. T. Keyes, Programme Manager, Special Hospital Care commended the Association for its work and hoped that it would expand. However, it was necessary for him to apply **certain** rules before recognising Associations for a grant towards their work. He had been in touch with Councillor Connolly and the Association and subject to the proposed development he would deal with the Association and its needs on their merits. Councillor Connolly expressed his pleasure at this approach.

(ii) The following motion was proposed by Councillor Connolly and seconded by Deputy Mrs. E. Lemass.

"That the Chief Medical Officer report and a discussion take place on pollution from the making works of Metal Refineries Ltd., Clondalkin."

Professor B. O'Donnell, Dublin Medical Officer informed the meeting that the subject of the motion was under constant review by his department, and that at this stage it was a function of the Dublin County Council as Sanitary Authority. He was satisfied that there was no cause for alarm concerning the health of the adjoining population. The members noted Professor O'Donnell's advice.

(iii) The following motion was proposed by Councillor J. Connolly and seconded by Deputy Mrs. E. Lemass.

"That the Chief Medical Officer report and a discussion take place on a particular type of bug observed in a flat (name and address with Secretary) which was fumigated eight times without avail."

Councillor Connolly informed the meeting that he had received a letter from Professor O'Donnell on this motion and accepted the reply.

(iv) The following motion was proposed by Or. J. Walker and seconded by Mr. K. Harrington:—

'That the Eastern Health Board establish a system of inspection of the area units, offices, premises and installations of the Community Care Programme in a manner, similar to and in a like spirit to that currently applicable to the Special and General Hospital Programme.'

Mr. F. Donohue, Programme Manager, Community Care told the meeting that he was accepting the principle enshrined in the motion fully, but as there were a possible 150 premises involved that he proposed to consult with the Directors of Community Care and draw up a programme of visiting that the Hospitals Visiting Committee could include in the terms of reference for visits.

The following motion was proposed by Dr. J. O'Connell and seconded by Councillor Mrs. A. Glenn.

- (i) 'That the handicapped childrens' allowances, when approved, be paid from the date of application instead of from the date of certification.'
- (ii) 'That where an application is made for a handicapped child allowance, the child concerned be examined within three months of application.'

At the outset the Chairman announced that the Chief Executive Officer had sought the Law Agents advice which was read to the meeting. The text of the Law Agents Opinion together with the Chief Executive Officer's query to him are recorded hereunder.

*2nd August 1977.*

"Dear Mr. Greene,

The following motion has been tabled for the Agenda to be considered by the Board at its meeting next Thursday evening:—

- (i) That the handicapped childrens' allowances, when approved, be paid from the date of application instead of from the date of certification.
- (ii) That where an application is made for a handicapped child allowance, the child concerned be examined within three months of application."

Will you please advise whether the motion contravenes Section 17 of the Health Act, 1970.

Allowances for handicapped children, popularly referred to as a "Constant Care" Allowance were authorised by the Minister for Health under Circular 24/73, copy of which is enclosed.

Applications for the allowances are examined by one of the Board's Medical Officers. It can happen that the Board's Medical Officer may require Consultant Opinion before making a recommendation certifying that the applicant is eligible to be granted the allowance and a time lag of some considerable period may elapse between the date of certification. In view of the necessity to effect economies owing to the economic conditions which have operated throughout 1976—the first year that the Minister exercised the powers vested in him under Section 31 of the Health Act, 1970—the allowances have been paid only from the date on which the Medical Officer was in a position to certify eligibility. Were the motion to be passed the cost involved is of the order of £23,000.

Yours sincerely,

**E. O CAOIMH, Chief  
Executive Officer."**

*3rd August. 1977.*

"Dear Mr. O Caoimh,

***Handicapped Children Allowance***

Thank you for your letter of 2nd August, 1977 with enclosure.

The Department's letter of 25th September, 1973, directed that the scheme should be operated under Section 61 of the Health Act 1970. That Section makes it dear that the making or otherwise of a charge for the services already mentioned in the section is a matter for a Chief Executive Officer. It seems implicit, therefore, that the administration of those particular services is his function also. Consequently, the administration of the Handicapped Children Allowance Scheme also becomes a matter for the Chief Executive Officer.

The Department's letter is clear in requiring eligibility for the allowance to be established in accordance with the guidelines given in the letter. A decision on the eligibility for an allowance must obviously be made after all relevant factors have been taken into account. Such a decision seems clearly a function of the type referred to in Section 17(4) (b) of the Health Act 1970.

In the foregoing circumstances, I consider the motion contravenes Section 17 of the Act.

Yours sincerely.

DENIS GREENE."

The Chairman ruled that the motion as it stood was out of order but indicated that if it were re-framed as a recommendation to the Chief Executive Officer it would be in order. The Chairman's suggestion was accepted by the proposer and seconder and after discussion was passed unanimously.

In the course of the discussion the Chief Executive Officer explained that the payment of the allowances from date of certification was one of the economy measures introduced in 1976 in view of the limitation on expenditure pursuant to the order made by the Minister in the exercise of his powers under Section 31 of the Health Act. 1970, an order that was binding on the Board and on the Chief Executive Officer (Minute F. & G. P. Committee CI/76 29/1/76 refers).

He also pointed out that the Minister's allocation for 1977 was based on the out-turn of expenditure for 1976 and accordingly did not include expenditure arising from the recommendation in the motion estimated at £40,000 unless there was unforeseen under-expenditure under other headings it would be necessary to seek the Department's sanction to the implementation of the Recommendation.

101/77

**CORRESPONDENCE**

The Chairman informed the members that there was no correspondence.

The meeting terminated at 8.50 p.m.

**CORRECT:**

*Chief Executive Officer.*

*Signed*

*Chairman*