

4/3/82

EASTERN HEALTH BOARD

Minutes of proceedings of monthly meeting
of the Eastern Health Board held in the Boardroom
St Brendan's Hospital
on Thursday, 1 April 1982 at 6.00 pm

PRESENT

Ald B Ahern TD
Dr J D Behan
Mrs B Bonar
Cllr M Carroll
Cllr E Doyle
Cllr M Freehill
Cllr A Groome
Cllr T Hand
Dr K Harrington
Cllr P Hickey
Cllr F Hynes
Ms N Kearney
Dr D G Kelly
Cllr T Leonard TD

Dr P McCarthy
Prof J McCormick
Sr Columba McNamara
Mr M Matthews
Dr A Meade
Dr B Powell
Cllr H Reilly
Dr B Sheehan
Cllr E Stagg
Cllr J Sweeney
Cllr G Timmins TD
Dr J Walker
Cllr W C Willoughby

APOLOGIES

Cllr D Browne

Prof J S Doyle

IN THE CHAIR

Cllr P Hickey

OFFICERS IN ATTENDANCE

Mr PB Segrave
Mr F J Donohue
Mr T Keyes
Mr K Hickey
Mr J F Reynolds
Mr L Kavanagh
Prof B O'Donnell
Mr FJ McCullough
Mr P J Swords
Mr J Doyle
Miss A Flanagan

Mr A O'Brien
Mr C Mansfield
Mr T Brady
Mr M O'Connor
Mr M Cummins
Mr J Leech
Miss T Downes
Miss M Rice
Miss E Larkin
Miss B Kelly
Miss M Curtis

37/82

CONDOLENCE

The Chairman informed the members of the recent death of the mother of Mr Colm Murphy, Senior Executive Officer, Technical Services Department. The members stood in silence as a mark of respect.

38/82

CONFIRMATION OF MINUTES

The minutes of the monthly meeting held on 4 March 1982 and of the special meeting held on 18 March 1982, having been circulated, were confirmed on a proposal by Cllr Sweeney, seconded by Dr Behan.

It was agreed that the following motion, which had been tabled by Dr Behan, could be taken in conjunction with the minutes of the special meeting.

"That, having heard the address of Mr Willie Bermingham of ALONE, the Health Board join with Dublin Corporation to establish a Task Force to co-operate with voluntary groups, such as ALONE and St Vincent de Paul, to deal with the plight and needs of elderly people living alone in conditions of poverty and squalor."

The motion was seconded by Cllr Hand and, following a discussion to which Professor McCormick, Cllrs Hynes, Reilly and Stagg contributed, was carried on a show of hands.

39/82

REPORT OF MEETING OF COMMITTEE OF THE WHOLE HOUSE

The report of the meeting of the Committee of the whole house held on 18 March 1982 to consider the revenue allocation for 1982, having been circulated, was adopted on a proposal by Dr Behan, seconded by Cllr Freehill.

It was agreed that the following motion, which had been tabled by Cllr Freehill, could be taken in conjunction with the report:

"That the Department of Health be requested to negotiate with the Chemical Industry Federation to get agreement on the revised arrangements for purchase of drugs which was recommended in the Trident Report."

The motion was seconded by Cllr Stagg and, following a discussion to which Dr Meade, Mrs Bonar and Dr Sheehan contributed, was agreed.

It was then agreed that the following motion, which had been tabled by Dr Behan, should be taken:

"That this Health Board having examined the Department's allocation for non-capital health expenditure, inform the new Minister for Health:

(a) that it will be unable to maintain its present level of service with a Shortfall of £7.5 million in its allocation without making unprecedented, severe and drastic cut-backs in services to patients coming from the most vulnerable sectors of society;

(b) that the Board has no function in, or control of, the expenditure of well over half of the health services' resources in the eastern region as the services provided by the Board are mainly for the mentally ill, the handicapped, the elderly and in community care;

(c) that whilst the Board is advised by its Chief Executive Officer that the shortfall can be met by the range of cut-backs outlined in report no. 7/1982, the Board is unwilling to implement such cut-backs in the services for deprived, elderly, handicapped and mentally ill patients except upon the direction of the Minister.

(d) that because of the category of patients for whom the Board provides services and because of the poor level of funding provided by the Department of Health for the Board's services to these patients in recent years, such arbitrary cut-backs would severely reduce the level and quality of the service to these patients for years to come, and that such a precipitous approach to economisation is damaging and counterproductive;

(e) that the Health Board recognises that the collective health services provided in this region are more costly and inefficient than they should be because they are badly planned and operate in an uncoordinated manner under separate authorities;

(f) that in the Board's view the best hopes of achieving an efficient economic health service lies in proper planning based upon an overall policy for the development of a balanced co-ordinated and integrated health service;

and accordingly, the Board urges the Minister for Health -

(i) to restore the Board's full allocation

(ii) to establish a joint Health Board-Department of Health Committee to review the total health services of the eastern region and to recommend an overall policy for the development of a balanced, coordinated health service with greater emphasis on prevention, primary and community care."

Before Dr Behan spoke to his motion the Chairman read the following report from the Chief Executive Officer:

"Our Board, at a meeting held on 4 March 1982 decided to ask the Minister for Health to meet the Chairman and Chief Executive Officer to discuss the serious problems created for the Board by the inadequate allocation for non-capital expenditure.

At our last meeting I told the Board that the Minister had advised us by letter dated 16 March 1982 that he was agreeable to the Board's request and that he would arrange an early meeting.

The Minister has now advised that he will meet with the Chairman and Chief Executive Officers of each health board tomorrow, Friday 2 April 1982 at 12 noon."

In the absence of the Chairman and Vice Chairman it was proposed by Cllr Sweeney, seconded by Dr Powell and unanimously agreed that Cllr P Hickey should accompany the Chief Executive Officer at the meeting with the Minister for Health.

Dr Behan's motion was seconded by Cllr Reilly, and, following a discussion to which Professor McCormick, Cllr Stagg, Dr Powell and Dr Behan contributed, was carried on a show of hands.

On a proposal by Cllr Hand, seconded by Cllr Sweeney, it was agreed that the questions lodged should be answered.

Question

(i) Cllr Mary Freehill

"I wish to have clarification of all the services and prescribed aids which are available to medical card holders by our Board."

Reply

"Medical Cards are issued to persons with 'full eligibility' i.e., those who are unable without undue hardship to afford general practitioner, medical and surgical services for themselves and their dependants.

A medical card holder is entitled, free of charge, to the services of a doctor selected under the choice of doctor scheme and to obtain drugs, medicines and medical appliances prescribed by that doctor.

The full range of hospital services in a public ward and specialist diagnostic and treatment services on an out-patient basis in public hospitals are also made available without charge.

Medical card holders are eligible for dental, ophthalmic and aural services and to maternity and infant welfare services without charge."

Question

(ii) Cllr H Reilly

"When will people that suffer from asthma be considered as suffering from a long term illness?"

Reply

"Diseases and disabilities of a permanent long term nature in respect of which health boards are permitted to make arrangements for supply of drugs etc. are prescribed by the Minister for Health by regulation under Section 59 of the Health Act 1970. Our Board at a meeting held on 1 October 1981 decided to ask the Minister to place asthma on the list. The Department was notified of the Board's decision on 6 October 1981.

The Board's recommendation was acknowledged by the Minister on 14 October 1981. However, we have no indication as to whether or not asthma may be prescribed as a long term illness."

Question

(iii) Cllr T Hand

"What savings would be made if the Board's decision re Spina Bifida was carried out?"

Reply

"What we have done is to ask persons (other than medical card holders) for a statement of income with a view to determining whether or not some contribution could be afforded towards the cost of prescribed appliances-

At present our Board is faced with options restricting or indeed eliminating services for the aged, the mentally ill and psychiatric patients and many of whom are very poor and in the lower income groups.

Against this background and our Board's first priority of protecting those most vulnerable it would appear unreasonable of us not to ask for some contribution from, for example, those in the upper income group towards the cost of modern expensive aids.

Until we have had some further responses to our queries, it is not possible to say how much we may 'save'. In circumstances where the cost in our area of such appliances has increased from £40,000 in 1978 to almost a quarter of a million pounds in 1981 any savings would be very welcome."

Question

(iv) Dr J Behan

"To ask the Chief Executive Officer to ascertain from the Department of Health the full list of capital projects provided for in this year's health services capital allocation of £49.5 million with a statement of the amount allocated to each project and what the project is for?"

Reply

"The information requested has been sought from the Department of Health and will be made available to the Board when it comes to hand."

Question

(v) Dr J Behan

"To ask the Chief Executive Officer to obtain from the Department of Health a full statement of the capital allocation for health in each year since the health boards were established showing for each year the original and final allocation; the full list of projects undertaken in each year; the original and final allocation to each project and a breakdown by health board area with a specific identification as to what each project was for and as to which projects came under the functional control of the health boards and which did not?"

Reply

"The information requested has been sought from the Department of Health and will be made available to the Board when it comes to hand."

41/82

**REPORT OF BOARD COMMITTEE ON SUPPORT SYSTEMS FOR
UNWANTED PREGNANCIES**

Dr Powell, Chairman of the Committee, addressed the members on the contents of the report, which had been circulated, and illustrated his talk with appropriate slides. He thanked the members of the Committee and the officers of the Board who were associated with the work of the Committee for the co-operation which he had received.

Dr Walker, in proposing the adoption of the Report, congratulated Dr Powell and the other members of the Committee on their Report and stated that the Board's appreciation of their efforts should be recorded.

Mrs Bonar referred to the statement at the end of the Report that she dissented from any suggestion that contraception be taught in schools and, with the permission of the Chairman, circulated to the members a minority report submission.

Dr Walker's proposal was seconded by Cllr Hand and, following a discussion to which Mrs Bonar, Cllr Freehill, Mr Matthews, Dr Behan and Dr Sheehan contributed, was agreed.

42/82

CHIEF EXECUTIVE OFFICER'S REPORT

The Chief Executive Officer read the following report which was agreed by the Board:

- <i> "Women's Aid which has been seeking new accommodation for use as a refuge for battered wives was advised in December last that a grant of up to £200,000 was being made available by the Minister for Health towards the provision of a new premises in the light of the fact that the former premises had been damaged by fire.

A site has been acquired and the Department has asked our Board to manage the construction of the building which will be transferred to our Board for use by Women's Aid in due course.

To facilitate all concerned, and to expedite the development, I have agreed to get the project under way and recommend that the Board agrees to our proceeding with the matter."

- (ii) "Board Meetings - May and June 1982

Last year our May Board Meeting was held in St Vincent's Hospital, Athy and the June meeting in St Colman's Hospital, Rathdrum.

It may be the members' wish to continue with this arrangement. If so, perhaps the May meeting could be held in Rathdrum and the June meeting in Athy."

PROCEEDINGS OF VISITING COMMITTEES

The reports of the following Visiting Committees, having been circulated, were dealt with as follows:

- (i) Community Care Visiting Committee meeting held in Area 5 (Cherry Orchard Hospital) on 3 March 1982:

On a proposal by Dr McCarthy, seconded by Cllr Sweeney, the report was noted.

- (ii) No. 2 Visiting Committee meeting held in Bru Chaoimhin, Cork Street on 16 March 1982

On a proposal by Cllr Sweeney, seconded by Dr McCarthy, the report was noted.

44/82

APPLICATION BY DOCTOR EDWARD V RUTLEDGE, 6 ANGELSEA ROAD, DUBLIN 4, TO TAKE ON AN ASSISTANT WITH A VIEW TO PARTNERSHIP

The following report no. 8/1982 from the Chief Executive Officer was submitted:

"Doctor Edward V Rutledge, 46 Anglesea Road, Dublin 4 is participating in the Board's General Practitioner Service. His practice premises is at 1 2 Thorncastle Street, Ringsend.

In his letter of the 16 September 1981 he expressed a 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 high.

In accordance with paragraphs 21/22 of the circular letter 8/75 dated 9 April 1975 issued by the Department of Health, the Irish Medical Association and the Medical Union were asked for their observations on Dr Rutledge's request. In letters dated 6 and 10 November 1981 the Medical Union and the Irish Medical Association respectively stated that they had no objection to Dr Rutledge's proposal.

I recommend, subject to the approval of the Board, that Dr Rutledge's request be approved and that an assistant with a view to partnership be selected in accordance with the procedures laid down in Department of Health circulars 8/75 of 9 April 1975 and 9/81 of 26 June 1981. The relevant extract from circular 8/75 of 9 April 1975 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 agrees to the creation of a partnership or an addition to a group practice or the recruitment of an assistant with a view to partnership the selection procedure will be in accordance with that laid down in the Department of Health's circular 9/81 of 26 June 1981. The relevant extract of which is:-

- (a) Towards the end of each year health boards will make a projection of the number of assistantship and partnership posts likely to be created the following year.
- (b) A competition will then be advertised to establish a panel from which principals may choose partners and assistants with a view, for posts approved by health boards in the course of the following year. Doctors who hold the minimum qualifications as specified for entry to the GMS will be eligible for the competition.
- (c) The interview board will be composed of an independent chairman, a general practitioner, a medical officer of a health board and a member of a health board's management team. In view of the number of general practitioners which might be expected to apply, all candidates may not be called for interview.
- (d) Following interviews, the board will place on a panel the number of candidates determined for the coming year. This panel will be notified to the Chief Executive Officers, preferably before January of the year for which it is operative, and will last for twelve months from the date of notification. The panel will also be notified to each of the medical organisations.

Doctors on the panel will, of course, also be eligible for other competitions for GMS vacancies in the course of the year. Some candidates may subsequently be offered posts as single-handed practitioners in the Scheme, resulting in a reduction in the panel for assistants and partners. Also, the number of principals actually seeking assistants or partners may exceed the projected number for the year. Both points will be borne in mind when determining the size of the panel.

- (e) Inclusion in a panel for assistants and partners does not confer any entitlement to an appointment."

On a proposal by Dr McCarthy, seconded by Dr Sheehan, it was agreed that the proposal contained in the report be approved.

46782

APPOINTMENT OF MEMBERS TO LOCAL COMMITTEES

The following report no. 9/1982 from the Chief Executive Officer was submitted:

"Vacancies exist on Local Committees as shown hereunder due to resignations. I recommend that the Board appoint the persons named, each of whom has been duly nominated, to be members of the Local Committees as set out:

Local Committee	Cause of vacancy	Person recommended for Appointment
Dublin County	Resignation of Ms D Fitzsimons	Ms Philomena Stynes Public Health Nurse 64 Cherbury Park Road Lucan Co Dublin
Dun Laoghaire	Resignation of Mr J M Deasy	Dr Sean Connell Dental Surgeon 32 Arnold Park Glenageary Co Dublin

46/82

**APPLICATION FOR TRANSFER OF RIGHTS AND INTERESTS
ENJOYED UNDER LEASE FROM
BIOLOGICAL AND MEDICAL RESEARCH INSTITUTE
TO THE INSTITUTE OF CLINICAL PHARMACOLOGY**

The following report no. 10/1982 from the Chief Executive Officer was submitted:

The Eastern Health Board, by agreement dated 22 September 1980, agreed to lease a site of approximately 1 acre at St James's Hospital to the Biological and Medical Research Institute Ltd. As I advised the Board at our March meeting, a request has been received from that Institute for our Board's agreement to effect the transfer of the rights and interests enjoyed under the agreement to the Institute of Clinical Pharmacology Ltd. We have been advised that BMRI Ltd has entered into an agreement to assign to ICP Ltd its tenancy interest in an existing premises on the Garden Hill site at St James's Hospital, and also its interest in the agreement between our Board and BMRI Ltd dated 22 September 1980 which, as stated above, provides for the lease of a new site of approximately 1 acre in exchange for the Garden Hill site, and for the payment of compensation in respect of the pre-fab buildings at present erected on the Garden Hill site.

2. **The Biological and Medical Research Institute Ltd incorporated a range of services at the Garden Hill site. Its complex there embodies the Endocrine Pharmacology Unit of the Department of Pharmacology UCD, and the Psycho-endocrine Unit of the Department of Psychiatry, UCD. Three approved clinics are held there each week for eligible Eastern Health Board patients referred by consultants, and presenting psycho-endocrine and related health problems, including sleep disorders. One of the weekly sessions is devoted to patients referred from the Psychiatric Service. The Unit at Garden Hill has been approved by Comhairle na nOspideal for out-patient services.**

In addition, the following services are available there:-

- i services in collaborative support capacity to other hospitals and institutions;**
- ii services to health research work at home and overseas;**
- iii services to education at third level;**
- iv services to drug evaluation programmes.**

3. **Clause 8 of the Agreement dated 22 September 1980 between our Board and BMRI Ltd is as follows:**

'The Institute shall not assign, sub-let or part with possession of the premises (including the buildings erected thereon) or any part thereof save to an accredited successor in title to the Institute and with the consent of the Health Board.'

We have consulted with our Board's legal advisors and with the St James's Hospital Board regarding the request from BMRI Ltd to transfer its interest to the ICP Ltd. Copies of replies received are attached herewith.

4. **Having regard to the terms of Clause 8 of the existing agreement dated 22 September 1980 and to the terms of the replies received from the St James's Hospital Board and from our Board's legal advisors I am not aware of any reason why our Board's consent to the proposed transfer could be withheld, subject to the satisfactory resolution of the points raised in the legal advisor's letter."**

" St James's Hospital
P O Box 580
Dublin 8
31 March 1982

Mr P B Segrave Chief
Executive Officer Eastern
Health Board 1 James's
Street Dublin 8

Dear Mr Segrave,

I refer to your letter of 10 March regarding the proposal which will be before your Board in regard to the transfer of rights and interests enjoyed by the Biological and Medical Research Institute Ltd under the agreement of September 1980 to the Institute of Clinical Pharmacology.

Your letter was placed before and considered by the Hospital Board at its meeting on 26 March and it was agreed that, in the interests of the future planning and development of the St James's Hospital complex, the Hospital Board would raise no objection to the proposed transfer.

In this particular connection, the Hospital Board specifically asked that its concern should be expressed in regard to the title now used by the Institute as it was felt that such a title could cause confusion in the public mind as to the Institute's activities and the clinical activities provided at St James's Hospital.

Yours sincerely

L. Hogan
Hospital Administrator"

Roger Green & Sons
Solicitors
11 Wellington Quay
Dublin 2
1 April 1982

Mr K Hickey Programme
Manager General Hospital
Care Eastern Health Board
1 James's Street Dublin 8.

Re - BMRI - with - Institute of Clinical Pharmacology

Dear Mr Hickey,

We refer to yours of the 1 inst in connection with this matter and our telephone conversation, when we advised you that there was no legal reason why the Board could not take a decision in principle to consent to the Assignment by the Biological and Medical Research Institute Limited of its rights under the Agreement dated the 22 day of September 1980 to the Institute of Clinical Pharmacology Limited.

If a decision is taken in principle to agree to the Assignment above mentioned, then the following points would have to be clarified before a document effecting the transaction was finalised:-

1. Who are the controlling shareholders of the Institute of Clinical Pharmacology Limited?
2. Why did Dr Austin Darragh not acquire the shares in the Biological and Medical Research Institute Limited from the Multinational Hoffman-Rosch?
3. What consideration is the Institute of Clinical Pharmacology Limited paying to the Biological and Medical Research Institute Limited for its rights under the Agreement dated the 22 day of September 1980?
4. It is obviously in the interest of the Biological and Medical Research Institute Limited to assign its rights under the Agreement dated the 22 of September 1980 to the Institute of Clinical Pharmacology Limited. When the terms of the September 1980 Agreement were being negotiated, BMRI were in a strong position vis-a-vis the fixing of the terms of the agreement as they were facilitating St James's Hospital Board in the planning of the new hospital there. Delay on that project then would have cost a lot of money. In view of these circumstances it might be possible to amend certain provisions of the September 1980 Agreement when finalising the terms upon which the consent to the Assignment would be forthcoming.

Subject to the foregoing reservations we can see no objections in principle the Board taking a decision to the consent to the Assignment by BMRI of its rights under the September 1980 Agreement

Yours faithfully.

Roger Greene & Sons"

Following a discussion to which Drs Harrington, Behan and Powell contributed, the Board consented to the proposed transfer from the Biological and Medical Research Institute Ltd to the Institute of Clinical Pharmacology Ltd of their interest in the agreement with the Board dated 22 September 1980. The consent was made conditional on the satisfactory resolution of the points raised by the Board's legal advisors and the point raised by the St James's Hospital Board regarding the confusion which could be caused in the public mind by the title of the Institute.

47/1982

AMBULANCE SERVICE, DUN LAOGHAIRE

It was agreed that consideration of this item should be postponed until the May meeting of the Board.

48/1982

**APPOINTMENT OF MEMBER TO THE JOINT
COMMITTEE ON ENVIRONMENTAL HEALTH AND
HYGIENE**

The Chief Executive Officer read letter dated 19 March 1982 from Dr John Walker resigning his membership of the Joint Committee on Environmental Health and Hygiene.

It was unanimously agreed that the nomination of a member to replace Dr Walker should be postponed until the May meeting of the Board.

49/1982

PROCEEDINGS OF LOCAL COMMITTEES

The report of the following local committee, having been circulated, was dealt with as follows:

- (i) Kildare Local Committee meeting held on 11 March 1982

On a proposal by Cllr Sweeney, seconded by Dr Powell, the report was noted.

50/1982

NOTICES OF MOTION

The following motion was proposed by Cllr Freehill

"That all aids prescribed by doctors, nurses and therapists for clients be supplied free of charge and not subjected to a means test in line with the Long Term Illness Scheme under the 1970 Health Act."

The motion was seconded by Cllr Hand and, following a discussion to which Cllrs Freehill and Hand, Dr Harrington and Dr Powell contributed, and to which the Chief Executive Officer and Mr Donohue, Programme Manager, Community Care replied, it was agreed that the motion should not be put until the members were advised of the outcome of the meeting which had been arranged with the Minister for Health for 2 April 1982.

It was also agreed that consideration of motions in the names of Cllr Mrs Glenn, Cllr Hand and Cllr Reilly should be deferred.

51/1982

CORRESPONDENCE

Letter dated 23 March 1982 Ref GHP 201 /4/4 from the Department of Health regarding a proposal to make adjustments to the Tallaght Hospital Board (Establishment) Order, including making provision for the representatives of the National Children's Hospital, was circulated.

The following motion was proposed by Dr Behan, seconded by Cllr Carroll, and agreed unanimously

- "(i) That Mr K Hickey, Programme Manager, General Hospital Care, be nominated to the Tallaght Hospital Planning Board and
- (ii) that the Board avail of this opportunity to remind the Minister of the understanding arrived at in previous discussions on this subject that the Eastern Health Board would have a 50% interest in the Management Board of Tallaght General Hospital as representatives of the public interest on the model of St James's Hospital."

The meeting concluded at 9.15 pm.

CORRECT: P B Segrave
Chief Executive Officer

CHAIRMAN