

[REDACTED]

**From:** Chari Anhouse [REDACTED]

[REDACTED] July 31, 2019 [REDACTED]

[REDACTED]

**Subject:** RE: FOIL Control No. 2019FR01574 Response Completion

Ms. Lucas:

1. In addition to publication on the Department's website, as previously communicated to you, the Emergency Order was published in the following newspapers on April 12, 2019:
  - a. New York Daily News,
  - b. New York Post,
  - c. Jewish Post,
  - d. Jewish Press,
  - e. Jewish Week, and
  - f. Yated.
2. This information was previously communicated to you; please see attached.
3. Board of Health resolutions was published in the [City Record from April 22, 2019, to April 24, 2019](#), and in the following publications on April 19, 2019:
  - a. New York Daily News,
  - b. New York Post,
  - c. Jewish Post,
  - d. Jewish Press,
  - e. Jewish Week, and
  - f. Yated.

Thank you,

**Chari Anhouse**

Associate General Counsel/Records Access Officer

Office of General Counsel

NYC Department of Health & Mental Hygiene

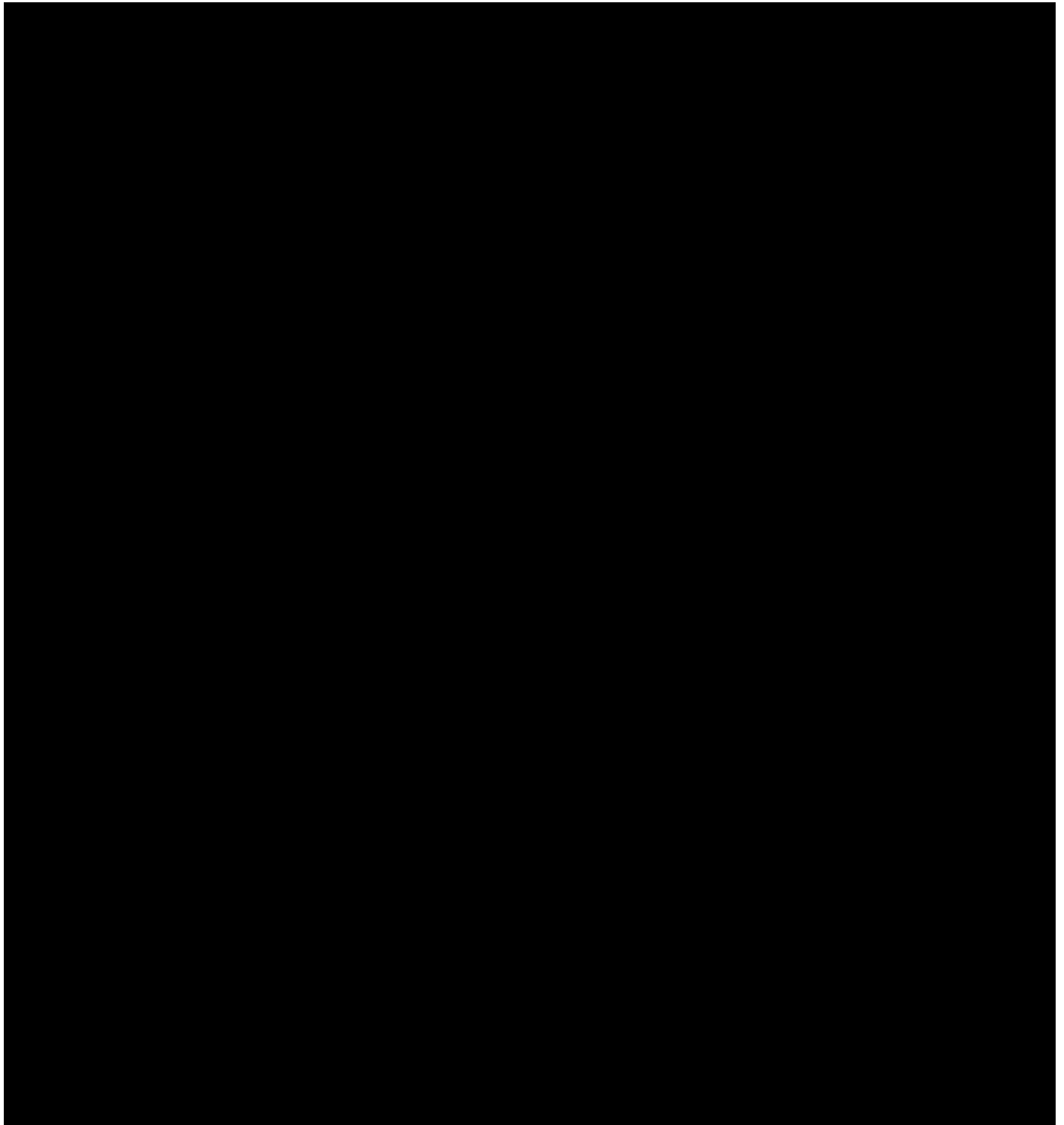
42-09 28<sup>th</sup> Street, CN-31

Long Island City, NY 11101

347-396-6419



Please consider the environment before printing this email.



[REDACTED]

**From:** Chari Anhouse [REDACTED]

[REDACTED] July 18, 2019 [REDACTED]

**Subject:** FOIL Control No. 2019FR01574 Response Completion

Dear Ms. Lucas:

AS you know, your Freedom of Information Law (NYS Public Officers Law, "FOIL") request asked for 12 different items. The Department has already provided records and responses to the first four items on the list, most recently on June 7, 2019. In response to the remaining items requested, please be advised of the following data current as of June 29, 2019, at 8:54 AM:

5. *The total number of summonses issued to date in violation of the Order*

**213**

6. *The number of summonses issued to date in violation of the Order to individuals wherein the individual noted in the summons as violating the Order is over the age of 18*

7. *The number of summonses issued to date in violation of the Order wherein the individual noted in the summons as violating the Order is under the age of 18*

8. *The number of summonses issued to date in violation of the Order to individuals wherein the individual noted in the summons as violating the Order is less than 12 months of age*

**For Items 6 – 8, a responsive record does not exist and the data is not stored in an database or other electronic media, thus it cannot be retrieved or extracted from a computer storage system. To create a responsive record, an analyst would have to manually consult each file and record the birth dates, which can be multiple in each summons, then compile the data as requested. Pursuant to FOIL § 89(3)(a), the Department need not create a record in response to a FOIL request in these types of circumstances.**

9. *The number of summonses issued to date in violation of the Order to nonresidents of the affected zip codes;*

**1**

10. *The number of summonses issued to date in violation of the Order issued to each of the*

affected zip codes;

Summonses Issued by Zip code subject to the Emergency Order	
Zip Code	Count
11205	51
11206	53
11211	76
11249	32

11. *The number of summonses withdrawn to date because the subject of the summons provided proof of immunity via titer;*

**47**

12. *The number of summonses withdrawn to date because the subject of the summons provided proof of vaccination with the Measles, Mumps, Rubella vaccine.*

**39**

You may file a written appeal of this partial denial within 30 days of the date of this message. The appeal should be addressed to:

Thomas Merrill, Esquire  
Appeals Officer & General Counsel  
42-09 28th Street, CN-30  
Long Island City, NY 11101  
[recordsaccess@health.nyc.gov](mailto:recordsaccess@health.nyc.gov)

The notice of appeal should include the request control number, the date of this denial message, a description of the records that were the subject of the request, the specific legal grounds for your appeal, and the full name and address of the original requester.

Thank you,

**Chari Anhouse**

Associate General Counsel/Records Access Officer  
Office of General Counsel  
NYC Department of Health & Mental Hygiene  
42-09 28<sup>th</sup> Street, CN-31  
Long Island City, NY 11101  
347-396-6419



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**From:** Chari Anhouse [REDACTED]

September 27, 2019

**Subject:** FOIL Control No. 2019FR01980 Response

Ms. Lucas:

Your Freedom of Information Law (NYS Public Officers Law, "FOIL") request has been granted in part and denied in part. It is granted as to the attached 26 pages of records. It is denied with regard to the portions redacted on these pages and to other records not produced, which are inter- and/or intra-agency communications not subject to release pursuant to FOIL § 87(2)(g).

You may file a written appeal of this partial denial within 30 days of the date of this message. The appeal should be addressed to:

Thomas Merrill, Esquire  
Appeals Officer & General Counsel  
42-09 28th Street, CN-30  
Long Island City, NY 11101  
Email: [recordsaccess@health.nyc.gov](mailto:recordsaccess@health.nyc.gov)

The notice of appeal should include the request control number, the date of this denial message, a description of the records that were the subject of the request, the specific legal grounds for your appeal, and the full name and address of the original requester.

Thank you,

**Chari Anhouse**

Associate General Counsel/Records Access Officer

Office of General Counsel

NYC Department of Health & Mental Hygiene

42-09 28<sup>th</sup> Street, CN-31

Long Island City, NY 11101

347-396-6419



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**RESOLVED**, that the parent or guardian of any child six months of age or older who lives or attends school, preschool or child care within the affected zip codes and who has not received the MMR vaccine shall cause such child to be vaccinated against measles unless such parent or guardian can demonstrate that the child has immunity to the disease or document to the satisfaction of the Department that such child should be medically exempt from this requirement; and be it further

**RESOLVED**, that any person required by this declaration to be immunized against measles, or any parent or guardian required by it to immunize his or her child, shall be violating this order and be subject to the fines authorized by applicable law, rule and regulations each day that he, she, or such child continues to reside, work or attend school, preschool or child care in any of the affected zip codes without having been vaccinated against measles until such time that this outbreak is declared to be over by the Commissioner of the Department of Health and Mental Hygiene.

**RESOLVED** further, that this resolution shall take effect immediately and publication shall be in accordance with New York City Administrative Code §17-148.

(As adopted by the Board of Health on April 17, 2019)

The notice of appeal should include the request control number, the date of this denial message, a description of the records that were the subject of the request, the specific legal grounds for your appeal, and the full name and address of the original requester.

Thank you,

**Chari Anhouse**

Associate General Counsel/Records Access Officer

Office of General Counsel

NYC Department of Health & Mental Hygiene

42-09 28<sup>th</sup> Street, CN-31

Long Island City, NY 11101

347-396-6419



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NEW YORK CITY DEPARTMENT OF  
HEALTH AND MENTAL HYGIENE  
Oxiris Barbot, M.D.  
*Commissioner*

## **ORDER OF THE COMMISSIONER**

**TO: All persons who reside, work or attend school in the neighborhood of Williamsburg, Brooklyn, New York and to the parents and/or guardians of any child who resides, works or attends school in the neighborhood of Williamsburg, Brooklyn, New York**

**WHEREAS**, there is an active outbreak of measles among people residing in the neighborhood of Williamsburg in Brooklyn, New York who live within zip codes 11205, 11206, 11211 and 11249. Since September 2018, more than 250 cases of measles have been documented among people living in Williamsburg and that number continues to grow as new cases are still occurring; and

**WHEREAS**, measles is a highly contagious viral disease that can result in serious health complications, such as pneumonia and swelling of the brain. About a third of reported measles cases have at least one complication and in some cases, measles can cause death. Measles can be serious in all age groups. However, infants, young children, pregnant persons, people whose immune systems are weak and adults are more likely to suffer from measles complications; and

**WHEREAS**, measles is easily transmitted from a sickened person to others who lack immunity to the disease. The virus can live for up to two hours in air or on surfaces where an infected person coughed or sneezed and people who lack immunity are highly likely to become sick if they are in contact with an infectious person or near where an infectious person recently has been; and

**WHEREAS**, although measles is highly contagious, the Measles-Mumps-Rubella (MMR) vaccine is an effective and safe vaccine that will prevent its transmission. While measles remains one of the leading causes of death among young children in parts of the world where the vaccination is not available, the disease until this outbreak was largely eliminated in the United States; and

**WHEREAS**, the measles outbreak persists in Williamsburg despite other efforts taken by the Department of Health and Mental Hygiene to stop it, including orders excluding unvaccinated children from attending preschools and daycare programs, because a high rate of people living within Williamsburg have not been vaccinated against measles; and

**WHEREAS**, pursuant to section 556 of the Charter of the City of New York, the Department is responsible for controlling communicable diseases within the City of New York and for supervising the abatement of nuisances that affect or are likely to affect the public health; and

**WHEREAS**, pursuant to section 3.01 of the New York City Health Code, I am authorized to declare a public health emergency and issue orders and take actions that I deem

necessary for the health and safety of the City and its residents when urgent public health action is necessary to protect the public health against an existing threat; and

**WHEREAS**, I find the ongoing measles outbreak in Williamsburg to be an existing threat to public health in the City of New York; and

**WHEREAS**, I also find that the presence of any person in Williamsburg lacking the MMR vaccine, unless that vaccine is otherwise medically contra-indicated or such person has demonstrated immunity against measles, creates an unnecessary and avoidable risk of continuing the outbreak and is therefore a nuisance, as defined in New York City Administrative Code §17-142; and

**WHEREAS**, pursuant to New York City Health Code §3.07, no person “shall do or assist in any act which is or may be detrimental to the public health or to the life or health of any individual... or ...shall fail to do any reasonable act or take any necessary precaution to protect human life and health.”

**IT IS HEREBY ORDERED** that any person who lives, works or resides within the 11205, 11206, 11211 and/or 11249 zip codes and who has not received the MMR vaccine within forty eight (48) hours of this Order being signed by me shall be vaccinated against measles unless such person can demonstrate immunity to the disease or document to the satisfaction of the Department that he or she should be medically exempt from this requirement.

**IT IS FURTHER ORDERED** that the parent or guardian of any child older than six months of age who lives, works or resides within the 11205, 11206, 11211 and/or 11249 zip codes and who has not received the MMR vaccine within forty eight (48) hours of this order being signed by me shall cause such child to be vaccinated against measles unless such parent or guardian can demonstrate that the child has immunity to the disease or document that he or she should be medically exempt from this requirement.

**THIS ORDER** shall remain in effect until the next meeting of the New York City Board of Health scheduled for April 17, 2019 at which time it may be continued or rescinded by the Board.

A handwritten signature in black ink, appearing to read "Oxiris Barbot", with a stylized flourish at the end.

Dated: April 9, 2019

Oxiris Barbot, M.D.  
Commissioner of Health

## **WARNING**

Failure to comply with this Order is a violation of §3.05 of the New York City Health Code, and a misdemeanor for which you may be subject to civil and/or criminal fines, forfeitures and penalties, including imprisonment.

Anyone wishing to object to the order, please write or fax Thomas G. Merrill, General Counsel, New York City Department of Health and Mental Hygiene, 42-09 28th Street (WS 14-38) Long Island City NY 11101-4132; [tmerrill@health.nyc.gov](mailto:tmerrill@health.nyc.gov) telephone: 347-396-6116; fax: 347-396-6087, providing a statement of the reasons for your objection to the order. If you have any questions about how to comply with this Order, please telephone Jane R. Zucker, M.D., M.Sc., Assistant Commissioner, Bureau of Immunization at 347-396-2471.

The following resolution was adopted by the Board of Health on April 17, 2019 and will be published in accordance with §17-148 of the Administrative Code of the City of New York.

Resolution of the Board of Health of the  
Department of Health and Mental Hygiene  
of the City of New York

At a meeting of the Board of Health of the Department of Health and Mental Hygiene held on April 17, 2019, the following resolution was adopted:

**WHEREAS**, there is an active outbreak of measles among people residing in the neighborhood of Williamsburg in Brooklyn, New York who live within zip codes 11205, 11206, 11211 and 11249 (the “affected zip codes”); and

**WHEREAS**, on April 9, 2019 the Commissioner of the Department of Health and Mental Hygiene determined that an urgent public health action was necessary to protect the public from the measles outbreak occurring in the neighborhood of Williamsburg and declared a public health emergency; and

**WHEREAS**, pursuant to her authority under Health Code §3.01, the Commissioner ordered that anyone who lives, works or resides in the affected zip codes and any child older than six months of age living, residing, or working in any of the affected zip codes be immunized against measles; and

**WHEREAS**, the Order subjects a person to a civil fine , unless such person or, for a child, such person’s parent or guardian, can demonstrate that such person has immunity to the disease or document to the satisfaction of the Department that such person should be medically exempt from this requirement; and

**WHEREAS**, pursuant to Health Code §3.01, the Order issued by the Commissioner is only in effect until the Board of Health convenes and either continues or rescinds the Commissioner’s exercise of authority; and

**WHEREAS**, the Board of Health has taken and filed among its records and reports that since September 2018 more than 300 cases of measles have been documented in the City of New York with the vast majority occurring among people residing in the affected zip codes and that new cases of measles are still occurring at an alarming rate; and

**WHEREAS**, measles is a highly contagious viral disease that can result in serious health complications such as pneumonia, encephalitis (swelling of the brain) and death. About a third of reported measles cases have at least one complication. Measles can be serious in all age groups. However, infants, young children, pregnant persons, people whose immune systems are weak and adults are more likely to suffer from measles complications; and

**WHEREAS**, measles is easily transmitted from a sickened person to others who lack immunity to the disease. The virus can live for up to two hours in the air or on surfaces where an infected person coughed or sneezed and people who lack immunity are highly likely to become sick if they are in contact with an infectious person or near where an infectious person recently has been; and

**WHEREAS**, although measles is highly contagious, the Measles-Mumps-Rubella (MMR) vaccine is a proven safe and effective vaccine that will prevent its transmission. While measles remains one of the leading causes of death among young children in parts of the world where the vaccination is not available, the disease until this outbreak was eliminated in the United States; and

**WHEREAS**, because a high rate of people living within the affected zip codes in Williamsburg have not been vaccinated against measles, the measles outbreak persists in Williamsburg despite other efforts taken by the Department of Health and Mental Hygiene to stop it, including orders excluding unvaccinated children from attending preschools and daycare programs; and

**WHEREAS**, the Board of Health regards the aforesaid reports of over 300 cases of measles as sufficient proof to authorize the declaration that an outbreak of measles is occurring in Williamsburg that threatens the health and safety of New Yorkers and is immediately dangerous to human life and health and constitutes a public nuisance; and

**WHEREAS**, the outbreak is occurring because a large number of people residing in the affected zip codes have not been vaccinated against measles; and

**WHEREAS**, the only way to end the outbreak is to require that people residing, working or attending school in any of the affected zip codes be vaccinated against or otherwise have immunity against measles; and

**WHEREAS**, personal service or service pursuant to subdivisions (a) or (b) of §17-148 of the Administrative Code of the City of New York of orders requiring the abatement of such nuisances and conditions in effect dangerous to life and health upon each of the persons who, pursuant to the provisions of Title 17 of the Administrative Code of the City of New York, has a duty or liability to abate such nuisances and conditions, would result in a delay prejudicial to the public health, welfare, and safety; now, therefore, be it

**RESOLVED**, that the Board of Health hereby declares that an outbreak of measles is ongoing in the neighborhood of Williamsburg and that the outbreak poses a public nuisance because it is immediately dangerous to life and health; and be it further

**RESOLVED**, that the Board of Health hereby declares that any person who lives or works within the affected zip codes shall be vaccinated against measles unless such person can demonstrate immunity to the disease or document to the satisfaction of the Department that such person should be medically exempt from this requirement; and be it further

**From:** [Thomas Merrill](#)  
**To:** [Chari Anhouse](#)  
**Cc:** [Roslyn Windholz](#)  
**Subject:** [REDACTED]  
**Date:** Thursday, June 6, 2019 3:29:51 PM  
**Attachments:** [ONE MORE TIME Correction on the Order.msg](#)

---

[REDACTED]  
[REDACTED] They were corrections. If you watch the press conference – [REDACTED]  
[REDACTED] – Dr. Barbot declares the outbreak in the right zip codes. The order [REDACTED]  
[REDACTED] had mistakes. [REDACTED]  
[REDACTED] Ray notice a mistake in one of the paragraphs – but not all – prior to the end of the press conference and the order and the final, correct, order was online that afternoon.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** Chari Anhouse [REDACTED]

[REDACTED] [REDACTED] May 31, 2019 [REDACTED]



**Subject:** FOIL Control No. 2019FR01574 Partial Response

Ms. Lucas:

Please be advised that the one and only Board of Health resolution adopted with regard to measles is available on our website [here](#). . The one and only order issued on April 9, 2019, with regard to measles is also available on our website [here](#). A copy of each is attached for your ease of reference.

Thank you,

**Chari Anhouse**

Associate General Counsel/Records Access Officer

Office of General Counsel

NYC Department of Health & Mental Hygiene

42-09 28<sup>th</sup> Street, CN-31

Long Island City, NY 11101

347-396-6419



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**From:** [Maura Kennelly](#)  
**To:** [Jennifer MacGregor](#)  
**Cc:** [Patrick Gallahue](#); [Raymond Chao](#); [Ricky Wong](#); [Laura Rivera](#); [Thomas Merrill](#)  
**Subject:** ONE MORE TIME: Correction on the Order  
**Date:** Tuesday, April 9, 2019 4:45:13 PM  
**Attachments:** [Measles Emergency Order 4-9-19 FINAL.pdf](#)

---

Jen - Please update the website.

Laura - Please use this with the corrected zip codes for paid placement

> On Apr 9, 2019, at 12:41 PM, Jennifer MacGregor <jmacgregor@health.nyc.gov> wrote:

>

██████████ when we upload the file the URL remains the same.

>

> -----Original Message-----

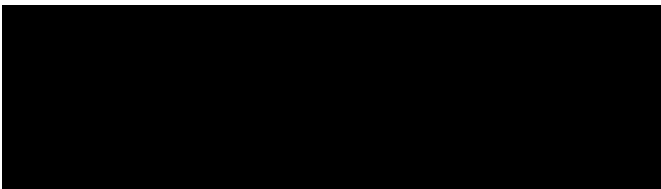
> From: Patrick Gallahue <pgallahue@health.nyc.gov>

> Sent: Tuesday, April 9, 2019 12:40 PM

> To: Raymond Chao <rchao@health.nyc.gov>

> Cc: Maura Kennelly <mkennell@health.nyc.gov>; Jennifer MacGregor <jmacgregor@health.nyc.gov>; Ricky Wong <rwong3@health.nyc.gov>; Laura Rivera <lriviera9@health.nyc.gov>; Thomas Merrill <tmerrill@health.nyc.gov>

> Subject: Re: Correction on the Order



>

>> On Apr 9, 2019, at 12:38 PM, Raymond Chao <rchao@health.nyc.gov> wrote:

>>

>

[REDACTED] zips were already fixed on the version online at  
<https://www1.nyc.gov/assets/doh/downloads/pdf/press/2019/emergency-orders-measles.pdf>.

>> -----Original Message-----

>> From: Maura Kennelly <mkennell@health.nyc.gov>

>> Sent: Tuesday, April 9, 2019 12:34 PM

>> To: Jennifer MacGregor <jmacgregor@health.nyc.gov>

>> Cc: Ricky Wong <rwong3@health.nyc.gov>; Laura Rivera <lriviera9@health.nyc.gov>; Patrick Gallahue  
<pgallahue@health.nyc.gov>; Raymond Chao <rchao@health.nyc.gov>; Thomas Merrill  
<tmerrill@health.nyc.gov>

>> Subject: Re: Correction on the Order

**From:** [Chari Anhouse](#)  
**To:** [Julia Morrill](#)  
**Cc:** [Patrick Gallahue](#); [Maura Kennelly](#)  
**Subject:** [REDACTED]  
**Date:** Tuesday, July 2, 2019 10:38:13 AM  
**Attachments:** [2019FR01574 Request.pdf](#)

---

Requester..... Allison Lucas, Siri & Glimstad ([REDACTED] law firm representing [ICAN](#))  
Date Recv'd..... 5/30/19

[REDACTED]  
[REDACTED]  
[REDACTED]

Response – All data provided current as of 6/28/19 @ 8:54 AM

Have already provided records in response to Items 1 – 4.

5. *The total number of summonses issued to date in violation of the Order*

**213**

6. *The number of summonses issued to date in violation of the Order to individuals wherein the individual noted in the summons as violating the Order is over the age of 18*  
7. *The number of summonses issued to date in violation of the Order wherein the individual noted in the summons as violating the Order is under the age of 18*  
8. *The number of summonses issued to date in violation of the Order to individuals wherein the individual noted in the summons as violating the Order is less than 12 months of age*

**For Items 6 – 8, a record does not exist and Department need not create one in response to FOIL request. To create record would require more than four hours of analyst time.**

9. *The number of summonses issued to date in violation of the Order to nonresidents of the affected zip codes;*

**1**

10. *The number of summonses issued to date in violation of the Order issued to each of the affected zip codes;*

Summonses Issued by Zip code subject to the Emergency Order	
Zip Code	Count
11205	51
11206	53
11211	76
11249	32

11. *The number of summonses withdrawn to date because the subject of the summons provided proof of immunity via titer;*

**47**

12. *The number of summonses withdrawn to date because the subject of the summons provided proof of vaccination with the Measles, Mumps, Rubella vaccine.*

**39**

**Chari Anhouse**

Associate General Counsel/Records Access Officer

Office of General Counsel

NYC Department of Health & Mental Hygiene

42-09 28<sup>th</sup> Street, CN-31

Long Island City, NY 11101

347-396-6419



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**From:** [Chari Anhouse](#)  
**To:** [Corinne Schiff](#)  
**Subject:** RE: FOIL for More Measles Data - [REDACTED]  
**Date:** Tuesday, July 2, 2019 10:35:28 AM

---

One correction: 213 summonses issued [REDACTED]

On Jul 1, 2019, at 3:13 PM, Chari Anhouse <[canhouse@health.nyc.gov](mailto:canhouse@health.nyc.gov)> wrote:

[REDACTED]  
[REDACTED]

Requester..... Allison Lucas, Siri & Glimstad [REDACTED] law firm representing  
[ICAN](#))

Date Recv'd..... 5/30/19

[REDACTED]  
[REDACTED]  
[REDACTED]

Response – All data provided current as of 6/28/19 @ 8:54 AM

Have already provided records in response to Items 1 – 4.

1. *The total number of summonses issued to date in violation of the Order*  
**162**
2. *The number of summonses issued to date in violation of the Order to individuals wherein the individual noted in the summons as violating the Order is over the age of 18*
3. *The number of summonses issued to date in violation of the Order wherein the individual noted in the summons as violating the Order is under the age of 18*
4. *The number of summonses issued to date in violation of the Order to individuals wherein the individual noted in the summons as violating the Order is less than 12 months of age*

**For Items 6 – 8, a record does not exist and Department need not create one in response to FOIL request. To create record would require more than four hours of analyst time.**

5. *The number of summonses issued to date in violation of the Order to nonresidents of the affected zip codes;*  
**1**
6. *The number of summonses issued to date in violation of the Order issued to each of the affected zip codes;*

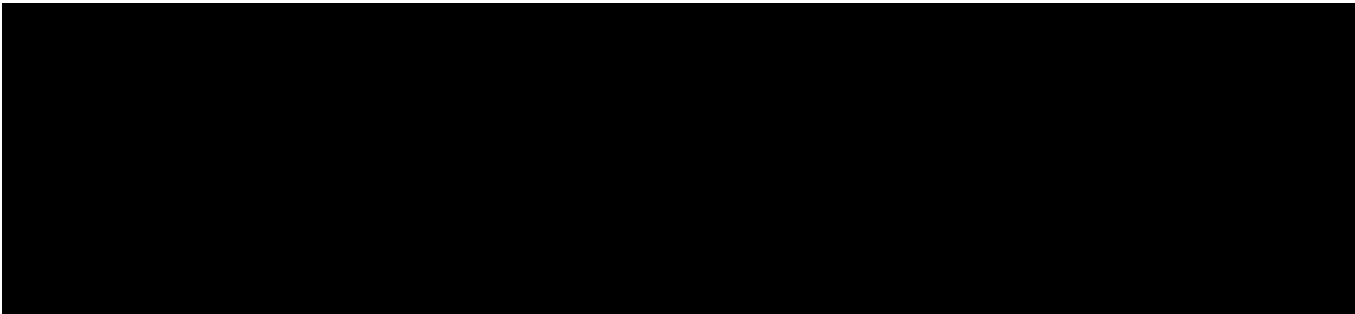
Summonses Issued by Zip code subject to the Emergency Order	
Zip Code	Count
11205	51
11206	53
11211	76
11249	32

7. *The number of summonses withdrawn to date because the subject of the summons provided proof of immunity via titer;*

**47**

8. *The number of summonses withdrawn to date because the subject of the summons provided proof of vaccination with the Measles, Mumps, Rubella vaccine.*

**39**



On Jun 28, 2019, at 8:07 AM, Seth Guthartz <[sguthart@health.nyc.gov](mailto:sguthart@health.nyc.gov)> wrote:

Hi Chari,

[REDACTED] For query 2, we will need to go into each case and manually record the date of birth for each subject of a summons. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED].

Lastly, all data provided is accurate as of 6/28/2019 @ 08:54AM. [REDACTED]

[REDACTED]  
[REDACTED]

Thanks,  
Seth

1. The total number of summonses issued to date in violation of the Order AND, of those,
  - a. to nonresidents of the affected zip codes;

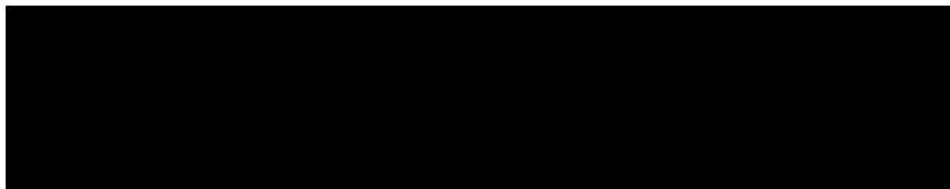
Summonses Issued to non-residents of affected zipcodes	
ZipCode	Count
[REDACTED]	1

- b. to *each* of the affected zip codes;

Summonses Issued by Zipcode subject to the Emergency Order	
ZipCode	Count
11205	51
11206	53
11211	76
11249	32

2. The number of summonses issued to date in violation of the Order to individuals wherein:
  - a. the individual noted in the summons as violating the Order is over the age of 18;
  - b. individual noted in the summons as violating the Order is under the age of 18;
  - c. the individual noted in the summons as violating the Order is less than 12 months of age;
3. The number of summonses withdrawn to date because the subject of the summons provided proof of:

Cancellation Reason	Count
Had measles	1
Laboratory Test	47
Medical Exemption	9
Vaccination	39
<b>Total</b>	<b>96</b>



**From:** Julia Morrill [<mailto:jmorrill@health.nyc.gov>]

**Sent:** Wednesday, July 10, 2019 6:12 PM

**To:** Pan, Jimmy <[JPan@cityhall.nyc.gov](mailto:JPan@cityhall.nyc.gov)>; Cipriano, Chelsea <[CCipriano@hhspartner.nyc.gov](mailto:CCipriano@hhspartner.nyc.gov)>; Ponet, Maibe <[MPonet@cityhall.nyc.gov](mailto:MPonet@cityhall.nyc.gov)>; Miranda, Marcy <[MMiranda@cityhall.nyc.gov](mailto:MMiranda@cityhall.nyc.gov)>; Bero, Julie <[JBero@cityhall.nyc.gov](mailto:JBero@cityhall.nyc.gov)>; Martinez, Diana <[DMartinez@cityhall.nyc.gov](mailto:DMartinez@cityhall.nyc.gov)>; Berger, Jennie <[JBerger@cityhall.nyc.gov](mailto:JBerger@cityhall.nyc.gov)>; Ringel, Pinchas <[CAULiaison@cityhall.nyc.gov](mailto:CAULiaison@cityhall.nyc.gov)>

**Cc:**

**Subject:** [REDACTED]

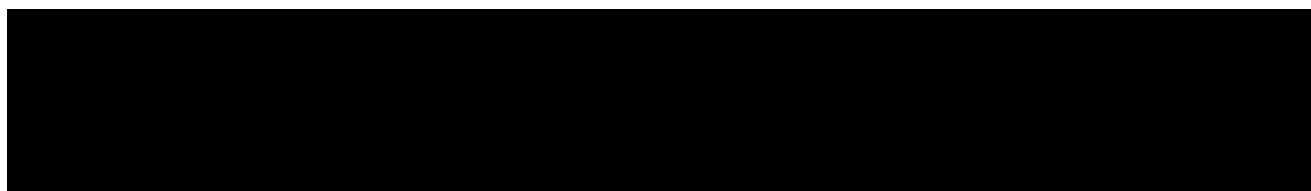
**REQUEST**

- **TOPIC:** Measles
- **FROM:** Allison Lucas, Siri & Glimstad ([REDACTED] law firm representing [ICAN](#))
- **TO:** DOH
  - **RECEIVED:** 6/4
  - [REDACTED]
- **QUESTION/REQUEST:** [REDACTED]:

1. Date and mode of publication of the order dated April 9, 2019, that was issued by COH
2. Date and method for publishing any corrected or updated versions of the Order;
3. Date and mode of publication for the Resolution adopted by the Board of Health on April 17, 2019
4. Date and method for publishing any corrected or updated versions of the Resolution;
5. The total number of summonses issued to date in violation of the Order;



6. The number of summonses issued to date in violation of the Order to individuals wherein the individual noted in the summons as violating the Order is over the age of 18;
7. The number of summonses issued to date in violation of the Order wherein the individual noted in the summons as violating the Order is under the age of 18;
8. The number of summonses issued to date in violation of the Order to individuals wherein the individual noted in the summons as violating the Order is less than 12 months of age;
9. The number of summonses issued to date in violation of the Order to nonresidents of the affected zip codes;
10. The number of summonses issued to date in violation of the Order issued to each of the affected zip codes;
11. The number of summonses withdrawn to date because the subject of the summons provided proof of immunity via titer; and
12. The number of summonses withdrawn to date because the subject of the summons provided proof of vaccination with the Measles, Mumps, Rubella vaccine.



5. *The total number of summonses issued to date in violation of the Order: **162***
- 6 – 8: *A record does not exist and Department need not create one in response to FOIL request. To create record would require more than four hours of analyst time.*
9. *The number of summonses issued to date in violation of the Order to nonresidents of the affected zip codes: **1***
10. *The number of summonses issued to date in violation of the Order issued to each of the affected zip codes*

Summonses Issued by Zip code subject to the Emergency Order	
Zip Code	Count
11205	51
11206	53
11211	76
11249	32

11. *The number of summonses withdrawn to date because the subject of the summons provided proof of immunity via titer: **47***
12. *The number of summonses withdrawn to date because the subject of the summons provided proof of vaccination with the Measles, Mumps, Rubella vaccine: **39***

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**From:** [Laura Rivera](#)  
**To:** [Chari Anhouse](#)  
**Subject:** RE: FOIL Control No. 2019FR01574 Response Completion - COH Order Pubs  
**Date:** Tuesday, July 30, 2019 8:07:23 PM

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Hi Chari- We ran ads in the following publications on the following dates:

Emergency Order- 4/12 Daily News, New York Post, Jewish Post, Jewish Press, Jewish Week, Yated

Board of Health Resolution- 4/19 Daily News, Daily News , Jewish Post, Jewish Press, Jewish Week, Yated

[REDACTED]

Thanks,  
Laura

[REDACTED]

[REDACTED]