

RESOLUTION NUMBER 12
INVESTIGATING IF THE DIRECTOR OF HEALTH DOES OR HAS EVER MET MINIMUM
QUALIFICATIONS UNDER THE CHARTER

WHEREAS, the Charter of the City of St. Louis was adopted by the vote of the citizens on June 30, 1914 and as such is the controlling law in the City of St. Louis; and

WHEREAS, the St. Louis City Charter authorizes all three branches of local Government of the City of St. Louis which includes the Executive Branch, The Mayor, the Legislative Branch, The President of the Board of Aldermen and 28 Alderpersons, and the Judicial Branch, the City Courts: and

WHEREAS, all City Officials including the Members of the Board of Aldermen, and those appointed by the Mayor are required to take an Oath of Office which includes abiding by and following the City Charter; and

WHEREAS, it is important to note that Elected Officials have been removed from office and City employees have been fired for violating sections of the City Charter; and

WHEREAS, the Charter defines the powers and duties as well as the minimum qualifications and salaries of each of each of branches of local government; and

WHEREAS, the Charter also defines the powers and duties and the minimum qualifications and salaries of officers appointed under the Charter by the Mayor which included the assessor, supply commissioner, register, city counselor, city marshal, city court judges, clerk of city courts, president of the board of public service, director of public utilities, director of streets, director of welfare, director of parks, recreation and forestry, director of health and hospitals and director of public safety; and

WHEREAS, Article XIII, Section 14-C of the Charter states in pertinent part the Department of Health and Hospitals shall be in charge of a Director of Health and Hospitals appointed by the Mayor; and

WHEREAS, until November 2002 Article XIII, Section 14-C (a) entitled **Director-Qualifications**, stated, "The Director of Health and Hospital shall be a regularly licensed practitioner of medicine and surgery and a graduate of a recognized school of medicine, and shall have completed graduate work in a recognized school of public health to the level of a Master's Degree in Public Health or have been certified by the American Board of Preventive Medicine and Public Health. He also shall have had at least three years' experience in the practice of medicine and at least three years' experience in public health work, with at least two years of such experience in a responsible administrative capacity; and

WHEREAS, the only way to amend the City Charter is to put the proposed change out to a vote of the Citizens of St. Louis and get three-fifth of the qualified voters voting in said election to vote for the change; and

WHEREAS, in 2002 after three City Hospital had been closed, Home G. Phillis in 1979, St. Louis City Hospital in 1985, and St. Louis Regional Medical Center in 1997, then President of the Board of Aldermen Jim Shrewsbury introduced and passed Board Bill 56 which became ordinance 65578. Ordinance 65578 was an ordinance submitted to the qualified voters of the City of St. Louis a proposed amendment to the Charter of the City of St. Louis repealing Paragraph (a) of Section Fourteen-C of Article XIII of the Charter of the City of St. Louis relating to the qualifications of the Director of Health and Hospitals and enacting in lieu thereof is a new Paragraph (a) for Section Fourteen-C; providing for an election to be held thereon; and for the manner of voting thereat and containing an emergency clause; and

WHEREAS, On November 5, 2002, the Voters of the City of St. Louis adopted the change in the ordinance repealing a part of section (a) so the Director of Health and Hospital did not have to be a doctor. The new paragraph (a) for Section Fourteen-C was changed to read as follows: Section 14C **Director—Qualifications** **(a) Director—Qualifications.** The director of health and hospitals shall be a licensed practitioner of medicine and surgery and a graduate of an accredited school of medicine or shall have completed graduate work in an accredited school of public health to the level of a Master's Degree in Public Health or have been certified by the American Board of Preventive Medicine and Public Health. The director also shall have had at least three years of experience in the practice of medicine or shall have had at least three years' experience in public health work, with at least two years of such experience in a responsible administrative capacity. Said amendment become a part of the Charter of the City of St. Louis from the date of said election on November 2, 2002; and

WHEREAS, On February 7, 2019 Dr. Fredrick Echols was appointed Director of Health by Mayor Lyda Krewson. At the time of his hiring it was noted in the newspaper that Dr. Echols was not licensed to practice medicine in the State of Missouri it did not state he was not licensed to practice medicine anywhere. As Dr. Echols did not come from a position of Civil Service in the City of St. Louis his credentials and other requirements such as if he met minimum qualifications for the Director of Health for the City of St. Louis as set out in the St. Louis City Charter were not vetted by the Department of Personnel; and

WHEREAS, recently, it has become known through Court filing done by our City Counselor Julian Bush, that Dr. Fredrick Echols testified under oath that he was a licensed physician when he was not, necessitating the City Counselor who was required by law to file a Memorandum correcting the testimony of Dr. Fredrick Echols, and notifying the Court that Dr. Echols had testified incorrectly and that he was not a licensed doctor as he had let his license lapse; and

WHEREAS, as per our City Charter the Director of Health appoints the Health Commissioner who shall be responsible for the administration of the public health. When the sponsor of this resolution sought to inquire as to the name of the Health Commissioner, it appears that Dr. Echols has appointed himself as the Health Commissioner. Our City Charter states in pertinent part that the Health Commissioner shall adopt, such rules and regulations as will tend to preserve or promote the public health which **are consistent with the provisions of this charter and any law or ordinance**; and

WHEREAS, Article XIII, Section 14-C goes on to state that, “Whenever any malignant, infectious, or contagious disease is threatened or is prevalent in the City, on proclamation thereof by the mayor and with the approval of the Mayor and the Director of Health and Hospitals, the Health Commissioner may take such steps, use such measures, and incur such expenses as he deems necessary to avoid or suppress, or mitigate such disease until the mayor proclaims the need therefore ended, notwithstanding anything to the contrary in this charter or in any ordinance; and

WHEREAS, Dr. Fredrick Echols as the Health Director and Commissioner of Health has taken steps to address the Covid-19 pandemic by issuing stay at home orders that include closing some businesses which the sponsor of this resolution not only agreed with but though the orders should have been much more aggressive in the closings of businesses to prevent the spread of this virus that has gripped the world, never the less the issue has become was Dr. Echols legally able to issue such orders; and

WHEREAS, as the Charter of St. Louis is specific in its minimum qualification requirement of the Director of Health, it is paramount that this Board determine if Dr. Echols has now or has ever had the minimum qualifications to hold the position of Director of Health.

NOW THEREFORE IT BE RESOLVED that the Engrossment, Rules, Resolution and Enrollment Committee immediately convene a hearing for the purpose of requiring Dr. Fredrick Echols to appear before the Committee bringing with him all documents that will prove if at the time he was hired and started as the Director of Health he met the minimum qualifications under the City Charter to be such and or if he currently meets the minimum qualifications under the City Charter to be the Director of Health to with:

Directors Minimum Qualifications

The director of health and hospitals shall be a licensed practitioner of medicine and surgery and a graduate of an accredited school of medicine or shall have completed graduate work in an accredited school of public health to the level of a Master's Degree in Public Health or have been certified by the American Board of Preventive Medicine and Public Health. The director also shall have had at least three years of experience in the practice of medicine or shall have had at least three years' experience in public health work, with at least two years of such experience in a responsible administrative capacity.

**Introduced on the 15th day of May, 2020 by:
The Honorable Sharon Tyus, Alderwoman 1st Ward**

Adopted this 15th day of May as attested by:

**Terry Kennedy
Clerk, Board of Aldermen**

**Lewis E. Reed
President, Board of Aldermen**