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TO: Felicia Brabec  
Chair, Ways & Means Committee

THROUGH: Verna McDaniel  
County Administrator

FROM: Ellen Rabinowitz, Acting Health Officer  
Washtenaw County Public Health Department

DATE: May 21, 2014

SUBJECT: Authorizing the creation of a Washtenaw County Board of Health

**BOARD ACTION REQUESTED:**

It is requested that the Washtenaw County Board of Commissioners authorize the creation of a Washtenaw County Board of Health (BoH), and authorize the dissolution of the existing Public Health Advisory Board/Environmental Health Appeals Board and the existing Hearing Board for the Health Department Food Service Regulation, folding those functions into the newly created BoH.

**BACKGROUND:**

The County maintained a Public Health Board until December 1988, when the Board of Commissioners abolished the Public Health Board and created a larger Human Services Board which absorbed many of the Public Health Board's functions. At the same time the Board of Commissioners created a new Environment Health Code Appeals Board/Public Health Advisory Committee to hear appeals required by statute and advise the Board of Commissioners on Health Department operations. The Board of Commissioners has also maintained the Hearing Board for the Health Department Food Service Regulation to adjudicate food service establishment license suspensions or revocations.

The Michigan Public Health Code (MCLA 333.1101 et seq) identifies local governing entities as ultimately responsible for local public health administration and governance. In Washtenaw County, the Board of Commissioners is the local governing entity, and serves as the Board of Health.

Section MCLA 333.2413 of the Michigan Public Health Code states that a county may appoint a public health board. For a county with a single county health department

jurisdiction like Washtenaw, a Board of Health is optional. In multi-jurisdiction health departments, a Board of Health is required. The Board of Commissioners remains legally responsible for administering and governing the operations of the local health departments in single county health department jurisdictions, whether or not that County has appointed a Board of Health.

A number of single county health departments in Michigan do have a separate Board of Health. In those counties, the typical functions of the Board of Health include identifying and recommending community health priorities, advocating for public health policies and programs, and promoting collaboration and coordination of the health department's programs with other public and private community agencies.

The existing Environmental Health Code Appeals Board passed a resolution at its February 28, 2014 meeting indicating their support for creating a new Board of Health, dissolving the existing Appeals Board, and further recommending that the appeals functions be absorbed into the new Board of Health.

Members of the Hearing Board for the Health Department Food Service Regulation were surveyed and indicated their support for dissolving that board, and absorbing those functions into the Board of Health.

### **DISCUSSION:**

The purpose and role of a Washtenaw County Board of Health will be to identify public health problems and concerns in the community, establish health priorities, and advise the Board of Commissioners and the Health Department on issues and possible solutions. The Board of Health will serve as advocates and educators for public health services and policies. The Board of Health will provide oversight and guidance to the Health Department, and will recommend a program of basic health services to the Board of Commissioners.

The new Board of Health will have the authority to hear appeals and requests for variances from the local public health and environmental regulations established under the Public Health Code. The Board of Health will have the authority to hear appeals regarding the suspension or revocation of food service licenses.

The recommended size of the Board of Health is ten (10) members with nine (9) voting members and one (1) member from the Washtenaw County Board of Commissioners serving in an ex officio capacity. Representatives from suggested sectors/institutions/constituencies include: Washtenaw County Board of Commissioners, health service delivery (physicians, dentists, mental health practitioners, administrators); environmental health and conservation, land use planning, food service and nutrition, academia, k-12 education, philanthropy, social service delivery, legal services, and consumers of public health services. Such a wide range of expertise would provide a strong support network to inform the work of the health department.

The existing Environmental Health Code Appeals Board passed a resolution at its March 28, 2014 meeting recommending that the Board of Commissioners seek representation from these relevant experts and constituencies and further recommended that the expertise in any given area should be preferred, but not mandatory, i.e. slots should not be reserved for particular constituencies thereby limiting the applicant pool and potentially excluding other qualified representatives from outside those fields.

The new Board of Health would initially convene in October 2014.

**IMPACT ON HUMAN RESOURCES:**

None

**IMPACT ON BUDGET:**

Board of Health members will receive remuneration for meeting attendance, as per County policy. The anticipated cost to the Health Department, including in-kind staff support for the Board, is anticipated to be \$19,000.

**IMPACT ON INDIRECT COSTS:**

None

**IMPACT ON OTHER COUNTY DEPARTMENTS OR OUTSIDE AGENCIES:**

To be most successful, the Board of Health must build on existing assets. Currently there are a number of community wide health planning efforts underway. Washtenaw County Public Health is engaged with a number of committees and collaborative efforts that provide assistance in identifying important health issues, and in advocating for public health programs and policies. The new Board of Health must work together with these other community planning efforts to build the strongest possible health planning infrastructure.

**CONFORMITY TO COUNTY POLICIES:**

This request is in conformance with County policies.

**ATTACHMENTS:**

Memo from Washtenaw County Office of Corporation Counsel regarding the re-establishment of a Washtenaw County Public Health Board.

A RESOLUTION ESTABLISHING A WASHTENAW COUNTY BOARD OF HEALTH

WASHTENAW COUNTY BOARD OF COMMISSIONERS

June 4, 2014

WHEREAS, Washtenaw County maintained a Public Health Board until 1988; and

WHEREAS, on December 14, 1988 (Resolution 88-0344) the Board of Commissioners established the Human Services Board which, among other functions, assumed the duties of the Washtenaw County Public Health Board; and

WHEREAS, Resolution 88-0344 established the Environmental Health Code Appeals Board/Public Health Advisory Committee to hear appeals required by statute and to provide advice and guidance on Health Department operations; and

WHEREAS, the Michigan Public Health Code states that a county may appoint a public health board; and

WHEREAS, the existing Environmental Health Code Appeals Board supports the creation of a new Board of Health, and recommends dissolving the current Appeals Board, and folding the appeals functions into the new Board of Health; and

WHEREAS, the members of the Hearing Board for the Health Department Food Service Regulation support the creation of a Board of Health, and support dissolving the Hearing Board and folding those functions into the Board of Health; and

WHEREAS, the purpose and role of the Washtenaw County Board of Health will be to identify public health problems and concerns, establish health priorities, and advise the Board of Commissioners and the Health Department on issues and possible solutions; and

WHEREAS, the Board of Health will serve as advocates and educators about public health services and policies; and

WHEREAS, the Board of Health will provide oversight and guidance to the Health Department, and will recommend a program of basic health services to the Board of Commissioners; and

WHEREAS, the Board for Health will have the authority to hear appeals and requests for variances from the local public health and environmental regulations established under the Public Health Code; and

WHEREAS, the Board of Health will have the authority to hear appeals regarding the suspension or revocation of food service licenses.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby establishes the Washtenaw County Board of Health.

BE IT FURTHER RESOLVED that the Washtenaw County Board of Health will be comprised of 10 members, 9 voting members and 1 Washtenaw County Commissioner as an ex officio member, serving a term to be decided by the bylaws, representing a diversity of the community and providing a wide range of expertise on local public health issues, with the following sector representation to be preferred: Washtenaw County Board of Commissioners, health service delivery, environmental health and conservation, land use planning, food service and nutrition, academia, k-12 education, philanthropy, social service delivery, legal services, and consumers of public health services.

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners take the following actions:

1. Dissolve the Environmental Health Code Appeals Board/Public Health Advisory Committee.
2. Dissolve the Hearing Board of the Health Department Food Service Regulation.