

WISCONSIN'S
Public Health Statutes
and
Administrative Rules



Department of Health Services
Division of Public Health
October, 2015

Statutes
What are they?

- Laws that establish the legal basis for public health in Wisconsin
- Created, amended or repealed by state legislature
- Stand on their own

Administrative Rules
What are they?

- Provide further explanation and additional rules to the statutes
- Must be authorized by statute
- Facilitate administration and enforcement of statutes
- Have the effect of law

Why are they important?

- Provide guidance/direction
- Provide authority
- Provide assurance

Direction
250.03 "Public Health System"
 (1)The department **SHALL:**

- (a) Maintain a public health system in cooperation with...(many partners)
- (b) Serve as the state lead agency for public health.
- (c) Assess the health needs in the state based on statewide data collection.
- (e) Establish statewide health objectives and delegate power to local health departments (LHD) to achieve the objectives as the department considers appropriate.
- (f) Support local public health service capacity building through grants, consultation and technical assistance.

Authority and Assurance
250.04 (7) The department MAY

- promulgate and enforce rules and issue and enforce orders governing the duties of all local health officers and local boards of health
- relating to any subject matter under the department's supervision
- Whoever violates a rule or order specified under this subsection shall be fined

**Chapter 250 –
Health: Administration and Supervision**

- Requires the appointment of State Health Officer and Chief Medical Officers and describes duties
- Requires the Department to maintain a public health system
- Defines the powers and duties of the Department, and as a public health authority
- Defines qualifications for public health nurses
- Defines public health planning requirement
- Requires appropriation of funds– Health Disparities Reduction or Elimination, Dental, CHCs, etc.

Chapter 251 – Local Health Officials

Defines and/or Describes

- LHDs, levels of service, jurisdiction, joint services, how financed
- boards of health, its members, powers, duties
- health officer qualifications and duties
- Gives the DHS rule making authority

Administrative Rule DHS 139

promulgated under Ch. 250 & Ch. 251

**Qualifications of Public Health Professionals
Employed by Local Health Departments**

Defines qualification requirements, and a general employment requirement, for health officers, public health sanitarians, directors of environmental health programs, public health nurses, and directors of public health nursing programs



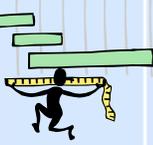
Administrative Rule DHS 140
promulgated under Ch. 251

Required Services of Local Health Departments

Defines the required services for:

- Level I local health department
- Level II local health department
- Level III local health department
- Designation of level of local health department

Requires the Department to direct a process to formally review local health departments



Chapter 252 - Communicable Diseases

- Defines powers and duties of the Department and local health officers
- Authorizes the immunization program and compulsory vaccination during a state of emergency
- Requires reporting of communicable disease cases and authorizes isolation and quarantine
- Authorizes communicable disease prevention and control programs
- Regulation of tattoo & body piercing and Agent status for local health departments - tattoo & body piercing

Administrative rules promulgated under Ch. 252

DHS 144 Immunization of students

DHS 145 Control of communicable disease;

DHS 146 Vaccine-preventable diseases

DHS 173 Tattooing and body piercing



Chapter 253 – Maternal & Child Health

- Requires the Department to maintain a MCH program; preparation of State Plan for MCH services
- Provides the authority for a state supplemental food program for women, infants and children (WIC)
- Provides the authority for family health programs
- Identifies responsibilities for Infant blindness; Newborn hearing screening and screening for congenital and metabolic disorders
- Identifies responsibilities related to Sudden infant death syndrome and Shaken baby syndrome and impacted babies

Administrative rules promulgated or important* to Chapter 253

- DHS 115*** Fee for screening newborns for congenital and metabolic disorders
- DHS 116** – Birth defects and syndromes for which reporting is mandatory,
-Core data items in birth defects registry
- DHS 149*** Selection & monitoring of WIC vendors



Chapter 254 – Environmental Health

- Defines environmental health and human health hazard. Identifies departmental power; designation. Health risk assessment.
- Toxic Substances
- Radiation Protection
- Recreational Sanitation

**Chapter 254 – Environmental Health
(continued)**

- Animal-borne and vector-borne disease control
- Human Health Hazards
- Lodging and Food Protection
- Sale or Gift of Cigarettes or Tobacco Products to Minors

Administrative rules promulgated under Ch. 254

- DHS 157** Radiation protection
- DHS 158** Fee for monitoring radiation emissions in the vicinity of nuclear power plants
- DHS 159** Asbestos certification and training accreditation
- DHS 161** Tanning facilities
- DHS 163** Certification for the identification, removal and reduction of lead-based paint hazards
- DHS 175** Recreational and educational camps
- DHS 178** Campgrounds



Administrative rules promulgated under Ch. 254

- DHS 181** Reporting of blood lead test results
- DHS 182** Lead poisoning or lead exposure prevention grants
- DHS 192** Cities, counties and villages designated as agents of the Department for public health protection
- DHS 195** Hotels, motels and tourist rooming houses
- DHS 196** Restaurants; Appendix - WI Food Code
- DHS 198** Vending of food



Chapter 255 – Chronic Disease & Injuries

- Definitions
- Chronic Disease Prevention, Assessment & Control
 - Duties of state epidemiologist and of the Department
 - Cancer Reporting; Cancer control and prevention grants; Breast cancer research program; Cancer and chronic disease drug repository; Well-woman program; Tanning facilities; State-wide tobacco prevention and control programs
- Injury Prevention & Control

Administrative rules promulgated under Ch. 255

- DHS 147** Cancer Control Grants
- DHS 161** Tanning facilities
- DHS 199** Tobacco control activities

Additional Statutes Important to Public Health

- Chapter 19** - General Duties of Public Officials
- Chapter 46** - "Social Services"
- Chapter 51** - "State Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act"
- Chapter 69** - Collection of Statistics
 - *Subchapter I - Vital Statistics
 - *Subchapter II - General statistics

Resources

WI State Legislature: www.legis.state.wi.us

WI State Statutes:
<http://docs.legis.wisconsin.gov/statutes>

WI Administrative Code:
<http://docs.legis.wisconsin.gov/code>

Resources

Administrative Rules Rulemaking:
<https://health.wisconsin.gov/admrules/public/Home>

Department of Health Services Rules:
www.dhs.wisconsin.gov/rules/index.htm

Division of Public Health:
<https://www.dhs.wisconsin.gov/lh-depts/health-officers/ph-statutes.htm>

Resources

Network for Public Health Law:
www.networkforphl.org

CDC's Public Health Law Program:
www.cdc.gov/phlp

Corporation Counsel
