


WISCONSIN'S

Public Health Statutes and Administrative Rules




Department of Health Services
Division of Public Health
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Objectives

- Recognize the importance of Public Health Statutes and Rules
- Begin to understand regulations governing public health programs
- Become familiar with Local health department levels and required services



Wisconsin Statutes

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- Created, amended or repealed by state legislature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



Administrative Rules

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

Local Ordinances

- A law or regulation made by a city or town government
- WI is a “Home Rule” state



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Why are they important?

- Provide guidance and 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

- Health officers
- Public health sanitarians
- Directors of environmental health programs
- Public health nurses
- 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

Administrative rules promulgated under Ch. 252

- DHS 144** Immunization of students
- DHS 145** Control of communicable disease
- DHS 146** Vaccine-preventable disease
- SPS 221** 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 under
Ch. 253**

- DHS 115** Screening of newborns for congenital and metabolic disorders
- DHS 116** Wisconsin birth defect prevention and surveillance system
- DHS 149** The special supplemental nutrition program for women, infants and children (WIC)
- DHS 151** Family Planning Fund Allocations



Chapter 254 – Environmental Health

- Toxic Substances
- Radiation Protection
- Recreational Sanitation
- Animal-borne and vector-borne disease control
- Human Health Hazards
- 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 163** Certification for the identification, removal and reduction of lead-based paint hazards
- DHS 181** Reporting of blood lead test results
- DHS 182** Lead poisoning or lead exposure prevention grants

Restaurants, Retail Food, Lodging, Camping, and Swimming Pools - Department of Agriculture, Trade and Consumer Protection (DATCP)

Body Art and Tattooing - Department of Safety and Professional Services (DSPA)

Chapter 255 – Chronic Disease & Injuries

• Chronic Disease Prevention, Assessment & Control

- Duties of state epidemiologist and of the Department
- Cancer Reporting; Cancer control and prevention grants; cancer research program; drug repository; Well-woman program; State-wide tobacco prevention and control programs

• Injury Prevention & Control

Administrative rules promulgated under Chapter 255

DHS 147 Cancer Control Grants

SPS 220 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
- Chapter 257** Emergency Volunteer Health Care Practitioners

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

Activity

- Statute or Rule?
- If a rule, what statute is it linked to?
- Find a "shall" and a "may."
- How does this impact your work?
- Share something you learned in the statute/rule.

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