

**WISCONSIN'S**  
**Public Health Statutes**  
**and**  
**Administrative Rules**



Department of Health Services  
Division of Public Health  
October, 2015

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**Objectives**

- **Introducing Public Health Statutes and Rules**
- **Local health department levels and required services**

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**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**

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**Why are they important?**

- Provide guidance/direction
- Provide authority
- Provide assurance

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**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.

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**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

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**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.

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**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

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**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



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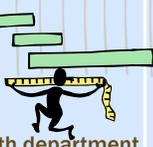
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**Administrative Rule DHS 140**  
promulgated under Ch. 251

**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



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**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

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**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



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### 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

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### Administrative rules promulgated 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
- DHS 151** Family Planning Fund Allocation



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### Chapter 254 – Environmental Health

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

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

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

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**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

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

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

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**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

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**Administrative rules promulgated under Ch. 255**

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

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**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

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**Resources**

WI State Legislature: [www.legis.state.wi.us](http://www.legis.state.wi.us)

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

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

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**Resources**

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

Department of Health Services Rules:  
[www.dhs.wisconsin.gov/rules/index.htm](http://www.dhs.wisconsin.gov/rules/index.htm)

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

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**Resources**

Network for Public Health Law:  
[www.networkforphl.org](http://www.networkforphl.org)

CDC's Public Health Law Program:  
[www.cdc.gov/phlp](http://www.cdc.gov/phlp)

Corporation Counsel

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