

Roles & Responsibilities of Local Boards of Health

WALHDAB - Western Region
August 1, 2012

J. Michael Blaska and Sarah Diedrick-
Kasdorf

Wisconsin Counties Association

Board of Health Structure

- Authority comes from Chapter 251
 - Powers are limited by state statute
-

Board of Health Structure

- Local health department is governed by a local board of health
 - Consists of not more than 9 members
 - At least three of the members not elected officials or employees; have a demonstrated interest or competence in the field of public health or community health
 - Good faith effort made to appoint a registered nurse and a physician
 - Shall reflect the diversity of the community

Board of Health Structure

- Members appointed by CEO of village or city
- Members appointed by County Executive in counties with a County Executive
- Members appointed by Board Chair in counties without a County Executive
- In all cases members are confirmed by the governing body

Board of Health Structure

- County human services board under s. 46.23 (4) may act as county board of health
 - Membership of the human services board must meet the qualifications
 - Authorized to act in that capacity by the county board of supervisors
 - Shall use the word “health” in its title

Local Boards of Health – Powers and Duties

- Wisconsin State Statute:
 - Govern the city or county health department
 - Assure the enforcement of state public health statutes and public health rules of the department as prescribed for a Level I local health department
 - May contract or subcontract with a public or private entity to provide public health services
 - Assure that its local health department is a Level I, Level II, or Level III local health department

Local Boards of Health – Powers and Duties

- May adopt those regulations, for its own guidance and for the governance of the local health department, that it considers necessary to protect and improve public health
 - May be no less stringent than, and may not conflict with, state statute and rules of the department
- Shall report to the department as required by rule
- Meet at least quarterly

Local Boards of Health – Powers and Duties

- Assess public health needs and advocate for the provision of reasonable and necessary public health services
- Develop policy and provide leadership that fosters local involvement and commitment, that emphasizes public health needs and that advocates for equitable distribution of public health resources and complementary private activities commensurate with public health needs

Local Boards of Health – Powers and Duties

- Assure that measures are taken to provide an environment in which individuals can be healthy
- Annually prepare a budget of the proposed expenditures of the county health department for the ensuing fiscal year
- May receive gifts and donations for the purpose of carrying out public health functions

Local Boards of Health – Powers and Duties

- In counties with a single county health department the County Executive or County Administrator may assume powers and duties of the board of health
- Board of Health shall be only a policy-making body

County Administrator

- Chief Administrator of the County
- Responsible for coordinating all administrative & management functions not vested by law with other officers
- Appoints & supervises department heads
- Appoints members to boards & commissions
- Submits annual budget

Other State Statutes

■ Open Meetings Law

- Advanced notice of meetings; meetings open and accessible to the public; limited closed sessions
- Things to be aware of:
 - Definition of meetings; walking quorum

■ Public Records Laws

- “presumption of complete public access, consistent with the conduct of government business...

Other State Statutes

- State and Local Codes of Ethics / Conflicts of Interest
 - Limit undue influence and bias; preserve public confidence

Administrative Rules

- Examples:
 - DHS 139: Qualifications of Public Health Professionals Employed by Local Health Departments
 - DHS 140: Required Services of Local Health Departments

Standing Committee Functions

- Supervisory and policy oversight
- Monitor performance
- Review and make budget recommendations
- Draft ordinances and resolutions
- In other words, assist in POLICY DEVELOPMENT

Local Board of Health Members

- Member's authority is collective versus individual
- The chair has the authority to set the agenda for board meetings, preside at meetings and make reports and recommendations on the board's behalf
- No supervisory or operational control with individual members

Local Board of Health Functions

- Involve, represent and be accountable to the public
- Set policies
- Determine services to be provided
- Prepare a budget-approved by county board
- Regulate within statutory authority
- Cooperate with other governments
- In other words, ENACT POLICY

Board Sets Policy

Plans

Community health assessment, community health improvement plan

Budgets

Most important document – determines what services are provided, how funded and level of funding

Board Develops Policy

Recommends Ordinances for County Board Adoption

- An ordinance is a local law prescribing rules of conduct
- Enforced by officials of the governmental body
- Permanent part of governmental code
- Example: Installation and use of outdoor wood-fired furnaces

Board Develops Policy

Recommends Resolutions for County Board Adoption

- Are usually less permanent and deal with matters that are temporary in character
- Often used to grant special privileges, express opinions or communicate with other governmental bodies
- A resolution may be used to adopt a budget
- Example: Supporting Policy of Tax Equity on Other Tobacco Products

Board Roles & Responsibilities

Board of Health

- Relationship to county offices and departments must be consistent with statutes and constitution
- Role is that of “visionary”

Board Roles & Responsibilities

- Board of Health members and department head/staff have vastly different responsibilities
 - Board members serve primarily a policy setting role
 - Department heads and staff serve in an operational and advisory role

Administration Roles and Responsibilities

Staff Roles & Responsibilities

- Have an obligation to carry out duties in a manner consistent with the policy direction of the board
- Make recommendations and give professional advice
- Do not make policy other than internal as authorized

Staff Roles & Responsibilities

- Answer questions and present reports during meetings to enable board members to make informed decisions
- Offer alternatives and recommendations as needed

Policy vs. Administration

- Policy (Board) = “What” and “Why”
- Administrative/Operations (Staff) = “Where,”
“When” and “How”

Policy vs. Administration

Policy

- “What” – Will the county establish a home visitation program for new mothers?
- “Why” – Will the program benefit the overall health and welfare of county residents?

Policy vs. Administration

Admin/Ops

- “How” – Who will establish and carry out the program?
- “When” – What is the timeframe for implementation?
- “Where” - Where will the program be housed?

The dividing lines blur when implementing a plan, but once the plan is complete, the “hand off” occurs

Administration (Department & Staff)

- Implementation of policies and strategies
- Shorter term
- Day to day operations
- Related to smaller functions
- Addresses department or individual issues
- Requires attention to detail
- Requires specialized training

Staff vs. Board

Staff:

Education

Experience

Background checked

Bonded

Professionally current

Professional
associations

Board:

Appointed by county
exec or board chair

Local connection

Leadership Roles

- Department heads (non-elected) have the leadership role in their departments within the guidelines of the policies and procedures set by the board of health and clarified through directives from the chief elected official or administrator

Leadership Roles

- Individual board of health members have no management or leadership role outside of the board of health; their authority is collective as a member of the board

Leadership Roles

Wisconsin Statutes imply the following:

“Thou Shalt Not Micro-Manage”

How does micromanaging hurt the county?

- Employees spend time focusing on pleasing the micromanager vs. doing their jobs
- Employees suffer a loss of morale because skills that took years to build are being wasted
- A “futility” mentality sets in – “why am I even here if I can’t be trusted to do the simplest of tasks?”

Working Together as a Goal

Between Board Members and the Administrative Team

- Know your job and try not to interfere with that of the administration
- Devote the time needed to do a good job. Read the background materials the administration prepares
- Admit what you don't know
- Do not jump to conclusions; instead, hear and weigh all the facts

Working Together as a Goal

Between Board Members and the Administrative Team (cont.)

- Keep your mind open to change
- Understand that the local health officer is practicing a career - a highly complex one for which she has prepared with formal training and, in most cases, years of progressive experience
- Don't become a complaint department. Communicate with the staff through the administration as much as possible

Working Together as a Goal

Between Board Members and the Administrative Team (cont.)

- Don't make promises outside board meetings, not only for legal reasons, but also out of respect for the ethics of the situation and regard for the other board members, the administration and employees
 - Listen to what your local health officers and employees have to offer and let them know you are listening
-

Working Together as a Goal

Between Board Members and the Administrative Team (cont.)

- If someone complains to you about a member of the department, listen but do not agree. Being supportive of the department shows that you have confidence in yourself and in the management team. If the complaint is serious, ask the person to put it in writing and ask the board as a whole to analyze it in light of the appropriate board structure.
-

Working Together as a Goal

Between Board Members and the Administrative Team (cont.)

- If you have to criticize any county employee, do so constructively
 - Criticize the work rather than the individual
-

Working Together as a Goal

Between Board Members and the Administrative Team (cont.)

- Do not surprise the administration at a board meeting with resolutions, problems and issues without their prior knowledge. If you "spring" something at a meeting, the administration probably will not have the necessary data at hand to allow full and complete discussion of the issue. Incomplete data and discussion lead to unwise decisions.

Working Together as a Goal

- Staff has an obligation to remain “politically neutral” they should never take a position based on politics
- Board members should not assume staff are “taking a side” if the answer they receive on a professional question is not what they hoped for

Working Together as a Goal

A key to staff success is to remain “politically savvy while politically neutral”

Tips on Being a Good Board Member

- Work in cooperation with your local health officer
- Educate yourself on public health issues
- Be willing to take a stand on important health issues
- Learn to make necessary decisions
- Be a health proponent in your community
- Stand behind decisions of the board

Wisconsin Counties Association

J. Michael Blaska
Director of Programs &
Services
22 E. Mifflin St., Suite
900
Madison, WI 53703
608-663-7188
blaska@wicounties.org

Sarah Diedrick-Kasdorf
Senior Legislative
Associate
22 E. Mifflin St., Suite
900
Madison, WI 53703
608-663-7188
diedrick@wicounties.org