



General Assembly

January Session, 2005

**Raised Bill No. 978**

LCO No. 3027

\*03027 \_\_\_\_\_ PH\_\*

Referred to Committee on Public Health

Introduced by:  
(PH)

**AN ACT CONCERNING LOCAL PUBLIC HEALTH DEPARTMENTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 19a-200 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2005*):

4 (a) The mayor of each city, the warden of each borough, and the  
5 chief executive officer of each town shall, unless the charter of such  
6 city, town or borough otherwise provides, nominate some person to be  
7 director of health for such city, town or borough, which nomination  
8 shall be confirmed or rejected by the board of selectmen, if there [be] is  
9 such a board, otherwise by the legislative body of such city or town or  
10 by the burgesses of such borough [within] not later than thirty days  
11 [thereafter] after the date of nomination. Notwithstanding the charter  
12 provisions of any city, town or borough with respect to the  
13 qualifications of the director of health, such director of health shall  
14 either be a licensed physician or shall hold a graduate degree in public  
15 health as a result of at least one year's training, including at least sixty  
16 hours in local public health administration, in a recognized school of  
17 public health or shall have such combination of training and

18 experience as meets the approval of the Commissioner of Public  
19 Health. [In cities, towns or boroughs with a population of forty  
20 thousand or more for five consecutive years, according to the  
21 estimated population figures authorized pursuant to subsection (b) of  
22 section 8-159a, such] Such director of health shall serve in a full-time  
23 capacity, except where a town has [designated such director as the  
24 chief medical advisor for its public schools under section 10-205, and  
25 shall not engage in private practice] joined or formed a district  
26 department of health pursuant to section 19a-241, as amended by this  
27 act. Such director of health shall have and exercise within the limits of  
28 the city, town or borough for which such director is appointed all  
29 powers necessary for enforcing the general statutes, provisions of the  
30 Public Health Code relating to the preservation and improvement of  
31 the public health and preventing the spread of diseases therein. In case  
32 of the absence or inability to act of a city, town or borough director of  
33 health or if a vacancy exists in the office of such director, the  
34 appointing authority of such city, town or borough may, with the  
35 approval of the Commissioner of Public Health, designate, in writing,  
36 a suitable person to serve as acting director of health during the period  
37 of such absence or inability or vacancy, provided the commissioner  
38 may appoint such acting director if the city, town or borough fails to  
39 do so. The person so designated, when sworn, shall have all the  
40 powers and be subject to all the duties of such director. In case of  
41 vacancy in the office of such director, if such vacancy exists for thirty  
42 days, said commissioner may appoint a director of health for such city,  
43 town or borough. Said commissioner, may, for cause, remove an  
44 officer the commissioner or any predecessor in said office has  
45 appointed, and the common council of such city, town or the burgesses  
46 of such borough may, respectively, for cause, remove a director whose  
47 nomination has been confirmed by them, provided such removal shall  
48 be approved by said commissioner; and, [within] not later than two  
49 days [thereafter] after such removal, notice in writing of such action  
50 shall be given by the clerk of such city, town or borough, as the case  
51 may be, to said commissioner, who shall, [within] not later than ten

52 days after receipt, file with the clerk from whom the notice was  
53 received, approval or disapproval. Each such director of health shall  
54 hold office for the term of four years from the date of appointment and  
55 until a successor is nominated and confirmed in accordance with this  
56 section. Each director of health shall, annually, at the end of the fiscal  
57 year of the city, town or borough, file with the Department of Public  
58 Health a report of the doings as such director for the year preceding.

59 Sec. 2. Section 19a-202 of the general statutes is repealed and the  
60 following is substituted in lieu thereof (*Effective October 1, 2005*):

61 Upon application to the Department of Public Health any municipal  
62 health department shall annually receive from the state an amount  
63 equal to [ninety-four cents] one dollar and thirteen cents per capita,  
64 provided such municipality (1) employs a full-time director of health,  
65 except that if a vacancy exists in the office of director of health or the  
66 office is filled by an acting director for more than three months, such  
67 municipality shall not be eligible for funding unless the Commissioner  
68 of Public Health waives this requirement; (2) submits a public health  
69 program and budget [which] that is approved by the Commissioner of  
70 Public Health; and (3) appropriates not less than one dollar per capita,  
71 from the annual tax receipts, for health department services. Such  
72 municipal department of health is authorized to use additional funds,  
73 which the Department of Public Health may secure from federal  
74 agencies or any other source and which it may allot to such municipal  
75 department of health. The money so received shall be disbursed upon  
76 warrants approved by the chief executive officer of such municipality.  
77 The Comptroller shall annually in July and upon a voucher of the  
78 Commissioner of Public Health, draw the Comptroller's order on the  
79 State Treasurer in favor of such municipal department of health for the  
80 amount due in accordance with the provisions of this section and  
81 under rules prescribed by the commissioner. Any moneys remaining  
82 unexpended at the end of a fiscal year shall be included in the budget  
83 of such municipal department of health for the ensuing year. This aid  
84 shall be rendered from appropriations made from time to time by the

85 General Assembly to the Department of Public Health for this purpose.

86 Sec. 3. Section 19a-241 of the general statutes is repealed and the  
87 following is substituted in lieu thereof (*Effective October 1, 2005*):

88 (a) Towns, cities and boroughs, by vote of their respective legislative  
89 bodies, after a public hearing, may unite to form district departments  
90 of health, which shall be instrumentalities of their constituent  
91 municipalities. The affairs of any such district department of health  
92 shall be managed by a board, which shall have all the duties exercised  
93 or performed immediately prior to the effective date of the creation of  
94 such district by directors of health or boards of health of the  
95 municipalities and which shall exercise all the authority as to public  
96 health required of or conferred upon the constituent municipalities by  
97 law and shall have the powers of the district set forth in section 19a-  
98 243. Towns, cities and boroughs may, in like manner, join a district  
99 department of health previously formed with the approval of the  
100 board of such district.

101 (b) Each town, city and borough, which has so voted to become a  
102 part of any such district, shall, by its board of selectmen, city council or  
103 board of burgesses, appoint one person to be a member of such board.  
104 Any town, city or borough having a population of more than ten  
105 thousand inhabitants, as annually estimated by the Department of  
106 Public Health by a method comparable or similar to that used by the  
107 United States Bureau of the Census, shall be entitled to one additional  
108 representative for each additional ten thousand population or part  
109 thereof, provided no such municipality shall have more than five  
110 representatives on a district board of health. The term of office for  
111 members of the district board of health shall be three years, except  
112 that: (1) A district board of health containing only one town may elect  
113 to have one-year or three-year terms of office, and (2) during the initial  
114 formation of a board with three-year appointments, appointments  
115 shall be so made that approximately one-third of the board shall be  
116 appointed for one year, approximately one-third appointed for two

117 years and approximately one-third appointed for three years.  
118 Members of the district board of health shall serve without  
119 compensation but shall receive their necessary expenses while in the  
120 performance of their official duties.

121 (c) Any town, city or borough that does not have a full-time director  
122 of health for such city, town or borough by July 1, 2008, shall either  
123 form or join a district department of health, in accordance with the  
124 provisions of subsection (a) of this section, provided any district  
125 department of health formed after July 1, 2008, shall serve towns, cities  
126 or boroughs with a combined population of twenty-five thousand or  
127 more, as annually estimated by the Department of Public Health by a  
128 method comparable or similar to that used by the United States Bureau  
129 of the Census.

130 Sec. 4. Section 19a-245 of the general statutes is repealed and the  
131 following is substituted in lieu thereof (*Effective October 1, 2005*):

132 Upon application to the Department of Public Health, each health  
133 district shall annually receive from the state an amount equal to [one  
134 dollar and ninety-four] two dollars and thirty-two cents per capita for  
135 each town, city and borough of such district which has a population of  
136 five thousand or less, and one dollar and [sixty-six] ninety-nine cents  
137 per capita for each town, city and borough of such district which has a  
138 population of more than five thousand, provided (1) the  
139 Commissioner of Public Health approves the public health program  
140 and budget of such health district, and (2) the towns, cities and  
141 boroughs of such district appropriate for the maintenance of the health  
142 district not less than one dollar per capita from the annual tax receipts.  
143 Such district departments of health [are authorized to] may use  
144 additional funds, which the Department of Public Health may secure  
145 from federal agencies or any other source and which it may allot to  
146 such district departments of health. The district treasurer shall  
147 disburse the money so received upon warrants approved by a majority  
148 of the board and signed by its chairman and secretary. The

149 Comptroller shall quarterly, in July, October, January and April, upon  
150 such application and upon the voucher of the Commissioner of Public  
151 Health, draw the Comptroller's order on the State Treasurer in favor of  
152 such district department of health for the amount due in accordance  
153 with the provisions of this section and under rules prescribed by the  
154 commissioner. Any moneys remaining unexpended at the end of a  
155 fiscal year shall be included in the budget of the district for the ensuing  
156 year. This aid shall be rendered from appropriations made from time  
157 to time by the General Assembly to the Department of Public Health  
158 for this purpose.

159 Sec. 5. Sections 19a-202a, 19a-202b, and 19a-205 of the general  
160 statutes are repealed (*Effective October 1, 2005*).

|   |                        |                                    |
|---|------------------------|------------------------------------|
| This act shall take effect as follows and shall amend the following sections: |                        |                                    |
| Section 1   | <i>October 1, 2005</i> | 19a-200(a)                         |
| Sec. 2  | <i>October 1, 2005</i> | 19a-202                            |
| Sec. 3  | <i>October 1, 2005</i> | 19a-241                            |
| Sec. 4  | <i>October 1, 2005</i> | 19a-245                            |
| Sec. 5  | <i>October 1, 2005</i> | 19a-202a, 19a-202b, and<br>19a-205 |

**Statement of Purpose:**

To require directors of local health departments to serve in a full-time capacity, unless the city, town or borough has formed or joined a district department of health, and to increase state payments to local health departments and health districts.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*