



General Assembly

Substitute Bill No. 978

January Session, 2005

* SB00978PH_APP040405 *

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2 repealed and the following is substituted in lieu thereof (*Effective*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-241 of the general statutes is repealed and the
60 following is substituted in lieu thereof (*Effective October 1, 2005*):

61 (a) Towns, cities and boroughs, by vote of their respective legislative
62 bodies, after a public hearing, may unite to form district departments
63 of health, which shall be instrumentalities of their constituent
64 municipalities. The affairs of any such district department of health
65 shall be managed by a board, which shall have all the duties exercised
66 or performed immediately prior to the effective date of the creation of
67 such district by directors of health or boards of health of the
68 municipalities and which shall exercise all the authority as to public
69 health required of or conferred upon the constituent municipalities by
70 law and shall have the powers of the district set forth in section 19a-
71 243. Towns, cities and boroughs may, in like manner, join a district
72 department of health previously formed with the approval of the
73 board of such district.

74 (b) Each town, city and borough, which has so voted to become a
75 part of any such district, shall, by its board of selectmen, city council or
76 board of burgesses, appoint one person to be a member of such board.
77 Any town, city or borough having a population of more than ten
78 thousand inhabitants, as annually estimated by the Department of
79 Public Health by a method comparable or similar to that used by the
80 United States Bureau of the Census, shall be entitled to one additional
81 representative for each additional ten thousand population or part
82 thereof, provided no such municipality shall have more than five
83 representatives on a district board of health. The term of office for
84 members of the district board of health shall be three years, except
85 that: (1) A district board of health containing only one town may elect
86 to have one-year or three-year terms of office, and (2) during the initial
87 formation of a board with three-year appointments, appointments
88 shall be so made that approximately one-third of the board shall be

89 appointed for one year, approximately one-third appointed for two
90 years and approximately one-third appointed for three years.
91 Members of the district board of health shall serve without
92 compensation but shall receive their necessary expenses while in the
93 performance of their official duties.

94 (c) Any town, city or borough that does not have a full-time director
95 of health for such city, town or borough by July 1, 2008, shall either
96 form or join a district department of health, in accordance with the
97 provisions of subsection (a) of this section, provided any district
98 department of health formed after July 1, 2008, shall serve towns, cities
99 or boroughs with a combined population of twenty-five thousand or
100 more, as annually estimated by the Department of Public Health by a
101 method comparable or similar to that used by the United States Bureau
102 of the Census.

103 Sec. 3. Sections 19a-202a, 19a-202b, and 19a-205 of the general
104 statutes are repealed. (Effective October 1, 2008)

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	19a-200(a)
Sec. 2	October 1, 2005	19a-241
Sec. 3	October 1, 2008	Repealer section

PH

Joint Favorable Subst. C/R

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