



General Assembly

Amendment

February Session, 2016

LCO No. 4239



Offered by:

REP. RITTER M., 1st Dist.
SEN. GERRATANA, 6th Dist.
REP. SCANLON, 98th Dist.

To: Subst. House Bill No. 5457

File No. 76

Cal. No. 93

"AN ACT CONCERNING LOCAL HEALTH DIRECTORS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 19a-244 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2016*):

5 On and after October 1, 2010, any person nominated to be the
6 director of health shall (1) be a licensed physician and hold a degree in
7 public health from an accredited school, college, university or
8 institution, or (2) hold a graduate degree in public health from an
9 accredited school, college or institution. The educational requirements
10 of this section shall not apply to any director of health nominated or
11 otherwise appointed as director of health prior to October 1, 2010. The
12 board may specify in a written agreement with such director the term
13 of office, which shall not exceed three years, salary and duties required
14 of and responsibilities assigned to such director in addition to those

15 required by the general statutes or the Public Health Code, if any. [He]
16 Such director shall be removed during the term of such written
17 agreement only for cause after a public hearing by the board on
18 charges preferred, of which reasonable notice shall have been given.
19 [He shall devote his entire time to the performance of such duties as
20 are] No director shall, during such director's term of office, have any
21 financial interest in or engage in any employment, transaction or
22 professional activity that is in substantial conflict with the proper
23 discharge of the duties required of directors of health by the general
24 statutes or the Public Health Code and [as the board specifies]
25 specified by the board in its written agreement with [him; and shall]
26 such director. Such director shall serve in a full-time capacity and act
27 as secretary and treasurer of the board, without the right to vote. [He]
28 Such director shall give to the district a bond with a surety company
29 authorized to transact business in the state, for the faithful
30 performance of [his] such director's duties as treasurer, in such sum
31 and upon such conditions as the board requires. [He] Such director
32 shall be the executive officer of the district department of health. Full-
33 time employees of a city, town or borough health department at the
34 time such city, town or borough votes to form or join a district
35 department of health shall become employees of such district
36 department of health. Such employees may retain their rights and
37 benefits in the pension system of the town, city or borough by which
38 they were employed and shall continue to retain their active
39 participating membership therein until retired. Such employees shall
40 pay into such pension system the contributions required of them for
41 their class and membership. Any additional employees to be hired by
42 the district or any vacancies to be filled shall be filled in accordance
43 with the rules and regulations of the merit system of the state of
44 Connecticut and the employees who are employees of cities, towns or
45 boroughs which have adopted a local civil service or merit system
46 shall be included in their comparable grade with fully attained
47 seniority in the state merit system. Such employees shall perform such
48 duties as are prescribed by the director of health. In the event of the
49 withdrawal of a town, city or borough from the district department, or

50 in the event of a dissolution of any district department, the employees
51 thereof, originally employed therein, shall automatically become
52 employees of the appropriate town, city or borough's board of health.

53 Sec. 2. Subsection (a) of section 19a-200 of the general statutes is
54 repealed and the following is substituted in lieu thereof (*Effective July*
55 *1, 2016*):

56 (a) The mayor of each city, the warden of each borough, and the
57 chief executive officer of each town shall, unless the charter of such
58 city, town or borough otherwise provides, nominate some person to be
59 director of health for such city, town or borough, which nomination
60 shall be confirmed or rejected by the board of selectmen, if there be
61 such a board, otherwise by the legislative body of such city or town or
62 by the burgesses of such borough within thirty days thereafter.
63 Notwithstanding the charter provisions of any city, town or borough
64 with respect to the qualifications of the director of health, on and after
65 October 1, 2010, any person nominated to be a director of health shall
66 (1) be a licensed physician and hold a degree in public health from an
67 accredited school, college, university or institution, or (2) hold a
68 graduate degree in public health from an accredited school, college or
69 institution. The educational requirements of this section shall not
70 apply to any director of health nominated or otherwise appointed as
71 director of health prior to October 1, 2010. In cities, towns or boroughs
72 with a population of forty thousand or more for five consecutive years,
73 according to the estimated population figures authorized pursuant to
74 subsection (b) of section 8-159a, such director of health shall serve in a
75 full-time capacity, except where a town has designated such director as
76 the chief medical advisor for its public schools under section 10-205,
77 and shall not, [engage in private practice] during such director's term
78 of office, have any financial interest in or engage in any employment,
79 transaction or professional activity that is in substantial conflict with
80 the proper discharge of the duties required of directors of health by the
81 general statutes or the Public Health Code and specified by the
82 appointing authority of the city, town or borough in its written
83 agreement with such director. Such director of health shall have and

84 exercise within the limits of the city, town or borough for which such
 85 director is appointed all powers necessary for enforcing the general
 86 statutes, provisions of the Public Health Code relating to the
 87 preservation and improvement of the public health and preventing the
 88 spread of diseases therein. In case of the absence or inability to act of a
 89 city, town or borough director of health or if a vacancy exists in the
 90 office of such director, the appointing authority of such city, town or
 91 borough may, with the approval of the Commissioner of Public
 92 Health, designate in writing a suitable person to serve as acting
 93 director of health during the period of such absence or inability or
 94 vacancy, provided the commissioner may appoint such acting director
 95 if the city, town or borough fails to do so. The person so designated,
 96 when sworn, shall have all the powers and be subject to all the duties
 97 of such director. In case of vacancy in the office of such director, if such
 98 vacancy exists for thirty days, said commissioner may appoint a
 99 director of health for such city, town or borough. Said commissioner,
 100 may, for cause, remove an officer the commissioner or any predecessor
 101 in said office has appointed, and the common council of such city,
 102 town or the burgesses of such borough may, respectively, for cause,
 103 remove a director whose nomination has been confirmed by them,
 104 provided such removal shall be approved by said commissioner; and,
 105 within two days thereafter, notice in writing of such action shall be
 106 given by the clerk of such city, town or borough, as the case may be, to
 107 said commissioner, who shall, within ten days after receipt, file with
 108 the clerk from whom the notice was received, approval or disapproval.
 109 Each such director of health shall hold office for the term of four years
 110 from the date of appointment and until a successor is nominated and
 111 confirmed in accordance with this section. Each director of health shall,
 112 annually, at the end of the fiscal year of the city, town or borough, file
 113 with the Department of Public Health a report of the doings as such
 114 director for the year preceding."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2016	19a-244

Sec. 2	July 1, 2016	19a-200(a)
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