

Operating as a Board of Health



Script: The Michigan Public Health Training Center welcomes you to this module, Operating as a Board of Health.

“In today’s public health system, the leadership role of boards of health makes them an essential link between public health services and a healthy community.”

- National Association of Local Boards of Health

Script: The National Association of Local Boards of Health, or NALBOH, states that, “In today’s public health system, the leadership role of boards of health makes them an essential link between public health services and a healthy community.”

Module Objectives

- Distinguish between state and local public health governing entities
- Describe the six functions of public health governance

Script: This module will detail some important concepts about public health governance, starting with the various structures at state and local levels. Next we will look at the key functions of public health governing bodies that were established by the National Association of Local Boards of Health. By the end of this module, you should have a better understanding of how a board of health functions and how you might integrate the information into your work.

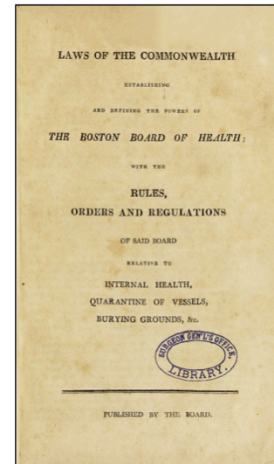
State & Local Public Health Governance Structure



Script: Let's start by learning how to distinguish between state and local public health governing entities. We will examine how these governing bodies vary across the country in their structures and composition, while having similar responsibilities at their respective levels of influence.

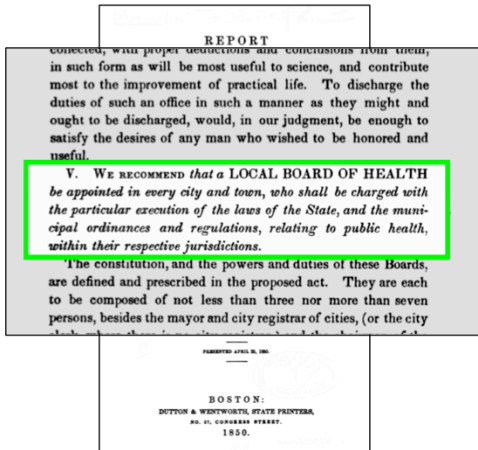
State Public Health Governance

- **1799:** First board of health established in Boston
- Paul Revere appointed board president



Script: In 1799, the first board of health in Boston was established in response to efforts to organize and regulate public health. Paul Revere was appointed the president of this board.

State Public Health Governance



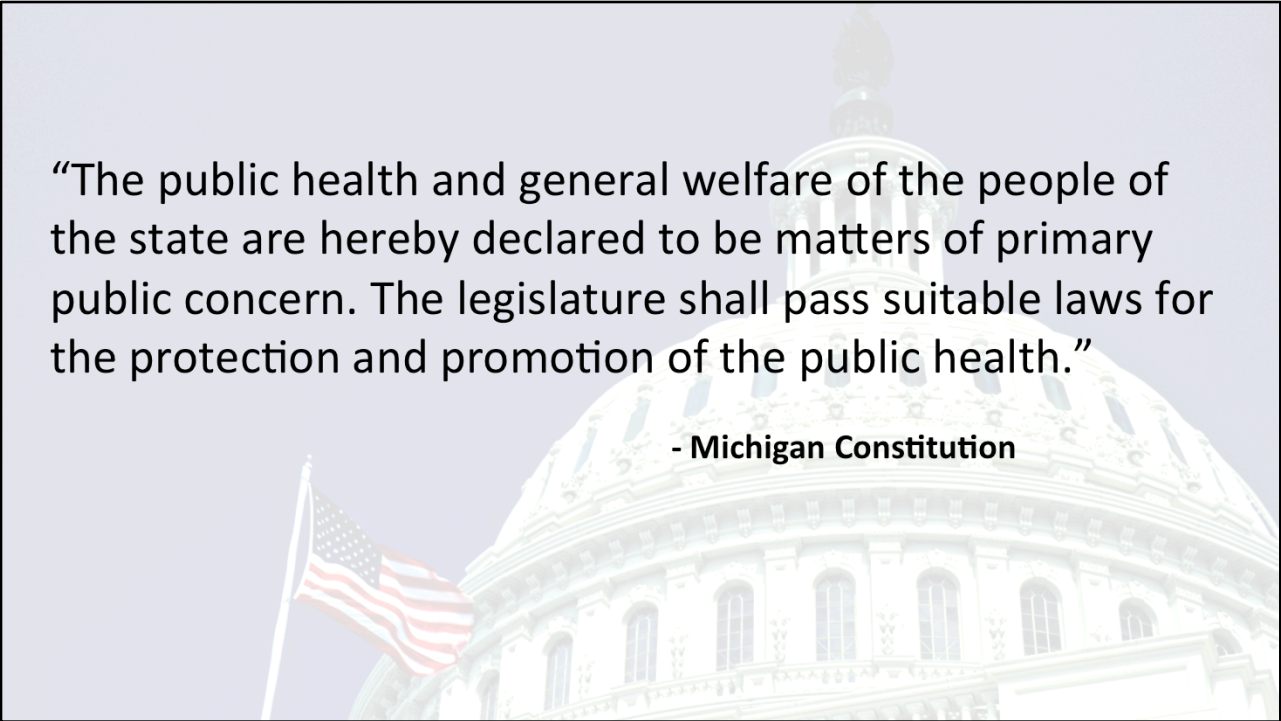
- **1850:** Lemuel Shattuck published **The Shattuck Report**
- Recommended that a local board of health be created in every city and town in the state
- **1869:** Massachusetts State Board of Health established

Script: In 1850, Lemuel Shattuck, an early developer of public health governance, published a seminal report, now commonly called “The Shattuck Report,” which is thought to be one of the most important documents in the history of public health. The report recommended that a local board of health be created in every city and town in the state. Shattuck’s ideas resulted in the establishment of the Massachusetts State Board of Health in 1869, which was the first, fully organized state health agency in the United States.

State Public Health Governance

- Public health governance is an inherent authority of the states
- Statutes, public health codes, or state constitutions
- Establish state- and local-level public health entities

Script: Today, more than 150 years after The Shattuck Report, public health governance is an inherent authority of the states. In every U.S. state and the District of Columbia, there are statutes, public health codes, or state constitutions that specifically address the establishment of state-level and often local-level public health entities.

A faded background image of the Michigan State Capitol dome and an American flag waving in front of it.

“The public health and general welfare of the people of the state are hereby declared to be matters of primary public concern. The legislature shall pass suitable laws for the protection and promotion of the public health.”

- Michigan Constitution

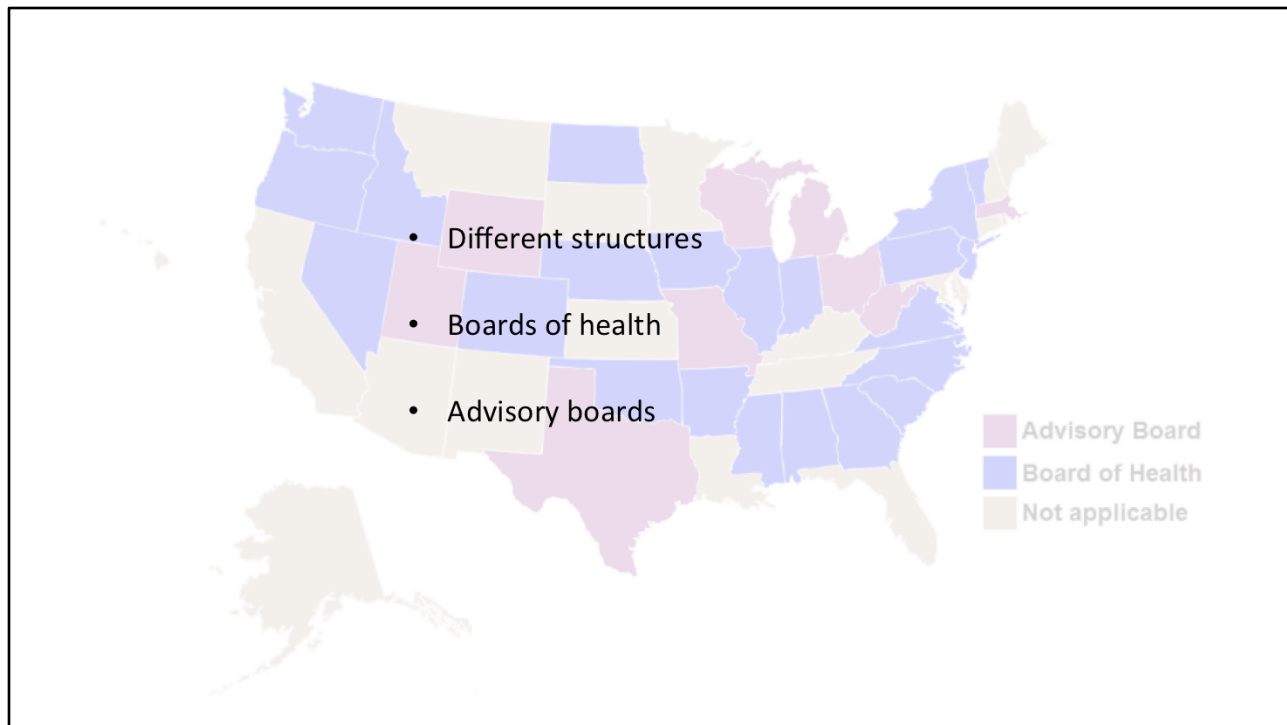
Script: Let’s look at Michigan’s constitution as an example. It clearly states, “The public health and general welfare of the people of the state are hereby declared to be matters of primary public concern. The legislature shall pass suitable laws for the protection and promotion of the public health.”

State Public Health Governance

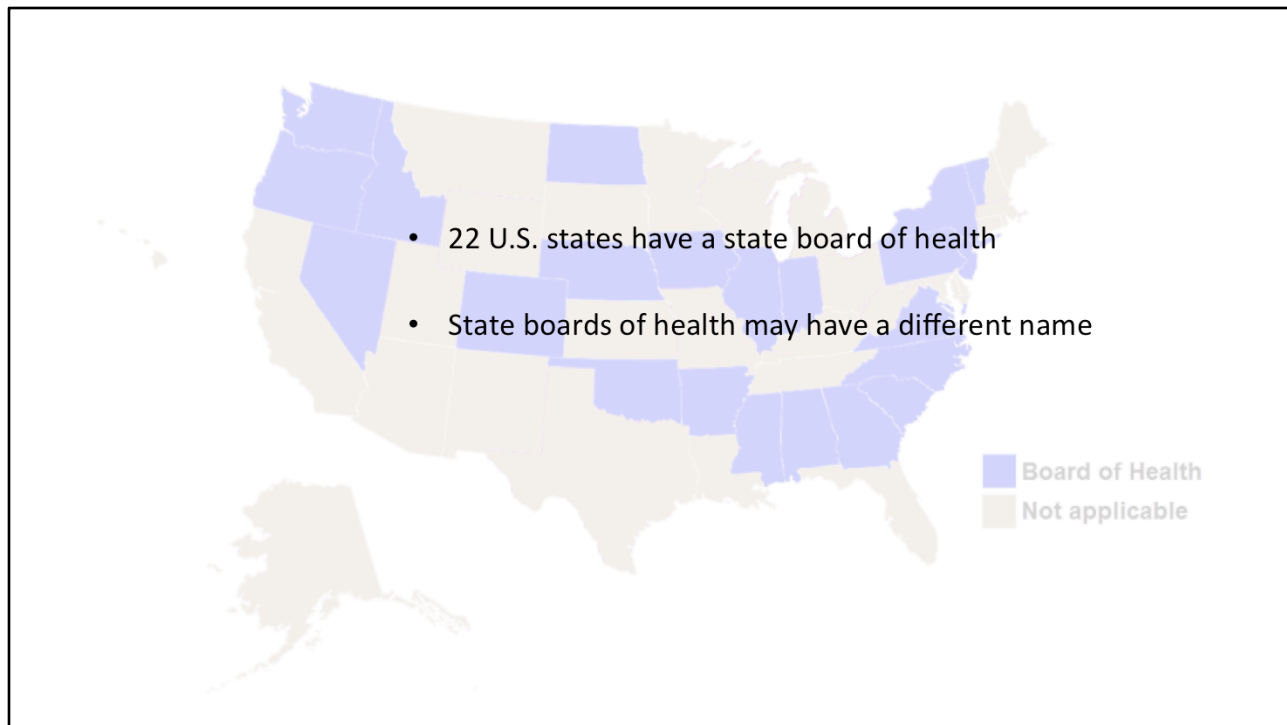
- **1978:** Michigan legislature passed Act 368
- Department of public health
- Office of the director of public health
- Public health advisory council
- Local health departments



Script: Michigan legislature passed Act 368 in 1978 “to protect and promote the public health.” The Michigan Public Health Code established the department of public health, the office of the director of public health, the public health advisory council, and local health departments. You should search for your state’s constitution or statutes to learn more about who is responsible for the provision of public health services and who is eligible to receive these services.



Script: It is important to understand that public health governance structures differ drastically between the states and even within each state at the local level. There may be boards of health, advisory boards, or a combination of the two. Additionally, the required composition of members on boards varies by state.



Script: 22 U.S. states have a state board of health. Members of state boards of health are usually appointed by either the governor or the state medical society. A state's board of health may actually have a different name. For example, Oregon has a state Health Policy Board, Pennsylvania has a state Advisory Health Board, and New York has a state Public Health and Health Planning Council. Even though they are not called a 'board of health,' they have the same responsibilities.

State Public Health Governance

State Board of Health Responsibilities

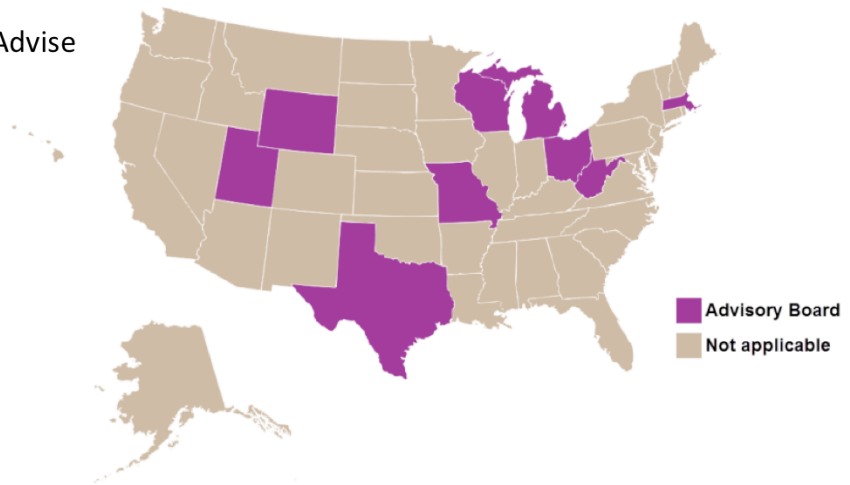
- Adopt, reject, or enforce rules and regulations
- Oversee public health agency decisions
- Appoint or remove the state health officer



Script: In general, a state board of health today is a panel with one or more of the following public health governance authorities: They can adopt, reject, and/or enforce rules and regulations, oversee public health agency decisions, and/or appoint or remove the state health officer.

State Public Health Governance: Advisory Boards

- **State Advisory Boards:** Advise on public health matters



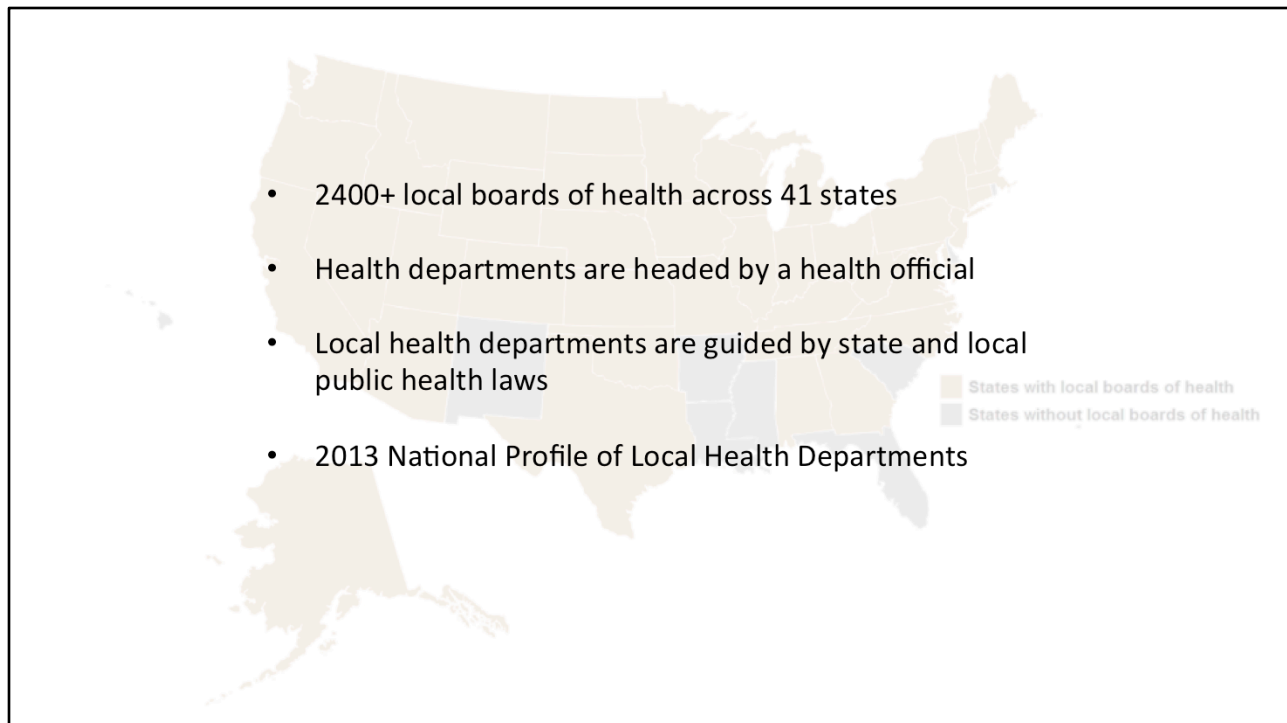
Script: There are also 9 U.S. states with public health advisory boards. An advisory board does just what its name implies – it advises the necessary state governing entities on public health matters.

Tribal Public Health Governance

- **2013:** 566 sovereign Tribal Nations
- Spread across 35 states
- Each Tribal Nation is self-governed



Script: Of special note is tribal public health in the United States. As of 2013, there were 566 sovereign Tribal Nations spread out across 35 states in the U.S. The U.S. government, as established in Article 1, Section 8 of the U.S. Constitution, recognizes each of the Tribal Nations as self-governed. As such, governance of public health in tribal communities occurs under different rules, though it is concerned with similar responsibilities to those of state and local governing entities.

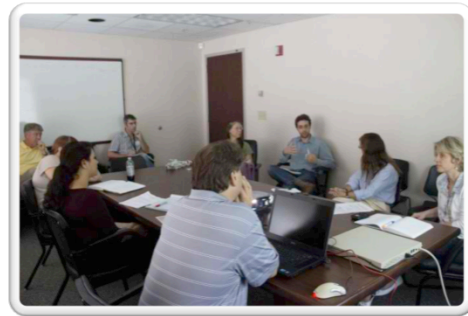


Script: There are more than 2400 local boards of health across 41 states. Depending on the state in which you live, local boards of health have varying relationships with state governing entities and with the local health departments they support. Health departments are headed by a health official and may report to the local board of health, mayor, city council, county commissioner, or other authority. Local health departments work closely with state public health agencies, and are guided by state and local public health laws. A good resource to learn about the organizational models for local public health governance in each state is the *2013 National Profile of Local Health Departments* from the National Association of County & City Health Officials.

Local Public Health Governance

Local Board of Health Responsibilities

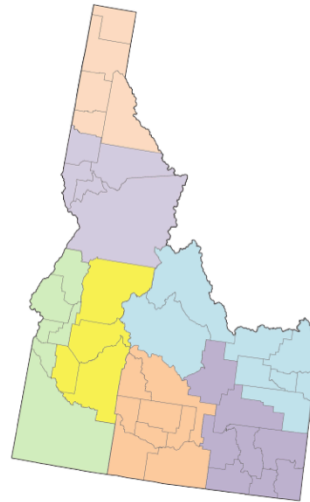
- Advise on and set policies, programs, and budgets
- Adopt public health regulations
- Approve budgets, set and impose fees
- Make hiring decisions for public health officer role



Script: In general, a local board of health has one or more of the following responsibilities: They can advise local health departments or elected officials on policies, programs, and budgets; set policies, goals, and priorities that guide the local health department; adopt public health regulations; approve the local health department budget; set and impose fees; and make hiring decisions for the public health officer role. These responsibilities occur within the roles created by the state and municipal public health codes and laws that establish the authorities of the local boards of health. And similar to what we learned about state public health governance, there may also be advisory boards of health at the local level.

Local Boards of Health Composition

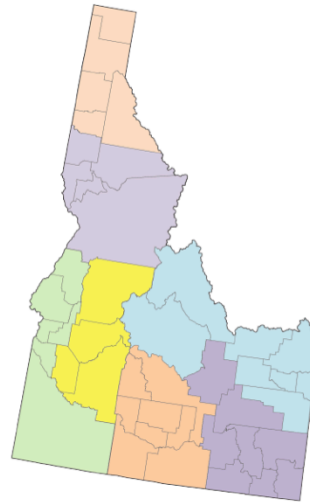
- 7 appointees
- 68% of local boards of health have members appointed by elected officials
- 13% have rules dictating board composition



Script: Local boards of health can have a varied composition. A typical board of health has seven appointees whose scope covers a single county but can cover areas as small as a township or as large as several counties. 68 percent of local boards of health have their members appointed by elected officials. And 13 percent of local boards of health in the U.S. have rules dictating who must be represented on the board, using either geographical, racial, or cultural considerations.

Local Boards of Health Composition

- U.S. citizen
- Resident of Idaho
- Resident of district for 1 year
- Qualified voter



Script: Idaho is an example of a state where the local boards of health members are responsible for several counties. Idaho has seven public health districts, which are made up of anywhere from four to eight counties. Idaho also has specific requirements about who can be appointed to the local board of health. Legislature requires that the each of the board of health members be a U.S. citizen, a resident of Idaho, a resident of their public health district for one year, and be a qualified voter.

Functions of Public Health Governance



Script: Now that you are more familiar with public health governing entities, let's learn about the six functions of public health governance. The National Association of Local Boards of Health, or NALBOH, worked with the Centers for Disease Control and Prevention, or CDC, other partners, and experts from the public health field to create...

Functions of Public Health Governance



Script: ... a model of ‘Six Functions of Public Health Governance.’ These functions are Legal Authority, Resource Stewardship, Oversight, Continuous Improvement, Partner Engagement, and Policy Development. The remaining modules in this course provide information pertaining to each function and how they are implemented in coordination with public health officials and other public health entities.

The Six Functions: Legal Authority



- Ensure provision of public health services when local laws allow
- Understand roles, responsibilities, obligations, and functions
- Act ethically and within the law
- Contact legal counsel if necessary

Script: The first of the six functions is Legal Authority, which we have already looked at in this module. A board of health's responsibilities with respect to the law are a very important aspect in the role as a governing body and it may exercise legal authority to ensure provision of public health services when local laws and state statutes allow. As a legal authority, boards of health and their members need to understand the roles, responsibilities, obligations, and functions of the governing body, health officer, and agency staff. A board of health must make sure that it acts ethically and within the law. Your board of health may need to contact legal counsel if necessary.

The Six Functions: Legal Authority



NEW YORK CITY LAW DEPARTMENT
OFFICE OF THE CORPORATION COUNSEL

Michael A. Cardozo, Corporation Counsel

Press Release

nyc.gov/law

For Immediate Release

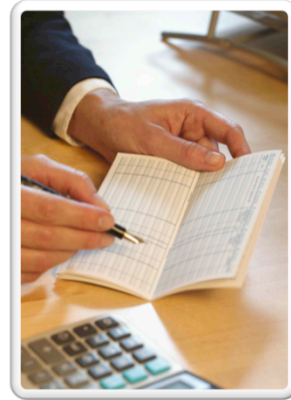
**FEDERAL APPEALS COURT UPHOLDS
NEW YORK CITY'S LANDMARK HEALTH CODE PROVISION
REQUIRING CERTAIN CHAIN RESTAURANTS
TO POST CALORIE INFORMATION ON MENUS AND MENU BOARDS**

**RULING MEANS THAT CONSUMERS WILL HAVE MORE INFORMATION
FOR MAKING HEALTHIER EATING CHOICES;
GROUNDBREAKING PROVISION IS THE FIRST TO BE IMPLEMENTED IN THE UNITED STATES,
WITH OTHER CITIES NOW FOLLOWING SUIT**

Script: As an example, think back to what you learned about the New York City Board of Health in earlier modules. They partnered with experts in public health law, among many others. The board of health involved legal staff to ensure the proposed health code amendment would be effective and able to withstand legal challenges.

The Six Functions: Resource Stewardship

- Ensure financial, human, and other resources needed are available
- Create budgets, discuss long-range financial planning, develop agreements
- Advocate for funding



Script: The next function is Resource Stewardship. This means ensuring the financial, human, and other resources needed to perform the essential services of public health are available. Resource stewardship also consists of creating budgets, discussing long-range financial planning, developing agreements to share resources with neighboring governing entities, and advocating for more funding for agencies.

The Six Functions: Oversight



- Guide agency to achieve population health goals and outcomes
- Act as liaison between officials and agencies
- Oversee health officer role
- Participate in governing entity activities

Script: Next is Oversight, in which a board of health takes the responsibility for guiding the public health agency to achieve population health goals and outcomes. Oversight may also include acting as a liaison between agencies and elected officials, designing, hiring, and evaluating the health officer role to meet public health service administration needs, and actively participating in governing entity activities.

The Six Functions: Continuous Improvement

- Improve community health
- Evaluate, monitor, and set new measurable outcomes
- Evaluate effectiveness
- Professional development



Script: The fourth of the six functions is Continuous Improvement. In this function, we are looking at improving community health and the agency's ability to meet responsibilities. To ensure continuous improvement, the board of health must regularly evaluate, monitor, and, if necessary, set new measurable outcomes for population health and agency quality improvement. Continuous improvement may also include the need to evaluate effectiveness and provide opportunities for professional development.

The Six Functions: Partner Engagement



- Create and build community partnerships
- Educate, engage, and collaborate
- Participate with community members
- Link between agencies, community, and others

Script: The next function is Partner Engagement. This includes creating, building, and reinforcing community partnerships. Partner engagement is done by educating, engaging, and collaborating with all entities involved in promoting and protecting the community's health. To do this, boards of health should participate in open dialogue with members of the community regarding public health issues. Partner engagement means serving as a link between different agencies, the community, and other organizations.

The Six Functions: Policy Development

- Protect, promote, and improve public health
- Use best available research and evidence
- Consistent with local, state, and federal laws
- Advocacy



Script: The last of the six functions is Policy Development. This involves creating and contributing to policies that protect, promote, and improve public health using the best available research and evidence. Boards of health also need to make sure that policies are consistent with local, state, and federal laws and rules. Regularly updating vision, mission, goals and measurable outcomes fall into this function.

Effective Board of Health Example



Script: Now that we have explored all of the module objectives, let's look at an example of what an effective board of health can do for its community. As you listen to the following example, which is just one of many possible examples from various settings across the country of a board of health success, think about the six functions of public health and see if you can identify any that are being used.



Script: Amherst is a mid-sized community in west-central Massachusetts with a population of almost 38,000 people. The Amherst board of health is responsible for protecting and promoting public health for the town of Amherst, which includes creating new policies. They also review and hold public hearings on existing policies.



Script: The Amherst board of health has established regulations on a wide variety of public health issues including body art establishments, recreational camps, and smoking and tobacco use.



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Effective Board of Health Example: The Six Functions



- Prohibit smoking in the workplace and public places
- Limit the sale of tobacco products

Script: Looking at smoking and tobacco use as an example, the Amherst board of health has made several regulations prohibiting smoking in the workplace and public places and limiting the sale of tobacco products.

Effective Board of Health Example: The Six Functions

- **June 2013:** Amherst board held a public hearing
- Ban pharmacies from selling tobacco
- Limit the number of stores with retail tobacco permits
- Restrict sale of tobacco wrapping papers

BOARD OF HEALTH	
June 19, 2013	
Bangs Community Center, Room 101	
7:00 PM	
AGENDA	
Meeting Opens:	
7:00	Review & Receive
	1. Meeting Minutes from May 16, 2013 – DRAFT
7:05	New Business
	1. Public Hearing: Proposed regulation <i>Regulation of the Town of Amherst Board of Health Restricting the Sale and Use of Tobacco Products and Nicotine Delivery Products</i>
7:45	Old Business
	1. Discussion: Proposed regulation <i>Regulation of the Town of Amherst Board of Health Restricting the Sale and Use of Tobacco Products and Nicotine Delivery Products</i>
	2. Wood Smoke Regulation: <i>Amherst Board of Health Regulations Governing Emissions From Solid Fuel Burning Devices</i>

Script: In June 2013, the Amherst board held a public hearing on a proposal to ban health care institutions such as pharmacies from selling tobacco products, to limit the number of stores with retail tobacco permits, and to restrict the sale of tobacco wrapping papers.

Effective Board of Health Example: The Six Functions



- **2011:** Survey showed approximately 20% of local high school seniors smoked cigars
- Minor access to tobacco products listed as a major public health problem

Script: The board had a comprehensive list of reasons for needing this new policy including the results of a 2011 Massachusetts Prevention Needs Assessment Survey which showed that approximately 20 percent of local high school seniors had smoked either flavored or tipped cigars. Minor access to tobacco products was also listed as a major public health problem and a reason for needing the new policy.



Script: On October 1, 2013, the regulation went into effect. Pharmacies in Amherst are no longer able to sell tobacco products. The new regulation also banned the use of nicotine delivery products, or e-cigarettes, wherever smoking is banned.

Effective Board of Health Example: The Six Functions



Script: This example highlights four of the six functions: legal authority, oversight, continuous improvement, and policy development. To learn more about the Amherst board of health's experience, see the references document for sources used in this module.

Operating as a Board of Health

- Distinguish between state and local public health governing entities
- Describe the six functions of public health governance

Script: You have now completed this module, Operating as a Board of Health in which you learned about concepts of public health governance, starting with the various structures at state and local levels. You also learned about the key functions of public health governing bodies established by the National Association of Local Boards of Health. Please continue on to the next video in the series.

Training Provided By



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Script: This training is provided by the Michigan Public Health Training Center at the University of Michigan School of Public Health, Office of Public Health Practice. Funding for this project was made possible by the Health Resources and Services Administration, Bureau of Health Workforce. This training was developed in collaboration with the Michigan Public Health Institute.

Special Thanks To:

- National Association of Local Boards of Health (NALBOH)
 - Phyllis Meadows, PhD, MSN, RN, University of Michigan School of Public Health

Questions about this training? Contact:

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734-615-9439

This Course is in Memory of Marie Fallon

Photo References

- **00:52/05:56** - 15274 by CDC/Debora Cartagena (2012) from CDC PHIL
- **10:42** - 15261 by CDC/Debora Cartagena (2012) from CDC PHIL
- **04:31** - Indian Lands in the United States by The Department of Interior, Bureau of Indian Affairs, Office of Trust Services (2014) from <http://www.bia.gov/cs/groups/public/documents/text/idc013422.pdf>

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