

LEGISLATIVE BILL 139

Approved by the Governor February 25, 1975

Introduced by Luedtke, 28

AN ACT to amend section 71-1632, Reissue Revised Statutes of Nebraska, 1943, and section 71-1630.02, Revised Statutes Supplement, 1974, relating to public health and welfare; to provide for the establishment of fees by city-county boards of health; to clarify language; to establish powers for certain health directors as prescribed; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 71-1630.02, Revised Statutes Supplement, 1974, be amended to read as follows:

71-1630.02. The board of health of a city-county health department established by a county and a city of the primary class shall, immediately after appointment, meet and organize by the election of one of its own members as president, one as vice president, and another as secretary and, either from its own members or otherwise, a treasurer. It may elect such other officers, as it may deem necessary, and make and adopt such rules for its own guidance and for the government of such health department as may be necessary, not inconsistent with Chapter 71, article 16. It shall, with the approval of the municipality and the board of county commissioners, (1) select the health director of such department, who shall be (a) a graduate of an accredited medical school, (b) well-trained in public health work, (c) qualified in accordance with the merit system regulations of the state, and (d) approved by the Department of Health; (2) hold an annual meeting, at which meeting officers shall be elected for the ensuing year; (3) hold meetings quarterly of each year; (4) hold special meetings upon a written request signed by two of its members and filed with the secretary; (5) make provision for suitable offices, facilities, and equipment for the health director and assistants and their pay and traveling expenses in the performance of their duties; (6) publish in pamphlet form for free distribution, an annual report showing (a) the condition of its trust for each year, (b) the sums of money received from all sources, giving the name of any donor, (c) how all money has been expended and for what purpose, and (d) such other statistics and information in regard to the work of

such health department as may be of general interest; (7) enforce and observe the rules, regulations, and orders of the Department of Health and all laws of the State of Nebraska pertaining to the preservation of health, except as otherwise provided in sections 71-1626 to 71-1636; (8) make all necessary sanitary and health investigations and inspections; (9) investigate the existence of any contagious or infectious disease and adopt measures, with the approval of the Department of Health, to arrest the progress of the same; (10) distribute free, as the local needs may require, all vaccines, drugs, serums, and other preparations obtained from the Department of Health or purchased for public health purposes by the county board; (11) upon request, give professional advice and information to all city, village, and school authorities on all matters pertaining to sanitation and public health; and (12) fix the salaries of all employees, including the health director. Such city-county health department may by agreement with the city or with the county, provide for the coverage of the officers and employees of such city-county health department under the city or county pension plan or retirement plan, or health insurance plan; and (13) establish fees for the costs of all services including those services for which third party payment is available.

Sec. 2. That section 71-1632, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1632. The health director of such county, district, or city-county health department, except a department established under the provisions of section 71-1630.02, shall have the power and duty to (1) be the executive officer of the local boards of health; (2) appoint, with the approval of the local board of health, a properly functioning staff and other personnel as may be necessary, whose qualifications shall conform to the State Joint Merit System and United States Public Health Standards and whose remuneration shall conform to an established compensation schedule set by such local board of health and which is reviewed and approved annually by such board; (3) organize, with the approval of the local board of health, a citizens' advisory health council that will aid in developing a public health program to meet the particular needs, hazards and problems of the health district; and (4) organize, with the approval of the local board of health, a medical and dental advisory committee.

Sec. 3. The health director of a department established under the provisions of section 71-1630.02 shall have the power and duty to (1) be the executive

officer of the department and the local board of health; (2) appoint other personnel in the department as may be necessary, whose qualifications shall meet United States Public Health Standards where pertinent, and who shall also be subject to the city personnel rules, regulations, compensation plan and benefits, which regulations shall substantially conform to the federal merit system standards; (3) review annually with the local board of health the proposed budget of the department, which budget shall be subject to approval by the county and city; (4) organize, with the approval of the local board of health, a citizens' advisory health council that will aid in developing a public health program to meet the particular needs and problems of the region served; and (5) organize, with the approval of the local board of health, a medical and dental advisory committee.

Sec. 4. That original section 71-1632, Reissue Revised Statutes of Nebraska, 1943, and section 71-1630.02, Revised Statutes Supplement, 1974, are repealed.