



# Hays County Health Department

## Advisory Public Health Board

Updated on: February 11, 2025

# Agenda

- 1. Essential Public Health Services**
- 2. Responsibilities of the Governing Body**
- 3. Responsibilities and Role of the Public Health Authority**
- 4. Responsibilities of the Health Department**
- 5. Current Department Organization**
- 6. Public Health Advisory Board Organization**
- 7. Public Health Advisory Board Eligibility**

# Essential Public Health Services

- 1. Sec. 121.002. DEFINITIONS. In this chapter: (1) "Essential public health services" means services to:**
  - a. Monitor the health status of individuals in the community to identify community health problems;
  - b. Diagnose and investigate community health problems and community health hazards;
  - c. Inform, educate, and empower the community with respect to health issues;
  - d. Mobilize community partnerships in identifying and solving community health problems;
  - e. Develop policies and plans that support individual and community efforts to improve health;
  - f. Enforce laws and rules that protect the public health and ensure safety in accordance with those laws and rules;
  - g. Link individuals who have a need for community and personal health services to appropriate community and private providers;
  - h. Ensure a competent workforce for the provision of essential public health services;
  - i. Research new insights and innovative solutions to community health problems; and
  - j. Evaluate the effectiveness, accessibility, and quality of personal and population-based health services in a community.
- 2. 121.006 Public Health Services**
  - a. In this section, "public health services" means:
    - i. Personal health promotion and maintenance services;
    - ii. Infectious disease control and prevention services;
    - iii. Environmental and consumer health programs;
    - iv. Public health education and information services;
    - v. Laboratory services; and
    - vi. Administrative services.

# Responsibilities of the Governing Body

## **1. SEC. 121.003. POWERS OF MUNICIPALITIES AND COUNTIES.**

- a. The governing body of a municipality or the commissioners court of a county may enforce any law that is reasonably necessary to protect the public health.**
- b. The governing bodies of municipalities and the commissioners courts of counties may cooperate with one another in making necessary improvements and providing services to promote the public health in accordance with Chapter 791, Government Code.**
- c. The commissioners court of a county may grant authority under this subsection to a county employee who is trained by a health authority appointed by the county under Section 121.021, by a local health department established under Section 121.031, or by a public health district established under Section 121.041 and who is not a peace officer. The court may grant to the employee the power to issue a citation in an unincorporated area of the county to enforce any law or order of the commissioners court that is reasonably necessary to protect the public health. A citation issued under this subsection must state the name of the person cited, the violation charged, and the time and place the person is required to appear in court. If a person who receives a citation under this subsection fails to appear on the return date of the citation, the court may issue a warrant for the person's arrest for the violation described in the citation.**

# Responsibilities of the Governing Body

## **1. SEC. 121.031. ESTABLISHMENT.**

a. The governing body of a municipality or the commissioners court of a county may establish a local health department by majority vote.

## **2. Sec. 121.033. DEPARTMENT DIRECTOR.**

a. The governing body of a municipality or the commissioners court of a county shall appoint the director of the municipality's or county's local health department.

b. The director is the chief administrative officer of the local health department, and if the director is a physician, the director is the health authority in the local health department's jurisdiction.

c. The governing body of a municipality or the commissioners court of a county may designate a person to perform its appointment duties under this section.

d. A director of a local health department who is not a physician shall appoint a physician as the health authority in the local health department's jurisdiction, subject to the approval of the governing body or the commissioners court, as appropriate, and the department.

e. The governing body or the commissioners court, as appropriate, shall set the compensation of the director and the health authority in its jurisdiction, except that the compensation, including a salary, may be allowed only for services actually rendered.

# Responsibilities of the Governing Body

## **1. SEC. 121.034. PUBLIC HEALTH BOARD.**

- a. The governing body of a municipality that establishes a local health department may provide for the creation of an administrative or advisory public health board and the appointment of representatives to that board.**
- b. The commissioners court of a county that establishes a local health department may provide for the creation of an advisory public health board and the appointment of representatives to that board.**
- c. The director of the local health department is an ex officio, nonvoting member of any public health board established for the local health department.**

# Responsibilities and Role of the Public Health Authority

## **1. Sec. 121.021. HEALTH AUTHORITY.**

**a. A health authority is a physician appointed under the provisions of this chapter to administer state and local laws relating to public health within the appointing body's jurisdiction.**

## **2. Sec. 121.022. QUALIFICATIONS.**

**a. A health authority must be:**

- i. a competent physician with a reputable professional standing who is legally qualified to practice medicine in this state; and**
- ii. a resident of this state.**

**b. To be qualified to serve as a health authority, the appointee must:**

- i. take and subscribe to the official oath; and**
- ii. file a copy of the oath and appointment with the department.**

## **3. Sec. 121.023. TERM OF OFFICE.**

**a. A health authority serves for a term of two years and may be appointed to successive terms.**

# Responsibilities and Role of the Public Health Authority

## **1. Sec. 121.025. REMOVAL FROM OFFICE.**

**a.** A health authority may be removed from office for cause under the personnel procedures applicable to the heads of departments of the local government that the health authority serves.

## **2. Sec. 121.026. EXPIRATION AND EXTENSION OF CERTAIN PUBLIC HEALTH ORDERS ISSUED BY HEALTH AUTHORITY.**

**a.** This section applies only to a public health order imposed on more than one individual, animal, place, or object.

**b.** A public health order issued by a health authority under this chapter or other law expires on the 15th day following the date the order is issued unless, before the 15th day by majority vote:

**i.** the governing body of a municipality or the commissioners court of a county that appointed the health authority extends the order for a longer period; or

**ii.** if the health authority is jointly appointed by a municipality and county, the commissioner's court of the county extends the order for a longer period.

# Responsibilities and Role of the Public Health Authority

## 1. Sec. 121.024. DUTIES.

- a. A health authority is a state officer when performing duties prescribed by state law.
- b. A health authority shall perform each duty that is:
  - i. necessary to implement and enforce a law to protect the public health; or
  - ii. prescribed by the department.
- c. The duties of a health authority include:
  - i. establishing, maintaining, and enforcing quarantine in the health authority's jurisdiction;
  - ii. aiding the department in relation to local quarantine, inspection, disease prevention and suppression, birth and death statistics, and general sanitation in the health authority's jurisdiction;
  - iii. reporting the presence of contagious, infectious, and dangerous epidemic diseases in the health authority's jurisdiction to the department in the manner and at the times prescribed by the department;
  - iv. reporting to the department on any subject on which it is proper for the department to direct that a report be made; and
  - v. aiding the department in the enforcement of the following in the health authority's jurisdiction:
    - 1. proper rules, requirements, and ordinances;
    - 2. sanitation laws;
    - 3. quarantine rules; and
    - 4. vital statistics collections.

# Responsibilities of the Health Department

## **1. Sec. 121.032. POWERS AND DUTIES.**

**a. A local health department may perform all public health functions that the municipality or county that establishes the local health department may perform.**

## **2. Sec. 121.033. DEPARTMENT DIRECTOR.**

**a. The governing body of a municipality or the commissioners court of a county shall appoint the director of the municipality's or county's local health department.**

**b. The director is the chief administrative officer of the local health department, and if the director is a physician, the director is the health authority in the local health department's jurisdiction.**

**c. The governing body of a municipality or the commissioners court of a county may designate a person to perform its appointment duties under this section.**

**d. A director of a local health department who is not a physician shall appoint a physician as the health authority in the local health department's jurisdiction, subject to the approval of the governing body or the commissioners court, as appropriate, and the department.**

**e. The governing body or the commissioners court, as appropriate, shall set the compensation of the director and the health authority in its jurisdiction, except that the compensation, including a salary, may be allowed only for services actually rendered.**

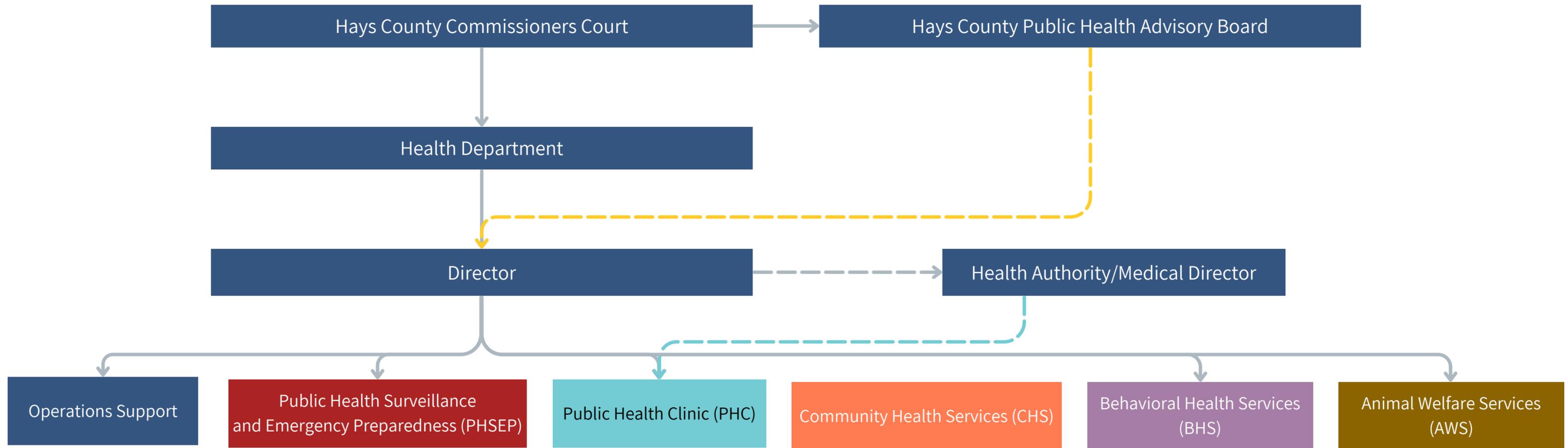
# Responsibilities of the Health Department

## 1. **Sec. 121.0331. DELEGATION OF AUTHORITY.**

- a. A health authority, unless otherwise restricted by law, may delegate a power or duty imposed on the health authority by the department, or by this or any other law, to a properly qualified physician who is employed by the municipality's or county's local health department to act while the health authority is absent or incapacitated.
- b. The physician designated by the health authority must:
  - i. meet the qualifications set out in Section 121.022(a);
  - ii. be appointed as a designee in the same manner as the appointment of the health authority;
  - iii. take, subscribe, and file the official oath and appointment with the department as required by Section 121.022(b); and
  - iv. file a certified copy of the written delegation with the department.
- c. The delegation is effective during the term of the health authority who made the delegation; however, the health authority may limit the delegation to a shorter duration in the written delegation of authority.
- d. The health authority is responsible for the acts of the physician to whom the health authority has delegated the power or duty.
- e. The entity or entities that appoint the health authority and the designee health authority must adopt procedures for the service of the designee as health authority under this section. The procedures shall prevent duplication of authority between the health authority and the designee and provide notice to the department when authority is transferred.



# Hays County Health Department





**QUESTIONS?**